

WEST MIDLANDS REGIONAL ASSEMBLY

**Regional Planning and Environment Executive
22 September 2009**

RSS Phase Three – Progression of Phase Three Workstreams

1. Purpose of Report

- 1.1 To advise the RPEE on the preferred arrangement for progressing the RSS Phase 3 Revision.

2. Recommendation

- 2.1 That Members:

- (a) **Agree** the most effective way of taking forward work on RSS Phase Three, and
- (b) **Agree** that arrangements for progressing the individual policy topics be reported to the October meeting of RPEE following receipt of the RSS Phase 2 EIP Panel Report.

3. Background

- 3.1 Following the RSS Phase Three Options consultation the intention was to develop a Preferred Option which would be submitted to the Secretary of State in February 2010. Members will, however, be aware of the Local Democracy Bill currently before Parliament. This proposes bringing together Regional Spatial Strategies and Regional Economic Strategies into a single Regional Strategy (RS) and has significant implications for the Phase 3 Revision.
- 3.2 The RSS Phase Three Project Plan and Options consultation document, as approved by RPEE in March 2009, made it clear that the Phase Three Revision timetable was provisional. It showed how the revision would be completed under existing regulations. The consultation document also stated that the Assembly, AWM and GOWM would review the process following the Options consultation to agree how the Phase Three work could be taken forward in the

most effective way. This was in response to correspondence from GOWM in April 2009 just before the start of the RSS2 EiP and affirmed their response to the RSS Phase Three Options consultation.

4. RSS Phase Three “Stock-Take” Discussions

4.1 Discussions between Assembly, AWM and GOWM officers have now taken place with the following conclusions reached:

- Given the potential overlap between the Phase Three and RS processes, GOWM’s firm advice is that it is not appropriate to progress the Phase Three Revision under the process outlined in the Project Plan. Focus and the input of scarce resources on the Phase Three Revision during its later stages would inevitably impact on the ability of the region to progress the RS. Developing the Phase Three Revision issues through the RS, on the other hand, would reduce the risk of confusion amongst stakeholders and also ensure that scarce resources were not diverted from the RS preparation process.
- Incorporating RSS Phase Three issues from the outset would also ensure that the RS has an appropriate focus on the Phase Three policy areas which are clearly of major concern to Option consultation respondees.
- The Phase Two EiP had raised some important environmental issues, such as water, which are closely linked to the development of housing. There were indications that these issues may be included in the Phase Two Revision. Until the RSS2 EiP Panel Report is received it is difficult to be certain about the best way forward on these matters.
- Some RSS Phase Three issues may need to be re-cast to ensure that they are more strategically expressed for inclusion in the RS. This will be the subject of further discussions with RSS Phase 3 officer Policy Leads and the results will be reported to RPEE in October.
- Phase Three workstreams should, however, be progressed expeditiously to ensure momentum is maintained and work is ready to be fed into the RS process.
- If progressed through the RS process, it was considered the Phase Three work to date (including technical work, Options consultation and responses) could be “banked” and would not be subject to repetition at a later stage. The GOWM is willing to give written reassurance on this point.

- 4.2 Given that GOWM will not support the progression of Phase Three issues through a RSS Preferred Option, it was considered that the issues could be taken forward into the RS in one of two main ways:
- (a) Preparation of Interim Policy Statements that would be approved by the responsible regional authorities which would provide interim guidance to assist the preparation of Local Development Frameworks and would then feed into the RS.
 - (b) Preparation of RS Policy Recommendations that would be approved by the responsible regional authorities which would feed directly into the preparation of RS.
- 4.3 It should be noted that interim Policy Statements would be material planning considerations in future planning applications but would not have the full weight of a policy that had been totally tested through the Development Plan process. RS Policy recommendations would assist RS preparation but would carry less weight.

5. Proposed Way Forward For Phase Three Workstreams

- 5.1 It is recommended that the most effective way of taking forward individual workstreams is as follows:

Critical Rural Services

- Take forward through the RS because these are important issues for Local Development Frameworks covering rural parts of the Region and it is important to ensure a suitable policy framework is in place to guide work at the local level.

Gypsies & Travellers

- In advance of a RS there could be a policy void and some interim guidance to LPA's is therefore required. An Interim Policy Statement should be developed to provide this, given that this policy area is relatively well developed.

Culture, Sport & Tourism

- Take forward through the RS as a new and positive theme.
- It may be more appropriate to develop a new policy on culture, sport and tourism rather than a revision of the existing RSS Policy PA10 because the focus of the current policy is on the benefits for economic growth. Response to the Options consultation indicate strong support to develop a new policy with more emphasis on the social benefits of culture, leisure and support to complement the economic benefits.

