

**Birmingham Development Plan  
DUTY TO CO-OPERATE STATEMENT**

**APPENDIX 21**

**Package of notes of meetings of the Greater Birmingham & Solihull Local Enterprise Partnership,  
Planning Sub-Group held between March 2011 and May 2014**

**Greater Birmingham and Solihull LEP**  
**Meeting of the Planning Sub-Group – 24<sup>th</sup> March 2011**  
**Central Library, Birmingham**

***Attending:***

Craig Jordan (Lichfield DC) – Lead

Debbie Harris (Cannock Chase District Council)

Margaret Wilkinson (Planning for Real, Accord HA)

Simon Phillips (GVA)

Isobel Woods (Solihull MBC)

Gary Palmer (Solihull MBC)

Matthew Bowers (Tamworth BC)

Phillip Somerfield (East Staffs. BC)

Graham Crowe (St Francis Group)

David Carter (Birmingham City Council)

***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce

**1. Welcome and Introductions/Purpose of the meeting**

CJ welcomed everyone to the meeting and thanked people for showing an interest in contributing to what was a topical issue both nationally and locally. By way of background he outlined the purpose of the Group being set up and the reasons why the LEP Development Board felt that planning should be looked at as a priority. As this was to be the first meeting of Group it was felt that the emphasis should be on examining attendees thoughts and views on whether or not the planning system was, as had been suggested, a 'hindrance' to business and a barrier to growth. This would provide the context for moving forward with agreed work streams.

**2. Scope**

CJ referred to a discussion paper that had been circulated prior to the meeting which sought to summarise the main issues that had been flagged up by commentators commenting on the relationship between planning and business. Planning was seen as being a negative policy tool, difficult to comprehend on the part of non-specialists and very bureaucratic in its operation. The system needed to be changed and the actors involved encouraged to view economic growth as a priority to be supported by policy and appropriate decisions. CJ

initiated a discussion within the Group to see whether the statements being made by the business sector and more recently Government were true and based on real justifiable evidence. Business representatives provided some examples of their own experiences with issues being raised about the planning decision making processes and plan making. It was agreed that to those who do not actively engage with planning and planning professionals the whole system can appear difficult to understand and even more so when certain decisions are made by local planning authorities. The very nature of planning means that decisions may often be controversial and stimulate substantial local interest. Whatever decisions are made these do have to be justified and people need to understand the basis for those decisions. It is only natural that a party which does not get its way either by failing to gain a planning permission or not having policies/proposals supported through a development plan will feel aggrieved. Notwithstanding this it was agreed that any system which is deemed to be relevant and form part of a mature society should have firm principles which underpin it and allow for general support of its operation.

The Group sought to clarify what it was that business wanted from planning and the following were highlighted:

- easy to understand policies and procedures
- a planning system which supports business growth and economic development
- an inexpensive system which produces results quickly
- certainty in terms of the outputs/outcomes following engagement with policies and procedures

Whether true or not and the evidence still needed to be found members of the Group did flag up a number of issues which could serve to inform future work:

#### Issues

- inconsistent policies or application of the same between authorities
- failure to see the benefits of business proposals
- undue weight given to other considerations eg. environmental impact
- behaviours of key personnel within LPA's and the culture of certain LPA's themselves having regards to business
- capacity of LPA's to handle proposals or to deal with important issues around economic development

There was common agreement that many so called difficulties stem from a lack of understanding of what the planning system is about – what it can and cannot do, what it seeks to do and the policies and procedures in place to deliver decisions. This in itself suggested that a key action within the LEP would be to educate and inform people better about the role and function of planning. In doing so, this could help to explain why decisions are made in the way they are and what factors are taken into account.

Another area explored was that of the negative way planning is portrayed which does not reflect its intentions or what local planning authorities seek to do in planning for their areas. Again, one of the issues for the LEP is to ascertain whether or not planning is seen as a problem or part of the solution to addressing growth. In this respect the Sub-Group touched upon the importance of planning positively for change – expressing spatially plans and policies which together could provide for jobs and wealth creation, co-ordinating actions across the LEP for common good and also providing for competitive advantage.

In a wide ranging discussion a number of areas were looked at but to assist in taking the Group and its work forward it was agreed that firm evidence was needed to check whether or not the general views expounded about the failings of planning were justified. It was suggested that to do this the Group needed to communicate with business and agents & also seek information from LPA's as to their experiences. This would help to build up a picture of the issues that were being identified from within and without the business community and from this see where there was scope to promote/introduce appropriate improvements which would support the overall LEP growth agenda.

***Actions: It was agreed that business reps and members of the Group from the Economic development side would seek to ascertain views on the merits of the planning system from the business perspective. This would include obtaining evidence to inform the Groups understanding of how business and those involved in planning for growth find working with planning policies and procedures & the various actors.***

***Separately, it was agreed to canvass LPA's across the LEP to see how they view their own experiences with the business sector. Do statistics and feedback support the claims being made by business people that planning is a problem.***

***Finally, it was agreed to begin to map out how planning could be seen as a positive tool in promoting growth in the LEP area with the emphasis on exploring the potential for a spatial plan necessary to articulate the economic strategy. This would need to be supplemented by suitable monitoring and review procedures.***

### **3. Draft Terms of Reference**

CJ circulated a draft ToR for consideration and comment. It was suggested that under 'Scope of Work' reference should be made to the preparation of a Spatial Plan in respect of bullet point 2; to more accurately reflect what is meant by changes in bullet point 4 ; cross-refer to the work of other LEP Sub-Groups where this would be relevant and; finally, to add a separate section on outputs/outcomes.

In discussion about the working arrangements of the Group it was suggested that much work could be done via e-mail and if necessary telephone conversations. However, it would also be useful to meet at least once a month to review work and pick up on issues raised by the Steering Group and Development/Main LEP Board. The timing of such meetings should be linked to the meeting calendars for the aforementioned.

#### **4. Any other business**

Although the meeting had been useful in beginning to flesh out some of the issues for further examination there was a feeling that the Group would benefit from the involvement of additional business representatives. It was recognised that availability to attend meetings may be a problem but having the views of business was essential given the brief that the Group had been given. CJ asked members to consider whether through their own networks additional support could be forthcoming but also proposed to speak to the Birmingham Chamber of Commerce about the matter.

