

WEST MIDLANDS REGIONAL ASSEMBLY

**Regional Planning and Environment Executive
14 October 2009**

**Progression of WMRSS Phase Three Workstreams –
Development of Policy Statements & Recommendations**

1. Purpose of Report

1.1 The purpose of this report is to:

- (a) Update Members on key messages emerging from responses to the WMRSS Phase Three Options consultation,
- (b) Update Members on the outcome of recent discussions following the 9th September “stock-take” meeting relating to the progression of RSS Phase Three workstreams, and
- (c) Outline for Members the proposed approach and next steps for developing Policy Statements and Policy Recommendations for the RSS Phase Three workstreams.

2. Recommendations

2.1 It is recommended that RPEE:

- (a) Notes the key messages emerging from the Options consultation,
- (b) Notes the outcome of recent discussions relating to the progression of RSS Phase Three workstreams, and
- (c) Endorses the proposed approach towards developing Policy Statements and Policy Recommendations (including suggested nature of Policy recommendations) and forward this for approval by the Regional Assembly on 23rd October 2009.

3. Background

Phase Three Options Consultation Responses – Key Messages

3.1 The RSS Phase Three Options consultation which ran from 29th June to 14th August 2009 attracted 442 responses. A final report analyzing the consultation responses is expected on 16th October 2009 and can be made available to Members on request. Key messages arising from an initial analysis of the responses include:

a) Critical Rural Services

- Generally recognised that there are difficulties defining “critical” rural services because rural service needs vary so much over the region.

b) Gypsy Travellers & Travelling Showpeople

- This issue attracted the most polarised views, with very strong views about the number of gypsy and traveller pitches required.
- Approximately one-quarter of respondents thought the pitch requirement identified by the sub-regional Gypsy & Traveller Accommodation Assessments was about right, with fairly equal numbers thinking the figures were either too high or too low. District Councils, Parishes and individuals generally thought the figures were too high, whilst individuals from Gypsy & Traveller and Travelling Showpeople communities thought the figures were too low.
- Respondents generally favoured pitch requirement figures at County level rather than local level to provide more flexibility.
- Amongst the G&T community there was strong preference for sites in urban areas with access to employment opportunities and facilities such as health, education and transport services.

c) Culture, Sport and Tourism

- Strong support for a new policy on this issue where assets are protected (not just improved) and which includes an updated list of assets – although the difficulties of compiling a consistent assets list was recognised.
- There was strong support for addressing access to culture, sport and tourism assets

d) Quality of the Environment

- In terms of an overarching environmental policy, general preference for a policy that was Environment-led rather than Development or Spatial Strategy led.

- Generally, significant support for the suggested policies QE2 - QE9
- On energy there was a very strong steer towards an energy efficiency policy. Also, a slight preference for sub-regional renewable energy targets (rather than a regional target).
- On the Green Belt, opinion was divided on whether there should be a regionally specific Green Belt policy or whether national policy (PPG2) should be applied.

e) Minerals

- Opinion was divided over whether a safeguarding policy should safeguard all or just key minerals.
- On the future supplies of aggregates, a large majority of respondents said the apportionment figures were not realistic and there was a significant body of opinion that Staffordshire's allocation was too high, with some feeling that the regional figure was also too high. The responses to the consultation will need to be taken into account in the Sub-Regional Apportionment of Aggregates exercise requested by CLG.

Outcome of Discussions Relating To Progression of RSS Phase Three Workstreams

3.2 GOWM, WMRA and AWM convened a "stock-take" meeting on 9th September to consider how the RSS Phase Three workstreams could be taken forward in the most effective way. In the light of anticipated legislative changes and the advice from GOWM, it was considered at that meeting that the Phase Three issues should be progressed through the Regional Strategy process rather than through a RSS Phase Three Revision. The Regional Planning & Environment Executive (RPEE) and Assembly Board at their meetings on 22nd September and 30th September respectively, accepted this approach subject to clarification from CLG (via GOWM) that (a) work undertaken to date through the Phase Three Revision can be "banked" and counted as part of the preparation process for the new strategy, and (b) weight is given to Interim Policy Statements in decisions on Local Development Frameworks (LDF's) and major planning applications. GOWM has sent a positive response to the Regional Assembly on these two points.

3.3 In light of that reassurance and in line with the meeting of 9th September it is proposed that the Phase Three issues could be taken forward into the Regional Strategy in one of two main ways:

- (a) "Interim" Policy Statements that would be approved by the responsible regional authorities and provide guidance to assist the preparation of Local Development Frameworks. It is anticipated that Policy Statements would be material planning

considerations in judging LDF documents and future planning applications but would not have the full weight of a policy that had been fully tested through the Development Plan process.

