

# West Midlands Regional Assembly

## Agenda Item 11

### WEST MIDLANDS REGIONAL ASSEMBLY

#### FULL ASSEMBLY MEETING

22 APRIL 2009

#### RSS Phase 2 Examination in Public and RSS Update

##### **1. Purpose**

- 1.1 To inform the Assembly of the arrangements for the RSS Phase 2 Examination in Public and to update them on RSS Phases 2 and 3.

##### **2. Recommendation**

- 2.1 For the Assembly to note the report.

##### **3. Examination in Public**

- 3.1 The independent Panel appointed by the Secretary of State to conduct the Examination in Public (EiP) has now published the final timetable following consultations on an earlier draft. The EiP will open on Tuesday 28 April at the Molineux stadium in Wolverhampton. Cllr David Smith will make a brief opening address on behalf of the Regional Assembly.
- 3.2 It is gratifying to report that the Assembly's comments on the earlier draft timetable have been largely taken into account. Proceedings will now commence with sessions on context, sustainable development and spatial strategy principles. This approach underlines the case forcefully made by the Assembly and many of our regional partners, that this is a partial Revision of a strategy previously endorsed by Government – not a full review of its underlining principles.
- 3.3 The EiP will then proceed to debate (within that policy context) housing requirements, employment land, town centres, waste and transport, before a series of sub-regional debates. The definition of the sub-regions chosen has, again, largely followed

the Assembly's advice. The EiP will conclude with a session on implementation and monitoring.

3.4 It is already possible to identify a number of issues that will be the principal focus of debate:

- Urban and Rural Renaissance – these are the key principles underlying the existing regional strategy and should not be questioned through a partial Revision process. Inevitably, however, the twin pressures of higher housing targets from the Government Office's study and the development industry's desire for greater green field site release will put these principles under severe pressure.
- There are no less than five sessions on various aspects of housing policy and these should give the Assembly the scope to argue a detailed case for meeting real housing need where it arises. It is inevitable however that much of the debate will still focus on the requirement for higher housing numbers to meet theoretical calculations of demand.
- The Phase 2 Revision makes a strong case for the co-location of housing growth and additional employment land, so as to provide jobs near to people's homes and as the basis for sustainable communities. There is a danger, however, that this critical relationship will be over-shadowed by the focus on higher housing numbers.
- The impact of the credit crunch and economic recession on the regional economy will be debated in all sessions. The debate will however be particularly intense in two areas: housing and commercial (office and retail) floor space. Slower delivery in these policy areas at the beginning of the plan period will beg the question as to whether higher delivery later on will be achievable before the end of the plan period in 2026.
- Environmental and sustainability concerns will rightly be to the forefront of all sessions. An earlier objection from the Countryside Council for Wales regarding the technical completeness of the Assembly's Habitat Regulations Assessment has now been largely overcome through detailed negotiations. Nonetheless, particular concerns remain about the impact on flood plains and on Cannock Chase's sites of special importance for nature conservation.
- A specific debate on the Government's Middle Quinton eco town proposal will be overshadowed by an ongoing Judicial Review challenge and will expose the Government's difficulty in

promoting a site-specific proposal without a proper regional policy context being in place.

- 3.5 Our timetable representations have ensured that there will be adequate seats at the table for the Assembly and its partners to present a full case to the Panel; although in some cases, "hot seating" may be necessary. We have worked hard to ensure that all our statements submitted in advance of the EiP are as mutually consistent and supportive as possible. To underline the West Midlands' unique devolved approach to RSS preparation, the strategic authorities rather than the Assembly itself, have prepared the sub-regional statements as appropriate.
- 3.6 The Panel will focus on the Phase 2 Revision's robustness, alignment with Government policies (particularly on housing) and deliverability. In respect of deliverability, we have the benefit of a substantially updated and reworked Implementation Framework, detailed down to sub-regional level, which demonstrates our serious commitment to making the strategy happen on the ground.
- 3.7 The EiP is programmed to run until 24 June, sitting from Tuesdays to Fridays mornings with two recess weeks. There will however be changes as the programme proceeds to reflect debates that turn out to be longer or shorter than anticipated. Potential delays may necessitate extra sessions on Mondays, Friday afternoons or in recess weeks. It is strongly recommended, therefore, that anyone wishing to attend (either as participant or as observer) keeps close watch on the EiP Panel website or telephones the Assembly's spatial planning team.
- 3.8 There can, of course, be no certainty as to the outcome of the EiP. The Panel will make its report to the Minister, and the Minister ultimately will decide. However, a robust and technical case will carry much weight with a highly experienced and professional Panel. The Minister will not be able to disregard their recommendations lightly, at risk of Judicial Review challenge.
- 3.9 This Regional Spatial Strategy EiP will be the first to be conducted in the context of the current recession and credit crunch. This will seriously test the levels of growth we are proposing, let alone the much higher housing targets suggested by the Government Office's consultants. The recession will end at some stage and

development pressures will start to return. We will therefore press for the earliest possible response by the Minister to the Panel report, so that no policy vacuum is created and the region is not left vulnerable to damaging speculative pressures.

#### **4. RSS Implementation**

4.1 The Draft Implementation Plan was prepared to support the WMRSS Phase Two Revision submission to Government to demonstrate the deliverability of the Preferred Option. In submitting this Draft, it was always acknowledged that it would need further development and updating on an continual basis, particularly in time for the Examination in Public (EiP) in Spring 2009. To this end, a new RSS Implementation Group of officers was established in 2008 to oversee this work and this Group has now prepared a 'supplement' to the Draft Implementation Plan to ensure that the Assembly is able to present a clear case at the EiP. A copy of the report was endorsed by the Assembly Board at its meeting on 25 March 2009 and has subsequently been submitted to the EiP.