#### **5. Date of next meeting**

To be confirmed

Meeting closed at 12.10pm

Greater Birmingham and Solihull LEP  
Meeting of the Planning Sub-Group – 26<sup>th</sup> April 2011  
Committee Room B, Birmingham Council House Extension  
Margaret Street, Birmingham

***Attending:***

Craig Jordan (Lichfield DC) – Lead  
Debbie Harris (Cannock Chase District Council)  
Matthew Fox (GVA)  
Isobel Woods (Solihull MBC)  
Andy Plant (St Francis Group)  
Phillip Somerfield (East Staffs. BC)  
Graham Crowe (St Francis Group)  
Ian MacLeod (Birmingham City Council)

***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Margaret Wilkinson - Planning for Real, Accord HA)  
Matthew Bowers -Tamworth BC  
Dave Simpson – Solihull  
Ruth Bamford - Bromsgrove

**1. Welcome and Introductions/Purpose of the meeting**

CJ welcomed everyone to the meeting including new members, explained his position and gave a brief resume of what the purpose of the group was and what work had been carried out to date.

The focus of the Group's work was on addressing so called barriers to business growth presented by the planning system and its operation. A brief established by the LEP Development Board and a topical issue highlighted by recent pronouncements by members of the Coalition Government. A second aspect of the Groups work was to look at how planning could be viewed as a positive tool in helping to deliver the objectives of the LEP.

**2. Minutes of the Last Meeting**

The minutes of the last meeting held on the 24<sup>th</sup> March were considered and accepted as a true record.

**3. Revised Draft Terms of Reference**

CJ referred to a revised terms of reference which had been prepared in the light of comments received on the first draft, subsequent additional duties placed upon the Group from the Development Board and the adoption also of a new 'corporate' template for the various LEP Sub-Groups.

IW raised concern at the wording of the overarching objective commenting that it appeared to omit reference to the issue of planning being seen as a means of promoting the LEP's aims and helping to deliver on these. This was noted and CJ agreed to re-word and circulate for comments.

There was also a feeling that rather than ToR what was now being presented was more akin to a project plan. CJ noted this and said that it appeared that this was the format that the Development Board and associated secretariat was looking for clearly identifying scope of work, deliverables and timescales against which to measure the performance of the sub-groups.

**Action: Review ToR in the light of comments made and circulate revised version**

#### **4. Update on work tasks/Next Steps**

For the benefit of the Group and having circulated the relevant extract from the Board papers (part Item 7) CJ provided a brief summary of the update report presented to the LEP Development Board on the 18<sup>th</sup> April.

The report to members highlighted the efforts being made by the Group to gather evidence to support or counter the claims that indeed planning was a barrier to growth and presented some of the preliminary findings.

The Group had been informed that planning was viewed as:

- complex and difficult to understand
- costly
- lacked clarity and was uncertain
- slow in its operation

Other concerns voiced included:

- questions about the direction of policy – supportive of growth or not?
- the attitudes/cultures of some local authorities/employees towards business and growth
- questions of the capabilities of some authorities to effectively handle proposals

Although noting the above, CJ explained that the Board had been informed that the evidence was lacking to date to substantiate the above and as such more work had to be done. The Board accepted this though re-stating its collective opinion that there were issues and these needed to be identified and addressed. It was hoped that its June meeting the Planning Sub-Group would be able to bring a report back to what would be the new Main Board containing the necessary evidence to allow the matter to be progressed.

The Sub-Group noted the update and then considered what actions were presently underway as regards evidence gathering.

## Questionnaire

IW and DH provided an update on the questionnaire that had been prepared for businesses to understand its experiences of engagement with the planning system. The Sub-Group was informed that the questionnaire had been finalised and kept short to encourage responses. AP attending his first meeting enquired about the questionnaire itself and what it comprised of. It was explained that the focus was on the planning application process though there were other open-ended questions allowing for reference to other areas of planning to be included. The questionnaire had been distributed via business organisations on the basis that these organisations would be able to cascade/circulate information and in doing so exert some form of control over the exercise. A deadline of 12 May had been set. The Group asked how it was intended to ensure that no areas of the LEP were omitted and also sought some reassurance that the response rate would be large enough to make it worthwhile and the results meaningful. A debate followed about circulation of the questionnaire, the view was that this should be sent to key economic development officers within each local authority area to distribute via local networks. This would hopefully satisfy the concerns about coverage and boost chances of a good response rate.

On the basis that the Sub-Group was not now being asked to report back to the board until June, it was agreed that the deadline could be put back for responses to be made.

## Evidence received from LPA's/Local Authorities

CJ explained that a second workstream being undertaken was that of canvassing the opinions of planning officers and those involved in economic development within each of the constituent authorities within the LEP to establish what their experiences were of businesses engaging with planning. To this end a request had been made to each authority to provide details of complaints/compliments received from the business community/agents with regards to the way that business felt it had been treated, areas where there were clear problems experienced and also examples of approaches taken to ensure that business received the service it felt it deserved.

Responses had been received by some but not all authorities and CJ sought to summarise some of the key themes/issues being reported.

In terms of concerns raised by business these included:

- inconsistent application of policies within and between authorities
- policies and/or legislation seen to be 'petty', 'bureaucratic' and in some cases 'onerous'
- the view that in terms of protecting commercial enterprises from market competition planning has a key role to play
- a common view held by small businesses that planning sometimes is irrelevant and can be bypassed or should not involve the processes that it



does and should be capable of granting permissions/consents with a quick turnaround

- the view of larger businesses often involving more complex proposals that the time needed to make decisions is overly long; that the supporting evidence required to substantiate proposals is excessive and costly to produce and that even when proposals seem quite straightforward the advice/consultation responses received by key stakeholders can be confusing or inconsistent leading to extra work/costs or worse still potential refusals.

