

# West Midlands Regional Assembly

## WEST MIDLANDS REGIONAL ASSEMBLY Regional Planning and Environment Executive

### Notes of a Meeting held on 23 February 2010 Held at the Regional Partnership Centre

#### **Present:**

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

*Cllrs:* Keith Austin - Vice Chair (Telford & Wrekin), Bob Badham – Vice Chair (Sandwell), John Overall (Shropshire), Gary Ridley (Coventry) and Neil Roberts (Lichfield).

*Business Voice WM:* Roger Stone - Vice Chair and Geoff Minshull

*OSG:* Roger Evans - Vice Chair and Gerald Kells

*Officers:* Paul Bayliss (WMRA), Chris Blakeley (WMRA), David Clarke (WMRA), Andy Cowan (Warwickshire), Michael Craggs (WMRA), Trevor Errington (Coventry), Steve Forrest (WMRA), Sam Holder (AWM), Craig Jordan (Lichfield), Tony Lovett (Staffordshire), Mark Middleton (WMLB / WMRA) John Pattinson (WMRA), Stefan Preuss (WMRA) and Paul Wilcox (Staffordshire).

*Observer:* Cllr Robert Marshall (Staffordshire).

#### **1. Apologies**

Apologies were received from:

*Local Authority Members:* Peter Douglas Osborn (Birmingham), John Lines (Birmingham), John McNicholas (Coventry) and Bob Stevens (Warwickshire).

*Business Voice West Midlands:* Sarah Faulkner

*Officers:* Marie Greer (AWM).

#### **2. Declarations of Interest**

There were no declarations of interest stated.

#### **3. Notes of last meeting held on 15 December 2009**

Gerald Kells (OSG) requested to be acknowledged as representing OSG rather than CPRE as currently reflected within the notes.

The remainder notes of the last meeting were **AGREED** as a true record.

#### **4. Matters Arising**

Olwen Dutton (WMRA) provided an update on the development of new Regional structures to take forward the work of the Strategy for the West Midlands. OD stressed that the process for developing the new arrangements was iterative and was therefore under regular review.

OD informed the RPEE that it had been recently decided not to proceed for the time being with establishing Member Panels across the Regional policy areas as previously planned. Member Panels for both Skills and Transport were however to be created at this stage.

Six sub-regional bodies were to be established within the new arrangements to function under a streamlined Regional network. OD commented that the appropriate regional bodies would develop the new sub regional arrangements in collaboration with local authorities.

OD acknowledged members concern that it was crucial to retain member engagement both during the establishment of the new arrangements, especially regarding new sub-regional arrangements, and also when in operation. OD referred to the WMLB Statement of Intent which emphasised that the Region required strong regional leadership going forward. OD commented that the precise role of members in the new arrangements remained under consideration.

OSG expressed concern regarding the absence of stakeholder involvement in the new arrangements. It was suggested that this would be to the likely detriment of the Region. OD noted the concern and commented that that the Region would continue to welcome OSG input.

OSG expressed grave concern regarding the removal of regional planning body, suggesting that this might lead to a democratic deficit within future regional planning policy decisions. OD noted the concerns.

OD informed the RPEE that the Region was gathering the thoughts of local authority officers on how best to take forward regional conformity arrangements. It was thought the members would be liaised with at a later date when suitable alternative arrangements had been identified. Planning officers had been contacted first to help resolve technical issues.

BVWM commented that it had been a great privilege to have played an integral role in shaping the West Midlands.

OD thanked the Chair and the RPEE for their excellent work for the Region, in particular around developing the RSS.

The Chair thanked OD for the update.

## **5. PLANNING**

### **5a. RSS Phase Two**

John Pattinson (WMRA) informed the RPEE that the Examination in Public Panel's proposed changes to the RSS Phase 2 Revision remained under the Secretary of State's consideration.

### **5b. RSS Phase Three**

David Clarke (WMRA) referred the RPEE to the provided package of reports which updated the RPEE on the process and timetable for developing Interim Policy Statements and Policy Recommendations for the RSS Phase Three workstreams and gave a verbal background.

#### Interim Policy Statements

The RPEE received the emerging draft Interim Policy Statements for consideration and comment. These related to the provision of accommodation for gypsies, travellers and travelling showpeople; and for the sub regional apportionment for aggregates.

