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ODPM
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29th November 2004

Dear Mr Griffin

**Response of the West Midlands Regional Planning Body to the
ODPM Consultation, 'Housing and Planning in the Regions'**

The Regional Planning Partnership of the West Midlands Regional Assembly met to receive a full and detailed paper at a specially convened meeting on Friday 19th November 2004. The consultation response comprises this letter and the appended summary report to the Regional Planning Partnership of 19th November which is attached in full. Also appended as part of the formal response is the relevant extract of a longer report to the Regional Planning Partnership (RPP) on the same date which contains the formal recommendations on this matter which were agreed by the RPP. This letter contains some key points the Partnership felt should be stressed in this response.

The intention to merge the Regional Housing Board and the Regional Planning Body was generally welcomed in principle as it helped to address the criticism that the Regional Housing Boards are currently undemocratic. In addition the closer working of both Housing and Planning regional processes builds upon the West Midlands approach to partnership working and is welcomed.

You will see below the preferred form in which this merger should take place which the West Midlands Regional Planning Partnership agreed. This ensures parity of influence and esteem between the disciplines in the Regional Assembly structures. Cross membership between Planning and Housing bodies and occasional joint meetings should be sufficient for this process to work well under the overall control and ultimate resolution of the Regional Assembly itself. Membership of a new Regional Housing Partnership would reflect the proportionality currently prevailing in the Regional Assembly structures, namely 4:1:1 between, elected LA Councillors, the business community and the other regional stakeholder representatives.

The one issue which members felt most strongly about was the need for this merger to be properly resourced. Failure to do this would prejudice the success of this venture from the outset. The production of the Regional Housing Strategy, the Regional Housing Allocation Strategy, the servicing of the current Regional Housing Board and the allocation function advising the Minister on the split of funds to local housing

authorities and to Registered Social Landlords, all require proper resources to be executed effectively. Up until now the West Midlands Government Office has found the resources within its own organisational arrangements to absorb these costs. The GOWM is a much larger organisation than the Regional Assembly. No such flexibility exists in this much smaller and tightly constrained organisation. Without the delivery of appropriate financial resources ODPM should not embark on this course. In the worst case, in the absence of these additional funds the Regional Assembly may be forced to decline the opportunities offered by the merger. The WMRA secretariat would welcome further discussion with GOWM/ODPM about what it is that you are actually proposing in detail in order to demonstrate the clear logic and justice of this position.

Turning now to the second part of the Barker Recommendation 6, the West Midlands Regional Planning Partnership was much less convinced of the ODPM case for establishing a national advice unit.

The ODPM consultation has perhaps been less than helpful to its own case in that important aspects of the proposal are less than plain. In short the West Midlands Regional Planning Partnership was not persuaded of the merits of the national advice unit, and the degree of apparent sophistication intended in its governance.

The West Midlands Regional Planning Partnership feels the emphasis on 'independence' is illusory and misleading. No experts are free of professional or political bias, especially when working in the public sector policy domain. As such their functions in devising advice and in monitoring and reviewing compliance simply cannot be undertaken without making 'political' judgments. The same views apply to the reservations about the 'independent' oversight committee.

If the Minister is minded still to proceed with the formation of this national advice unit, the West Midlands Regional Planning Body would be willing to accept a non statutory advisory body issuing non mandatory advice on methodologies and general advice on affordability issues.

In the event that a national advice unit is created it would be preferable to have a Regional representation from each English Region engaged with it in some formal relationship. The suggestion that has been mooted for a Regional Sounding board to work with the national advice unit would be supported and welcome, though some other arrangement engaging all of the Regions could be equally useful and acceptable.

The integrity of the Regional Planning Body as the regional planning policy advisory body to Ministers is valued very highly by the Regional Assembly. The creation of an 'independent' unit which may prescribe either directly or indirectly the way land release for housing in the Region should be conducted would be seen as undermining the discretion of the Regional Planning Body. It is whether the consultation document does or does not intend this that leaves the Regional Planning Body unable to respond more precisely until ODPM makes its proposals plainer.

Government attention towards issues of affordability is welcomed, and shared by the West Midlands Regional Planning Partnership. However the intention to persist with shaping the Regional Planning process through the Barker Agenda, as clearly stated at para 1.10 of the consultation paper, remains the most serious concern to this Region and its partners. The concern about the potentially unworkable nature of the Barker Agenda in the West Midlands has been explained before in our response to the Final Report. To repeat, the logic of this concern is that this Barker model is very likely to be unworkable within the rationale of the Regional Spatial Strategy for the West Midlands. West Midlands Regional partners worked hard to achieve this challenging but vital urban and rural renaissance strategy, now approved by the First Minister in June this year. The West Midlands Regional Planning Body would be dismayed to see it reversed by the imposition of an inappropriate solution, founded upon a short run economic model driving land release changes which would only perpetuate unsustainable regional trends.

The overwhelming logic of our regional sustainability agenda sets a long trajectory course to genuinely and sustainably address issues of affordability. It should achieve the same theoretical ends but via sustainable routes. The West Midlands Regional Planning Body would not wish to see its Regional Spatial Strategy driven off track by advice from a national unit pursuing the logic of oversimplified, idealised, theoretical models of supply and demand. The results of such an approach could be seriously damaging to parts of the Region where high demand, high prices and high affordability issues exist at present but precisely do not need additional quantities of more market housing as a false solution.

May I take this opportunity to thank Stephen Biddulph and Paul Chamberlain of ODPM for coming to meet the Secretariat here and discussing these matters. The discussion was helpful and appreciated. Should you wish to discuss any of the points raised in this letter or the accompanying detailed response please contact Steve Forrest (0121 678 1064 or email s.forrest@wmra.gov.uk).

Yours sincerely

A handwritten signature in black ink that reads "S Forrest". The signature is written in a cursive, slightly slanted style.