Looking at what the LPA's stance was toward working with business to ensure that planning was not seen as a 'problem', reference was made to some of the practices followed:

- There seemed to be a common awareness of the importance of jobs and investment to the LEP area and individual localities and hence a need to recognise this when dealing with planning proposals
- In some cases authorities have put in place arrangements to prioritise or 'fast-track' commercial development proposals either on a permanent basis or dependent on the size/scale/importance to the area of a proposed scheme.
- A number of LPA's have adopted a development team approach bringing in at an early stage – often pre-application - key officers and stakeholders and providing advice/guidance etc to allow proposals to be considered, developed and processed in as smooth a way as possible.
- Pre-application engagement with companies and agents helps to flesh out potential issues, provides a firm basis for taking forward a proposal to the satisfaction of each party and with agreement can lead to decisions being taken in timescales that again suits both sides
- Regular liaison between LPA's and agents helping inform improvements to practices and procedures
- Information provision – information being made readily available informing agents/applicants of policy frameworks, decision making procedures and procedures etc.

In addition to the above over the last few years and prompted by investment by Central and Local Government in planning generally many authorities have improved their back office systems which has helped with the front-facing nature of the business.

CJ explained that further information from authorities was being sought and in particular requests were being made for statistical data in respect of planning application processing rates and success rates on appeals.

The above summary prompted a debate within the Group. Many of the concerns raised by business were supported by the business representatives on the Sub Group. AP highlighted other areas which he and his colleagues were aware of through personal experience or having been informed via the development industry. These included:

- the costs involved in pre-application discussions with LPA's where charging systems were in place. In straightened times such costs can be a problem to certain businesses.
- Information on planning policies and procedures from authorities to aid business is generally poor – when such information can be found it often is over complicated and hard to understand.
- PD Rights – what business can and cannot do having regard to the application of permitted development is often not made clear or is incorrectly interpreted leading to unnecessary applications being made and costs.
- Validation can be a major problem with LPA's seemingly applying standard checklists rather than considering the individual proposals submitted.
- There seems a reticence on the part of LPA's to provide informal views on potential schemes preferring to ask businesses or their agents to formally write and seek an opinion – this is overly bureaucratic and time consuming.
- Policies were another area of concern where there often is inconsistency in approach between areas or rigid application of the wording without understanding factors such as economic viability.

The Group accepted that these comments were good examples of the types of problems being experienced and needed to be considered as part of its work. The results of the questionnaire would help to confirm whether the specific issues raised by AP were common within the LEP.

CJ highlighted the matter of planning policy, developing a theme that AP had pointed to as a key issue and one that impacted upon the planning application process. As part of the Group's brief one task would be to see how planning could articulate the objectives of the LEP and this would mean ensuring that the policy framework's in place across the LEP were broadly aligned and helping to promote and deliver growth. A question for now however was to what extent does current policy do this? A suggestion made to the Group was that as a separate piece of work a review of current or emerging policy was required to test out whether growth is likely to be held back by policies being out-of-date/contrary to national guidance or differing in their nature and direction between authorities within the LEP area. MF agreed to pick this work up.

**Action:**

**Circulate questionnaire to respective economic development contacts within each local authority area and extend deadline for response (IW/DH).**

**Request information from those authorities yet to respond to earlier call for evidence and also seek statistics on planning application decision making performance and appeal success rates (in respect of commercial applications) (CJ).**

**Review current or emerging planning policy as it applies to economic development and enterprise across the LEP area to see whether there is the basis for growth (MF).**

## **5. Any other business**

A brief discussion took place about the proposed Enterprise Zone and the planning implications for this and any outlying area. CJ suggested that he thought the Group might be asked to develop some thinking about this once a response is received from Government on the proposals put forward for the LEP.

IM referred to the current government consultation on change of use from commercial to residential and flagged this up as having potentially important issues for the LEP. It seemed to be at odds with the priority being given to business/commercial growth to be advocating this approach and the LEP may want to feed collective comments back.

On a separate issue, CJ explained that the LEP Chief Executive's Group had recently discussed the potential for planning and economic development authorities within the LEP to be more integrated and joined up in their activities as they impact upon growth. The sharing of information/good practice and the need to have joined up policy frameworks were two areas which the Planning Sub-Group was looking at in this context. On behalf of the CX Group Ann Brereton – Director of Place at Solihull MBC had agreed to support the work of the Planning Sub- Group in examining how such integration and joined up working could be developed.

## **6. Date of next meeting**

To be confirmed

Meeting closed at 12.35pm

# **Greater Birmingham and Solihull LEP**

## **Meeting of the Planning Sub-Group – 1 June 2011**

### **HMS Daring Room, Birmingham Council House**

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead  
Debbie Harris - Cannock Chase District Council  
Graham Crowe - St Francis Group  
Margaret Wilkinson - Planning for Real, Accord HA  
Matthew Bowers - Tamworth BC  
Dave Simpson – Solihull  
Dan Boden – Wyre Forest DC  
David Carter – Birmingham CC

#### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Matthew Fox (GVA)  
Isobel Woods (Solihull MBC)  
Andy Plant (St Francis Group)  
Phillip Somerfield (East Staffs. BC)

### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including new members and gave a brief resume of what the purpose of the group was.

### **2. Minutes of the Last Meeting**

The minutes of the last meeting held on the 26<sup>th</sup> April were considered and accepted as a true record.

### **3. Revised Draft Terms of Reference**

CJ referred to a revised terms of reference which had been amended in the light of comments received.

DC raised the issue of whether the Group should be being more pro-active as regards promoting the role of planning within the LEP area. Reference was made to the need for planning authorities to work across boundaries and address spatial planning concerns – this would seem to be or at least should be the main focus of the Group's activities. CJ noted the comments and referred to the ToR which talked about this particular aspect. This certainly would be explored and needed to be to assist on delivering the emerging economic objectives of the LEP.

#### **4. Update on work tasks/Next Steps**

CJ explained that an update on the Group's work had been presented to the last meeting of the Development Board on the 18<sup>th</sup> April and also subsequently to the 19<sup>th</sup> May Executive Group. Although originally a full report was intended to be taken to the 8<sup>th</sup> June meeting of the Board, as this would be the first meeting of the new Board it was decided that this would be deferred. In any event, it was felt that the new Board may have views on the role of the Sub-Group and its remit and could therefore wish to ask for a report on both of these aspects in due course.

In the context of the above CJ referred to a draft report which he had circulated in advance of the Group meeting. This was very much an interim report aimed at pulling together evidence collected to date and which would in a final format have been presented to the Board. Comments had been received on this and these had been noted.