#### **Gypsies, Travellers, and Travelling Showpeople**

DC and Steve Forrest (WMRA) updated the RPEE on the process for developing the Interim Policy Statement. At its meeting of 15 January 2010, the Assembly Board approved a further round of consultation with the local authorities and other interested parties including Gypsy and Traveller Groups. Key to this consultation was the request that if any authority felt its allocation should be different from that proposed then they should negotiate an alternative with their surrounding authorities.

SF informed the RPEE that WMRA had yet to receive any revised proposals.

The views of the local authorities were mixed and polarised. Those not having to find pitches for all their local need being generally content and those asked to take some pitches on a modest redistributive basis were generally dissatisfied even where the amount of space and numbers of households being considered were very low in quantity and impact.

Some local authorities had expressed their dissatisfaction with the timescales for reviewing allocations by GTAA and the indicative

allocations beyond 2017. It was hoped that the local authorities involved would be satisfied by the decision to review GTAA's in 2015. It was thought that so far around ten local authorities had not sent in a response during the consultation or were satisfied with their allocation.

Coventry strongly objected with the WMRA's decision to adopt a mildly re-distributive approach to the future provision of accommodation for gypsies, travellers and argued that neither local authorities nor gypsies and travellers themselves favoured this approach. Coventry argued that both would instead prefer future provision to be allocated in accordance to need where it arises (NWIA) that is, the evidence base of the GTAA's and commented that the West Midlands Planning and Transportation Subcommittee had earlier recommended this approach. Coventry raised concerns that local authorities might be faced with considerable practical difficulties and potential legal challenges if it was required to re-distribute gypsies and travellers against their will. It also challenged the WMRA's assertion that the number of Gypsies and Travellers in the Region would rise by the proposed estimate of a 3% rate by 2027.

Coventry also challenged the WMRA's position that a policy vacuum would be created if the Interim Policy Statement would not be approved before the new arrangements were implemented on 1 April 2010. Coventry referred to its existing gypsies and travellers policy within its Core Strategy and local development frameworks that were evidence based.

Mark Middleton (WMRA) welcomed Coventry's pro-active response both in terms of making current provision for gypsies and travellers and for recommending an alternative approach for future provision. MM advised the RPEE that the approach adopted by WMRA was partly rather than wholly based on a re-distributive approach. MM reminded the RPEE that, whilst the evidence was commissioned by the local authorities, the WMRA's proposed allocation figures for pitch provision was based on independent advice provided by the University of Birmingham based on this evidence. MM informed the RPEE that WMRA was satisfied with the evidence base on which the proposed allocations were based and would have been prepared to defend it at an Examination in Public.

MM advised the RPEE that failure to reach agreement for the provision of future accommodation would result in increasing unauthorised provision for gypsies and travellers accommodation and warned that legal courts might favour the argument of gypsies and travellers as opposed to local authorities.

Coventry did not accept that a partially re-distributive approach was more appropriate than a fully re-distributive approach. SF responded that NWIA was the basis for 75% of the proposed allocation.

SF commented that the Interim Policy Statement took a strategic approach, as required by Government Circular guidance, in allocating future provision. Coventry accepted that the Region should have a strategy in relation to future provision, but continued to assert that this had not been developed via an evidence based approach.

Lichfield also expressed concern that WMRA appeared to have produced and then disregarded gathered evidence in determining its final allocations. The evidence had not been disregarded but used in a strategic manner to effect a modest redistribution.

The RPEE **agreed** to:

- a) Note the process and timetable for developing Interim Policy Statement related to the provision of new accommodation for Gypsies, Travellers and Travelling Showpeople and
- b) Commend for approval to the Assembly Board the emerging draft Interim Policy Statement

### **Sub-Regional Apportionment of Aggregates**

DC updated the RPEE on the process for developing the Interim Policy Statement. DC informed the RPEE that WMRA was considering a number of options for the sub-regional apportionment of aggregates. The Regional Aggregates Working Party (RAWP) had developed Options based on past sales trends. WMRA had since commissioned consultants LUC to develop alternative apportionment Options to take account of the likely availability of materials, future patterns of development, environmental and other considerations.

A technical consultation with RAWP members on eleven options for the sub-regional apportionment of aggregates had failed to reach a consensus on a preferred option. At its meeting on 9<sup>th</sup> February the RAWP recommended that the WMRA consider Option 1C as one of the Options for determining the apportionment for both sand and gravel and crushed rock. The RAWP also agreed a further round of technical consultation on two new Options (F and Refined F) based on seventy per cent weighting on past sales and thirty per cent other factors (likely patterns of demand, resource availability and environmental constraints).