Steve Forrest
Strategic Housing Advisor

WEST MIDLANDS REGIONAL ASSEMBLY

**Regional Planning Executive
19 November 2004**

**Response to the ODPM Consultation: 'Housing and Planning
in the Regions'**

Report of the Director of Policy

1. Purpose of the Report

- 1.1 To present a summary of the proposed response to the ODPM consultation document 'Housing and Planning in the Regions'. A detailed discussion of the issues is given in the attached accompanying report.

2. Recommendation

- 2.1 That Regional Planning Executive notes the report and supports the proposed responses as being the basis of the reply to the formal ODPM consultation. The full recommendations to the Regional Planning Partnership are given at Section 8 of the main report.

3. The Proposals

- 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 for the two regional institutional matters contained in Recommendation 6 of the Barker Report have now been published.
- 3.2 The two main proposals are as follows, it is intended to implement both in 2005,
- merging the Regional Housing Board and Regional Planning Body under the Regional Assembly, and
 - the creation of a National Advice Unit to guide Regional Planning Bodies.
- 3.3 This report contains (Section 6.3) our recommended responses to the ODPMs specific consultation questions, in which the merger of the Planning and Housing roles is a major part.

Merger of Regional Planning Bodies and Regional Housing Boards

- 3.4 The ODPM has asked for views on how the merger might be achieved most effectively.
- 3.5 The merger proposals are welcomed and would do much to address the sense of democratic deficit that has been a feature of the Government lead Regional Housing Boards since their inception in 2002. There are advantages in bringing Regional Planning and Housing strategic processes closer together through the use of a shared or common evidence base for spatial planning and housing investment allocation.
- 3.6 The need to keep a parity of influence between the Planning and Housing work has been a guiding principle in forming this response, and is consistent with ODPM and other Regional stakeholder expectations. This is also the preference of the present Regional Housing Partnership. On this basis a single Planning and Housing Board beneath the Assembly has not been seen as the most appropriate solution. The wider planning remit could overwhelm the housing aspect.
- 3.6 The recommended arrangement is for;
- The Regional 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.

The appended diagram presents the preferred structural arrangements.

- 3.7 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.
- 3.8 At present ODPM do not see the need for the merger to be supported by additional resources. The response to the ODPM will need to explain the costs involved in undertaking the functions proposed and make the case for such support. Without these resources it will not be possible to deliver the new functions effectively.

National Advice Unit

- 3.8 ODPM have decided a single 'independent' National Advice Unit of experts, or with access to experts, should be established to set a market affordability goal. This will be incorporated into ODPMs Public Service Agreement (PSA5). To deliver this, affordability targets will be required and among other things this will be translated into scenarios for future housing numbers in the region. The unit would be an expert witness at future Public Examinations, such as in RSS Partial Reviews.
- 3.9 The issuing of advice on methodologies to achieve this is relatively uncontroversial. Other aspects relating to the degree of prescription and intervention in the future Regional Planning process are not completely clear.
- 3.10 The intention to establish regional shared evidence bases is precisely the approach currently adopted within the region to inform the RHS 2005 and the Partial Review of Regional Spatial Strategy in 2005. The WM Regional Housing Partnership's approach has been open and transparent, with stakeholder participation at all key stages.
- 3.11 ODPM attach considerable importance to the independence of the National Advice Unit. Its activity would be non-statutory at least for the first three years, and is to be overseen by an independent committee, with an independent chair.
- 3.12 The desire for 'independence' appears to be illusory since there are bound to be policy choices made or assumed in making advice, and in judging Regional Planning responses.
- 3.13 Addressing affordability and advising on key national level assumptions (eg economic growth, migration) are welcome, though the way this is done must not prejudice the discretion of the Regional Planning Body to arrive at its own advice. The Regional Assembly must be free to depart from the national unit's advice if they consider it reasonable and appropriate to do so. It is recognised that in the final account it is still Ministers who have the final decision.
- 3.13 In responding to ODPM, the Regional Assembly is recommended to welcome any technically robust and appropriate advice on methodologies and affordability. However, the Assembly should strongly resist any proposals which take away from the integrity of its function as a genuine Regional Planning Body capable of recommending to Ministers the policies and decisions which would be of benefit to the Region, as determined by the democratic arrangements currently in place.
- 3.14 It is possible that the remit of the National Advice Unit could become statutory, and be extended to economic and transport matters, though no details are given at this stage. Further discussion is recommended through the English Regions Network Regional Planning Bodies ongoing meetings with ODPM. The

relationship with the Regional Development Agencies and the emerging Regional Transport Boards needs careful consideration within the same dialogue.

- 3.14 There is nothing in the ODPM paper to explain how the Regional Assemblies would relate to the National Advice Unit. As has been suggested by the South East Regional Assembly, if the National Advice Unit is established, there should be a Regional Sounding Board with the Unit, or some other meaningful Regional involvement with the approach and direction the unit takes.

4 Timetable

- 4.1 This report will go to the special Regional Planning Executive and the Regional Planning Partnership on 19th November 2004. ODPM require comments to be submitted by 30 November 2004. Ministerial decisions on these matters are anticipated very soon after.