- The topic should include historic environment which aligns very closely with culture and tourism as well as environmental work.

Environment

- Water and Flood Risk policies may be incorporated into Phase Two (pending contents of the RSS2 EiP Panel Report). If these issues are not included in Phase Two, they need to be taken forward through Interim Policy Statements to fill the policy void in advance of a RS.
- Renewable Energy should be taken forward into RS to reflect Government initiatives including the recently-published UK Renewable Energy Strategy.
- Green Belt issues can be taken forward through the RS with the scope of the topic potentially widened, but this would require major further technical work. It would make sense to await the EiP Phase 2 Panel report before considering this further.
- All other environment issues need to be considered as part of the RS. The RSS Phase Three work completed to date will therefore be “banked” and further technical consideration be given by the RSS Quality of the Environment Task Group to the level and nature of policies in the light of emerging guidance on Regional Strategies (reported separately on your agenda).

Minerals

- CLG have issued Regional Guidelines on aggregates provision and have requested that Regional Assemblies undertake a sub-regional apportionment of aggregates by the end of December 2009. The specific issues related to the sub-regional apportionment are considered in Item 4(e) on this agenda.
- Policies relating to safeguarding and brick clay provision be progressed for inclusion in the RS.

6. Next Steps

- 6.1 The above way forward is detailed in **Appendix A** for initial consideration and approval. A further report will be submitted for final approval by RPEE in October, following publication of the RSS Phase 2 EiP Penal Report. There would also need to be approval by the West Midlands Leaders Board, AWM and Government.

6.2 Subject to approval by the RPEE, it is proposed that Policy Leads be requested to progress expeditiously work on developing interim Policy Statements and / or RS Policy Recommendations with a view to progression via RPEE and then final sign-off by the Joint Strategy & Investment Board at its 3rd March 2010 meeting.

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Appendix A

	RSS Phase 2	Regional Strategy	Suggested Way Forward
Critical Rural Services			
Critical Rural Services		✓	RS Policy Recommendation through JSIB
Gypsies & Travellers			
Residential & Transit		✓	Interim Policy Statement
Travelling Showpeople		✓	Interim Policy Statement
Culture, Sport & Tourism			
Culture, Sport & Tourism		✓	RS Policy Recommendation through JSIB. Culture, sport & tourism to be a thread through RS. Develop evidence further with a view to a possible new RS policy on culture, sport & tourism rather than a revision to RSS Policy PA10. To include Historic Environment.
Quality of the Environment			
Integrated Approach to Management of Environmental Resources		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS
Restoring Degraded Areas & Managing & Creating High Quality New Environments		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS
Greenery, Urban Green Space and Public Spaces		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS
Protection & Enhancement of Historic Environment		✓ Include in Culture, Sport & Tourism	To be reflected in Culture, Sport & Tourism
Conservation, Enhancement & Restoration of Region's Landscape		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS

Protecting, Managing & Enhancing Region's Biodiversity & Nature Conservation Resources		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS
Forestry & Woodlands		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS
Protection of Agricultural Land		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS
Water Environment	Subject to RSS2 Panel Report	✓	Decision pending outcome of RSS 2 Panel Report. Policy Statement to fill policy void if not incorporated into Phase 2
Air Quality		✓ potentially re-cast to deliver high level RS	Recognise the need for a more strategic approach in RS. Bank RSS 3 work. Further consideration to be given to the level / nature of policies for RS
Flood Risk	Subject to RSS2 Panel Report	✓	Decision pending outcome of RSS 2 Panel Report. Policy Statement to fill policy void if not incorporated into Phase 2
Renewable Energy		✓	Policy Recommendation through JSIB. To reflect UK Renewable Energy Strategy
Positive Uses of Green Belt		✓	Policy Recommendation through JSIB Decision pending outcome of RSS 2 Panel Report. Recognise that if scope of topic broadened to include role, function & extent of Green Belt then substantial further technical work would be required.

Minerals			
Safeguarding Mineral Resources		✓ Linked to housing, econ development, transport & waste	RS Policy Recommendation through JSIB
Future Supplies of Construction Aggregates		✓	Potential for a Sub-Regional Apportionment to be progressed through an Interim Policy Statement.
Future Brick Clay Provision		✓ Linked to housing, econ development, transport & waste	RS Policy Recommendation through JSIB

WMRA
11/09/2009

To be refined following RSS2 EiP Panel Report and further work with RSS3 Policy Leads.