

BRITISH NEW TOWN PLANNING: A WAVE OF THE FUTURE OR A RIPPLE ACROSS THE ATLANTIC?

In the destructive wake of World War II, the British government embarked upon a massive program to diffuse the overcrowded population of urban areas and create a series of socially balanced and self-sufficient communities in rural sections of Great Britain. Earlier private initiative supplied a model of how new towns should be built.

This note first traces the historical origins of that new town movement. The second section explores the Parliamentary history responsible for producing the enabling legislation which created the new town program, now in its fifth decade. The New Towns Act 1981, however, officially signifies the fact that new towns are now out of favor with current British National Planning Policy. Inner urban regeneration has become the new planning order of the day. Individuals and corporations are being offered a variety of governmentally sponsored incentives to remain in urban areas or to move into central city areas which have experienced a sharp economic and social decline in recent times.

The third section examines the relative merits and shortcomings of the new town program. Such an examination is necessary to objectively analyze the effectiveness of the British national program as a whole, as well as the individual contributions by specific new towns.

The final section investigates the potential for expanding the British system of new town planning principles to the United States and other nations around the world. The note concludes by providing some insight into the question of whether British new town planning presents a potential tidal wave of future planning policies to be used and improved upon throughout the world, or if it presents merely a ripple off the English coast whose slight wake will reach distant shores at a later time.

HISTORICAL BEGINNINGS OF THE NEW TOWN MOVEMENT

A major concern of nineteenth century social philosophers and political leaders was the quality of urban life in Great Britain, particularly in London, the world's largest city. The problems of congestion, air and noise pollution, crime, and general unsanitary living and working conditions gave rise to a new wave of thought dedicated to solving the problems created by urban life. By the end of the nineteenth century, ideas about new methods of industrial organization found concrete expression.

Geographer Peter Kropotkin made an early and significant contri-

bution to thought in industrial organization.¹ Kropotkin reasoned that advances in mass transportation and mass communication would erode the need for industrial urban concentration and enable small towns to serve as desirable and profitable alternative locations for industry.²

Kropotkin's writings influenced not only professional planners, but also Ebenezer Howard, heralded as the "father of new town planning."³ Howard argued that future urban development needed to be based upon mutual cooperation and helpful exchange of resources between the urban and rural areas of the country. He proposed that the British government establish new communities in the countryside around London.⁴ These "Garden Cities"⁵ were to be built according to a comprehensive plan that deliberately decentralized industry from the inner areas of the core city.⁶

In 1903, Howard supervised construction of the first Garden City, Letchworth. Located in the county of Hertfordshire, thirty-five miles north of London, Letchworth was to encompass about 3,800 acres of land. Unlike future development corporations, the First Garden City Limited lacked the capital needed to build a comprehensive new town.⁷ Despite all the skepticism and financial difficulties involved in planning

1. P. KROPOTKIN, *FIELDS, FACTORIES AND WORKSHOPS* (1896).

2. This observation has great significance. If industry no longer had to be confined to the congested urban areas, like London, then the people employed by industry would no longer be required to live in the city if the firm was to relocate to the countryside or a new town. Industry, with its lure of employment, attracts people like a magnet. Therefore, moving this magnet from crowded city centers to the countryside, would draw people away from the city by the same economic force which had motivated their ancestors.

3. See D. MACFADYEN, *SIR EBENEZER HOWARD AND THE TOWN PLANNING MOVEMENT* (1970).

4. E. HOWARD, *TOMORROW: A PEACEFUL PATH TO REAL REFORM* (1898).

5. There are two very useful definitions of Garden Cities:

A city limited from the beginning in numbers and density of habitation, limited in area, organized to carry on all the essential functions of an urban community, business, industry, administration, education; equipped too with a sufficient number of public parks and private gardens to guard health and keep the whole environment sweet.

L. MUMFORD, *THE CITY IN HISTORY* 515 (1961).

The second definition was adopted formally by the Town and Country Planning Association in 1919: "A Garden City is a town designed for health, living and industry; a size that makes possible a full measure of social life but not larger; surrounded by a rural belt; the whole of the land being in public ownership or held in trust for the community." F. OSBORN & A. WHITTICK, *NEW TOWNS* 4 (1977).

6. The plan for Ebenezer Howard's Garden City included: factories, schools, housing, shops, roads, and recreation areas. The lost diagram from the first edition of Ebenezer Howard's book, *Social City*, demonstrated his full conception of garden cities (or new towns) grouped in planned urban centers of a quarter million people or more. P. HALL, *URBAN & REGIONAL PLANNING* 50 (1975).

7. Since Letchworth was a rural site, all facilities, including roads, sewers, water works, and gas and electric services had to be built from scratch. Without any additional money to finance the building of houses, factories or shops the First Garden City Ltd. had to induce industrialists, retailers, and residents to build their own premises on leasehold sites without any guarantee of the town's success. A stunning example of this undercapitalization is that the Harlow New Town (one of the earlier ones) in its first ten years had a working capital of £35 million to be used by the development corporation which built housing for 40,000 people and attracted 75 firms to build factories there. The Letchworth company, First Garden City Ltd., in its first ten years had expended £400,000 and had drawn in a population of only 8,000. F. OSBORN & A. WHITTICK, *NEW TOWNS* 18-19 (1977).

and building Letchworth, it stands today as a complete town with a solid population of approximately 40,000 people.⁸

In 1929, Howard applied the lessons learned from Letchworth, and, together with Raymond Unwin, planned and developed England's second Garden City. Private enterprise, under Howard's command, afforded the new town business a second opportunity. The Welwyn Garden City Limited Company, however, experienced the same economic hardships that plagued The First Garden City Company at Letchworth a quarter of a century earlier. Despite the economic setbacks of the Welwyn Garden City Limited Company, it still stands today as a fine example of how a new town could be planned and built in the British countryside.⁹

Howard's contribution to new town planning went even beyond his writings and buildings. Howard established a lobby organization to promote the general cause of positive planning through the building of complete and balanced communities. Howard realized that to gain public acceptance, he would need to establish a public relations organization to promote the cause of planning for the development of future Garden Cities. He formed The Garden City Association, now known as The Town and Country Planning Association.¹⁰

Despite the relative success of these experimental new towns and the efforts of the young Garden City Association, public enthusiasm to leave urban areas for unestablished new towns in the countryside had subsided. In addition, the suburban housing boom occurring during this time, and the subsequent national housing drive of the 1920's and 1930's lessened the need to create new communities.¹¹

The Second World War ushered in three new reasons to institutionalize the Garden City concept into the British way of life. First, a large part of Great Britain suffered from the frequent bombing attacks of Nazi aircraft. The war had ruined a substantial amount of buildings and had destroyed areas now in need of repair.¹² The second effect of the war on new town planning policy concerned the attitude of the British people who had just escaped a political overthrow. Among the people emerged a growing view toward achieving a more compromising collectivist economic system than which existed prior to the war.¹³ The

8. For a description of Letchworth in terms of its architecture, master plan, and social atmosphere, see *id.* at 16-25.

9. Welwyn Garden City had efficiently achieved its goals of creating an attractive environment which served as a self-contained community in which the majority of people work and reside. F. OSBORN, *GREEN BELT CITIES* (1946).