5. Contact Details:

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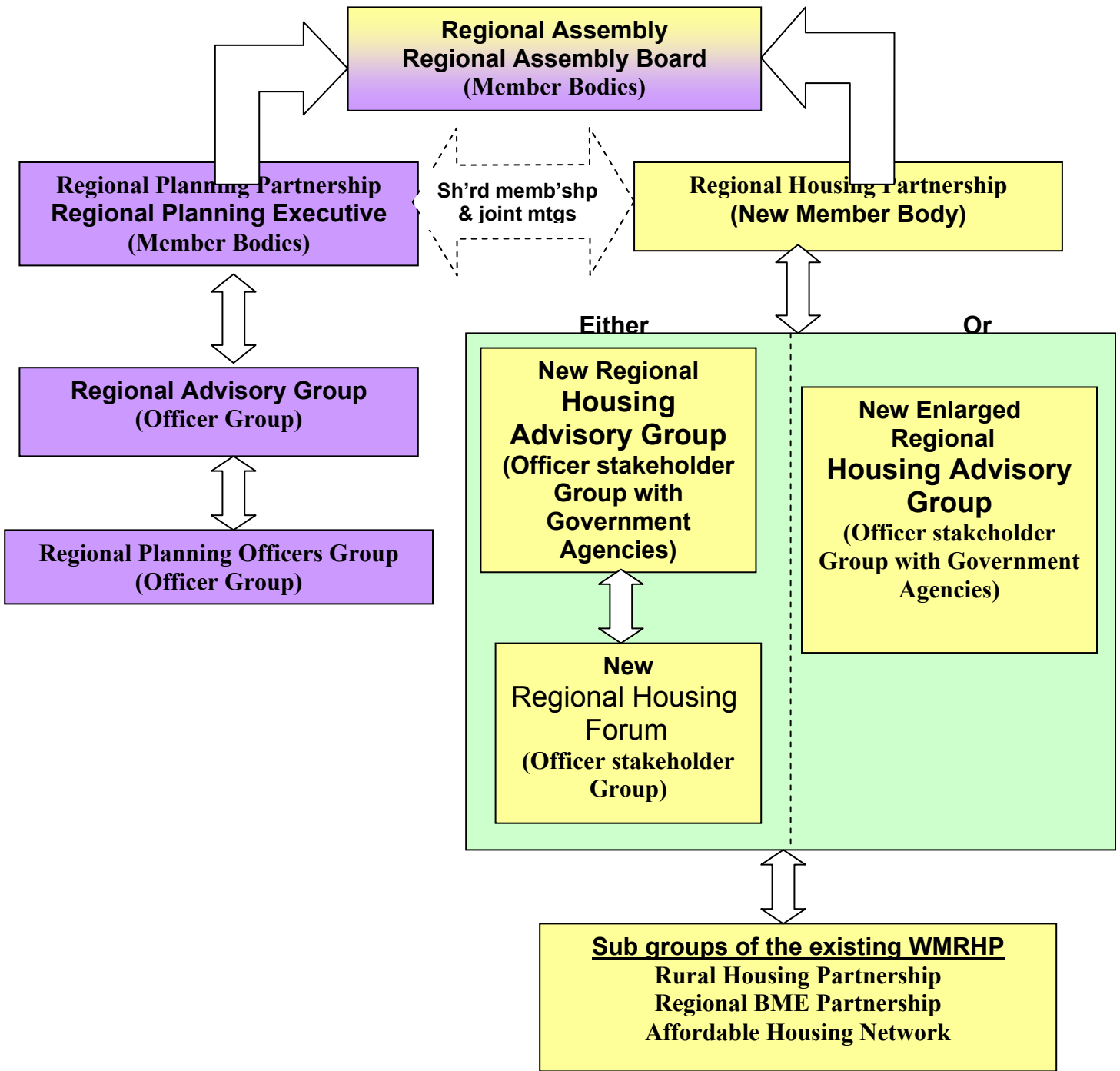


Diagram of Proposed Merger of Regional Housing Board with Regional Planning Partnership under the West Midlands Regional Assembly

Response to the ODPM Consultation: 'Housing and Planning in the Regions' on the Barker Report Recommendation 6.

This detailed response formed the main part of a report to the Regional Planning Partnership of the West Midlands Regional Assembly on 19th November 2004.

The text is in the following sections;-

- 1 4 Key issues for the WMRA -Proposed Merger of the RHB and RPB
- 2 5 Key issues for the WMRA -The Proposed Independent National Advice Unit
- 3 6 Responses to the Specific ODPM Consultation Questions
- 4 8 Recommendations.

The original section and paragraph numbering has been retained below as it is used in cross referencing in the preceding shorter summary report and in this extract from the main report.

4 Key issues for the WMRA

Proposed Merger of the RHB and RPB

- 4.1 In drafting this report the secretariat felt it appropriate to seek the views of the Regional Housing Partnership on the ODPM proposals. Members will recall the role and membership of the Regional Housing Partnership is drawn up to support the development of the Regional Housing Strategy and the housing aspects of the Regional Spatial Strategy for the Regional Planning Body. (The terms of reference and membership for both are included in Appendix 2).
- 4.2 The first of the ODPM proposals is for a merged RHB and RPB under the Regional Assembly. The merger is welcomed and the support of the WM Regional Housing Partnership is presented at Appendix 3.(not attached with this letter).
- 4.3 Incorporating the RHB will be a significant enhancement of the Regional Assembly's role and will require some changes to both constitution and working arrangements. Whereas a recommended approach to the merged institutions is given at Para 6.1a below, further consultation with the existing RHB and the Regional Planning Partnership on the detailed arrangements can follow as these will not be operational until September 2005.
- 4.4 Apart from the need to agree the structures and decision making process there are two areas upon which the Planning Partnership may wish to express a view. These are;

- the absence of funding commensurate with the expected considerable increase in work load, and
 - the extent of the role of the Government Office West Midlands as a continuing member, in some form, of the Regional Housing Board function and as an intervening body between the Regional Assembly and the Minister.
- 4.5 In considering the scale of the task and the amount of ongoing research required, the methods of working envisaged all point to a clear case for this merger to **be properly funded** by central government.
- 4.6 The ODPM proposals explain that the completed RHS and the Assembly's recommendations to the Minister on allocating the single funding pot will be routed via the Government Regional Office. The Government Offices will provide Ministers with advice on,-
- the deliverability of the RHS (on national and local targets);
 - robustness and analytical rigour;
 - fit with the RSS and other key strategies; and
 - Inclusivity in terms of consultation and coverage.
- 4.7 Given that ODPM expect the Government Office to retain some role as a member of the new Regional Housing Board this element of the proposals could be bureaucratic, risking duplication and delay. Since the Government Office will be a continuing member of the newly merged Regional Housing Board / Regional Planning Body it is to be hoped that this role will be of a light touch only, and not a second guess on the Regional Assembly's judgement.