Update

CJ reminded the Group that there were 3 on-going pieces of work taking place:

- the undertaking of a business survey to ascertain views on planning
- the gathering of evidence from local authorities within the LEP area of their respective experiences of engaging with business together with information on performance
- a review of current planning policy within the LEP area as it relates to the Government's growth agenda.

#### **Business Questionnaire**

DH provided an update on the questionnaire that had been prepared for businesses. The response rate had not been high – just under 40 responses received in total. Colleagues at Cannock had undertaken an initial analysis of the results and DH took the Group through these. The overall impression given by those that had responded was that the experience of the planning system had been favourable.

There was some concern at the size of the response to the survey and doubts raised as to whether this gave the Group the confidence to draw conclusions. A contrary view was that the level of response highlighted that planning was not seen as a problem and should be reported as such.

Discussion took place around whether the Group should be seeking to gather more views from the business sector via the questionnaire and how this could be done. It was felt that for the Group's work to have credibility then it was important to have the opinions of a larger number of businesses. CJ referred to a British Chamber of Commerce network survey of into planning scheduled for June which had been

flagged up to him by the Birmingham Chamber. The suggestion was that the Group/LEP may want to use this process to gather views though this would involve a cost. The view of the Group was that it was not appropriate to be paying for such work and as a member of the LEP the Birmingham Chamber should be seeing how it could support the current exercise through whatever means were available locally. CJ agreed to explore such opportunities alongside IW and DH and report back to the Group.

### Evidence received from LPA's/Local Authorities

Reference was made to the information collected from LA's and that that was outstanding. There was some good evidence coming forward of good and bad experiences involving businesses and the planning system, identification of common issues and problems and also examples of good practice. Authorities had also begun to respond to the request for performance data to underpin the above. CJ made a request that those authorities who had yet to respond do so as quickly as possible and summarised again what was being asked for. *In view of the fact that we were now in a new financial year it was also agreed that it would make sense to have in addition the relevant 2010/11 data.*

A discussion took place around the potential use of the data. Performance data and its collection and presentation (supported by other information) could it was argued by Group members inform potential standards across the LEP area on the part of local authorities. This may be one of the areas which the Group could explore and provide recommendations on to the Board. There was agreement on this and mention of a 'code of practice' which could be signed up to. This could not only reflect the performance standards expected of planning authorities but be more corporate/wide ranging and include the roles/function of economic development and others for example.

### Policy Review

The Group was reminded that it had been agreed to look at the existing planning policy framework as it applied within the LEP to economic development and growth. The intention was to determine whether policies were generally aligned with national guidance and Government policy views though recognising there was scope for local factors also to be taken into account. Such a review would need in addition to consider interpretation of policy (particularly where there was no local policy and therefore reliance on national guidance) to see whether there were areas of inconsistency.

DC suggested that the review should go further and include a more-in-depth analysis of implementation including making reference to statistical data/monitoring results. There was some agreement to this and it was suggested that this be looked at as part of the work being led on by Matthew Fox on behalf of the Group.

In summarising CJ suggested that it was unfortunate that the business survey side of the work streams was causing problems. This needed to be addressed as it was important to capture the views of the industry to inform the Group's work. Progressing too far without this information could also potentially cause problems.

This was noted but Group members felt that this should not prevent matters being taken forward eg. reference was made to national studies that could be used as evidence (Killian –Pretty) and the results obtained by other LEP's looking into the relationship between planning and business.

Actions:

**CJ/DH/IW to discuss the business questionnaire and see whether/how the Birmingham Chamber could assist in increasing response rates across the LEP.**

**Representatives of the LA's within the LEP be asked to respond to the request for information relating to their experiences of engaging with business through the planning system. Also to provide the necessary performance data called for including 2010/11 data.**

Data requested:

***Planning application determination rates for majors, minors and others – 2009/10 and 2010/11***

***Overall approval rate on planning applications – 2009/10 and 2010/11***

***Appeal rates for employment/commercial development – 2009/10 and 2010/11***

**DH and DC to consider the potential for a 'code of practice' based on agreed performance standards which could apply cross-LEP and draft a paper for circulation.**

**DC to discuss the policy review with MF.**

**DS and DC to ask via RPOG what similar work on the relationship between planning and business is taking place in other LEP's with a view to sharing results/learning.**

## **5. Any other business**

None

## **6. Date of next meeting**

This was scheduled for 27<sup>th</sup> June. The Group agreed that it would be good to hold meetings around the LEP area. The Group was informed that Solihull had offered to host a meeting and CJ agreed to follow this up.

Update: Meeting at Solihull confirmed – details to be sent via e-mail.

Meeting closed at 12.15pm

# **Greater Birmingham and Solihull LEP**

## **Meeting of the Planning Sub-Group – 25th July 2011**

### **Committee Room 4, Civic Suite, Council House, Solihull**

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead  
Matthew Fox – GVA  
Philip Somerfield - East Staffs. BC  
Isobel Woods - Solihull MBC  
Paul Watson – Solihull MBC  
Dave Simpson – Solihull MBC  
Ken Harrison – North Worcestershire Authorities  
David Carter – Birmingham CC  
Matthew Bowers - Tamworth

#### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Debbie Harris - Cannock Chase District Council  
Margaret Wilkinson - Planning for Real, Accord HA  
Graham Crowe - St Francis Group  
Andy Plant - St Francis Group

#### **1. Welcome and Introductions**

CJ welcomed PW to his first meeting.

#### **2. Apologies**

Noted – see above

#### **3. Minutes of the Last Meeting**

Not circulated at the meeting but subsequently.

#### **4. Report to July Board meeting**

CJ reported back to the Group on consideration of the report presented to the Board. It was noted that in the main the Group was content with the work undertaken so far though there were some dissenting voices who either felt that the Group needed to go much further or seemingly had problems with planning which could only be resolved with wholesale change of the system. What was apparent was that planning's image had to be improved in the eyes of business (and some public sector/local government quarters) and the benefits of positive planning accentuated



to all. It was agreed by the Group that this should underpin any subsequent reporting and underpin recommendations.

