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## THE PLANNING GAME—ENGLISH STYLE

OR

## THE GREATER LONDON

## DEVELOPMENT PLAN

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Anglophiles will be aware that since the statute *Quia Emptores* in the year 1290, no single piece of legislation has made as great an impact on English land law as that brought about by the Town and Country Planning Act of 1947.<sup>1</sup> The lynchpin of that legislation, which gave to England its first comprehensive statutory machinery for controlling land use, was that no landowner could develop his land without first obtaining permission from the local planning authority.<sup>2</sup> The content of the development plan which local planning authorities were required to prepare for their areas determined whether permission would be granted, or granted subject to conditions, or whether the planning authority would begin cease and desist proceedings if development commenced without permission.<sup>3</sup> The history of these development plans is well known. The framers of the Act had intended that land use allocation in the plan should be drawn with a "broad brush," avoiding any rigidity in detailed zonings.<sup>4</sup> Unfortunately, the language of the Act and the notational

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1. 10 & 11 Geo. 6, c. 51.

2. *Id.* §§ 12-36.

3. *Id.* §§ 5-11.

4. REPORT OF THE PLANNING ADVISORY GROUP, THE FUTURE OF DEVELOPMENT PLANS 1:21 (H.M.S.O.) (1965).

techniques adopted by the planners had precisely the reverse effect, so that instead of development plans becoming a springboard for positive planning by depicting future change, they rapidly became little more than descriptions of existing land use. Worse still, even though the defects had been recognised, plans could be amended only after a prolonged statutory process had been followed.<sup>5</sup> This process included a consideration by the appropriate Minister of objections to the amendment before it was approved. By the middle of the 1960's, it became obvious that things could not stay as they were.

In 1965, the Minister of Housing and Local Government, responsible for the formulation of planning policy, indicted town and country planning in England on a number of grounds. The official view was that the planning machinery had failed to come to grips early enough with the population explosion or with the motor car; that much of our rebuilding was depressing in the quality of its layout and design; that the effects of re-development in some of our historic towns was appalling; that the concentration on urban planning had permitted the destruction of village life; that planning had created the twin evils of land famine and famine prices for land around every great city; and that planning organisation was a hierarchy of centralised pontification and that the Minister himself was the arch pontiff.<sup>6</sup> The Town and Country Planning Act of 1968<sup>7</sup> represented an attempt to remedy these defects by changing the form and content of development plans and by altering the level of responsibility for the making of planning decisions. These twin objectives were secured by providing for the creation of a new style of development plan to be prepared by the local planning authority at two levels instead of one. First, at the higher level, there is now to be a "structure plan," intended to deal with the general lines of development in an area in purely policy terms, applicable to such major land uses as housing, education, recreation, transport and communications.<sup>8</sup> Secondly, at the lower level, there are to be "local plans," which, whilst conform-

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5. Town & Country Planning Act 1947, 10 & 11 Geo. 6, c. 51, § 6.

6. 51 J. ROYAL TOWN PLAN. INST. 206 (1965).

7. Town & Country Planning Act 1968, c. 72. The provisions of the 1968 Act relating to development plans, which are now consolidated in the Town & Country Planning Act 1971, are based substantially on REPORT OF THE PLANNING ADVISORY GROUP, THE FUTURE OF DEVELOPMENT PLANS (H.M.S.O.) (1965).

8. Town & Country Planning Act 1968, c. 72, §§ 1-5 (re-enacted in Town & Country Planning Act 1971, c. 78, §§ 6-10).

ing generally to the structure plan, will deal with the detailed planning of an area and the allocation of particular parcels of land for particular purposes.<sup>9</sup> The alteration in the level of responsibility was secured by providing that only structure plans and amendments thereto would need approval by the Minister.<sup>10</sup> Local plans would not need the imprint of Ministerial authority; instead, they would come into effect after adoption by the local planning authority that had prepared them. As had the 1947 Act, the new Act also provides an opportunity for objections to be made to the plan. In the case of a structure plan, the objections are considered by the Minister; in the case of a local plan, by the local planning authority.<sup>11</sup>

The 1968 Act, however, introduced an entirely new element into the preparation of development plans by requiring public participation at the formative stages.<sup>12</sup> Instead of presenting the public with a *fait accompli*, subject only to a consideration of public objections, local planning authorities are required to take the public into their confidence in determining the content of either a structure or a local plan. The consolidated Town and Country Planning Act of 1971 now charges local planning authorities with insuring that adequate publicity is given to matters intended to be included in a plan; also, persons who may be expected to want to make representations about those matters are to be made aware of their right to have an adequate opportunity to do so. Then, once a plan has been prepared but before the objection procedure can be initiated, the local planning authority must state the steps taken to comply with that publicity duty and the consideration given to the views of persons who have made representations.<sup>13</sup> It is against this background of change in English town and country planning law that the development plan for the Greater London area must be considered.