5 The Proposed Independent National Advice Unit

- 5.1 Originally the Barker Review recommended a series of new 'independent' Regional Planning Executives, with the role of determining the housing figures required in each region in order to address market price signals and affordability. On this potentially problematic subject of the provision of 'independent advice' on housing figures for Regional Spatial Strategy, 'the (ODPM) paper seeks views on the establishment of a **national unit**¹ which would be responsible for developing **methodologies and providing public advice** relating to:
- compilation of a common evidence base to support the (*Regional*) housing and planning strategies and inform other regional strategies
 - how regional affordability targets should be set at regional level
 - the relationship between housing numbers and distributions within the region and affordability targets; and
 - links between affordability targets and sustainability.²

¹ Emphasis added

² ODPM (2004) Housing and Planning in the Regions ODPM Page 3

- 5.2 Whilst advice on 'methods' is relatively uncontroversial, other aspects relating to the degree of prescription and intervention in the future Regional Planning process are not completely clear. The less controversial aspects relate to the unit determining for the Regions:
- the methods used to assess housing needs and markets ,
 - the consistency of key assumptions (e.g. economic growth, migration), and
 - the assumptions to be incorporated about cross-regional issues, (e.g. issues arising from initiatives like the Northern Way).
- 5.3 The West Midlands Regional Housing Partnership welcomes the principle of Government addressing affordability as an issue and being prepared to give guidance to Regional planning on national and regional affordability. However, the detail and prescription on how this will operate is not completely clear.
- 5.4 Also welcome is the emphasis on the need for a common evidence base, shared analysis and closely aligned policy development across regional strategies. The establishment of a shared evidence base is precisely the approach currently adopted by the WM Regional Housing Partnership on behalf of the Regional Housing Board and Regional Planning Body to inform the RHS 2005 and the Partial Review of Regional Spatial Strategy in 2005. The Partnership's approach to developing the methodology for arriving at a shared evidence base has been open and transparent, with stakeholder participation at all key stages.
- 5.5 The current process of developing the Regional Housing Strategy and Regional Spatial Strategy, based upon the shared evidence base is characterised by a commitment to joint working with planning and housing sectors and full shared participation in regional and sub regional events. The aspirations of central government in this regard are already the defining characteristics of the West Midlands Regional approach to Regional Housing Strategy and Regional Spatial Strategy development.
- 5.6 Specifically stressed within the work on the shared evidence base and in the participatory partnership working is new and emphatic attention paid to understanding Black Minority Ethnic issues within the Regions housing market areas. Three substantial pieces of research are being undertaken and coordinated in analysis and synthesis to inform Regional strategies. Again the West Midlands is already addressing Government's intentions.
- 5.7 The ODPM paper acknowledges, rightly in the case of the West Midlands, that Regional bodies already draw on various sources of advice, are improving the quality of data and analysis and have a body of data and mechanisms for collecting and analysing it in place, which any new arrangements must build on. In this Region we have already gone a long way in achieving this so that the RHS 2005 and the Regional Spatial Strategy Partial Review next year will have the benefit of just such a foundation.

- 5.8 Other aspects of the proposals for a new national advice unit are also welcomed. These include the absence of intention to give the unit powers in respect of identifying new growth areas or the introduction of new special delivery vehicles.
- 5.9 There remain concerns about the role of this proposed national advice unit and the impact it may have in directing market price signal responses through the planning system to achieve the Government's desire for a step change in house building rates. Whilst the consultation paper says that Regional planning remains the process to guide for the pattern of housing growth, this, ODPM reminds us, 'will in turn need to reflect the Barker agenda.' (Para 1.10)
- 5.10 The ODPM consultation paper says, 'independent advice..... would bring greater transparency into the decision making process at regional level and would **expose and challenge attitudes**³ to development of housing supply.' (Para 5.3). The benefits sought by Government here do not justify the establishment of such a unit since the problem identified by Government is neither as it supposes, nor would a national unit be any more democratic or closely accountable to local communities. The present arrangements are transparent in that documentation is publically available, consultation is carried out and the Regional Spatial Strategy subjected to an independent Examination in Public.
- 5.11 The approved Regional Spatial Strategy has now successfully challenged the historic approach to regional housing land supply here, and this has been approved by the First Minister. There is no benefit in appointing a national unit to reopen that strategic regional debate in the West Midlands, or worse, to overturn it in pursuit of a probably illusive national macro economic objective.
- 5.12 Neither the original idea of Regional Executives, nor a new National Unit with very similar powers and remit are to be preferred one over the other. In responding to the ODPM on this, the Regional Assembly is recommended to welcome any technically robust and appropriate advice on methodologies and affordability. However, the Assembly should strongly resist any proposals which take away from the integrity of its function as a genuine Regional Planning Body capable of recommending to Ministers the policies and decisions which would be of benefit to the Region, as determined by the democratic arrangements currently in place. Any step in this direction would undermine the wider Regional governance agenda and run counter to the Prime Minister's comments in the Preface to the White Paper, 'Your Region, Your Choice'.⁴

³ Emphasis added

⁴ [The White Paper]gives people living in the English regions the chance to have a greater say over the key issues that affect them as well as the power to devise tailored regional solutions to regional problems.