10. See Foley, *Idea and Influence: The Town and Country Planning Association*, 13 J. OF THE AM. INST. OF PLANNERS (1962).

11. C. PURDOM, *THE BUILDING OF SATELLITE TOWNS* (1949).

12. During the first three years of World War II, German bombs showered the cities of London, Liverpool, Bristol, Manchester, Glasgow and many other towns and cities. In six years of war no less than three quarters of a million homes were made uninhabitable by Hitler's bombs.

13. "It would, in any relative sense, be true to say that by the end of World War II the government had, through the agency of newly established or existing services, assumed and devel-

third reason for seeking to expand the Garden City concept on a national level stemmed from the realities of modern warfare. Future generations of people would now have to take notice of the effectiveness with which aerial bombs terrorized British cities and their inhabitants. If war erupted in the future, the English population would have to be more disperse, thereby lessening the damage which would result from a bombing of the major cities.

In reaction to the destructive wake caused in urban areas during World War II, Parliament passed enabling legislation to commence the construction of a series of new towns in the British countryside. Parliament intended for the new towns, based on Howard's Garden City model, to replace the multitude of homes lost in the war. In addition, Parliament intended to establish the existence of thriving new communities that would soon provide a healthy and refreshing atmosphere in which people could live, work, play, and eventually prosper.

LEGISLATIVE HISTORY OF THE NEW TOWN PROGRAM

The English Industrial Revolution prompted a general exodus from the British countryside into urban areas. The rural regions of Great Britain became more sparsely populated while cities became overcrowded and congested. As Desmond Heap points out, governmental authorities did not control or supervise new city buildings. As a result of this laissez faire policy toward urban land regulation, the buildings were constructed close together without regard to proper ventilation and sanitation requirements.¹⁴ To remedy this problem Parliament, in 1875, passed the Public Health Act.¹⁵ This bill provided the most comprehensive legislation to date in improving living conditions within Britain's cities.¹⁶ Though a step in the right direction, the Public Health laws failed to address the problem of removing the slums which developed during this period. To remedy this problem, Parliament, in 1890, enacted the Housing of the Working Class Act.¹⁷ This Act provided for the removal of unsanitary housing and the construction of low-cost housing for the working class population. Since its enactment, Parliament has amended the Housing Act numerous times to keep abreast of changing societal standards.¹⁸

The first piece of town planning legislation did not emerge until the

oped a measure of direct concern for the health and well-being of the population which, by contrast with the role of Government in the 1930's, was little short of remarkable." R. TITMUS, *PROBLEMS OF SOCIAL POLICY* 506 (1950).

14. D. HEAP, *AN OUTLINE OF PLANNING LAW* 3 (7th ed. 1977).

15. Public Health Act, 1848, 11 & 12 Vict., ch. 63. This act was the first general enactment in a series of legislation leading to the 1875 Act. Public Health Act, 1875, 38 & 39 Vict., ch. 55.

16. The general unsupervised form of development with its natural consequence of deplorable health conditions was allowed to continue relatively unabated until Parliament intervened in 1848 with its first general enactment dealing with the subject of public health.

17. Housing of the Working Classes Act, 1890, 53 & 54 Vict., ch. 70.

18. The principal revision of the 1890 Act came in the Housing Act, 1936, 26 Geo. 5, 1 Edw. 8, ch. 51.

early part of the twentieth century. The Housing, Town Planning Act 1909¹⁹ enabled government authorities to regulate building development on a much broader scale, thereby safeguarding residential areas against the sudden intrusion of industry and its accompanying pollution.²⁰

Eventually, Parliament, through the Housing, Town Planning Act 1919,²¹ required local governments to submit planning schemes for the proposed development of their area. This landmark Act, representing the first compulsory planning law in Great Britain,²² placed the primary responsibility for enforcement with the Ministry of Health.²³

The Town Planning Act 1925²⁴ marked the first attempt by Parliament to separate housing from planning legislation. This Act set the tone for The Local Government Act 1929,²⁵ a bill which gave power to County Councils to act jointly with local authorities in preparing planning schemes within local boundaries.²⁶ Then, in 1932 Parliament preempted all previous planning legislation with passage of the Town and Country Planning Act.²⁷ This Act, which provided for a drastic extension of the planning powers of local government authorities²⁸ required that all planning schemes be approved by the Ministry of Health and submitted for debate in Parliament before taking legal effect. The 1932 Act, which placed a national limitation on local planning authority, remained the principal planning act until after World War II.

In 1933 the Greater London Regional Committee, strongly advised the building of Garden City-type communities as a matter of public urgency to relieve the pressures facing the city of London.²⁹ In 1935, another committee recommended a government-sponsored policy of building new towns based on the Garden City models of Letchworth and Welwyn.³⁰ Although no firm action resulted from this recommen-

19. Housing, Town Planning Act, 1909, 9 Edw. 7, ch. 44.

20. Local authorities were empowered by § 54 of the Act to make a "town planning scheme . . . as respects any land which is in course of development or appears likely to be used for building purposes, with the general object of securing proper sanitary conditions; amenity and convenience in connection with the laying out and use of the land and any neighboring lands."

21. Housing, Town Planning Act 1919, 9 & 10 Geo. 5, ch. 35. This Act refined the cumbersome enforcement mechanisms of the 1909 Act.

