

**WEST MIDLANDS REGIONAL ASSEMBLY**

**Regional Planning and Environment Executive**

**Notes of a Meeting held on 04 March 2009  
Held at the Birmingham and Midland Institute**

**Present: Cllr Rex Roberts, OBE – Chairman (Staffordshire)**

*Cllrs:* Nigel Hartin (Shropshire), Neil Roberts (Lichfield), Keith Austin – Vice Chair (Telford & Wrekin), Bob Stevens (Warwickshire), Peter Douglas Osborn (Birmingham) and Bob Badham – Vice Chair (Sandwell)

*Business Council:* Roger Stone – Vice Chair

*OSG* – Gerald Kells.

*Officers:* Sharon Doak (WMLGA/WMRA), Jo Hill (WMRA), Craig Jordan (Lichfield), Chris Blakeley (WMRA), Michael Barker (Telford and Wrekin), Mark Middleton (WMRA), David Clarke (WMRA), Andy Cowan (Warwickshire), John Pattinson (WMRA) and Mark Williets (AWM)

**1. Apologies**

Apologies were received from Roger Evans – Vice Chair (OSG), M Kinghan (OSG) and Cllr T Wright (Dudley)

**2. Declarations of Interest**

There were no declarations stated.

**3. Notes of last meeting held on 30 January 2009 and Matters Arising**

The notes were **AGREED**. There were no Matters Arising.

**Planning:**

4. West Midlands RSS Phase 2 Revision
  - 4a) Notes from Preliminary Meeting – 27 January 2009
  - 4b) Notes from Technical Session – 28 January 2009
  - 4c) Draft Response to Draft Matters and Participants

RPEE received a verbal update report on the above. Members raised their concerns regarding short timescales and were advised that their Officers would do their utmost to assist with these. They were not ideal and concern had been raised with the EIP Chair.

## **5. West Midlands RSS Phase 3 – Draft Options Consultation Document**

Members were advised that the intention was for the Regional Assembly to sign-off the draft Phase 3 Options consultation document at its 25<sup>th</sup> March meeting. The report that goes to Assembly Members on the 25<sup>th</sup> would include preliminary findings from the Sustainability Appraisal, Habitats Regulation Assessment and Rural Proofing.

The document would be designed and printed, ready for a formal consultation launch on a date to be confirmed. It was anticipated that there would be a 6 week consultation, with the closing date for responses being in mid August. Assuming that it will take around a month to analyse and assess all the consultation responses, this would leave officers around 6 weeks (from mid September until late October) to develop a Preferred Option which could then be circulated and considered by all the appropriate officer and Member groupings prior to submission to the Secretary of State in February 2010.

Members expressed concern at the short period for consultation, particularly during the summer holiday period, but recognised and accepted that there was no alternative to the proposed timetable if the Regional Assembly was to submit the Preferred Option in February 2010. Members did recognise, however, that with the draft document being approved by the Assembly in March this did provide additional time for organisations and individuals to consider the Options and prepare responses.

It was reported that the draft Options document was still work in progress. Due to the fact that it was a partial Revision and some of the topics may seem disconnected, the document would clearly indicate that it was acceptable for consultees to respond only to those issues which were relevant to them.

It was explained that some Phase 3 Revision issues would require new policies whilst others would require an updating of existing policies.

It was also noted that accompanying the Options consultation document there would be Background Technical Reports for each of the five topics providing more evidence and detail about the matters discussed in the Options document. The Background Technical

Reports would be made available on the WMRA web-site or by request.

It was reported that comments on **Critical Rural Services** chapter raised by the Strategic Advisory Panel at their earlier meeting on 4<sup>th</sup> March 2009 included:

- Broad support for the range of Options presented.
- The importance of rural services for sustaining very small settlements and hamlets.
- The need to consider whether or how, at a practical level, the RSS could support ICT development in rural areas.
- Whether placing "strict" limits on growth elsewhere in rural areas (Option 1, bullet point c) would imply no variation being permitted and suggested prejudging.

It was reported that comments on the **Provision for Gypsies, Travellers & Travelling Showpeople** chapter raised by the Strategic Advisory Panel at their earlier meeting on 4<sup>th</sup> March 2009 included:

- The gypsy and traveller requirements were based on the Gypsy and Traveller Accommodation Assessments (GTAAs). It was acknowledged that whilst there may be broad local authority support for the figures, this does not imply unanimous support.
- Reconsideration of Option 3 was requested to potentially achieve a more equitable distribution of gypsy and travellers sites across the region. It was also noted that the variation in the Options was not particularly large for some local authority areas.
- There is a need for the link between transit provision and access to the highway network be made in the document.
- A map showing the implications of the Options and links to the highway network was suggested.
- There is a need to reach out to the gypsy and traveller communities during the consultation to get a proper representation of their views.

In discussion, the RPEE noted that Rugby Borough Council had received a letter from Government in relation to a local gypsy and traveller issue which broadly supported the approach being taken by the WMRA in the draft Phase 3 Options.