CJ took the Group through the agreed Board resolutions:

- that the Board endorsed the scope of the initiatives highlighted in para. 3.16 of the report as the basis for taking forward future work on a more business-friendly planning system
- that the Board endorsed the preparation of a LEP Spatial Framework to support the LEP Economic Strategy, and agreed to respond to any future request from CLG to bid to be a 'front-runner' as regards dealing with strategic planning matters in the context of a LEP
- that the Board sought further engagement with business if formulating 'improvements' in planning

CJ further referred to the requirements of the Board for the next Board meeting scheduled for 28<sup>th</sup> Sept:

- the Group bring forward for consideration an 'Improvement Plan' based on the work carried out to date and planned.
- the Group commence work on the preparation of a LEP Framework document with progress reported at the 28<sup>th</sup> Sept meeting
- the Group undertake further engagement with business and report back on the actions taken in this regard
- the Group respond to CLG communication on the issue of being a LEP Strategic Planning front runner and inform the Board accordingly

There was debate about the kind of 'Improvement Plan' that could be realistically presented to the Board. Reference was made to the 20<sup>th</sup> July report to the Board which had flagged up key themes/areas and CJ suggested that these be used to inform the next stages of the Groups work with members drawing out the key issues to subsequently inform a list of actions. This together with work being carried out in the form of a model code of practice, examples of best practice and case studies could be an appropriate way forward. The Group supported this position.

In terms of strategic planning the Group discussed at some length the approach to be taken. It was recognised that there were difficulties in progressing any form of framework in the absence of an agreed Economic Strategy but at the very least the Group could begin to consider what any such framework should look like based on experience and knowledge of strategic issues. DC referred to the work that he was overseeing and discussed at previous meetings, that of representing diagrammatically the spatial dimensions of the LEP area and proposed that this could be used as a the basis for going forward. There was common agreement that there was no case or appetite for duplicating previous planning policy exercises or documents but what was necessary was to articulate the key strategic issues relating to the LEP and relate these in time to the emerging Economic Strategy alongside a vision of what the LEP could look like in the future. For now though the focus should be on preparing a Spatial 'plan' and supplementing this with a narrative on those key LEP-wide strategic considerations. DC agreed to lead on drafting some words to link with the spatial 'plan' being prepared for the LEP.

PS raised the issue of CLG and its suggestion that the LEP express an interest in becoming a strategic planning frontrunner. CJ confirmed that on the back of the report to the July Board, the LEP had been approached and the indication was that any submitted expression would be viewed positively. Such an expression and subsequent confirmation may elicit the release of resources to assist the LEP in developing a framework.

**Action(s):**

**All Group members to consider the themes highlighted in para. 3.16 of the 20<sup>th</sup> July Board meeting report on planning and identify key issues/areas for improvement plus potential actions. Comments/views to be fed back to CJ to co-ordinate and draft an 'improvement plan'.**

**All Group members to consider examples of best practice within the LEP and/or case studies which could be used to inform a report to the Board and sit alongside an Improvement Plan. Examples to be forwarded to CJ.**

**DC to progress work on a spatial 'plan' for the LEP area liaising with colleagues from each of the constituent authorities and draft ideas on suggested LEP wide issues which would need to be addressed as part of any emerging overarching spatial framework.**

## **5. Update on Work tasks**

### Business Survey

CJ circulated an update on the business survey prepared by Debbie Harris. This had been cross-referred to in the report to the Board. The Group reaffirmed its wish to see the response rate increase to a level that gave more credibility to the evidence base and hoped that this would happen. Approximately 50 responses had been received to date and a figure of around 60+ would suffice it was thought. The Group briefly reviewed the update.

### Business Forum

CJ informed the Group that following the last meeting contact had been made with the Birmingham Chamber who had indicated a willingness to host and assist in putting together a forum for business to discuss planning matters within the LEP. A date of the 1<sup>st</sup> August had been agreed and the event would be facilitated by MB, CJ and Ian MacLeod from Birmingham CC. It was suggested that the Forum if successful could become part of a regular arrangement aimed at bringing business and planning professionals together. The Group discussed how the event should be run on the day.

## Policy Review

MF updated the Group on his work so far. Reference was made to the paper discussed at the previous meeting and subsequently circulated along with a template to be populated by the respective local authorities. To date in response to the request for information MF stated that he had received replies from 3 authorities. CJ asked that Group members encourage responses from their authorities where this had not already happened. It was also suggested that as regards MF's paper reference to the emerging National Planning Policy Framework needed to be made. On the issue of monitoring and implementation MF enquired of DC what the position was with the regional monitoring report which it had been agreed would be a helpful source of information in this respect alongside LA Annual Monitoring Reports (AMR's).

**Action: Comments to MF on the draft paper and outstanding LA's to provide relevant policy information for populating the attached table.**

## Code of Practice

CJ referred to this item previously agreed at the last Sub-Group meeting. He referred to a draft code which DH had prepared and sent for comment to himself and DC in advance of wider circulation to the Group. It was agreed that the code was a key part of the Improvement Plan and accordingly should be presented to the Board on the 28<sup>th</sup> September. The Group recognised that there were some important issues to be addressed with the code before it could go forward 1) it needed to set acceptable standards which could be delivered and not cause difficulties in terms of implementation and b) related to the former point, it had to be signed up to by the respective authorities. The sooner a draft could be circulated for discussion the better it was opined by Group members and then liaison was necessary with those in Development Management. Discussion took place about the practical measures that needed to be taken to get buy in from DM colleagues. The idea of a Sub-Group was floated and mention was also made of existing professional networks which could be used to explain the purpose of the code and ensure its acceptance across the LEP. It was agreed that in the first instance Group representatives should receive a draft and discuss this with DM within their own authorities. Views/comments could then be collated and a final version used as a basis for engaging across the LEP prior to presenting to the Board. Separately, the Group acknowledged that it would be useful to have DM representation on the Group and it was agreed that an invite go out to this effect.

**Action: DC/CJ to consider draft code of practice prepared by DH and then circulate to the wider Group for consideration and comment. Liaison at LA level with Development Management colleagues. Agreement to be reached on the codes standards before presented to Board AND full communication with LA teams to confirm awareness, understanding and 'buy-in'.**

Experience from elsewhere

No new updates but CJ emphasised the importance of Group members picking up intelligence from other LEP areas which could help inform the work of the Group.

## **6. Next Steps**

CJ reviewed the agreed actions and noted that the deadline for submission of reports to the September Board was 14<sup>th</sup> September. There was a scheduled meeting of the Group before then on 31<sup>st</sup> August and that would give an opportunity to monitor progress and finalise work. However, it was hoped that by this date significant progress would have been made on formulating both an Improvement Plan and the outline of a spatial framework to be taken forward in the light of the emerging Economic Strategy.