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9. *Id.* §§ 6-10 (§§ 11-15).

10. The local plan may not be adopted "unless it conforms generally to the structure plan as approved by the Minister." *Id.* § 9(2) (§ 14(2)). The Minister responsible is now the Secretary of State for the Environment. STAT. INSTR. 1970, No. 1681.

11. Town & Country Planning Act 1968, c. 72, §§ 4, 8 (Town & Country Planning Act 1971, c. 78, §§ 9, 13).

12. *Id.* §§ 4, 8 (§§ 9, 13).

13. Town & Country Planning Act 1971, c. 78, § 12. This seems a parallel development to proposals of the Federal Transportation Department that instead of one inquiry being held to consider objections to the route of a highway, there should be two: one before the route is provisionally fixed and one after.

## THE GREATER LONDON DEVELOPMENT PLAN

## I. THE LEGAL BACKGROUND

The structure of English local government has never been on probation. Until the substantial re-organisation now taking place under the provisions of the Local Government Act of 1972,<sup>14</sup> the system of local government was predominantly a creature of the nineteenth century which twentieth century pressures had failed to disturb.<sup>15</sup> The wind of change first blew in 1957, when a Royal Commission under Sir Edwin Herbert was appointed to examine and to make recommendations upon the system and working of local government in the Greater London Area. The Herbert Commission's proposals<sup>16</sup> were given legislative effect by the London Government Act of 1963, the purpose of which was to create "an overall authority to meet needs which by their nature are needs of Greater London as a whole."<sup>17</sup>

London was considered rather special, being an area which "differs from the conurbations in the rest of the country by reason of its size, density of population, history of growth and over-riding predominance of its one centre."<sup>18</sup> The Act abolished almost all the old units of local government in the London area and established in their place the Greater London Council as the authority for strategic functions in a new Greater London Area.<sup>19</sup> These strategic functions were to include, *inter alia*, responsibility for roads, housing and planning.<sup>20</sup> Local functions were to be dealt with by 32 London "boroughs," with the City of London exercising that jurisdiction within the area of its famous square mile.<sup>21</sup>

As far as planning was concerned, the new Greater London Council inherited those parts of the development plans of the old authorities which the Council had replaced. The development plan for the

14. Local Government Act 1972, c. 70.

15. See Hill, *Local Government in Present-Day England*, 4 URBAN LAW. 463 (1972).

16. REPORT OF GREAT BRITAIN ROYAL COMMISSION ON LOCAL GOVERNMENT IN GREATER LONDON, CMND. No. 1164 (1960) [hereinafter cited as HERBERT COMMISSION REPORT].

17. 669 PARL. DEB., H.C. (5th ser.) col. 49 (Dec. 10, 1962).

18. HERBERT COMMISSION REPORT para. 279.

19. London Government Act 1963, c. 33, § 2.

20. *Id.* § 2, sched. 2.

21. *Id.* §§ 3, 4.

Greater London Area, therefore, began as something like a "patchwork quilt," with a lack of cohesion between its respective parts. The Herbert Commission foresaw this difficulty and concluded that it was "essential that there should be one development plan for the Greater London area as a whole."<sup>22</sup> Accordingly, the London Government Act of 1963 required the Greater London Council to prepare a Greater London Development Plan and each London borough to prepare a local development plan that would be consistent with the Greater London plan.<sup>23</sup> The precise form and content of the plans were to be dictated by regulations made by the responsible Minister, and it was not until the first regulations were prepared in 1966<sup>24</sup> that it became apparent that the Greater London Development Plan was to differ substantially from the type of development plan prepared under the 1947 Act. By 1966, of course, the deficiencies of these development plans were beginning to become apparent, so that as far as the Greater London Development Plan was concerned (but not the borough local plans), the regulations were intended to mould it towards a form and style that was being envisaged for the structure plans required by the Town and Country Planning Act of 1968. Indeed, the 1968 Act specifically provided that the Greater London Development Plan, when approved, should be treated for the purposes of the Act as a structure plan for Greater London.<sup>25</sup>

Unfortunately, however, the Greater London Development Plan could never have developed as envisaged in the 1968 Act. In the first place, preparation of the Plan had proceeded too far to enable the public to participate effectively in the formulation of the Plan's proposals. As a result, there was little opportunity for the Plan to be subjected to general criticism and possible amendment by the authority before its submission to the Minister.<sup>26</sup> In the second place, the Plan could never have met the requirements now laid down for

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22. HERBERT COMMISSION REPORT para. 765.