It was reported that comments on the **Culture, Sport and Tourism** chapter raised by the Strategic Advisory Panel at their earlier meeting on 4<sup>th</sup> March 2009 included:

- Support for the principle that there be an Option to include a full list of assets in an Appendix but Members questioned how it

would be possible to identify which assets were of regional or sub-regional importance as the issue was largely a matter of value judgment. It was also questioned what value such a list would have in the RSS.

- Members expressed concern with the Option suggesting that assets could be “protected” and suggested that this be removed as an Option and the issue be included as a question only.

In discussion, RPEE Members emphasised the difficulties and sensitivities involved in developing an agreed list of sub-regional culture and sports assets as suggested in Option 3 of the draft document.

It was reported that comments on the **Quality of the Environment** chapter raised by the Strategic Advisory Panel at their earlier meeting on 4<sup>th</sup> March 2009 included:

- Energy efficiency should not be presented as an Option. Rather, there should be a question in the consultation document asking for views on how energy efficiency can be best incorporated into the RSS.
- The need to reconsider some of the Options as some did not present realistic choices – the draft Option related to prioritising urban or rural woodlands was given as an example.
- That cross-reference be made between the Culture, Sport and Tourism and the Environment chapters, particularly in relation to historic landscape.
- That Flood Risk issues should include reference to a requirement for local authorities to protect locations that store flood defence materials.
- That equal weight be given to engineered and natural flood defence - the draft Options had suggested a decrease in reliance on the former.

RPEE Members emphasised the need for plain English in the document and that the objectives of the Phase 3 revision should be clear.

They also raised the issue of Coal Mine Methane. Members were advised that coal mine methane was a by-product of mining for fossil fuels and was not a renewable or low carbon form of energy and was not therefore within the remit of the Phase 3 Revision of Energy. The Government also placed no requirement on the RPB to address coal mine methane. It was reported that issues related coal mine methane varied considerably depending on whether it was Abandoned Mine Methane (AMM), Coal Bed Methane (CBM) or Underground Coal Gasification (UGC). It would also be necessary to be clear what made coal mine methane distinctive in the West

Midlands that was not already covered by national Planning Policy Statements, particularly PPS23 (Planning and Pollution Control). Policy M4 (relating to Energy Minerals) of the current WMRSS did, however, provide a peg on which to possibly hang a question in the Options document and consideration would be given to this.

It was reported that comments on the **Minerals Policy** chapter raised by the Strategic Advisory Panel at their earlier meeting on 4<sup>th</sup> March 2009 included:

- In relation to the sub-regional apportionment there was concern that the burden of mineral extraction fell particularly heavily on a small number of County areas (including Staffordshire) and was not more evenly distributed.
- There was concern about a policy vacuum arising from the lack of a sub-regional apportionment within the RSS. The expeditious development of the Phase 3 Preferred Option would be helpful.
- There was agreement the document should include the question relating to a safeguarding policy for coal.
- Suggested that reference be made to the economic value that minerals provides to the region.
- Suggested that reference be made to the contribution that sourcing local building materials can make to local distinctiveness in building design.

In relation to sourcing local materials to encourage local distinctiveness in building design, RPEE members supported the concept in principle but recognised that in practice the supply of building materials was determined by market forces. It was also highlighted that building design was covered by Draft Policy SR3 in the Phase 2 Preferred Option. It was agreed that a new question be included in the draft Options document seeking views on whether it would be appropriate for the RSS to encourage local sourcing to support local distinctiveness.

Members referred to the importance of encouraging the transport of minerals by modes other than road to reduce CO2 emissions. Also, the importance of encouraging the use of recycled materials. It was reported that these issues were already covered by Policies M1 (Mineral Working for Non-Energy Minerals) and M3 (The Use of Alternative Sources of Materials) in the existing WMRSS.

Members **ENDORSED** the 2<sup>nd</sup> draft of the Phase 3 Options consultation document subject to their comments being included/addressed prior to it being submitted to the Regional Assembly for final approval on 25<sup>th</sup> March 2009.

**6. The Taylor Review of Rural Economy and Affordable Housing: Living Working Countryside**

RPEE received a report and were advised of the findings of the Taylor Review of Rural Economy and Affordable Housing.

The Executive **NOTED** the report.

**7. RSS Implementation Plan**

Members received a verbal update from Mark Middleton who advised that the newly reformed Implementation Group had been making good progress. The document is currently being updated for new delivery mechanisms and included an Annex that had been rewritten with officers from sub regional partners to assist in the implementation delivery.

RPEE were advised that this document would be reported to the RSS Co-ordination Group on 16 March and then presented to the Assembly Board of Directors on 25 March.

Officers would be arranging a briefing session for the RPEE prior to the ABD meeting on 24 or 25 March. Officers would circulate details soon.

**Environment:**

**8. Regional Flood Risk Appraisal (RFRA) Update**

Members were informed of the latest regional research regarding the issue of flood risk.

The RPEE **NOTED** the production of the RFRA Update and approved its dissemination to all local planning authorities and other partners to assist in the production of local strategic flood risk assessments (SFRA).

**9. Environment and Climate Change Updates (Available)**

Members received an update on Environment and Climate Change matters for information.

The report was **NOTED**.

**10. AOB**

There was no other business stated.

**11. Date of Next Meeting:**

Members to be advised.