Members considered the three sub-regional apportionment Options (1C, F and Refined F) but were asked not to agree an option because technical consultation was still on-going. There was considerable discussion about the merits of the three Options without any clear consensus on a preferred option. Some Members felt that existing

apportionment patterns had delivered in the past and therefore felt that Option 1C was sustainable. Others considered that perpetuating past trends placed an unfair burden on Staffordshire and that this was not sustainable. Those Members that favoured Option F recognised that it would necessitate an increase in sand & gravel extraction across other Mineral Planning Authorities unless there was an early review (and decrease) in the regional guideline figures. Those Members who favoured the new Options supported Option F rather than Refined F.

The RPEE **agreed** to:

- a) Note the process and timetable for developing Interim Policy Statement related to the sub-regional apportionment of aggregates and
- b) Forward their comments to the Assembly Board of Directors on the emerging sub-regional apportionment options.

### Policy Recommendations

The RPEE approved the Policy Recommendations subject to consideration of the following comments:

#### ***Rural Services***

It was requested that consideration be given to providing a clearer definition of the term 'community'; reference be made to 'one stop shops' as a possible means of improving access to local services in rural areas; and consideration be given to providing examples of what services might be regarded as 'critical' (without proposing a prescriptive approach). It was also suggested that some passages of the Policy Recommendation be proof-read for plain English.

#### **Culture and Sport**

It was suggested that consideration be given to re-phrasing the term "lack of a culture of culture".

#### **Renewable Energy Targets**

The Policy Recommendation was approved, subject to it being made clear that any regional or sub-regional targets would be informed by assessments of the region's renewable energy resource potential which are being undertaken by Advantage West Midlands.

The RPEE **agreed** to:

- (a) Note the process and timetable for developing Interim Policy Statements and Policy Recommendations
- (b) Approve the Policy Recommendations included in Appendices A to T, subject to consideration of the matters raised above.

- (c) Delegate responsibility to the Director of Policy, in consultation with the Chair and Vice Chair of the RSS Coordination Group to approve minor technical amendments to the Policy Recommendations that may be required.

**5c. West Midlands RSS Annual Monitoring Report 2009 (AMR) and presentation by Paul Bayliss and Gill Swaithe**

Paul Bayliss (WMRA) referred the RPEE to the provided covering report which informed the RPEE that WMRA was required to submit the AMR to CLG by 28 February 2010.

The RPEE welcomed Gill Swaithe (Herefordshire/RSS Policy Lead, Monitoring), to the meeting to deliver a presentation on the AMR. GS acknowledged the work done by those who had collected and contributed data to the process and all policy leads for helping to develop the report.

GS commented that the AMR highlighted some of the huge challenges involved in implementing the RSS. The RPEE heard that the Region had contracted more markedly during the previous twelve months than any other region. It also possessed the highest unemployment rate. The economic downturn was expected to negatively impact on progress towards urban and rural renaissance regarding population growth.

The AMR found that the Region was closer to its target of delivering new affordable housing. The Region was now fifteen per cent behind target, compared to twenty seven per cent in 2007/08. The Region had also made good progress towards Q of E policies. However, the AMR also raised a number of concerns, including how the Region's structural weaknesses had been exacerbated by the recession. The presentation concluded by stating that patterns of the development were becoming more sustainable, although the Region faced a huge challenge given the current economic climate to meet greater development requirements.

PB encouraged colleagues to return any comments by 26 February 2010. Any significant suggested amendments would be subject to the approval of RSS Co-ordination Group Chair and Vice Chairs.

The Chair paid recognition to GS for her presentation and to policy leads and local authorities for their work in developing the AMR and to all those involved in the process.

The RPEE:

- (a) **agreed** to the policy based findings and recommendations to be included in the AMR to be submitted to CLG by 28February 2010;
- (b) **agreed and signed-off** the document prior to printing;
- (c) **delegated** the sign off of any amendments arising from RPEE to the Chair of RSS Coordination Group and the WMRA Policy Director.

**6. ENVIRONMENT**  
**Quality of the Environment and Climate Change**

The RPEE **noted** the report.

**7. AOB**

The Chair thanked the RPEE members and officers for their support during the existence of the RPEE. RPEE members returned the thanks and praised the Chair for his chairmanship.

**8. Date of Next Meeting:**

There would be no further meetings of the RPEE