22. See §§ 45 and 47 of the 1919 Act.

23. All town planning matters which previously were referred by local authorities to the Local Government Board came under the control of the Ministry of Health, which remained the central authority for all matters pertaining to town planning until the establishment in 1943 of the Ministry of Town and Country Planning.

24. Town Planning Act, 1925, 15 & 16 Geo. 5, ch. 16.

25. Local Government Act, 1929, 19 & 20 Geo. 5, ch. 17.

26. This was the first measure designed to foster cooperation between local authorities on matters of land use planning.

27. Town and Country Planning Act, 1932, 22 & 23 Geo. 5, ch. 48.

28. This Act expanded the powers of local authorities to control the development of residential areas and of land not likely to be developed at all, whereas only virgin land actually being, or likely to be, developed was formerly within the scope of the Town Planning Acts. D. HEAP, *AN OUTLINE OF PLANNING LAW* 8 (7th ed. 1978).

29. GREATER LONDON REGIONAL PLANNING COMMITTEE, SECOND REPORT (1933).

30. DEPARTMENTAL COMMITTEE ON GARDEN CITIES AND SATELLITE TOWNS REPORT, (1935).

dation, support of the new town movement was gaining momentum in the political and popular arena.

In 1937, Prime Minister Neville Chamberlain commissioned the Barlow Royal Commission on the Distribution of the Industrial Population³¹ to issue a report which served as the foundation for the post-war planning strategy.³² The Commission primarily concerned itself with the disparity of wealth which accompanied the drift of population from the countryside to inner city areas. The Barlow Commission recommended the adoption of a nation planning policy, which would promote the development of new towns within the vicinity of major cities. The Commission's report, published in 1940, sparked initial controversy,³³ but had a profound influence on future planning policy.³⁴

With the outbreak of World War II in September 1939, the need to restore and boost morale among the British people became of paramount concern. In October 1940, Lord Reith, the Minister of Works and Buildings, was charged with devising a plan for the physical reconstruction of post-war England. In February 1942, the government established a central planning authority, the Ministry of Works and Planning, to oversee the rebuilding of England.³⁵ To encourage the redevelopment of war-blighted areas, the Town and Country Planning Act 1944³⁶ gave compulsory purchase power. The Act also gave local authorities the power to buy any property deemed necessary for the overall planning scheme. Such a provision allowed local authorities to develop an area in planned stages, rather than the previous random fashion associated with private development. The Act, however, appeared to foster socialist policies of land ownership, rather than the private property rights to which England had always subscribed.³⁷

In response, a government White Paper published in 1944,³⁸ stressed the need for a centralized mechanism to establish a National

31. ROYAL COMMISSION ON THE GEOGRAPHICAL DISTRIBUTION OF INDUSTRIAL POPULATION, CMD. No. 6153 (1940).

32. This report has been described as the "essential basis of the post-war British planning system." P. HALL, *THE CONTAINMENT OF URBAN ENGLAND* 91 (1973).

33. Three members of the Commission filed a minority report which called for a stronger central planning Ministry with more power to deal with the redevelopment of overcrowded urban areas. For an interesting account of the association between the members of the minority report and the Town and Country Planning Association, see F. OSBORN & L. MUMFORD, *THE LETTERS OF LEWIS MUMFORD AND FREDRIC J. OSBORN* 270-275 (1971).

34. The new wartime Coalition Government had agreed with the commission that a national planning policy would indeed be the best method for reconstructing post-war England. 26 *PARL. DEB. H.L.* (5th ser.) 507 (1941). As a result, Parliament formed two committees, the Uthwatt Committee, *FINAL REPORT OF THE EXPERT COMMITTEE ON COMPENSATION & BETTERMENT*, CMD. No. 6378 (1942); and the Scott Committee, *REPORT OF THE COMMISSION ON LAND UTILIZATION IN RURAL AREAS*, CMD. No. 6378 (1942).

35. "Thus did planning, after 34 years as the slight, irregular offspring of the Ministry of Health, ultimately achieve legitimacy by being graced with a Ministry whose interests were not divided but were concerned entirely with matters of town and country planning." D. HEAP, *supra* note 14, at 10.

36. Town and Country Planning Act, 1944, 7 & 8 Geo. 6, ch. 47.

37. For an explanation of the prior rigid rules of private property in Great Britain, see R. MEGARRY & H. WADE, *THE LAW OF REAL PROPERTY*, (1957).

38. *THE CONTROL OF LAND USE*, CMD. No. 6537 (1944).

British Planning Policy. It appeared that the time had arrived to apply a different emphasis in England's land use planning policies.

Post-1945 Period

Parliament intended, through the passage of post-war new town legislation, to decentralize population and industry, while creating a new source of housing for the masses.³⁹ In October 1945, Parliament appointed Lord Reith's New Town Committee to achieve this purpose.⁴⁰ The Reith New Town Committee, in two interim reports and a final report, devised a wide-researching social and physical plan which proposed a series of balanced and self-contained communities. The First Interim Report, published in March 1946, listed eight possible forms for the development agency to follow in creating the new towns.⁴¹ These eight forms later served as the basis for the British New Town Planning Movement.⁴² The Second Interim Report published in April 1946 ventured into a more detailed analysis of the factors involved in this monumental social project.⁴³ Following an intensive period of research, investigation and report writing, the New Towns Committee published their final report in June 1946. This report contained the founding principles upon which the new towns would be built.⁴⁴

39. The twin evils of slums and overcrowding date mainly from the early years of the last century. They have their roots in the unregulated and excess growth of towns during a period when the health of the people, no less than their spiritual well-being, were sacrificed to industrial progress. Men must live near their work. Yet only in recent years has come a full realization that the solution of the many problems to which these evils give rise, to say nothing of the spoliation of the countryside by ill-considered building, is by setting some limit to haphazard sprawl of our existing cities and by providing in new towns, wisely sited and skillfully planned, a proper balance between housing and industry.

INTERIM REPORT OF THE NEW TOWNS COMMITTEE, CMD. No. 6759 at 3 (1946).