23. London Government Act 1963, c. 33, § 25.

24. STAT. INSTR. 1966, No. 48.

25. Town and Country Planning Act 1968, c. 72, sched. 1, para. 4.

26. The Council held 13 meetings which 6,000 people attended. There was a tendency for the views of individuals to be submerged by views expressed by vested interests. Furthermore, members of the public were inadequately informed of the proposals to be discussed at the meetings. Methods of public participation have now been amplified as a result of the report "People and Planning," which was commissioned by the Government following the 1968 Act.

other structure plans.<sup>27</sup> The Report of the Panel of Inquiry into the Plan saw three basic reasons for this. First, the detailed investigation of the problems of an area that should precede the detailed provisions of a structure plan was impossible for an area as large as London. Secondly, the role given by the London Government Act of 1963 to the London boroughs in preparing local development plans meant that the Greater London plan could not deal with matters that elsewhere would be included within a structure plan. Thirdly, the importance of London in the national economy ensured that basic decisions about major interests in London must be the concern of national government.<sup>28</sup>

## II. THE PROCEDURAL ASPECTS

The Greater London Development Plan was submitted for approval to the Minister of Housing and Local Government in August of 1969. In the following December, the Secretary of State for Local Government and Regional Planning<sup>29</sup> announced his intention of holding a statutory inquiry into the Plan and objections made to it. As independent chairman of the inquiry, the Secretary appointed F. H. B. Layfield, Q.C., probably the country's foremost planning silk. He was to be assisted by a panel that included an independent transportation expert, an independent planner, and members of the Ministry's own Inspectorate.<sup>30</sup> In addition, this panel was to be assisted by a number of outside assessors to help it probe and evaluate policies contained in the Plan, objections made to those policies, and possible alternative strategies. The Secretary of State described the Plan as comprehensive, complex, and controversial.<sup>31</sup> Few could dis-

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27. In particular, the requirements of the non-statutory Development Plan Manual prepared by the Department of the Environment in 1970.

28. 1 REPORT OF PANEL OF INQUIRY INTO GREATER LONDON DEVELOPMENT PLAN para. 2.11 (1973).

29. The Secretary acted as a kind of "overlord" to co-ordinate the activities of several ministries, including the Ministry of Housing and Local Government. When the present Conservative Government came to power, the office was abandoned, although the Secretary of State for the Environment now exercises similar functions with full legal responsibilities.

30. A body of persons who conduct inquiries on behalf of Ministers. Their function is to ascertain facts and apply policy to those facts. The Minister is not bound to follow his Inspector's recommendations.

31. 793 HOUSE OF COMMONS OFFICIAL REPORT col. 434 (Dec. 10, 1969).

agree. Its controversial aspect was signified by the lodging of 28,392 objections by 19,997 objectors.<sup>32</sup>

The complexity of the issues involved, together with the duty placed on the Panel to examine the Plan as well as objections to it, required the proceedings of the inquiry to be organised with the efficiency of a military operation. In order to ensure that both the Panel and objectors understood the issues as clearly as possible, the Panel divided the inquiry into three stages. Stage I consisted of the opening presentation of the Plan by the Greater London Council, followed by a consideration of the Plan's general strategies and the objections made to those strategies. Stage II dealt with objections that concerned local implications of the various strategies of the Plan. This sometimes took place in sessions before individual members of the Panel, assisted where appropriate by assessors. In this way it was possible for the Panel to hold concurrent sessions at a number of different locations. Stage III of the inquiry resumed as a general session before the full Panel; it was devoted to an examination of fresh evidence or research for which the Panel had asked during the course of the proceedings and a further examination of the inter-relationships of the various strategies in the Plan.<sup>33</sup> Sessions in Stages I and II were arranged according to subject matter: population; housing; employment; transport; town and landscape; open land and green belt; central London; town centres, shopping and markets; education, hospitals and prisons; public utilities; standard controls, such as density and noise; and general strategy and implementation.<sup>34</sup>

Objectors were kept precisely informed as to the organisation and conduct of the proceedings. In order to ensure that objectors were given the chance to appear personally if they so wished, they were invited to state their intentions as to appearance. If objectors wished to appear, they were informed of the stage of the inquiry to which their objection had been allocated. Detailed and sometimes firm guidance was given regarding the presentation of oral evidence. Objectors and their witnesses were asked to submit a proof of their evidence to the Panel well in advance of their personal appearance.