- 5.13 The range of roles the consultation paper suggests for a national advice unit such as the compilation of the common evidence base, the relationship between housing numbers and regional distributions affordability targets and sustainability, appear to be too sweeping , would overlap with the Assembly's planning and housing role leading to confusion at best , or potentially conflict. There is too much ambiguity in Section 5 (e.g. paras 5.12 part and 5.22) of the consultation paper on the role intended for the national unit and its relationship with Regional Planning Bodies for advice to the Assembly to be given in other than very cautious terms.
- 5.14 It is unclear from the consultation whether the common evidence base is researched and arrived at by the Regional Assembly or whether some or all of it is intended to be set by the national advice unit. As has been referred to above the West Midlands Region has demonstrated that it can organise its own cross disciplinary shared evidence base. Whilst utilising a nationally recommended methodology is acceptable, having the scope to genuinely plan for its own region will remain a key objective of the Assembly in the execution of its Regional Planning Body role.
- 5.15 While the ODPM paper says Government does not think the national advice unit should identify strategic growth areas, decide on the need for special purpose vehicles, nor monitor regional housing markets, and completions and responsiveness to the market, although not mentioned specifically, these original recommendations could be re-examined at the three year review should trends not be as the Government require. In addition the comment here on monitoring appears potentially inconsistent given the range of monitoring the unit is expected to do.
- 5.16 In the event that a National Advice Unit is created with a remit that includes advising on inter regional matters and issues national guidance on affordability targets to Regional Planning Bodies, this raises again the need for proper clarity about central government's national level spatial planning assumptions. The ODPM has so far resisted the establishment of a National Spatial Plan. There is a risk that a National (*Spatial Planning?*) Advice Unit issuing directions to Regional Planning Bodies on key targets would in effect be working to a set of assumptions which would constitute a national spatial plan. This would be under the pretext of a technically independent, de- politicised advice unit. The stress on 'independence' is unconvincing as it is clear that the unit will receive 'guidance' from Central Government.

We have already done a lot to decentralise decision-making to the English regions... and as we promised in our Manifesto we will further strengthen the regional chambers in all regions. White Paper *Your Region, Your Choice: Revitalising the English Regions*, published 9 May 2002.

- 5.17 Apart from raising the question as to the status of this 'advice' when presented to the Planning Inspectorate in Public Examinations in RSS Partial Reviews and whether the Unit would give evidence under some form of cross examination, there is also the key requirement of the Planning and Compensation Act 2004 that proper public consultation should take place. The national unit's advice may be a foregone conclusion. Indeed the idea of making the unit statutory in three years time and the creation of an oversight Independent Committee for the national advice unit, suggests Government intend to be strongly centralist in the unit's working and not within the spirit of the Regional agenda.

6 Recommended Responses to Specific ODPM Consultation Questions

- 6.1 ODPM has invited specific responses on several matters. The first of these is on the proposed approach to merger and how it might most effectively be implemented. In considering this, it is worth noting that the Regional Housing Board has been an effective mechanism for joint regional working with government in preparing the first Regional Housing Strategy and in the allocation of the capital resources for housing.
- 6.2 Supporting the Regional Housing Board, the West Midlands Regional Housing Partnership has effectively progressed the issues raised in the first Regional Housing Strategy and achieved a productive dialogue across the Region on housing issues. Similarly the Regional Planning Partnership has been effective in its role as Regional Planning Body having looked at the important long term sustainability issues in the relationship between housing and other land use change.
- 6.3 The principal missing element here has been the absence of accountability for the work of the RHB into the Regional Assembly. The ODPM proposals create the opportunity for this to be addressed by putting in place a new Regional Housing Partnership like the Regional Planning Partnership with the former Regional Housing Board reconstituted to support this new Regional Housing Partnership with advice. What follows below develops this in some detail.
- 6.4 Two options have been considered. The first of these is a fully merged Regional Planning Partnership and Regional Housing Board. The second is to have a Partnership for Housing as there is already for Planning. These would have a cross over membership, the number to be agreed, and for joint Partnership meetings to be held when required to ensure co-ordination (e.g. in the synchronisation of Strategy Reviews) and policy integration.
- 6.5 The fundamental problem with the first of these is that the Planning function extends beyond housing and such a complete merger may cause the Housing voice to be marginalised contrary to the 'parity of esteem' required by government and many other stakeholders, Local Housing Authorities and Registered Social Landlords particularly.

- 6.6 Given the need for a more balanced approach that respects and maximises the strengths of both institutions the second option is recommended both to the West Midlands Regional Assembly and to ODPM. In this model,
- The Regional Assembly itself would undertake the ultimate combined role of Regional Planning Body and Regional Housing Board.
 - The current Regional Planning Body arrangements would be complimented by a similar newly constituted Regional Housing Partnership made up of a representative regional political membership. The present government bodies on the current Regional Housing Board; Government Office, Housing Corporation, English partnerships and Housing Corporation, are required by ODPM to have clear roles retained in the new arrangements.
 - The stakeholders that form the current Regional Housing Board would be remodelled to become the Housing Advisory Group acting in an executive implementation role possibly chaired by the Government Office. This would be the Housing equivalent of the officer led Regional (planning) Advisory Group.
 - The new WM Regional Housing Partnership would be supported by the Housing Advisory group which itself would be supported by an officer group representing the range of stakeholder interest much as the current WM Regional Housing Partnership does now. This would be the equivalent to the Regional Planning Officers Group. GOWM would have observer status on the WM Regional Housing Partnership.
 - The Assembly is already working on developing a new set of housing market area sub-regions which may meet the strategic framework necessary for regional policy development for housing and potentially sub-regions for planning too.
 - Transferring responsibility for the functions of the Regional Housing Board to the Regional Assembly will require the Assembly to ensure that it is adequately resourced to undertake this role effectively. It is noted with concern that the consultation paper is doubtful whether additional resources will be available.
- 6.7 ODPM would also welcome views on the national advice unit and the extent to which the common evidence should go beyond housing and planning with the possibility of extending the unit's remit to support an evidence base which goes beyond housing and planning, e.g. to build links with economic strategies. The concerns about national advice unit are fully set out in Section 5 to this report. It is recommended that these be conveyed to ODPM as the response of the Regional Planning Partnership and of the Assembly.