40. The stated purpose of the Committee was: "To consider the general question of the establishment, development, organization and administration that will arise in the promotion of New Towns in furtherance of a policy of planned decentralization from congested urban areas; and in accordance therewith to suggest guiding principles on which such towns should be established and developed as self-contained and balanced communities for work and living." *Id.*

41. (1) a single local authority able and willing to undertake the task and having the site of the new town wholly in its area;

(2) a local authority faced with the need for redevelopment involving displacement of population, able and willing to develop as land-owner in another area, the authority for which, whether or not it cooperates in the development, is agreeable to such a course;

(3) two or more dispersing local authorities able and willing jointly to develop the new town;

(4) a limited liability company (i.e., ordinary commercial enterprise);

(5) an authorized association;

(6) a housing association;

(7) a government sponsored public corporation financed by the Exchequer;

(8) a similar corporation sponsored by one or more local authorities. *Id.* at 10.

42. The Development Corporation is the key body which has the responsibility of creating the new town. The importance of the Development Corporation is discussed subsequently.

43. This report covered planning strategies ranging broadly from infrastructure construction to recreational planning.

44. FINAL REPORT OF THE NEW TOWNS COMMITTEE, CMD. No. 6876 (1946).

Almost completely incorporating the Final Report's Recommendations,⁴⁵ the first statutory provision for the establishment of new towns in Great Britain appeared in April 1946. The New Towns Act 1946⁴⁶ received almost unanimous support,⁴⁷ and Parliament, with the exception of one amendment,⁴⁸ adopted the Act in its entirety. This Act provided the enabling legislation for transforming Howard's Garden City concept into a nationally-financed program. The statutory authority of the Act includes the power to designate any given area of land, including existing towns, as sites upon which to construct a new town under the supervision of a duly appointed development corporation chosen specifically for that purpose.⁴⁹

Shortly after the enactment of the New Towns Act, 1946, Parliament passed legislation that substantially altered the accepted notion of private property in the United Kingdom. The Town and Country Planning Act, 1947⁵⁰ provided, in part, that private land owners in Great Britain could no longer develop their property without regard to general societal interests. Planning permission thus became a crucial term in the English vocabulary, for without it, an individual's property must remain in its present state.⁵¹ The Town and Country Planning Act, 1947 when combined with the New Towns Act, 1946 provided authorities with the most powerful arsenal of legislative weapons ever used to achieve land use reform in the free world.

Parliament targeted the town of Stevenage for development as the first new town.⁵² By the time the first London family arrived in Stevenage in 1951,⁵³ however, the initial enthusiasm for the New Towns Act had grown into skepticism about the feasibility of implementing the large scale project. The Labour Administration which had

45. One unfortunate departure from the Committee's recommendations was that the act provided for no Central Advisory Commission to coordinate the planning policy. Subsequently, such a commission has come into existence in the form of the New Towns Association based in London.

46. New Towns Act, 1946, 9 & 10 Geo. 6, ch. 68.

47. The lone dissenting voice was that of conservative Minister Viscount Hinchinbrooke, who declared that the new town policy "will lead us into gigantic schemes of construction which are impossible of attainment in a free society." 8 PARL. DEB. H.C. (5th ser.) 1149 (1946).

48. The most significant aspect of the amendment was the introduction of the possibility of a public inquiry at the designation stage.

49. The development corporation is comprised of a balanced team of professionals who are believed to be capable of directing the planning and development of the towns. The corporation has the authority to acquire property by either contractual agreements or through compulsory purchase. They have the power to build, manage, and make all necessary arrangements to provide the community facilities which the town might require. The development corporation does not replace the local authority as such, but rather the goal is that the two can establish a good working relationship and maximize mutual cooperation.

50. Town and Country Planning Act, 1947, 10 & 11 Geo. 6, ch. 51.

51. *See generally*, M. GRANT, PLANNING LAW HANDBOOK (1981).

52. The Ministry of Town and Country Planning first embarked on the new town program with a land acquisition scheme under the statutory provision of 35 of the Town and Country Planning Act, 1932, 22 & 23 Geo. 5, ch. 48.

For an account of the early days at Stevenage, see F. SCHAFFER, THE NEW TOWN STORY 45-48 (1970).

53. H. ORLANDS, STEVENAGE: A SOCIOLOGICAL STUDY OF A NEW TOWN 70 (1952).

initiated the new town program fell from power before any signs of progress appeared. British sentiment shifted away from a socialist perspective and toward a return to the practices of using land for individual profit. Opposition to the vast financial expense of the New Towns Program increasingly mounted. These factors, combined with the growth of suburban developments, contributed to the lack of planning policies for new towns in the decade of the 1950's.⁵⁴

As the 1960's neared, Parliament passed the New Towns Act, 1959,⁵⁵ an Act which contained more workable guidelines through which to promote the new town program. The Act also created the Commission for the New Towns, a national organization designed to coordinate financial matters between competing government authorities.⁵⁶ Contemporaneously, an influential study on population trends⁵⁷ produced by a member of the Ministry of Housing suggested that, contrary to public opinion, Great Britain needed a new source of housing to accommodate its growing population.

In 1961,⁵⁸ Parliament selected Skelmersdale as a new town to provide housing for population overflow from the city of Liverpool. The new town program received a further boost in 1963, when Parliament designated twelve new town sites for the 1960's and released a series of Governmental White Papers on the subject.⁵⁹ In the face of an unexpected increase in population and accompanying decline in housing,

54. Apart from Cumbernauld, which was designated in 1955 to relieve the overspill of Glasgow, there was very little else in the way of government policy to enhance the development of new towns in the fifties. A major benchmark in this era was the passage of the Town Development Act, 1952, 15 & 16 Geo. 6, and 1 Eliz. 2, ch. 54, which was used by the Conservative Government as the main method for maintaining planning control, rather than using the New Towns Act. An excellent account of how the Town Development Act was used successfully can be found in: M. HARLOE, SWINDEN: A TOWN IN TRANSITION (1975).

55. New Towns Act, 1959, 7 & 8 Eliz. 2, ch. 36.

56. The function of the New Towns Commission was that of "taking over, managing and turning to account the property previously vested in the development corporations . . . it shall be the general duty of the Commission to maintain and enhance the value of the land held by them and the return obtained from it, but in discharging their functions in relation to any town the Commission shall have regard to the purpose for which the town was developed under the New Towns Act 1946 and to the convenience and welfare of persons residing, working or carrying business there." *Id.*, at 2. It is interesting to note that no provision was made for the termination of the Commission. The nagging question of what is to eventually become of the new town assets, an issue which the Reith Committee was also unprepared to settle, still remained unresolved.

