

**WEST MIDLANDS REGIONAL ASSEMBLY LIMITED**

**18th January 2006**

**Response to the ODPM Request for detailed proposals on implementing the transfer of the Regional Housing Board function to the West Midlands Regional Assembly Limited**

**Report of the Chief Executive**

**1. Purpose of the Report**

- 1.1 To approve the detailed proposals for implementing the proposed transfer of the Regional Housing Board functions to the West Midlands Regional Assembly Limited ("the Assembly") for submission to ODPM by 31 January 2006.

**2. Recommendation**

- 2.1 That the draft terms of reference for the Regional Housing Partnership and Regional Housing Executive attached as Appendix 1 be approved for submission to ODPM.
- 2.2 Note that once ODPM has approved the proposals the Assembly at a future meeting approve modifications to the Company's Memorandum and Articles of Association to
- (i) Allow the Board of Directors to create Committees of the Board whose members are not all members of the Board; and to
  - (ii) List the Regional Housing Board functions as Company functions.

**3. Background**

- 3.1 The Barker Review Final Report, 'Delivering Stability: Securing our Future Housing Needs', published by the Treasury in March 2004 made recommendations to Government to address the weak responsiveness of the new build housing market in the face of rising house prices. The consultation proposals contained in Recommendation 6 of the Barker Report recommended merging the Regional Housing Board and Regional Planning Body under the Regional Assembly.
- 3.2 In 2004, ODPM consulted on the merger of the Planning and Housing roles. The Assembly submitted proposals as to how it would address the transfer when and if it occurred. These were approved by the Regional Planning Executive at a special meeting on 19 November 2004 (see agenda item 4 – "Response to ODPM Consultation: Housing and Planning in the Regions")
- 3.3 The merger proposals were welcomed in that they addressed the sense of democratic deficit that has been a feature of the Government Office led Regional Housing Boards since their inception in 2002. The need to keep a

parity of influence between the Planning and Housing work was a guiding principle in forming the response. A single Planning and Housing Board beneath the Assembly was not seen as the most appropriate solution. The wider planning remit could overwhelm the housing aspect.

#### **4. The Proposals**

4.1 The recommended arrangement submitted by the Assembly in 2004 was for:

- The Assembly itself to undertake the ultimate combined role of Regional Planning Body and Regional Housing Board.
- a new member lead Regional Housing Partnership to sit along side the existing Regional Planning Partnership with
- an officer and stakeholder support Group comparable with the Planning Regional Advisory Group with details still to be decided.

4.2 These original proposals have been reconsidered in light of the ODPM's revised guidance, legal advice received in relation to securing the functions within the Assembly's company structure.

4.3 Attached as Appendix 1 are the proposed terms of reference for the Regional Housing Executive (RHE) and Regional Housing Partnership (RHP). In summary these establish a wide partnership (RHP) whose membership is not restricted to full Assembly members but enables nominating bodies to nominate non-Assembly members with particular relevant expertise. This body will address the broad policy issues and can make recommendations to the Regional Housing Executive.

4.4 The Regional Housing Executive will be a committee of the Assembly and thus its membership will comprise only RHP members who are also Board Members. It is this body which will take executive decisions and both make the formal recommendations to Government and approve the policy recommendations of the RHP. If the RHP were to retain for itself any of these roles its membership would need to be restricted to Assembly members.

4.5 In order to achieve a shared perspective on Regional Housing and Planning issues, it is proposed that there should be a cross over membership of an agreed number of members (e.g. 5) from each Partnership. In addition, when required, joint Planning and Housing Partnership meetings can be held. Changes to constitutional arrangements will be needed.

4.6 Where shared membership can be identified between the Regional Planning Executive and Regional Housing Executive this too will be confirmed.

4.7 It should be noted that whereas the Regional Planning Partnership is the delegated body carrying out the Regional Planning Body role, the Regional Housing Partnership will be advisory, with Regional Housing Board decisions made by the Regional Housing Executive. Thus when a joint planning and housing decision is required this will need to be either a) at a meeting of the Regional Planning Partnership and Regional Housing Executive, or b) at a

meeting of the Regional Assembly Board, or c) at Full Regional Assembly itself.

- 4.8 Some consequential modifications to the Company's Memorandum and Articles of Association will be required to be made at a future Assembly meeting.
- 4.9 The Assembly recognises that the current Regional Housing Board has provided excellent guidance and direction to the housing agenda over the last 3 years. There is a body of expertise that the new arrangements will wish to capture within the Regional Housing Partnership and officer/stakeholder participatory arrangements. The mechanisms for achieving this will be subject to discussion with the current Regional Housing Board Members at upcoming meetings.
- 4.10 Supporting the Regional Housing Board has been an active officer/stakeholder group, currently known as the Regional Housing Partnership, it would be folly to lose this body of expertise. Again discussions are ongoing to establish the best mechanism for engaging this support and expertise.
- 4.11 The officer/stakeholder group will be known as the Regional Housing Advisory Forum. Its Terms of Reference and membership are currently being drafted.