- 6.8 The extension of the common evidence base, subject to its regional integrity being held intact to include employment land and other related economic and transport issues has merit and could be supported in principle. However so little is said in the ODPM paper on this that further debate through the English Regions Network with the Regional Planning Bodies is needed to establish what ODPM have in mind. The relationship with the Regional Development Agencies and the emerging Regional Transport Boards needs careful consideration within the same dialogue.
- 6.9 ODPM have asked for views on how the unit should engage with the regional process; and on the topic of ensuring independence. The Regional Planning Partnership's view is that the relationship should be simply one of the national advice unit issuing advice on methodologies, provided these are appropriate to the housing markets of the Region. Anything more prescriptive might unreasonably impinge on the Regional Planning Partnership's ability to make the appropriate policy advice.
- 6.10 There is nothing in the ODPM paper to explain how the Regional Assemblies would relate to the national advice unit. As has been suggested by the South East Regional Assembly, if the national advice unit is established, there should be a Regional Sounding Board with the Unit, with an officer from each region, so that the dialogue can be assured.
- 6.11 If the ODPM do establish this advice unit it will be important that, notwithstanding its evidential base and public availability, the Regional Assembly must be free to depart from the advice if they consider it reasonable and appropriate to do so. It is recognised that in the final account it is still Ministers who have the final decision in both the policies in Regional Spatial Strategy and the allocation of the Regional Housing Single Capital Pot.
- 6.12 Also sought by ODPM are views on the structure proposed for issuing national advice on setting targets, and on the suggestions for how it should work with regions and with Government. In response the emphasis must remain on the issuing of guidance on methodologies but not prescription. The method for arriving at national and affordability indicators is not yet apparent. Whether what will ensue will be relevant to the West Midlands housing markets is not yet clear. How this 'advice' will be translated to create patterns of investment priority and changes to housing supply is unknown. Beyond these crucial unknowns, the reference to sustainability, social economic and environmental aspects is potentially encouraging but insufficient at this stage to judge how their importance will be incorporated.
- 6.13 There is little said about the role of the Independent Committee in ensuring the independence of the national advice unit. A concern here, which may be well founded, is that the 'expert panel' and its 'intellectual consensus' will be drawn from those with a pure theoretical economic approach and to include a wide and proper balance of interests, including those of the spatial planning and housing policy expertise. A wide range of types of expertise would be required

to provide the consensus ODPM refer to. It would be interesting to know how they would avoid the inevitable discussion about choices when the outcomes are supposed to be uninfluenced by political considerations, and that within a planning system meant to be more responsive to community consultation.

8 Recommendations

- 8.1 The Regional Planning Partnership welcome the proposal that Regional Assemblies are to be merged with Regional Housing Boards and are given responsibility for producing Regional Housing Strategies (RHS) and making recommendations to Ministers on the broad pattern of housing investment in the Region.
- 8.2 The Regional Planning Partnership recommend the Regional Assembly establish appropriate arrangements for taking these proposals forward, in consultation with current Regional Housing Board (RHB) members as set out in paragraph 6.6.
- 8.3 On behalf of the Regional Assembly, the RPP does however have serious concern about the resource implications. The Assembly does not have the capacity to take on this additional role, and some access to additional Government resources for the Assembly will be necessary.
- 8.4 The Regional Planning Partnership notes the intention to establish a national advice unit. It considers that the unit's functions should be closely focused on methodologies and genuine non mandatory advice on affordability. The Sections 5 and 6 of this report give a detailed expression of the concerns felt by the Regional Planning Partnership and are endorsed as the reply to the general and specific consultation questions posed by ODPM. In particular, nothing should be constituted so as to take away the integrity of the policy determination role of the RPP in forming its advice to Ministers.
- 8.5 If a national advice unit is established it is proposed that an essential dialogue with Assemblies is begun. It is recommended that a Sounding Board with the national advice unit, with at least one officer from each Regional Assembly, is also established. Dependant upon the make up and remit of the Independent Committee, a formal relationship may also need to be constructed between the Regional Assemblies and this Committee to assist achieving an appropriate balance of expertise in the oversight of the national advice unit.

Appendix 2

The Regional Planning Partnership

Terms of Reference, Modus Operandi, Membership Criteria and Person Specification.

Overarching Key Objectives.

The Regional Planning Partnership (RPP) will carry out the Regional Planning Body (RPB) function on behalf of the Regional Assembly leading on the development and delivery of the Regional Spatial Strategy (RSS).

In undertaking this role, the RPP will be under a statutory duty to:

- Keep under review the Regional Spatial Strategy and matters relating to the on-going planning and development of the Region;
- Ensure that a Sustainability Appraisal is undertaken of any new proposals emanating from any draft revisions to the RSS;
- Prepare an annual monitoring report on the delivery and performance of the RSS and consider whether implementation is achieving its purpose;
- Where appropriate, to advise relevant bodies on the preparation or revision of policies relevant to the implementation of the RSS;
- Consider the general conformity of Local Development Documents with the RSS and advise the Secretary of State and local planning authority accordingly;
- Consider how strategic authorities should assist the RPB in undertaking the above functions.

In fulfilling this duty, the RPP will also:

- Ensure that the RSS (inc. the Regional Transport Strategy (RTS)) is coordinated with other regional strategies including the Regional Economic Strategy, the Regional Housing Strategy, the Regional Cultural Strategy and the Regional Sustainable Development Framework;
- Oversee the development of a Regional Implementation Framework in order to ensure that a clear set of priorities are identified for the integrated implementation of the Spatial Strategy across all policy areas;
- Work with sub-regional partnerships to identify and resolve relevant sub-regional issues which need to be addressed within the RSS;
- Provide a coherent regional voice and ‘champion’ for the region’s spatial policy agenda at a national and European level.

- Ensure close cooperation and effective communication by working closely with, in particular the Regional Transport Partnership in relation to the RTS, other Partnerships and the Regional Observatory to maintain effective communications with the wider region to ensure a transparency of working.

Modus Operandi.

- To be chaired by a Regional Assembly Member nominated by the Assembly's local government nominating body, with vice chairs nominated by the Assembly's local government, business and other stakeholder sectors nominating bodies.
- To meet quarterly with additional meetings as and when required.
- Progress and activity to be reported to the full Regional Assembly meetings on a quarterly basis.
- To be advised by the Regional Planning Executive, appropriate Regional Assembly Policy Partnerships, and relevant cross sector Regional Officer Groups.
- To form task and finish groups with specific work areas and timescales.
- Secretariat to be provided by appropriate regional partners linking into WMRA secretariat.
- Notes of meetings to be public documents posted on the Website and reported to WMRA and 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 Partnership to be open and transparent.