57. Powell, *The Recent Development of Greater London*, ADVANCEMENT OF SCIENCE, May 1960, at 76-86.

58. The exact designation date was October 9, 1961.

59. These Governmental White Papers, which represent a statement of public policy, were divided into geographic regions. The first paper, CENTRAL SCOTLAND: A PROGRAMME FOR DEVELOPMENT AND GROWTH, CMD. No. 2188 (1963), recommended a new town at Irvine, and in 1966 it was so designated making it the fifth new town in Scotland. The second paper, THE NORTH EAST: A PROGRAMME FOR DEVELOPMENT AND GROWTH, CMD. No. 2206 (1963), proposed Washington as a new town to promote the cause of regional planning by creating needed regional growth. Washington was subsequently designated in 1964. The third white paper concerned London, LONDON EMPLOYMENT: HOUSING: LAND, CMD. No. 1952 (1963), and focused on the need for a second generation of new towns around the London area.

the new town program again gained popular and political support.⁶⁰

As new towns began to yield profits, the issue of who would manage the assets became of paramount importance.⁶¹ In 1959, Parliament created the Commission for the New Towns,⁶² which managed the property of new towns once the development corporation had completed its task. By 1968, the Labour Administration had devised a plan that transferred new town assets from the Commission to the local authorities which governed new town areas.⁶³

During the 1970's political thinking with regard to new town assets, specifically rented housing, changed its course. The Local Government Act 1972⁶⁴ established a major structural reorganization which created larger and stronger District Councils in new town areas.⁶⁵ Finally, thirty years after the original act, the New Towns Amendment Act 1976⁶⁶ transferred rented housing and other assets of the development corporations and the Commission to the appropriate District Councils. In 1978, the first transfer of rented housing to local authorities occurred in ten new towns where assets passed directly to their District Council.⁶⁷

According to the New Towns Amendment Act 1976, a development corporation after transferring housing rents and other assets, will remain in existence until the completion of town construction. The development corporation will retain control over industrial estates, commercial property, and certain other parcels of undeveloped land within its possession. When the development corporation has finally completed its assigned duties, remaining assets will be added to the resources of the Commission for New Towns.⁶⁸

60. The New Towns Act, 1965, evidences the renewed support given to the new town program. This act consolidated previous Acts into more efficient form and required submission of audited financial statements by the Commission for the New Towns and the active development corporations. New Towns Act, 1965, ch. 59, § 46(7).

61. Interesting and often explosive debates occurred in both the House of Commons and the House of Lords.

Lord Reith's New Towns Committee Report recommended only that assets eventually be turned over to local authorities. Thus, the New Towns Act, 1946, gave little consideration to ultimate asset disposition. New Towns Act 1946, 9 & 10 Geo. 6. ch. 68, § 14.

62. The actual Commission was not effectively organized until 1961.

63. The Conservative victory in Parliamentary elections shelved the plan to transfer new town assets from the Commission to local authorities. The Conservative Government reaffirmed its policy of vesting all new town assets in the Commission for the New Towns. See F. SCHAFER, *supra*, note 52, at 233-237.

64. The Local Government Act, 1972, ch. 70. This legislation better equipped the District Councils to manage new town assets within their jurisdiction.

65. The planning context of this reorganization is fully described in G. CHERRY, *THE EVOLUTION OF BRITISH TOWN PLANNING* (1974).

66. New Towns Amendment Act, 1976, ch. 68.

67. The first transfer schemes were enacted on April 1, 1978, when nearly 100,000 houses and related assets (i.e., neighborhood shops, meeting halls, public houses and community buildings) were transferred from the development corporation and the Commission for the New Towns to the appropriate district council in the following towns: Aycliffe, Bracknell, Corby, Crawley, Harlow, Hatfield, Hemel, Hempstead, Peterlee, Stevenage and Welwyn Garden City.

68. The Commission for New Towns plays a vital managerial role in the transfer of new town assets from the development corporation to the Commission. The first step in the transfer

Through the New Towns Act 1980, Parliament increased the sum of money a development corporation could borrow from the Exchequer in Whitehall.⁶⁹ Then, the following year, the New Towns Act 1981 repealed all previous new town legislation and has become the controlling law of the land. The Act comprehensively addresses at least eighty categories of planning related to the development and maintenance of a new town. The Act reflects present British sentiment to spend public funds on rehabilitation projects in existing urban areas rather than to supply public funds for the building of new communities in rural areas.⁷⁰ The 1981 New Towns Act clearly indicates that the priorities which promoted the need for building new rural communities have shifted, and now require movement in the direction of urban regeneration through increased private funding.⁷¹ This Act lessens the role of new town legislation as a means for achieving social goals through land use planning policy in Great Britain. Kropotkin's economic axiom that people gravitate to where they can find work in a free market economy, like Britain, began the new town program. The government, by locating employment opportunities in rural areas, would create preferable living and working conditions for the people. After the exodus of a million people from urban areas to rural new towns, however, the cities became economically troubled. The British realized that an attempt to remedy the inequalities of land use distribution through a social redistribution of private property rights created as many problems as it solved.

process is for the Secretary of State for the Environment to direct the corporation and district council to commence local consultations. The purpose of these consultations is to identify any local problems that might arise as a result of transfer and to provide additional information to the Secretary of State sufficient for him to decide whether to order the preparation of a transfer scheme. Such information will include, for example, the state of development of the new town; the ability of the district council to take on added responsibility; the views of staff members, tenants, and the general public at large. The proposed transfer scheme is then submitted to the Secretary of State. If he gives approval to the scheme, with or without modification, the scheme will normally come into effect on April 1 of the next year. *Transfer schemes under the New Towns Amendment Act 1976*, DEP'T OF THE ENV. CIRCULAR, May 1977.

69. New Town Act, 1980, ch. 36. The borrowing limit was raised from the £3,250 million ceiling set in the 1965 Act to £4,000 million.
70. "The consolidating Act comes at a time when the new towns programme which has been pursued by successive governments since the Second World War is being run down. Government withdrawal from the programme is due largely to the change in focus of planning policy away from large scale programmes of population dispersal, and back to the inner city areas where the problems of physical and economic decline and diminishing population have become key planning issues. Instead of seeking to "export" population in order to relieve inner city congestion, the large cities now are tending to seek to attract population and employment in order to stem the pace of decline. But another factor in the decline in the new towns programme is the policy of "privatisation" pursued by central government, and their wish to withdraw public expenditure from the new towns programme. Public funds for further development in the towns have been seriously curtailed since 1979, and the present policy is that there should be a large scale realization of the assets of the new towns with the eventual disappearance of public sector involvement altogether." New Towns Act, 1981, ch. 64.
71. A new sound now rings from Westminster and Whitehall calling the British people back to urban areas by creating incentives for business to locate near cities.