## **5. Financial Implications**

- 5.1 The Assembly has been asked to include in its business plan the costs of undertaking this function. These are estimated at £122,250 for the half year (£244,500 per annum). These will be considered by ODPM during the budgetary process.

## **6. Contact Details:**

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## Appendix 1

# **West Midlands Regional Assembly Limited (The Assembly)**

## **Terms of Reference for The Regional Housing Partnership (RHP) and The Regional Housing Executive (RHE)**

**“The purpose of the Assembly’s Regional Housing Partnership and Executive is to provide advice to government on regional housing investment priorities in the West Midlands. It will undertake the Housing function and role assigned by Government to Regional Assemblies”**

### **The role of the Regional Housing Executive (RHE)**

**The Regional Housing Executive shall be established as a committee of the Board of the Assembly and will exercise the role of Regional Housing Board.**

### **Purpose**

The Regional Housing Executive (RHE) will be a committee of the Board of the Assembly and membership will be drawn from the Regional Housing Partnership (RHP) who are also Board Members. The RHE will take executive decisions and will both make formal recommendations to GOWM and ODPM and approve the policy recommendations of the RHP.

### **RHE Terms of Reference**

The RHE will need to oversee the development of regional housing work via the RHP and its officer/stakeholder support, to ensure that the statutory and other duties of the Partnership (as set out in its separate terms of reference) are successfully undertaken particularly with regard to:

- Advising Ministers on the split of the single capital housing pot funding between local authorities (mainly for improving the condition and sustainability of existing housing) and Registered Social Landlords and developers (mainly for additional affordable housing), via the Housing Corporation’s Approved Development Programme;
- To produce and keep under review the Regional Housing Strategy
- To ensure the Regional Housing Strategy is to be in line with the Regional Spatial Strategy and its reviews
- To produce (or to support the production) of the Regional Allocations Strategy bi-annually

- To ensure the Regional Housing Strategy is aligned with other regional strategies, especially the Regional Economic Strategy
- Regional Housing Executive will apply national policy to the regional context for delivery by local housing authorities, including advice on specific national and regional housing programmes (e.g. Low Cost Home Ownership, new social rented housing, rural housing); and spatial distribution within the region.
- The recommendations and work of the RHE will not affect responsibilities for *delivering* new affordable housing and improving the condition of existing stock and will contribute to the strategic and policy context in which local authorities operate their strategic and enabling functions.
- Recommendations to Government will reflect and complement housing and other related spending in the region, both capital and revenue.
- Whilst ODPM/GOWM and the Housing Corporation will continue to collect performance data, the Regional Housing Executive will wish to monitor, subject to resource availability, the regional housing outputs and assess the achievement of regional strategic outcomes. This will be done jointly with the Regional Planning Partnership.

## **RHE Modus Operandi**

The Regional Housing Executive will be a committee of the Board of the Assembly, who will appoint its members from members of the Regional Housing Partnership.

The executive will meet quarterly with additional meetings as and when required.

Progress and activity to be reported to the Assembly Board meetings and RHP and the Assembly on a quarterly basis

To hold from time to time joint meetings with the Regional Planning Executive to discuss issues of mutual interest.

To form task and finish groups with specific work areas and timescales.

To be advised by the Regional Housing Forum, appropriate Regional Assembly Policy Partnerships, relevant cross sector Regional Officer Groups and housing market area groups.

The Secretariat to be provided by WMRA secretariat.

Notes of meetings to be public documents posted on the Assembly's Website and reported to other partners where appropriate.

Meetings to be held in open session with a facility to move to closed session if required.

The work of the RHE to be open and transparent.

Membership to be kept under review by the Assembly Board

## **RHE Membership**

The RHE will comprise 18 members

The membership of the Executive will reflect the Regional Assembly membership ratio of 4 local authority members (class A): 1 business sector (class B): 1 other stakeholders (class C).

Members of the RHE will be appointed by the Assembly Board and drawn from Assembly members, be suitably skilled and experienced and be members of the Regional Housing Partnership.

Members of the Executive will be able to vote on specific issues if necessary.