Membership

- The membership of the Partnership will reflect the Regional Assembly membership ratio of 4 local authority members: 1 business sector: 1 other stakeholders.
- Members of the Planning Partnership will be drawn from the Regional Assembly or be suitably skilled and experienced designated Assembly representatives, nominated by the Assembly's sectoral nominating bodies.
- Members of the Partnership will be able to vote on specific issues if necessary. Votes will be weighted in accordance with the distribution of votes set out in Annexe One. Voting protocols are set out in Annexe Two.
- All members of the Partnership will be subject to the Regional Assembly Members Code of Conduct.
- Members of the Planning Executive will be drawn from the membership of the Partnership.
- Membership to be kept under review.

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 Planning Guidance for the WM.
- Members should have an understanding of any approved regional strategies and should respect the aims of such strategies.
- Members will be expected to communicate information and decisions made by the Partnership 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.

Person Specification

The following criteria are designed to assist the nominating bodies in identifying suitable people to sit on the Planning Partnership. In addition they are intended to guide those selected as to what may be needed to carry out the task.

The skills and experiences detailed below are designed to inform and guide. It is not the intention that each individual member shall have all of the skills and experiences detailed more that the partnership as a whole reflects the full range.

Relevant Experience & Knowledge

- Knowledge of, or experience in, one or more of the policy areas of the Regional Spatial Strategy;
 - Urban renaissance
 - Rural renaissance
 - Communities for the Future (Housing, society)
 - Prosperity for All (economy)
 - Quality of the Environment
 - Transport and Accessibility

- Knowledge or experience of other Regional strategies (e.g. Regional Housing Strategy, Regional Economic Strategy, Regional Cultural Strategy, Regional Sustainable Development Framework)
- Experience of representing a sector, group or organisation and their opinion in a forum that will have a wide range of perspectives and experience.

Useful Skills

- Communication skills
 - Members will be expected to share information and decisions made by the Partnership to others in the sector, organisation or group.
 - Members should have the ability to communicate the opinions of the sector, organisation or group they represent.
- Networking skills - the ability to share information on a formal and informal basis with regional partners and member organisations
- Partnership working - -the ability to work with representatives of different sectors and interests to achieve a common goal.
- Vision
 - Members should understand the concept of Sustainable Development as set out in the vision of the Regional Spatial Strategy and have the skill to be able to relate it to the topic under discussion.
 - Members will have the ability to see the long term implications of decisions and topics under debate.
- Cohesive thinking – members should have the skill to “think outside the box” to link issues being discussed to the broader Regional picture.
- Members should have the capacity to think regionally and strategically.
- Consensus building – developing policy which takes account of a range of viewpoints & evidence.

Appendix 2 Annex 1

WEST MIDLANDS REGIONAL ASSEMBLY

REGIONAL PLANNING PARTNERSHIP VOTING STRUCTURE

	Votes	
Local Government Sector		
Worcestershire CC	6	
Worcestershire DCs (6 x 1 vote each)	<u>6</u>	12
Herefordshire Unitary		4
Shropshire CC	5	
Shropshire DCs (5 x 1 vote each)	<u>5</u>	10
Telford and Wrekin Unitary		3
Staffordshire CC	8	
Staffordshire DCs (8 x 1 vote each)	<u>8</u>	16
Stoke-on-Trent Unitary		5
Warwickshire CC	5	
Warwickshire DCs (5 x 1 vote each)	<u>5</u>	<u>10</u> 60
Birmingham	21	
Coventry	7	
Dudley	7	
Sandwell	7	
Solihull	5	
Walsall	7	
Wolverhampton	<u>6</u>	<u>60</u>
WMPTA		2
		<u>122</u>
Business Sector		
(15 reps x 2 votes each)		30
Other Stakeholders Sector		
(15 reps x 2 votes each)		<u>30</u>
Total Votes		182

Appendix 2 Annex 2

WEST MIDLANDS REGIONAL ASSEMBLY

Voting protocols for Regional Planning Partnership

1. Voting Principles

Local Government

Voting strengths relate to authorities rather than individuals and therefore mechanisms should be some limited degree of transferability to enable authorities with multiple votes/representation to maximise their vote when required.

Business and Other Stakeholders

Votes are held personally by the agreed number of representatives.

2. Voting protocols:-

(a) Representation and Voting:-

- (i) Each local authority which has more than one vote must allocate their votes between political groups as far as possible in accordance with the political balance on their own authority.
- (ii) Multiple vote authorities shall appoint the minimum number of members required to represent the allocation of votes by political groups with the proviso that authorities will be entitled to appoint additional members to represent political groups which have in excess of three votes, on the basis of one Member for each three votes or proportion thereof. [Note this works out to approximately 75 representatives]
- (iii) The nominating bodies for the Business and Other Stakeholder sectors shall each appoint 15 representatives carrying two votes each.
- (iv) Substitutions are allowed with an automatic transfer of the voting allocation attached to the member being substituted, subject to the Secretary being notified of such substitutions before the start of each meeting.
- (v) Votes are not transferable between authorities or between nominated representatives of the Business sector or between nominated representatives of the Other Stakeholders sector and may not be exercised by officers.
- (vi) The Secretary will not accept notification of changes to the allocation of votes between local authority political parties unless such notifications are in writing signed by a proper officer of the authority.
- (vii) For each meeting the Secretary shall maintain a 'named votes list' showing the names of the members entitled to be present at that meeting and the votes attached to each.
- (viii) For the local government sector, In the event of some members/substitutes not being able to attend the whole or part of any meeting the 'absent' votes shall be transferable to attending members of the same authority and political group.

(x) If a named vote is taken the Secretary shall, on reaching the names of those members entitled to vote on behalf of an authority having more than one vote, indicate before such votes are taken the number each member is entitled to cast on the basis of the latest information before him/her. Where a voting member from that authority is then absent another member of the same political party as the absent member may, with the agreement of the other members of that party from that authority, cast the vote or votes of the absent member.

(b) Voting Procedure

(i) The Chair initially to seek approval to motions by voice agreement.