## **7. Date of next meeting**

This was scheduled for 31<sup>st</sup> August. KH offered the Group a trip to Kidderminster and Wyre Forest's Offices. This was agreed - details to follow (10.30am start).

Meeting closed at 12.30pm

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 31<sup>st</sup> August 2011**

#### **Loom Room, Duke House, Kidderminster**

##### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Philip Somerfield - East Staffs. BC (PS)  
Paul Watson – Solihull MBC (PW)  
Andy Plant - St Francis Group (AP)  
Steve Compton – Colliers (SC)  
Will Charlton – Brooke Smith Planning (WC)  
Debbie Walsh – RICS (DW)  
Ken Harrison – North Worcestershire Authorities (KH)  
David Carter – Birmingham CC (DC)  
Matthew Bowers – Tamworth (MB)

##### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Matthew Fox – GVA  
Isobel Woods - Solihull MBC  
Dave Simpson – Solihull MBC  
Debbie Harris - Cannock Chase District Council  
Margaret Wilkinson - Planning for Real, Accord HA  
Graham Crowe - St Francis Group  
Jessica Munn – Thomas Vale  
Mike Best – Turley Associates  
Mark Smith – Arup  
Noel Street – PCPT Architects  
Richard Campbell-Kelly – NEC Group

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including new members WC, SC and DW. He explained that additional members had joined the Group but were unable to attend this particular meeting – these included Jessica Munn of Thomas Vale, Richard Campbell-Kelly of the NEC Group, Noel Street of PCPT Architects, Mike Best of Turley Associates and Mark Smith from Arup.

#### **2. Apologies**

Noted – see above

### **3. Minutes of the Last Meeting**

The minutes of the last Sub-Group meeting held on the 25<sup>th</sup> July were accepted as a true record.

### **4. Updates on the work tasks.**

CJ briefly gave a resume of the purpose of the Sub-Group and explained what it had been tasked to do by the LEP Board at its last meeting held on the 20<sup>th</sup> July 2011. The focus of the Groups attentions was on progressing a set of recommendations which would provide for a more business-friendly planning system within the LEP area and also develop a Spatial Framework to assist in delivering on the LEP's priorities.

#### **Business Survey**

Reference was made to a survey questionnaire which had been used to gather evidence to inform the work of the Group. A draft report on the results of the exercise had now been prepared by Debbie Harris at Cannock Chase DC and CJ indicated that this would be circulated to Group members following the meeting for consideration and comment.

#### **Business Forum**

Alongside the questionnaire and other forms of engagement with the business community, it had been agreed at the last Group meeting to hold a business forum. It was felt that this was necessary to ensure that in going forward the Group's work had legitimacy and identified the key issues for the LEP Board to consider and address. MB gave a brief summary of the event held at the Birmingham Chamber's offices on the 1<sup>st</sup> August commenting that it had been a useful exercise, generating much interest and debate in the topic of planning within the LEP area. Importantly, the issues raised at the forum very much reflected those arising out of the business survey and evidence gathering undertaken by the Group and as such this provided some comfort that the Group was indeed focusing its activities on the main matters.

A short discussion took place about the effectiveness of the event including contributions from the new Group members.

#### **Spatial Framework**

CJ introduced this item and referred to the LEP Boards desire to see a framework come forward to identify key cross-LEP strategically-important matters and form the basis for co-ordinated policy and delivery of agreed actions.

The Group had asked DC to lead on this and he circulated for consideration a draft report together with a composite Plan showing existing policy constraints across the LEP area.

The Group considered the Plan and noted some of the key features. DC clarified that additional work was needed to complete the full mapping but that good progress was being made.

In the context the growth agenda DC referred to important features such as the extent of the Green Belt coverage.

Noting the existing constraints there followed a debate about the issues which the LEP Board would need to give thought to. Notwithstanding, the fact that local priorities would have to be factored in there were some key policy areas which would represent challenges to the LEP Board and policy makers looking at a LEP-wide approach to growth. Options as to how to promote and accommodate growth at the same time as protect and enhance important environmental assets and deliver other forms of development outwith housing and employment would need to be looked at carefully.

To assist in developing thinking around the Spatial Planning Framework and acknowledging that this would need to reflect the LEP Economic Strategy which had yet to fully emerge, DC was proposing that a visioning event be held. The Group felt that this was an appropriate suggestion and should take place sooner rather than later to ensure that the spatial dimension of the LEP's ambitions were being properly assessed and taken into account in emerging policies and plans.

In respect of discussions about future development of the Strategic Framework and the potential resource implications, CJ made reference to the CLG Strategic Planning Frontrunner initiative details of which would emerge shortly. It was felt that a bid could successfully be made under this initiative and some resources accessed as a result.

**Action: DC to continue work on the draft Plan and update report for LEP Board. Outstanding information relating to the Plan to be forwarded by LPA's to DC plus comments on draft report.**

**Looking ahead and based on LEP Board approval DC to organise a visioning event in respect of the Spatial Framework – likely December date.**

#### Business-Friendly Planning

At the last meeting of the Group it had been agreed that work would be undertaken on preparing an Implementation Plan for submission to the Board based on the evidence gathered by the Group and reported on previously. Any Plan would need to focus on the priority areas for 'improvement', set out actions and be capable of delivery to have any credibility.

Since the last meeting the work had evolved and been reflected in the preparation of a package of measures which it was thought should be put to the Board. These were:

- A draft planning protocol
- A draft Implementation Plan including prescribed actions

- A draft customer charter/code of practice in respect of planning applications

The protocol would set out the rules of engagement between local authorities and business in operating planning and also include a prescribed role for the LEP and the LEP board in promoting positive planning. Complementing the protocol would be a draft implementation plan comprising a series of actions based around the key themes that had emerged out of the evidence gathering to date consulting with business. A main plank of the suggested Implementation Plan would be a proposed code of practice/customer charter relating to the planning application process which it would be suggested is signed up to by all LPA's within the LEP.

CJ explained that the aforementioned documents had been circulated for consideration and comment around the Group prior to the meeting. There was general support for the approach being advocated though it was noted that concerns had been raised about each of the elements for a variety of reasons (terminology, plain English, length of documents, nature of audience being questioned etc).