#### **5. Monitoring**

5.1 At the end of February the Assembly submitted the latest **Annual Monitoring Report** (AMR) of the West Midlands Regional Spatial Strategy to Government. The AMR forms a key part of the evidence base for the Region and helps to indicate areas for future review.

5.2 With signs of the Credit Crunch only becoming significant at the end of the reporting year, it is important to note that the trends and achievements reflected in the report fall outside of the current economic climate and cannot be used to predict future development rates.

#### **5.3 Key findings**

Overall the findings of this year's Report are very positive and suggest that significant progress towards the Spatial Strategy is being made.

- In respect of Urban and Rural Renaissance, there are a number of socio-economic indications that the Region is moving towards the required patterns.
- The pattern of housing development in the Region suggests that the current WMRSS is being implemented. Not only is the balance of development shifting towards the urban areas but the

current housing target was again comfortably exceeded. There was some improvement in the provision of affordable housing – but the Region is still falling short of the target.

- There is continuing good use of the land available. Rates of development on previously developed land rose for both housing (86%) and employment (75%). The level of R&D development in the Regeneration Zones and High Technology Corridors showed particular gains.
- In respect of town centre development, only a small amount of retail development took place in the year whilst hotel and leisure completions declined.
- There has been significant progress towards the Spatial Strategy targets in terms of Quality of the Environment, for example, the proportion of listed buildings at risk has reduced and the amount of derelict land has declined.
- The data indicates that the Region's efforts towards Transport and Accessibility are failing to be evidenced. The report concludes achievement will only come from the full implementation and promotion of the West Midlands Spatial Strategy and Economic Strategies by Regional Strategic Authorities.

5.4 There is some evidence that whilst the Spatial Strategy is now strongly influencing development on the ground, it is still not impacting as much as required on the "hearts and minds" of individuals' and business' behaviour. This consideration will need to impact on the future WMRSS and its implementation as the Region responds to the challenges of the future – both in terms of need and policy.

5.5 *How do I get hold of the AMR?*

The final report is available on the Assembly's website at:

[http://www.wmra.gov.uk/Planning\\_and\\_Regional\\_Spatial\\_Strategy/Monitoring\\_/Monitoring.aspx](http://www.wmra.gov.uk/Planning_and_Regional_Spatial_Strategy/Monitoring_/Monitoring.aspx).

If you would like a printed copy of the report please contact Sharon Doak at WMRA (0121 678 1042; s.doak@wmra.gov.uk )

5.6 In anticipation of the ***Examination in Public*** a technical document "*Updated Monitoring Framework and supporting Background Information*" has been prepared which provides the rationale and detail behind the proposed monitoring framework. The document can be downloaded via:  
[http://www.wmra.gov.uk/documents/WMRSS\\_ps2revision\\_UMFS\\_BI\\_March09.pdf](http://www.wmra.gov.uk/documents/WMRSS_ps2revision_UMFS_BI_March09.pdf)

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## **6. RSS Phase Three Update**

6.1 The topics to be addressed in the Phase Three Revision of the WMRSS are:

- Critical Rural Services
- Provision for Gypsies, Travellers and Travelling Showpeople
- Culture, Sport and Tourism
- Quality of the Environment
- Minerals

6.2 The Assembly have been developing an Options consultation document that will identify choices as to the nature and content of new or revised policies. The draft Options consultation document was approved by the Assembly Board on 25 March and is available on the Assembly website at: [http://www.wmra.gov.uk/Meetings\\_and\\_Agendas/Board\\_of\\_Directors/25\\_March\\_2009.aspx](http://www.wmra.gov.uk/Meetings_and_Agendas/Board_of_Directors/25_March_2009.aspx). A final version of the Options document, including design refinements and maps, will be available on the Assembly website in June.

6.3 Consultation on the RSS Phase 3 Options will commence on 29 June 2009 and close on 14 August 2009. A consultation event is planned for 2<sup>nd</sup> July at the Burlington Hotel in Birmingham.

6.4 In light of responses received during the consultation, a "Preferred Option" will be developed which will be considered by officers and Members in autumn 2009 prior to submission to the Secretary of State in February 2010.

6.5 Although the 7 week Options consultation coincides with the summer holiday period, there is an early opportunity for organisations to consider the Options and their possible responses in advance of the formal consultation commencing by accessing the draft document on the Assembly website.

6.6 Following submission of the Preferred Option to the Secretary of State in February 2010, the remaining stages of the Phase 3 Revision, under the existing arrangements, would be led by the

Government Office for the West Midlands on behalf of the Secretary of State.

- 6.7 The Local Democracy, Economic Development and Construction Bill which is currently before Parliament proposes the introduction of a Single Regional Strategy to replace the existing RSS and Regional Economic Strategy (RES). The Government's intention is for the bill to receive Royal Assent in July 2009, with an operational date of April 2010.
- 6.8 On the basis of the timetable outlined above, it remains to be seen whether the partially completed Phase Three work will be incorporated into a revised RSS or the new Regional Strategy. In either event, the policy content of the Phase Three Revision will remain relevant to regional interests and necessary to fill policy gaps until with the new Regional Strategy is developed.

**Olwen Dutton**  
**Chief Executive**  
**WMRA**