(ii) If the indication by voice is not clear the Chair may, or if requested by any member shall, seek a show of hands.

(iii) If, because of the multiple vote arrangements, on a show of hands the decision remains in doubt, the Chair may, or if requested by a number of members equivalent to 10 votes must, initiate a named vote where the Secretary uses a voting list which indicates the voting members and the numbers of votes each has at that meeting. In these circumstances decisions will be based on a majority of the votes cast in accordance with the voting totals.

West Midlands Regional Housing Board Remit

Under the enhanced Regional Arrangements set out under Part 6 of Sustainable Communities: Building for the Future, and in line with Chapter 2 of Your Region, Your Choice, the West Midlands Regional Housing Board will:

By July 2003, develop the first Regional Housing Strategy for the West Midlands in collaboration with the West Midlands Regional Housing Partnership, which clearly identifies regional priorities for investment; ensure that effective consultations on the Strategy take place with the Regional Assembly and with other relevant regional, sub-regional and local stakeholders and interest groups.

Ensure that the Regional Housing Strategy takes into account other relevant strategies in place or in development, especially those produced by the West Midlands Regional Planning Body (Regional Assembly) and by Advantage West Midlands; and where appropriate seek advice from the Countryside Agency to ensure rural-proofing of the Strategy. In addition the strategy should reflect cross-boundary issues.

Advise Ministers on priorities for expenditure in the West Midlands between areas and different forms of housing investment, and make recommendations for resource allocations from the Single Regional Housing Pot for investment by local authorities and housing associations initially covering the period 2004/05 to 2005/06, subsequently for 3 years and reviewed at 2 yearly intervals following spending reviews.

Advise Ministers on the progress the Strategy is intended to make towards the delivery of national policy objectives and targets, and towards meeting regional priorities; thereafter to monitor and report on progress against delivery as necessary.

In discharging its on-going responsibilities of producing a Regional Housing Strategy the West Midlands Regional Housing Board will have regard to Guidance issued by Ministers from time to time. It will continue to work with the Regional Housing Partnership to revise and refine the Strategy over time.

Endorsed by West Midlands RHB on 1 April 2003

West Midlands Regional Housing Board Membership

Chair: Graham Garbutt (Regional Director GOWM)

Nick Reed - Director of Investment & Regeneration, Housing Corporation

John Edwards - Chief Executive, Advantage West Midlands

Mike Atherton - A representative of the Rural Housing Network /Regional Housing Partnership (Head of Housing & Consumer Services, Telford & Wrekin Council)

Simon Hodgson - Director, West Midland Regional Assembly

Paul Spooner - Regional Director, English Partnerships

Steve Gregory - Regional Housing Partnership (Director of Housing, Sandwell MBC)

Rose Poulter - Director of Policy Directorate, West Midlands Local Government Assembly

Peter Jones - Assistant Director of Investment, Housing Corporation

A representative of the Regional Black and Minority Ethnic Communities Housing Network

**Current membership of the West Midlands Regional Housing Partnership
as at July 2003**

Advantage West Midlands

BME Housing Network

Chartered Institute of Housing

Council for the Protection of Rural England

Council of Mortgage Lenders

Government Office West Midlands

Housing Associations

House Builders Federation

Housing Corporation

Local Authorities

Midlands House Builders Forum

National Housing Federation

Rural Housing Network

The Countryside Agency

University of Birmingham

University of Central England

West Midlands Voluntary and Community Sector Housing Network

West Midlands Sustainability Forum

WMLGA

WMRA

West Midlands Regional Assembly Regional Housing Partnership **Terms of Reference**

Background

West Midlands Regional Assembly has a critical role to play in providing a coherent voice for the West Midlands on the economic, social and environmental well-being of the Region, working in partnership with regional agencies including: West Midlands Local Government Association, Government Office and Advantage West Midlands.

The Assembly Review in Summer/Autumn 2000 identified a range of findings and conclusions in respect to the operation of the Assembly and how it could become more effective. In taking forward the findings of the Review, the Assembly will aim to add value to the roles and work of existing agencies rather than present itself as some pinnacle of a regional institutional hierarchy. The Assembly should be seen as a champion of the region's interests and a reflection of its social and economic make up.

The Assembly has identified housing as a key activity in its work plan - "Encourage & support the production of a regional housing strategy" the work plan suggests that the Regional Housing Partnership is the correct mechanism for taking the activity forward.

At its meeting on 26 January 2001 Regional Housing Partnership agreed to review its terms of reference, membership and modus operandi with a view to operating as a Policy Forum for Housing under the auspices of West Midlands Regional Assembly.

The same meeting also supported a revision to the terms of the Housing Forum set up by the Housing Corporation to facilitate research and consultation on housing issues and Registered social landlords.

This note therefore sets out for the Regional Housing Partnership revised terms of reference, membership and modus operandi; together with proposals to consolidate the link between the Regional Housing Partnership and Housing Forum.

Terms of Reference

Overall Objective:- Develop and facilitate the implementation of a unified Housing Strategy for the West Midlands. And in particular to:-

raise the profile of the region's housing need in investment and planning terms.

Guide the development of West Midlands Regional Planning Guidance/Regional Spatial Strategy

inform 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.

recognise and work with the Housing Forum as the focal point and commissioning body for consultation and research on Housing and related issues.

Modus Operandi

- ◆ To meet as and when required.
- ◆ Secretariat provided by West Midlands Regional Assembly Secretariat (WMLGA)
- ◆ Notes of meetings to be public documents and reported to Planning Partnership and Executive and West Midlands Regional Assembly.
- ◆ Meetings will be held in open session, with a facility to move to closed session if required.
- ◆ Members will be representatives for their sector or area of interest and expected to express the collective views of their constituent group. Members will be selected by, and report back to, their constituent groups. It may be necessary to form constituent groups to select a representative (in the same way the Assembly selected the original representation).
- ◆ Regional Housing Partnership is expected to proceed on the basis of consensus. The Assembly will keep membership under review.