### Criteria for Membership

- Members should have a broad and deep knowledge of their sector.
- Members will be expected to represent their sector or area of interest and express the views of their organisation, constituent group or nominating body.
- Members will require an awareness of the role and contents of Regional Spatial Strategy and The regional Housing Strategy for the West Midlands.
- Members will be a mixture of board members and non board members of the Assembly but the Regional Housing Executive will be chaired by a board member.
- Members should have an understanding of any other relevant approved regional strategies and should respect the aims of such strategies.
- Members will be expected to communicate information and decisions made by the Executive to others in the sector, organisation or group.
- Members will be expected to provide continuity of attendance.
- Membership will be specific to the named individuals with a nominated alternate if required.
- Members will be required to sign the Assembly's Code of Conduct.
- Where possible membership to reflect the diversity of the region's population.

## **RHE Chairmanship**

The RHE will be chaired by a Member of the Assembly nominated by the Assembly's local government nominating body (class A), with vice chairs nominated by the Assembly's local government (class A), business (class B) and other stakeholder sectors (class C) nominating bodies.

The Chair shall be or become a member of the Board of the Assembly

The 3 Vice Chairs shall be drawn from the Board of the Assembly

The chair and vice chairs of the Planning Executive will be ex officio members of the Regional Housing Executive and vice versa to ensure, coherence, co-ordination and complementarity of agendas and decision making.

The chair and vice chair of the RHE shall act as chair and vice chair of the RHP

## **The Regional Housing Partnership**

### **Purpose**

The Regional Housing Partnership will act in an advisory and support capacity to the Regional Housing Executive drawing on a region wide body of housing expertise to highlight issues, inform and make recommendations to the Regional Housing Executive. The Regional Housing Partnership may ask the Regional Housing Advisory Forum/Group to undertake or oversee various tasks including research and keeping the Regional Housing Strategy under review, as required.

### **RHP Terms of Reference**

Overall Objective:- To develop and facilitate the implementation of a unified Housing Strategy for the West Midlands.

And in particular to:-

- through the Regional Housing Executive and with the Regional Planning Partnership respond with appropriate policy recommendations to Government for managing Regional Housing markets (through revisions to the Regional Housing Strategy)
- make recommendations to the Regional Housing Executive on the distribution of the single housing pot
- raise the profile of the region's housing need in investment and planning terms.
- Work within the spatial framework provided by the West Midlands Regional Planning Spatial Strategy.
- Work within the spirit of the Regional Sustainable Development Framework.

- inform and support the development of related strategies including West Midlands Economic Strategy.
- contribute to debate / comment on national priorities and policy.
- identify cross-cutting policy issues which affect Housing and influence the wider Assembly policy agenda, especially transport and economic development (as reflected in Regional Funding Allocations).
- recognise and work with the Regional Housing Advisory Forum as the focal point and commissioning body for consultation and research on Housing and related issues.
- Identify and promote best practice across the Region in areas of strategic housing activity

### **RHP Modus Operandi**

To meet as and when required, initially quarterly, but subject to review.

Secretariat will be provided by the Assembly Secretariat

Notes of meetings to be public documents and reported to Housing Partnership, Planning Partnership, Planning Executive and the Assembly.

Meetings will be held in open session, with a facility to move to closed session if required.

The Regional Housing Partnership is expected to proceed on the basis of consensus. The Assembly's board will keep membership under review.

To form task and finish groups with specific work areas and timescales.

Although not subject to the legislation, the Partnership should be mindful of the terms of the Freedom of Information Act 2000, and should ensure that its constitution and activities are consistent with the spirit of the legislation. The Partnership should also be mindful of their duties under the Environmental Information Regulations.

### **RHP Membership**

Members will be nominated in the 4:1:1 ratio of local government (class A members): business (class B members): other stakeholders (class C members)

The nominating bodies shall be able to nominate Assembly Board members, Assembly members and non Assembly members with particular housing experience.

#### Criteria for Membership

- Members should have a broad and deep knowledge of their sector and regional housing matters.

- Members will be expected to represent their sector or area of interest and express the views of their organisation, constituent group or nominating body.
- Members will be selected by, and report back to, their constituent groups
- Members will require an awareness of the role and contents of Regional Spatial Strategy and The Regional Housing Strategy for the West Midlands.
- Members should have an understanding of any other relevant approved regional strategies and should respect the aims of such strategies.
- Members will be expected to provide continuity of attendance.
- Membership will be specific to the named individuals with a nominated alternate if required.
- Members will be required to sign the Assembly's Code of Conduct.
- Where possible membership to reflect the diversity of the Region's population.

### **RHP Chairmanship**

The RHP will be chaired by the Assembly Board member who chairs the RHE

The Vice Chairs of RHE shall be the vice chairs of the RHP