The Policy Statements would be “interim” only in the sense that they would eventually be replaced by the Regional Strategy. When published, the Statements would provide the necessary regional framework for the preparation of relevant LDF’s but would not be subject to change (as could be implied by the term “interim”) until replaced by the Regional Strategy. In the meanwhile existing RSS policies would also remain until replaced by a new Regional Strategy.

- (b) Policy Recommendations that would be approved by the responsible regional authorities and feed directly into the preparation of the Regional Strategy. Again, existing RSS policies would also remain until replaced by a new Regional Strategy.

At their meeting on 25th September the Phase Three Policy Leads sought clarification on the nature of Policy Recommendations. It was considered that it would not be appropriate to develop “draft policies” at this stage because the shape and content of Regional Strategies had yet to be agreed.

Phase Three Policy Leads considered that Policy Recommendations should outline key guiding principles and regional policy directions which could (a) provide guidance for LDF’s and (b) sign-post/guide policy-makers in developing the policy for the Regional Strategy.

- 3.4 It is suggested that in relation to progressing individual Phase Three workstreams, the most effective way of taking forward the RSS Phase Three topics would be as follows:

- (a) Critical Rural Services
 - It was recognised that this is an important issue for Local Development Frameworks covering rural parts of the Region and it is proposed that a Policy Recommendation be developed to guide work at the local level.
- (b) Gypsies & Travellers
 - It is recognized that in advance of a Regional Strategy there is a policy void and interim guidance to Local Planning Authorities is required. An “interim” Policy Statement is therefore proposed to provide this guidance.

- To progress the development of a Policy Statement the WMRA is proposing to commission CURS to undertake supplementary work.

(c) Culture, Sport & Tourism

- It is considered that the Culture, Sport and Tourism theme should be taken forward into the Regional Strategy via Policy Recommendations.
- Responses to the Options consultation indicate strong support for the development of a new policy (rather than a revision of the existing RSS Policy PA10) with more emphasis on the social benefits of culture, sport and tourism which complement the economic benefits. The consultation responses also support widening the scope of the revision compared with the Options document which had focused primarily on cultural assets.
- There has been debate about whether historic environment should be taken forward through the Culture, Sport and Tourism or Quality of the Environment themes. Phase Three Policy Leads considered that there is a need for flexibility, with those elements of the historic environment relevant to culture, sport and tourism being picked up in that theme, and those elements relevant to the environment being picked up in that theme.
- It was noted that the organisational landscape related to this policy area had changed (including the demise of Culture West Midlands) but that the four cultural agencies continued to work closely on regional culture and sport issues. It was suggested that strategic issues related to culture and sport may be different from those related to tourism. It is therefore proposed that a Policy Recommendation on Culture and Sport be progressed by the four cultural agencies and that a separate Policy Recommendation on tourism be progressed (subject to AWM agreement in principle) by AWM.
- The GOWM response to the Phase Three Options consultation indicated that further evidence was required to progress policy development on Culture, Sport and Tourism. It was agreed that there was a need for clarification from GOWM on what further evidence is required.

(d) Environment

- It was noted at the 9th September stock-take meeting that the Phase Two EiP had raised some important environmental issues which are closely linked to the development of

housing. The RSS Phase Two EiP Panel Report, which has subsequently been published, (see agenda item 5a) suggests that Water and Flood Risk policies may be incorporated into the Phase Two Revision. Further work on these issues through Phase Three may not therefore be required.

- It was also agreed at the stock-take meeting that some RSS Phase Three issues may need to be re-cast to ensure that they are more strategically expressed for inclusion in the Regional Strategy. The RSS Quality of the Environment Task Group, at its meeting on 17th September, gave consideration to whether it might be possible to develop an overarching policy related to an integrated approach to the environment rather than develop a high level policy on each environment topic. It is considered that further technical work to identify the key regional environmental issues may be helpful for informing decisions on how these issues can be best taken forward strategically into the Regional Strategy.
- It was considered that Renewable Energy should be taken forward through a Policy Recommendation. In light of the recently-published UK Renewable Energy Strategy which requires regions to set targets that reflect both the potential and constraints in the region as well as national level commitments (15% renewable energy by 2020) this work may need to be progressed as a Policy Statement with the support of Government (Office for Renewable Energy Development) funding to provide a robust evidence-based assessment of the region's capacity for energy projects.
- The GOWM response to the Options consultation suggested that pending recommendations in the Phase Two EiP Report further consideration may be appropriate to widen the scope of work on the Green Belt. Now published, the EiP Report addresses strategic Green Belt changes so it is proposed that this issue now continue to focus on the "role" of the Green Belt only and be taken forward as a Policy Recommendation.

