MR. DALTON'S GESTURE

The Chancellor of the Exchequer's statement in the House of Commons, January 30, with regard to the possibilities of Land Value Rating is reported elsewhere in these columns. The Political Correspondent of the 'Manchester Guardian,' February 1, made the following shrewd comment upon it.

It would be rash to read too much into Mr. Dalton's rather airy references to the taxation of site values which he made at the end of the second reading debate on the Town and Country Planning Bill.

Mr. Dalton's main concern in raising this topic at all, and in stressing the cheapness of the bargain of developments rights which the State proposes to buy for £300,000,000, was to silence Labour critics who feel that the landlords are doing far better out of the bill than they deserve to do.

In any case, there is no immediate prospect of action since, as Mr. Dalton was careful to explain, the taxation of site values, if decided upon, 'would fall within the broad field of the reform of rating and valuation, long overdue . . . on which in due course this Government will, I hope, be able to legislate.' 'Due course' may be quite a long way ahead. Moreover, Mr. Dalton's comfortable words on the subject were artfully hedged about with limiting clauses.

The essence of his comments amounts to this. In principle, he believes there is still a strong case for shifting the burden of local taxation, 'in some parts at any rate,' from buildings and improvements on to site values, even though deflated as a result of the bill. In practice, he is not quite so sure whether the plan would work but the Treasury and Ministry of Health between them are now examining the practicability of a scheme 'which would give enabling powers to local authorities to levy a local rate on site values within their area.'

Mr. Dalton hopes and believes that a scheme will emerge. So far, one gathers, the experts have not yet decided whether it would be worth while to rate land from which the development value has been taken away. The application of a permissive scheme of site-value rating might also, one would imagine, complicate rather than simplify the rating structure of the country.

The '*M.G.*' correspondent's views were well supported, and amplified in a letter by Mr. Ashley Mitchell, published February 8. In other papers of February 1, notably the *Scotsman*, the *Glasgow Herald* and the *Birmingham Post*, there were similar dissertations on what the Chancellor may have implied or intended. The Parliamentary Correspondent of *The Times* spoke of the Rating and Valuation Bill which has already been announced by the Government for bringing 'uniformity' into the present rating system (see our previous issue, p. 5), and which is being prepared for introduction next session. The question seems to be whether the Government will find it possible or 'practicable' (Mr. Dalton waits upon his experts to advise him !) to work into that Bill the necessary provisions for enabling local authorities to rate site values, but only if they exercise the option to do so. It is a footling approach to the reform of local taxation, but there the matter rests at present.

Mr. Dalton has made no advance on his vague declarations of last year. Since then the Planning Bill has come to complicate the situation. It condemns all land to its present use save under licence to develop, makes the gift of land values to speculative landowners, imposes the arbitrary and unpredictable 'development charges,' designates much land for acquisition at public expense, and creates chaos by its many and conflicting bases of valuation. We do not wait to see what kind of 'site value rating' can emerge in these circumstances. We call for the withdrawal of the Planning Bill or its radical amendment.

THE CASE AGAINST MR. SILKIN

"Denial of Natural Justice"

A JUDGMENT in the High Court on February 20 quashed the Ministerial Order designating Stevenage as a new town under provisions of the New Towns Act, and ordering the compulsory acquisition of the 6,100 acres which embrace the whole of the present township.

There had been a public inquiry on October 7 and 8 preliminary to the issue of Orders as the Act requires. Objections had been made, but notwithstanding them, the Minister of Town and Country Planning, Mr. Silkin, intimated his intention to designate Stevenage and proceed with the plans. The Order followed in November, causing much agitation. An organised movement among Stevenage residents brought the matter to court, contending that the Minister had exceeded his powers, and the Order was therefore lawless. The Minister was represented in Court by Sir Hartley Shawcross, the Attorney-General, who argued that the sole use of the liberty to make objections was to enable the objectors to 'blow off steam' and so rally public opinion to which alone a Minister might bow. Further, he argued that the Minister had acted administratively, and to saddle him with functions not administrative made him judge in his own case.

Giving judgment quashing the Order, Mr. Justice Henn Collins said that if the Attorney-General's were the true view, the result of this legislation would be that an objector who might have everything at stake has legislative permission to fulminate, but can do no more. However real his grievance, it could be forced upon him without any consideration as to the merits of his case. It should not be assumed that legislation involved anything which was contrary to natural justice. There was no colour for the suggestion that the powers of the Minister were arbitrary. It had been held time and again that the functions of the Minister were quasi-judicial, and to take any other view would reduce the hearing of objections and the holding of a public inquiry to an absurdity. Referring to the meeting at Stevenage addressed by Mr. Silkin, Mr. Justice Henn Collins said he had no doubt then that the Minister had fore-judged the issue. The objectors to the Order had satisfied him that the Minister had not acted with an open mind and that had involved a denial of natural justice.

Mr. Silkin has since given notice of appeal against the High Court judgment.

'By quashing the Stevenage New Town order,' the *Daily Telegraph*, February 21, commented : 'The High Court administered a sharp and salutory check to the headlong career of Government legislation. Whatever the merits of Mr. Silkin's scheme, the methods of implementing it were such as to render farcical democratic procedure for the protection of individual rights. . . . When executive acts not specifically sanctioned by Parliament conflict with individual rights, only an independent tribunal can give a decision which will be above question. Without this safeguard, provisions for public inquiries of this nature can only camouflage the nakedness of dictatorship.'

A different comment was made by the *Star* which spoke of the 'great popularity' of the New Towns idea and deplored the circumstances that would cause delay in the establishment of all the new towns already contemplated. This is to represent an entirely mistaken attitude. Of course there is popularity for the ideal of the new towns (and the rebuilding of the old ones), the removal of slums and congestion, and the placing of homes and business and industry in convenient and happy surroundings. But that cannot be achieved by the method the Government has chosen—land purchase and a vast expenditure of public money to force these towns into existence over against the barriers of a tax system which penalises and makes dear every building and improvement.