The Group was of the view that it would be appropriate to define some key targets for the LEP providing some context for the Implementation Plan and subsequent actions. A list of 10 goals could be produced which the LEP Board, LPA's and the business community could recognise as objectives to be aimed for and effectively measured.

As it was, it was felt that the key targets could also serve to pick up some of the issues around the processing of planning applications which were addressed in the suggested DC customer charter/code of practice. Concerns about some of the messages contained in the charter/code, its language and the need to get this right if it were to be adopted across the LEP prompted the Group to decide that this element should involve some additional work. In particular, discussions would have to be held between LPA's to consider some of the more potentially contentious issues eg. charging regimes and hence agree a common approach acceptable to all. This could be done outside any formal reporting at this time.

**Actions: CJ to draft report to LEP Board on the emerging proposals for providing a business-friendly planning regime. The report to make reference to the planning protocol, Implementation Plan and key target objectives. PW to draft a list of target aims.**

## **5. Draft National Planning Policy Framework**

CJ stated that the Group had been asked to formulate a response to the current consultation on behalf of the LEP. There was some discussion as to why the LEP Board would want to comment and if so, what kind of response should be made. It was accepted that the LEP Board would want to be seen to be influencing Government thinking and in this sense this would reflect the lobbying role being considered as part of the Group's work on planning. A response which generally supported attempts to streamline and simplify the planning system and its operation would make sense with any additional comments confined to aspects of the draft



which it was thought had the potential to support or undermine the LEP's agenda as regards sustainable growth.

**Action: PW to draft response to the consultation on the draft NPPF on behalf of the LEP.**

## **6. Planning Guarantee and information in support of planning applications**

The Group was informed of current and planned consultation regarding a planning guarantee and proposals to consider the level and nature of supporting information necessary to support planning applications. These were both part of the Coalition Government's attempts to remove unnecessary burdens and improve planning.

## **7. Strategic Housing Market Assessments**

It was explained that the draft NPPF highlights the importance of gathering robust evidence to underpin policy and also for LPA's to recognise cross-boundary issues in this context. One area which needs to be considered is that of housing and housing market areas. DC raised the issue of planning for housing in the context of the LEP and instigated a debate on how best to take studies forward given the need to capture accurately the relevant data. Joint studies could be a consideration at a strategic level but if not then consistency was needed in the methodologies adopted by individual studies. It was noted that certain studies by LPA's (though not necessarily SHMAA's) were being progressed at the present time within the LEP area and the Group emphasised the importance of ensuring that these were carried out properly having regard to spatial considerations and relationships with other areas.

## **8. 2010 Monitoring Report**

DC informed the Group that the 2010 Regional Monitoring report has been completed and includes useful information which would benefit the LEP and the Group's work. It was agreed that this report should be considered by the Group.

## **9. Next Steps**

CJ confirmed that the next LEP Board meeting was scheduled for the 28<sup>th</sup> September with report deadlines the 14<sup>th</sup> September.

## **10. Looking ahead – implementation post the Board meeting**

This matter was deferred.

## **11. Any other business**

PW referred to a forthcoming visit of the RTPI president to Solihull on the 14<sup>th</sup> Sept. and an invite that had been made to the Chair of the Group to attend and discuss LEP Planning issues. CJ agreed to check his availability.

CJ thanked KH for organising the room for the meeting.

## **12. Date of next meeting**

It was noted that the next scheduled meeting of the Group was 24<sup>th</sup> October. The view of the Group was that it would be helpful to meet as soon as possible after the 28<sup>th</sup> September Board LEP meeting to review matters. The week commencing 3<sup>rd</sup> October was suggested and agreed. CJ to organise with East Staffs BC to host.

The meeting closed at 12.45pm

# Greater Birmingham and Solihull LEP

## Meeting of the Planning Sub-Group – 4<sup>th</sup> October 2011

### Conference Room, District Council House, Lichfield

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Jessica Munn – Thomas Vale (JM)  
Richard Campbell-Kelly – NEC Group (RC-K)  
Jon Lord – Tamworth BC (JL)  
Rachel Macklin – Thomas Vale (TV)  
Paul Watson – Solihull MBC (PW)  
Andy Plant - St Francis Group (AP)  
David Carter – Birmingham CC (DC)  
Claire Bridges – Local Better Regulation Office (CB)  
John Heminsley – Cannock Chase DC (JH)  
Jamie Morgan – Ove Arup & Partners (JM)  
Daniel Boden – North Worcestershire Authorities (DB)

#### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Philip Somerfield - East Staffs. BC  
Matthew Fox – GVA  
Isobel Woods - Solihull MBC  
Ken Harrison – North Worcestershire Authorities  
Will Charlton – Brooke Smith Planning  
Dave Simpson – Solihull MBC  
Debbie Harris - Cannock Chase District Council  
Margaret Wilkinson - Planning for Real, Accord HA  
Graham Crowe - St Francis Group  
Steve Compton – Colliers  
Debbie Walsh – RICS (DW)  
Mike Best – Turley Associates  
Matthew Bowers – Tamworth  
Mark Smith – Arup  
Noel Street – PCPT Architects

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including new members JM, RM, RC-K, CB and gave a short resume of the role and purpose of the Group

## **2. Apologies**

Noted – see above

## **3. Minutes of the Last Meeting**

The minutes of the last Sub-Group meeting held on the 31<sup>st</sup> August were accepted as a true record.

DC raised an issue with regards to Strategic Housing Market Area Assessments indicating that there was potentially monies available via the West Midlands Councils/former regional set up which could assist in supporting some evidence gathering in this respect. It was agreed that DC should look into this more and draft some options on how such monies could be used including in a LEP context.

**Action: DC to bring back to the Group options for utilising monies to support SHMAA work.**

## **4. Updates/Feedback.**

CJ provided feedback on the two reports which had been recently presented to the LEP Board in respect of the work of the Group, namely taking forward a Spatial Planning Framework and considering means by which the planning system could be made more business-friendly.