THE EVALUATION PROCESS OF THE NEW TOWN PROGRAM

New Town planning does not lend itself easily to analysis.⁷² Great Britain has twenty-eight new towns, each built by different development corporations and each occupied by individuals with their own values and interests. An overall evaluation of the successes and shortcomings of the entire program, therefore, becomes a rather difficult task.⁷³ However, Parliament's present emphasis upon inner urban regeneration calls for a retrospective analysis of the new town program in terms of its social and economic impact. Such an analysis will provide insights into any future plan, whether British or non-British, designed to redistribute private property rights.

First, one must examine new towns in terms of stated goals and the relative cost efficiency of such achievement.⁷⁴ Lord Reith's New Town Committee established self-containment and social balance as goals of the new towns. The Committee sought self-containment so that people could work in the same community in which they live. Such an arrangement would enhance personal convenience and save natural resources otherwise expended when people commute long distances between home and work. The Committee sought social balance to prevent new town communities from becoming homogeneous. For this reason, developers built new towns to attract people from a diverse set of racial, religious, ethnic, and social backgrounds.

Parliament attempted, through new towns, to shift the flow of capitalist industrial forces from the existing cities into surrounding rural areas. Fulfilling Kropotkin's prediction, new industry has indeed located in and around new towns. In 1981, British residents performed just less than a million jobs in new towns, thereby making them relatively self-contained environments.⁷⁵ International firms have now established office bases in British new towns. To date, over ninety manufacturing and distribution centers owned by foreign investors have outposts in the new towns. The ability of new towns to attract international business promotes the second goal of attaining social balance.⁷⁶

New towns house a wide cross-section of the population. However, they include relatively few people placed at one extreme or the other of

72. "I should think that it is very unlikely that one could quantify social benefits in this field with sufficient precision to calculate, so to speak, a social cost of return on the investment." M. YOUNG & P. WILLMOTT, *THE SYMMETRICAL FAMILY* (1973).

73. Approximately one million people reside in new towns. See Appendix, *infra*.

74. The goals of new towns were to create balanced and self-contained communities which would be attractive places in which to live and work. Some new towns have achieved this goal better than others, with strong arguments being advanced from all parts of the political and social spectrum. An excellent guide in determining the relative success of different new towns is A. CHAMPION, K. CLEGG & R. DAVIES, *FACTS ABOUT THE NEW TOWNS: A SOCIO-ECONOMIC DIGEST* (1977).

75. *Id.* at 91.

76. Statistic and census data play a major role in evaluating the success of attaining social balance. *Id.* at 91-92.

the economic scale. New Town residents usually fall within the lower middle class to upper middle class economic groups. New Towns preserve community harmony by maintaining a relative economic and social balance between individuals.

Despite the ability of new towns to preserve community harmony, Parliament must devise a more cost efficient system of connecting the economic and social threads of the new town areas to the established urban areas. Cooperation rather than competition between these types of communities would eventually enhance overall productivity and harmony throughout all of Britain.⁷⁷

Second, one must compare and contrast all three generations of new towns.⁷⁸ Such an examination will allow future planners to refine approaches to those problems not adequately addressed by previous development corporations.⁷⁹ New Town planning has resulted in advanced techniques for urban transportation and architecture. The separation of vehicular and pedestrian traffic in the new towns of Stevenage and Redditch reduced the number of traffic accidents and fatalities.⁸⁰ The new town of Warrington has received extensive praise for the thriving industrial base it has attracted as well as for the architectural layout of its industrial and commercial centers.⁸¹ Three new towns in Scotland have emerged as prosperous communities despite the recent setbacks of the recession.⁸² The design of the main enclosed shopping center in one of these towns, Livingston, has proved highly successful and has received international acclaim.⁸³ Not all planners, however, have responded favorably to the concept of new towns.⁸⁴

77. "We regret that there appears to be no movement toward (or even interest in) a more selective employment of housing policy to link New Town growth with the problems of older cities. The lack of concern in the Department of Industry and Employment for the relationship of their programmes to housing and planning programmes indicates to us that the widely held view of inter-department co-ordination is regrettably incorrect." NEW TOWNS: GOVERNMENT OBSERVATIONS ON THE THIRTEENTH REPORT FROM THE SELECT COMMITTEE ON EXPENDITURE, CMD. No. 6616 (1976).

78. The terms "Mark I, Mark II, Mark III, were first used for labeling the three generations of British new towns by a writer for the *Edinburgh Evening Dispatch* as early as October 25, 1946. Displaying incredible foresight, the writer warned that the structure of the new town program should not be too rigid so that each new town could benefit from the experience of its forerunners. F. SCHAFFER, *THE NEW TOWN STORY* 337-338 (1970). Most Mark II new towns were proposed with an ultimate population level around 100,000, while Mark I new towns were generally designed to accommodate between 50,000 to 80,000. Mark III new towns are different from the first two generations in that they are designed to accommodate population sizes closer to cities than towns, with most targeted at about 200,000 people.

79. This difficult form of evaluation differs with each town, group of people, and geographic area. Nonetheless, it can be a very useful method of evaluation. Lichfield & Wendt, *Six English New Towns*, 40 *TOWN PLANNING REVIEW* 283-314 (1969).

80. Waymark, *Stevenage: where people know their place*, May 1978, *CARE ON THE ROAD* 5.

81. *Warrington's Space Race*, 236 *BUILDING* 32 (1979).

82. The three most successful new towns in Scotland are East Kilbride, Glenrothes and Livingston, and the fourth new town of Irvine on the coast, which was designated from an existing township, is also quite successful. Details about these and all the other British new towns can be obtained from Readers Services, Room c3/01, 2 Marsham Street, London SW1 P3EB.

