

**West Midlands Regional Spatial Strategy
Phase Two Revision - Examination in Public**

Panel Briefing Note No. 2

**Proposed Regional Governance Arrangements
in the West Midlands Region**

**Prepared by the West Midlands Regional Assembly
and Advantage West Midlands**

March 2009

1. Status

This note has been prepared for the Panel by the West Midlands Regional Assembly (on behalf of the Local Authority Leaders' Board) and Advantage West Midlands in anticipation of their future status under the proposed Act as the "Relevant Regional Authorities".

2. Introduction

The Government's Sub National Review consultation (March 2008) proposed new regional strategy arrangements. Having considered consultee responses (July 2008), the Government published its response on 25 November and re-emphasised the principles and objectives of SNR reform to introduce a more streamlined and refined framework for sustainable sub-national economic development in England. These are:

- Managing policy at the right spatial levels
- Ensuring clarity of roles
- Enabling places to reach their potential
- Empowering and incentivising all local authorities to promote economic development
- Supporting local authorities to work together and provide them with the tools to do so
- Streamlining the regional tier including accountability
- Reforming central Government's relations with regions and localities.

Specifically, the Government's response clarified that:

- Regional Development Agencies and Local Authority Leaders' Boards will have joint responsibility for developing and submitting the Single Integrated Regional Strategy (SIRS) to Ministers
- Each region will also need to produce a SIRS Implementation and Delivery Plan
- There will be Regional Select Committees and these will provide the main scrutiny function
- Joint investment planning will underpin delivery
- Statutory sub regions are an option whilst Multi Area Agreements with statutory duties are encouraged
- Each strategic authority will be required to undertake a statutory economic assessment duty
- Each region must produce a Change Management Programme (by the end of March 2009) which clearly sets out a timetable for 2009-10 of how regional partners will implement the necessary changes to regional institutions, relationships and processes.

These proposals have now been taken forward in the Local Democracy, Economic Development and Construction Bill that was introduced into Parliament in December 2008.

In order to facilitate consideration of the Bill by Parliament, the Department of Communities and Local Government published a series of four Policy Documents (January 2009). One of these was "A Policy Document on Regional Strategies".

This Policy Document confirmed that by the end of March 2009, local government and the Regional Development Agency (RDA) should submit proposals to government setting out:

- a) How the RDA and the Local Authority Leaders' Board (LALB) will fulfil their duties to jointly produce the Single Regional Strategy and its Implementation Plan and
- b) A decision making process, including resolving differences.

At the same time, local government has to make proposals for the LALB covering its membership, decision making processes, elections, managerial structure and organisation.

The Bill commenced its passage through Parliament in the House of Lords in January 2009. It is due to receive the Royal Assent in July 2009 and to become operative from April 2010.

West Midlands Region's Response

The West Midlands Regional Assembly (as Regional Planning Body), the Regional Development Agency (Advantage West Midlands) and Government Office West Midlands (GOWM) set up a Joint Transition Board in early 2008 to manage the change to the new regional governance arrangements, in anticipation of the Bill. This established, in shadow form, a Joint Strategy and Investment Board (JSIB) between local government and AWM. On the appointed day under the new Act the JSIB will exercise responsibility for the Regional Strategy, bringing together the two "Relevant Regional Authorities" (the Bill proposes to abolish the designation of "Regional Planning Body"). The JSIB is currently comprised of 12 members, six each from local government and from the AWM Board.

On the local government side, it has been agreed to start winding up the existing West Midlands Regional Assembly and the parallel West Midlands Local Government Association and to merge them into a new single organisation under the Local Authority Leaders' Board (LALB). The LALB has been established in

shadow form and is comprised of the leader of each local authority in the region. The six local authority members of the JSIB are drawn from it.

It is currently anticipated that, subject to Government approval of the regional governance arrangements outlined above, a transition is made from the existing arrangements with effect from the annual meetings of the WMRA and WMLGA in July 2009, leaving them as “shell” organisations for legal, financial and administrative purposes until the Act becomes operational in April 2010.

Regional partners are currently working on a Change Management Programme for submission to Government by 31 March 2009. This will set out key dates and tasks required in 2009-10 to ensure a smooth transition from the current arrangements.

Implications for the Regional Spatial Strategy

The agreed timetable for the RSS Phase 2 Revision anticipates consultations on the Proposed Changes by the Minister in early 2010, following publication of the Panel’s report. Adherence to this timetable should allow the Revision to be completed under the existing legislation, assuming that the Regulations (anticipated in July 2009) for the new Act make transitional arrangements.

The proposed Project Plan and timetable for the RSS Phase 3 Revision was agreed for submission to the Minister by the Assembly, AWM and Government Office and was endorsed by the Regional Planning and Environment Executive on 30 January 2009. This timetable envisages consultation on Issues and Options in July 2009 (following the closure of the Phase 2 Examination in Public) and submission of the Preferred Option to the Minister in early 2010. The remaining stages of the Revision, including Examination in Public and consultation on the Minister’s Proposed Changes can not be completed within the lifetime of the WMRA.

The Government's Policy Document on Regional Strategies offers the following guidance regarding the move from regional spatial and economic strategies to the new regional strategy during the transitional period:

- a) The process should be as seamless as possible
- b) On enactment, the RSS and RES in force will become the "regional strategy"
- c) Only the RSS elements of "regional strategy" will have the status of statutory development plan until a revision has been prepared under the new arrangements
- d) Any work currently underway on RSS and/or RES reviews or preparatory work will count towards the new regional strategy when legislation is enacted.

The Regional Assembly and Advantage West Midlands will work together to ensure that no policy vacuum is created in the transition to the new regional strategy arrangements and that:

- a) Regional Spatial Strategy, incorporating both Phase 1 (Black Country) and Phase 2 Revisions is implemented as part of the statutory development plan until replaced under the new arrangements, and
- b) Provision is made in the guidance and Statutory Instrument under the new Act to allow Phase 3 policies to be progressed through the new statutory procedures as part of the new regional strategy.