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32. Only 6,700 objections were made to the London County Council regarding the County of London Development Plan prepared under the 1947 Act.

33. GREATER LONDON DEVELOPMENT PLAN INQUIRY PROCEDURE DOCUMENT (Aug. 27, 1970).

34. *Id.*

Representative organisations and groups were asked, so far as possible, to put forward a common view in order to avoid repetition and unnecessary cross-examination.

An objector's oral presentation of his case normally entailed a lengthy process. The objector outlined and explained his objection; the witnesses of the Greater London Council could be recalled for his cross-examination, with re-examination by counsel for the Council; the objector presented evidence in support of his objection and any witnesses were examined, cross-examined and re-examined; the Greater London Council presented evidence in answer to the objection; where appropriate, counsel for the Panel questioned the objector or witness; and the objector finally summarised his case and indicated what action he was asking the Minister to take.<sup>35</sup>

Quite apart from this mammoth and time-consuming task, the Panel had to ensure that every objection to the Plan that had not been withdrawn, and not merely those orally presented, would be considered. In order to do this, the Panel prepared "objection papers." Each such paper collected all objections relating to a particular section of the inquiry, regardless of whether objections were presented orally, into a logical sequence related to the subject matter of the Plan. For each section of the inquiry, therefore, the papers disclosed all the relevant objections. Where objections were not supported by oral testimony, the Greater London Council was required nevertheless to respond to them.

This short account of the procedural workings of the inquiry does less than justice to the scale and complexity of the problems that had to be resolved; the completion of the inquiry in 237 days is a tribute to the way in which these problems were resolved. Yet in many ways the writing has been upon the wall, and repeat performances are likely to be restricted. One reason is that unlike the London plan, future structure plans will be subjected to full public participation from the moment their preparation begins. By the time the Minister has to consider objections, the main contentious issues will have been openly identified and discussed.

More immediate results have flowed from this inquiry. It has become clear that many objections were related to the detailed application of policies in the Plan rather than to the general strategy. Furthermore, there was a considerable duplication of objections. The

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35. *Id.*

inquiry also brought into prominence for the first time the question of the extent to which the consideration of objections to a structure plan requires a judicial or quasi-judicial forum. The structure plan is intended to form a link between regional economic planning and town and country planning. As such, its content is likely to be influenced by regional strategies, none of which are subjected to examination in any judicial way. Although in law the position is far from clear, by custom, inquiries into objections to development plans prepared under the 1947 Act have come to be regarded as requiring a quasi-judicial process.

The inquiry into the Greater London Development Plan shows that it was not the most appropriate way of considering a structure plan and objections formally made to it. Accordingly, the Town and Country Planning (Amendment) Act of 1972 has amended the law relating to the submission of such plans, providing that whilst the Secretary of State remains obliged to consider all objections made to a plan, he is not obliged to provide each objector with an opportunity to take part in any public examination the Secretary may decide to conduct.<sup>36</sup> The objector's right to appear before an inquiry and orally present his case has been replaced by a privilege dependent upon invitation. Thus, the Secretary of State for Local Government and Regional Planning is given the right to determine not only the matters to be examined but also the persons to be invited to take part in that examination. The message is clear. Persons with common interests, or those who have submitted objections of a like kind, are more likely to be invited to take part in the public examination if they join together with that purpose in mind. One further consequence follows. By releasing structure plan examination from a procedural straitjacket, the examining body is free to invite any person to attend who can contribute to the consideration of the Plan, including supporters of the Plan's policies. The new procedure will also enable the examining body to enquire fully into alternative strategies and may lead to the injection of a considerable inquisitorial element into the examination of structure plans.<sup>37</sup>

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36. Town & Country Planning (Amendment) Act 1972, c. 42, § 3.