83. Gibbs, *Livingston: growth centre of the Lothians*, 20 *BUS. SCOTLAND* 179 (1976).

84. This debate is clearly exemplified by the strong arguments for and against one of the largest new towns, Milton Keynes. Compare the respective opinions found in *The double case*

New towns have also experienced serious problems in commercial and industrial planning. The conformity of residential districts, such as in Bracknell, lead to a sense of individual devaluation and despair.⁸⁵ The new town of Corby became so dependent upon British Steel, that when financial difficulty forced the local steel manufacturing plant to shut down, Corby's economic base virtually collapsed.⁸⁶

Third, one must consider whether alternative programs of development, such as a massive urban renewal scheme, would have proven as successful as the new town program. According to one critic:

The social failure of the New Towns is now well known. What is much less appreciated is their economic failure. Despite an investment of some one thousand million pounds (if only it could have been spent on urban renewal!) and immense statutory advantages, the New Towns have barely paid their way at a time when colossal fortunes have been made out of land dealings by private individuals.⁸⁷

In an attempt to answer this cost benefit question Parliament directed the Expenditure Committee⁸⁸ to issue a report about the efficiency with which the British government invested its money and time in new towns. The Committee concluded that an inadequate basis of information existed to properly assess the success of the program.⁸⁹ So, the criticism continues to be heard that organic growth through market forces produces the most desirable residential areas, and that places such as Westminster and Chelsea would not have resulted from artificial new town planning.⁹⁰

Despite this criticism, new towns did create alternative living communities for many people. These rural communities served the useful purpose of providing modern housing and sanitary facilities for those previously residing in deprived and war-ravaged cities. All of the complaints about new towns will not alter the general improvements in health and living conditions that such towns provided for a British populace in need of housing.

against Milton Keynes 2 BUILT ENV. 222 (1976) and *Milton Keynes: encouragement for private developers*, 173 BUILDING TRADE J. 10 (1977).

85. The Sunday Times (London), Jan. 31, 1982, at 4.

86. When British Steel closed its factory in Corby on April 1, 1980, 5,400 people lost their jobs. Sixteen other firms in Corby were also forced out of business, making adult male unemployment an astonishing 25%. See the 19th Annual Report of the Commission for the New Towns for the period ending March 31, 1981.

87. West, (untitled), 13 INST. OF ECON. AFF. READINGS 30 (1974).

88. The Committee was formed during the 1972-73 Parliamentary term; the final report was issued in 1975.

89. See R. Fishman, *The Anti-Planners: the contemporary revolt against planning & its significance for planning history*, in G. CHERRY, *SHAPING AN URBAN WORLD* 243 (1980).

90. "We have concluded that there is nothing to suggest that the New Towns Programme is systematically evaluated in order to establish the social and economic opportunity costs of undertaking the programmes, or the policies it embodies. Although extensive descriptive material has been presented to use, we have been surprised by the conspicuous lack of analysis to judge the success of New Towns." EXPENDITURE COMMITTEE, FINAL REPORT at xxiv (1974-5).

THE BRITISH NEW TOWN PROGRAM ON AN INTERNATIONAL LEVEL

The movement toward a unified system of international land use planning for new towns began in 1913 with the formation of the International Federation of Housing and Planning. Sir Ebenezer Howard, the originator of the new town movement, directed this international organization's attempt to promote world wide land use planning.⁹¹ The New Town concept soon attracted worldwide attention as a social program designed to relieve the evils of urban life.

The 1964 Conference in Jerusalem, attended by representatives of fifteen nations, addressed the issue of new town planning. Also in 1964, the United Nations held a seminar in Moscow on the planning and development of new towns.⁹² In 1976, the International Federation for Housing and Planning established a workshop to examine the changing role of new towns in general national development.⁹³ Also in 1976, the International New Towns Association organized its first global conference in Teheran to address the International achievements made in the field of new town planning.⁹⁴ The most recent International Federation of Housing and Planning World Congress took place in Oslo, Norway in early June 1982. This meeting specifically addressed the issue of equal opportunities in urban life as well as other planning-related matters. While the new town program has lost momentum in Great Britain, it appears to be gaining recognition throughout the world.

On an international scale, over sixty countries have followed the British social land use redistribution policy by adopting a planned and orderly development of new town communities.⁹⁵ More specifically,

it was the British example that was to have the major impact elsewhere, particularly in (1) Scandinavia, where the Garden City idea was as congenial to the national culture as it was in Great Britain, and was seen as an outlet for the love of nature and pleasant living; (2) Israel, where a flood of immigrants had to be settled, and security and developmental needs had to be met; (3) Canada, which saw new towns as an attractive form for handling the development of its natural resources frontier.⁹⁶

Due to the growth of a new town planning on an international scale,

91. Reports of these meetings can be found in the J. OF THE INT. FED. OF HOUSING AND PLAN.

92. The United Nations has maintained an active interest in promoting the new town movement on an international level. See *infra* note 93.

93. "All countries should establish as a matter of urgency a national policy on human settlements, embodying the distribution of population, and related economic and social activities, over their national territory." UNITED NATIONS CONFERENCE, RECOMMENDATIONS FOR NATIONAL ACTION NO. A 1 HABITAT, (Vancouver, June 1976).

94. Three interesting reports emerged from the Teheran meeting: "The Management of New Towns," "Living in New Towns," and "Building a New Town." These reports are available from the New Towns Association in London, England.

95. F. OSBORN & A. WHITTICK, NEW TOWNS 467-490 (1977). Includes information about the towns, date of designation, location, target population and actual population in mid-1970.

96. H. PERLOFF & N. SANDBERG, NEW TOWNS: WHY-AND FOR WHOM? vii (1973).

foreign countries have hired British planning consultant firms to advise on the construction and design of new town projects. In response, Parliament, in 1975, established the British Urban Development Services Unit to provide overseas clients with British insights into new town development.

Foreign nations must take note of the lesson learned by the British in their new town planning. The most important of these lessons involves the need for a central coordination of government agencies which provide essential services to development corporations. Such services include roads, schools, hospital facilities, sanitation facilities, recreational facilities, and various other concerns which necessarily involve different branches of government control. Cooperation among rather than competition between departments becomes the key ingredient in a successful new town recipe. Another lesson of which foreigners must take note involves the need for employment to revolve around a diversified employment base. Dependency upon a single industry may result, similar to the Corby experience, in the downfall of the new town.