(e) 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 and a response from GOWM is still awaited. WMRA sought approval from GOWM to extend this deadline to March 2010 and the Government 'reluctantly agreed' to this time extension in a letter dated 08 October

2009. It is therefore proposed that the sub-regional apportionment would form the basis of a Policy Statement.

- Policies relating to minerals safeguarding and brick clay provision would be progressed for inclusion in the Regional Strategy through the development of Policy Recommendations.

3.5 A summary of the proposed Policy Statements and Policy Recommendations is attached as Appendix A at the back of this report.

4. Proposed Next Steps

4.1 Given the satisfactory reassurances from GOWM to RPEE regarding
(a) the weight attached to Policy Statements and
(b) “banking” the completed Phase Three work, it is considered that work on developing the Policy Statements and Policy Recommendations should progress expeditiously with a view to final sign-off by the Joint Strategy & Investment Board at its meeting on 3rd March 2010.

4.2 It is proposed that progress on the emerging Policy Statements and Policy Recommendations be reported through, and approved by, the existing RPB arrangements (RPEE and Assembly Board) and the new regional arrangements (Joint Strategy Investment Board (JSIB) and West Midlands Leaders Board.

4.3 With a view to meeting the March 2010 target date, it is proposed that the Phase Three Policy Leads begin the process of developing draft Policy Statements and Policy Recommendations by preparing a draft paper on each issue for which a Policy Statement or Recommendation may be required.

4.4 It is suggested that for each Policy Statement or Policy Recommendation a brief paper be prepared which:

- (a) Outlines the Policy Objective,
- (b) Summarises Key Messages from the Phase Three Options Consultation,
- (c) Provides brief background Supporting Text explaining the rationale behind the emerging Policy Statement or Policy Recommendation, and.
- (d) Includes emerging Key Guiding Principles and/or Policy Directions which might form the basis of a Policy Statement or Policy Recommendation.

- 4.5 Progress on these RSS Phase 3 workstreams will be reported to RPEE and when appropriate, submitted for final approval
- 4.6 It is proposed that the emerging Policy Statements and Policy Recommendations be tested through relevant appraisal and assessment processes (Sustainability Appraisal, Habitats Regulations Assessment and Rural Proofing) to provide rigour and weight to the Policy Statements and Policy Recommendations when they are published.

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October 2009**

List of Potential Policy Statements and Policy Recommendations

<u>Policy Issue</u>	<u>Proposed Way Forward</u>
Rural Services	
Rural Services	Policy Recommendation
Gypsies & Travellers	
Residential	Policy Statement
Transit	Policy Statement
Travelling Showpeople	Policy Statement
Culture, Sport & Tourism	
Culture & Sport – including relevant historic environment issues	Policy Recommendation
Tourism – including relevant historic environment issues	Policy Recommendation
Quality of the Environment	
Integrated Approach to Management of Environmental Resources	Policy Recommendation
Restoring Degraded Areas & Managing & Creating High Quality New Environments	Policy Recommendation *
Greenery, Urban Green Space and Public Spaces	Policy Recommendation *
Protection & Enhancement of Historic Environment – issues related to quality of the environment	Policy Recommendation *
Conservation, Enhancement & Restoration of Region's Landscape	Policy Recommendation *
Protecting, Managing & Enhancing Region's Biodiversity & Nature Conservation Resources	Policy Recommendation *
Forestry & Woodlands	Policy Recommendation *
Protection of Agricultural Land	Policy Recommendation *
Water Environment	RSS Phase 2 **
Air Quality	Policy Recommendation *
Flood Risk	RSS Phase 2 **
Energy Efficiency	Policy Recommendation
Renewable Energy - Targets	Policy Recommendation
Renewable Energy – Criteria for Ensuring Appropriate Locations	Policy Recommendation
Positive Uses of Green Belt	Policy Recommendation *
Minerals	
Safeguarding Mineral Resources	Policy Recommendation
Future Supplies of Construction Aggregates	Policy Statement - Sub-Regional Apportionment
Future Brick Clay Provision	Policy Recommendation

* Further consideration required in light of emerging Policy Recommendation on an Integrated Approach to the Management of Environmental Resources

** If these issues are not included in GOWM Phase Two Revisions they would need to be addressed through a Policy Statement or Policy Recommendation