37. See Moore, *The Town and Country Planning (Amendment) Act 1972*, 37 CONVEY. (n.s.) 31 (1973).

## III. THE PLANNING MERITS

Few people would go as far as one commentator in describing the Plan as a "limp and futile document" or would allege that its "actual policies . . . are minimal, badly reasoned, and loosely presented."<sup>38</sup> Nevertheless, the Report of the Panel contained many criticisms of the Plan. The Report stated that the Plan failed to distinguish between material appropriate to a structure plan and material appropriate to a local plan; to present its aims meaningfully;<sup>39</sup> to relate policies to those aims; to disclose information obtained during the formulation of the Plan; to give adequate consideration to proposals to be carried out by agencies other than the Greater London Council; and to limit its program in relation to the Council's ability to act.<sup>40</sup>

Usually, reports of important inquiries are published by the Government only after it has reached a decision on the issues involved. In the case of the Greater London Development Plan, the Government departed from this course. It decided early in 1973 to publish the Panel's Report together with a statement that merely indicated the Government's views on certain of the major issues. Nothing was officially approved and the Government did not commit itself to any specific modifications of the Plan that had been proposed by the Panel. The Government's intention was to enunciate some of the decisions of principle and general policy that were to guide it in developing, in consultation with the Greater London Council and other bodies, more detailed proposals for modifying the Plan.<sup>41</sup> The matters most urgently requiring this treatment were considered to be population and employment, housing and transport, and traffic and roads.<sup>42</sup>

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38. Self, *What's wrong with the GLC?*, 37 TOWN & COUNTRY PLAN. 194 (1969).

39. Compare, e.g., "The Council's main aims are . . . to give new inspiration to the onward development of London's genius" with "The Council's policy is the . . . objective of improving public transport in all possible ways." 1 REPORT OF PANEL OF INQUIRY INTO GREATER LONDON DEVELOPMENT PLAN paras. 2.16, 2.9 (1973).

40. *Id.* para. 2.17. The Panel saw structure plans "as documents bringing together what is known to be happening and which contain the most accurate forecasts, without their being distorted by hopeful projections of the results of untried policies."

41. Statement of Secretary of State for the Environment on the Greater London Development Plan, para. 6 (Feb. 1973).

42. The Greater London Development Plan consisted of three documents: a Written Statement, a Road Map, and a Metropolitan Structure Map. Unfortu-

## IV. POPULATION AND EMPLOYMENT

One of the Plan's objectives was to restrain the decline in London's population, so that by 1981 it would number between 7.0 and 7.3 million persons. Among the dire consequences feared if the figure fell below that level were an imbalance in the supply of and demand for labour, more commuting, a loss of young, skilled, and well-educated people whose presence is essential to a balanced community, and high rate burdens for those who remained. The Panel rejected this view, concluding that no significant disadvantage was to be feared from a population lower than that envisaged by the Plan and positive advantages would occur in terms of a more spacious environment. The Panel took the view that local planning authorities are only able to exert a marginal influence on the size, distribution, and composition of a population, and that estimates that assume that policies can arrest a decline are unrealistic. On the available information, the Panel concluded that the population of London in 1981 could well be in the range of 6.37 to 6.55 million, and could fall to 6.0 million by 1991. The Government has expressed general agreement with the Panel's observations and feels it right to plan for a London population in 1981 of significantly less than 7.0 million people.

The Plan contained two main employment policies: first, to use floor space controls to relate supply to demand and to concentrate new office developments into specific locations; secondly, to reduce the rate at which employment was leaving London. The Panel's view was that the first policy was over-ambitious since a local planning authority could only marginally influence the scale and location of employment within its area. All that could be hoped for was to deal with medium-term problems in the balance of supply and demand between different employment sectors in the London area. Furthermore, the Panel felt that since there was no regular relationship between floor space and the number of people employed, the use of floor space controls for bringing demand and supply into balance should be rejected. On the question of reducing the rate at which

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nately, the Written Statement, which formed the basic text of the Plan, had become out-of-date by the time the Inquiry opened in 1970. The Greater London Council was forced, therefore, to propose numerous modifications to the Written Statement during the course of the Inquiry. In the text that follows, the author has refrained from giving full and detailed references to the content of the original Written Statement or to the proposed modifications. To have done so in a meaningful way would probably have resulted in the length of footnotes exceeding the length of the commentary.