New Town planners have made significant progress since the implementation of Ebenezer Howard's Garden City concept of planning. Presently twenty-eight new towns exist in Great Britain alone; foreign nations have developed many others. This growth evidences a belief that man can indeed plan and build socially balanced and self-contained communities on almost any scale and in any part of the world. The fledgling planning concept of the early 1900's designed to cure the evils of urban concentration has become an established method of planning areas in which all kinds of people reside, work, and recreate.

The development corporation represents the most important instrumentality created by the new town legislation.⁹⁷ This imaginative blend of private enterprise and governmental powers has developed land in ways that clearly reflect the strong influence of socialist concepts in British life. The diversity of British society in accordance with legislative checks,⁹⁸ prevents these newly formed development corporations from becoming too extreme in either direction. The development corporation, therefore, represents a compromise position on the political economic, and social spectrum.⁹⁹

97. "A development corporation with its comprehensive powers as well as financial resources, is an effective instrument for initiating change and is able to carry this forward with a speed which might not be matched by other forms of administration." W. HULE, I. ADDERSON, M. POUNTNEY, *WASHINGTON NEW TOWN: THE EARLY YEARS* 123 (1979).

98. The development corporations are by no means omnipotent. The site for a new town is never decided by a corporation, but rather by the Secretary of State of the Environment. Moreover, development corporations can only borrow money from the central government, and never from the private sector. Lastly, the corporation must submit its master plan for the development of the town to the Department of the Environment for prior approval before any actual construction may commence.

99. "The conflict between old and new, preservation and change, stagnation and progress is the whole drama of history. The conflict between the needs of the community and the rights of the individual is as old as private land ownership itself and has probably aroused more

The British government has recognized the usefulness of the development corporation and has in fact expanded on this concept to provide for urban renewal. The creation of Urban Development Corporations for the development of the derelict London and Merseyside docklands represents an attempt by Parliament to transfer even more power to the private sector. Even the United States has adopted the development corporation concept in its capital. Washington, D.C. formed the Pennsylvania Avenue Development Corporation to revitalize its downtown area.¹⁰⁰ Aside from the difficulty in coordinating the powers of development corporations with home rule,¹⁰¹ the mechanism of the development corporation has proven a worthy innovation with great potential for future application.¹⁰²

The latest world census data indicates that a vast majority of people locate in or near large urban areas. This trend could produce, on a worldwide scale, the same urban ills which plagued England during the nineteenth century.¹⁰³ New towns could alleviate some of the population pressures of urban areas, and provide suitable communities within which to reside, work and recreate. As Kropotkin made clear almost a century ago, industry will lure people whether it locates in a rural or urban area.

CONCLUSION

Every nation in the world has the power to control development and the use of land within its jurisdiction. In the years ahead, as cities continue to grow, many governments will need to cure the evils of crowded urban life. The British experience with new town planning has had global effects. The ripple of reform which started in postwar England has already reached distant shores, and although its domestic

controversy in Britain during this century than any other topic. To some land means power, to others wealth; but for most people it just means ownership of a house to live in or a farm to work on. Yet, all with their varied interests and their different motives, jealously guard their property and regard it as a breach of a fundamental right if any attempt is made to interfere with their ownership or their ability to do as they like with their land." F. SCHAFER, *NEW TOWN STORY* 39 (1970).

100. Barnes & Abraham, *Pennsylvania Avenue Development Corporation*, 38 *URBAN LAND* (June 1979). This American development agency has the power of eminent domain and broad authority to regulate both private and public development. The board is comprised of 15 members, eight from the private sector appointed by the President of the United States, and seven other members chosen from various public agencies. Many cities, such as New York, have Urban Development Corporations (U.D.C.) designed along similar lines.
101. "The interests of corporations and local authorities will not automatically coincide and there is a need to safeguard the autonomy and independence of the corporations if they are to fulfill satisfactorily their national role. We believe that as a town approaches maturity it may be appropriate to bring about more local involvement, but we are of the opinion that considerable caution should be exercised over raising the level of local authority representation on the board." *NEW TOWNS: GOVERNMENT OBSERVATION ON THE THIRTEENTH REPORT FROM THE SELECT COMMITTEE ON EXPENDITURE*, CMD. No. 6046 (1976).
102. "Development Corporations: the next generation." 45 *TOWN & COUNTRY PLAN.* 433-438 (1977).
103. See S. Watanabe, *Garden City Japanese Style: the case of Den-en Toshi Company, Ltd., 1918-1928* in G. CHERRY, *SHAPING AN URBAN WORLD* 129 (1980).

impact has recently waned, there can be no doubt that new town planning appears as an important wave of the twenty-first century.

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APPENDIX**Twenty-eight New Towns in Great Britain**
(as of March 31, 1981)

New Town Name	Date of Designation	Population	Total Employment
ENGLAND			
Aycliffe	Apr. 1947	26,500	11,239
Basildon	Jan. 1949	100,100	43,900
Bracknell	June 1949	47,500	26,200
Central Lancashire	Mar. 1970	255,000	127,000
Corby	Apr. 1950	51,000	17,611
Crawley	Jan. 1947	76,000	54,400
Harlow	Mar. 1947	79,000	33,300
Hatfield	May 1948	25,000	25,700
Homol Hempstead	Feb. 1947	80,500	40,400
Milton Keynes	Jan. 1967	97,000	48,900
Northampton	Feb. 1968	158,000	88,000
Peterborough	Aug. 1967	122,400	66,000
Peterlee	Mar. 1948	25,500	8,707
Redditch	Apr. 1964	63,700	26,417
Runcorn	Apr. 1964	63,900	22,490
Skelmersdale	Oct. 1961	40,600	13,408
Stevenage	Nov. 1946	74,000	35,300
Telford	Dec. 1968	104,700	40,560
Warrington	Apr. 1968	142,500	67,818
Washington	July 1964	55,915	19,075
Welwyn Garden City	May 1948	42,000	27,100
WALES			
Cwmbran	Nov. 1949	45,700	16,249
Newtown	Dec. 1967	9,100	6,277
SCOTLAND			
Cumbernauld	Dec. 1955	50,761	14,330
East Kilbride	May 1947	76,100	29,328
Glenrothes	June 1948	38,000	15,005
Irvine	Nov. 1966	59,700	17,100
Livingston	Apr. 1962	38,677	11,991

SOURCE: TOWN & COUNTRY PLANNING, Nov./Dec. 1981, at 328.