employment was leaving London, the Panel rejected the view that this would have an adverse effect on the income of Londoners by removing the better jobs and thought that on balance a decline in employment was likely to lead to better conditions both for those who stayed and those who left. The Government has broadly accepted the Panel's approach, though it has reserved position on those recommendations that affect national policy. One of those recommendations was that the nationally controlled system of office development permits, whereby a developer must obtain a government permit before he can apply for planning permission for office development in certain parts of the country, be abandoned, leaving office development control entirely in the hands of the local planning authority.<sup>43</sup>

## V. HOUSING

It has been in this area that the views of the Plan, the Panel and the Government are in closest accord. The main plank in the housing policy for Greater London is the improvement and rehabilitation of older housing stock. In addition, the Panel believes that the rate of new construction must be stepped up, and that it may be necessary to use land that serves little purpose as Green Belt for house building. The Government agrees with this recommendation, and with the recommendation that the rate of overspill housing should be increased.

## VI. TRANSPORT, TRAFFIC AND ROADS

It is axiomatic that policies for movement in densely populated urban areas require a co-ordinated approach between the fields of public transport, traffic management, and road building and improvement. The seeds of controversy arise in mixing the respective ingredients. The Panel felt that public transport should be given a higher priority than was proposed in the Plan, a conclusion that the Government has accepted. Some of the measures envisaged include the development of a system of reserved lanes for buses and taxis and the improvement of interchanges between rail, bus and car. As regards traffic management, the Government accepts the view that traffic must be canalised onto the most suitable routes and that traffic restraint should be increased. This restraint would include restrict-

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43. Statement of Secretary of State for the Environment on the Greater London Development Plan, paras. 9-23 (Feb. 1973).

ing both on and off-street parking, making owners of vehicles as well as their drivers liable for parking offences, and introducing (though not prematurely) schemes of area licensing, whereby a supplementary license would be required to use a car in certain parts of London.

The Plan's road proposals caused the greatest controversy, accounting for 21,000 of the 28,000 objections lodged against the Plan. London's existing primary road system strongly encouraged radial movement by prohibiting orbital movement, except via roads that are not sited or constructed to carry heavy and continuous motor traffic. To meet this difficulty, the Plan postulated the construction of three orbital ringways, or motorway "boxes"—Ringway 1 skirting inner London, Ringway 2 running through London's suburbs roughly along the line of an existing inadequate circular route, and Ringway 3 skirting the Greater London Council boundary. In its Report, the Panel accepted the need for Ringway 1, recommended that Ringway 2 should proceed in a much watered-down form, and rejected Ringway 3 in its entirety. The Panel believed that Ringway 1 would have a high potential in attracting traffic that would otherwise use central London streets. Radial roads linked to it would provide convenient routes for much of the traffic to and from suburban areas, so that the elimination of Ringway 2 would not lead to excessive loads on the secondary road network. Nevertheless, that part of the Ringway 2 route which was already in existence as a north circular route is to remain as an improved all-purpose road. The Government has accepted the Panel's recommendations as regards Ringways 1 and 2 but requires more time to consider the recommendation that Ringway 3 be struck from the Plan. A curious feature of these conclusions is that Ringway 3, which caused the least controversy, has been rejected by the Panel, whilst Ringway 1, which caused the greatest, has been approved.

### CONCLUSIONS

The story has no end. Shortly after the announcement of the Government's views on the Plan and Panel Report, a Labour administration totally opposed to the construction of all ringways was elected to office in the Greater London Council, replacing the Conservative administration that had submitted the Plan. With any other structure plan, all or part of it may be withdrawn so long as it has not been formally approved, a feature that emphasises the political nature of development plans. In the case of the Greater London Develop-

ment Plan, however, this power was not available, so that the new administration must hope that the Secretary of State for the Environment, who is the confirming authority, will give effect to the policy on which the new administration was elected. Whether the Secretary will do so is a matter of pure speculation. If he accommodates the new administration's views, it will constitute in law a draft modification to the Plan and will involve a further public inquiry. If he does not and approves the Ringway proposals, two courses appear open to the Greater London Council. First, it may submit to the Secretary of State an amendment to the then-approved development plan, and so begin again the process of public participation and public inquiry. Secondly, it may simply do nothing.

In its statement of views on the Plan and the Panel's Report, the Government emphasised that planning in London—particularly planning for traffic—was in danger of coming to a halt. That possibility may now happen. Indeed, with such strong conflicts of opinion, it may have become inevitable.