### *Business-friendly planning*

The meeting was informed that the LEP Board had endorsed the proposed protocol which set out the different roles and functions of parties involved in planning but had not agreed the Implementation Plan and the related attributes of a performing development management service. The LEP Board was of the view that the Implementation Plan as presented was not transformational enough and if taken forward would not achieve the necessary changes/improvements in how planning supports growth. Instead, it had been resolved that the report be forwarded for consideration by civic leaders at a meeting scheduled for the 14<sup>th</sup> October at which planning amongst other key cross-LEP strategic issues was due to be discussed.

In response the Group was concerned at the outcome of the LEP Board's deliberations. The collective view was that the report appropriately reflected the views and comments of the business community and set out a sensible and challenging series of measures to address concerns and deliver a real step change. Questions were asked as to the basis for the Board's position and why the report had not been accepted given the above. CJ commented that it was not clear from the debate where the focus of concern lay other than to note that the Implementation Plan was seen as lacking a 'wow' factor. It was suggested that perhaps the Board may be wanting to make a clear statement to Government and ministers in the light of the interest in the subject nationally showing how fundamental changes could be introduced to encourage and facilitate growth. Another possible reason might be to address some perceived/real issues in the way different authorities perform around the LEP linked to attitudes and behaviours toward growth. A view was promoted

within the Group meeting that perhaps the LEP Board was not so much concerned with the detail of how procedure's operated but more inclined towards influencing thinking on key spatial issues eg. Green Belt policy, Housing and employment levels and distribution matters actually picked up under the Spatial Planning Framework work stream.

Whatever the reasons for the Boards decision, the Group agreed that it was important to try and understand how best to go forward. CJ referring to the forthcoming Leader's meeting opined that the Group may wish to inform the debate on planning by highlighting what it considered to be the key areas for the LEP to address. This could involve as a starting point for example respectively reminding the LEP civic leaders that overall performance of LPA's in the LEP was good compared with national benchmarks, that existing and emerging policy frameworks are supportive of growth and that attitudes and behaviours within local government are geared up to delivering on local and national agenda's aimed at stimulating investment and creating jobs & wealth. It was also necessary to refer to changes being made or proposed at national level by Central Government which would complement local initiatives and make planning more simpler to operate. At the same time, it would have to be noted that without some changes in legislation and policy guidance (including European Law) the LEP was to a degree constrained in how truly innovative it could be – indeed the LEP may not wish to see a weakening of legislation and guidance where this is seen as potentially being bad for business and growth.

The conclusion of what was a lengthy debate was that the Leaders should receive some clear messages to enable them to undertake an informed discussion on what would constitute transformational change.

In the context of development management and touching upon some of the areas identified in the 'draft' Implementation Plan which the Group considered would produce real changes, PW informed the meeting that he had tasked with looking at just these issues in respect of Solihull. It was suggested that this exercise could be useful providing an opportunity to test the quality of draft Plan and the areas addressed by it. Any outcomes of the Solihull work could be used to inform more detailed work across the LEP area to achieve required improvements.

CJ asked that members of the Group forward him their comments by the end of the week (Friday 7<sup>th</sup> October) to allow a note to be prepared for the Leader's meeting.

In the light of the LEP Board's resolutions it was agreed that the Group was not in a position to move forward – at least at the present time – in considering further the actions coming out of the Implementation Plan.

### *Spatial Framework*

CJ introduced this item before handing over to Dave Carter, the lead on this subject area. The meeting was informed that the report presented to the LEP Board on the 28<sup>th</sup> September setting out a series of recommendations on taking forward a Spatial Framework for the LEP area had been agreed.

DC raised a number of issues with regard to next steps including the need to finalise a version of the Spatial diagram that been presented to the Board as a draft and how this would be published. Looking forward to the Visioning event he made some suggestions as to how this could function and posed questions on who should be involved, what the event should focus on in terms of topics, how the outputs would inform the next stages etc. The topic of resources and capacity was also identified as a factor likely to impact upon the development of a Framework. Given that the Visioning event would need to take place shortly to allow the timetable to be met for working up a spatial framework, it was agreed that a small working group be formed to address the various issues raised and report back to the main Group. The working group would comprise DC, AP, PW and JM (or alternative Arup representative).

**Action: Group members to forward to CJ by 7<sup>th</sup> October at the latest, suggested key messages in respect of transformational planning for consideration by Leaders at their meeting arranged for 14<sup>th</sup> October meeting.**

**DC to arrange a meeting of a working group comprising DC, PW, AP and JM to consider issues around the Spatial Framework and particularly arrangements for a Visioning event.**

## **5. Draft National Planning Policy Framework**

The Group was informed that following the last meeting and in response to a request from the Board, PW had agreed to prepare a draft LEP Board response to the draft National Planning Policy Framework. This had duly been circulated for comment, amended and subsequently forwarded to the LEP Secretariat for discussion with Andy Street, Chairman of the Board. Further to the debate at the LEP Board on planning and where reference had been made to the NPPF, the Group had been asked to look again at the draft response and make some additional changes and add in further comments to reflect the debate. CJ had agreed to look at this and draft an amended response.

**Action: CJ to draft amended response to the consultation on the draft NPPF on behalf of the LEP Board.**

## **6. Review of Group Membership**

CJ raised the matter of Group membership and sought to confirm with those attending that they were committed to contributing to the work of the Group and felt that it was beneficial to be involved. CJ emphasised that it was important to review regularly membership to ensure that the right people were sitting on the Group and asked that members give thought to additional people/organisations who could be invited to join and who could make positive inputs.

## **7. Any other business**

None.

## **8. Date of next meeting**

24<sup>th</sup> October 2011 – Ove Arup and Partners Offices, Blythe Valley Business Park, Solihull commencing 10.00am.

The meeting closed at 12.20pm

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 28<sup>th</sup> November 2011**

#### **Ove Arup offices, Blythe Valley Business Park, Solihull**

##### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Philip Somerfield - East Staffs. BC (PS)  
Richard Campbell-Kelly – NEC Group (RC-K)  
Isobel Woods - Solihull MBC (IW)  
Debbie Walsh – RICS (DW)  
Matthew Bowers – Tamworth (MB)  
Martin Dyer – WSP (MD)  
Jessica Munn – Thomas Vale (JM)  
John Heminsley – Cannock Chase DC (JH)  
Rachel Macklin – Thomas Vale (RM)  
Paul Watson – Solihull MBC (PW)  
Andy Plant - St Francis Group (AP)  
Claire Bridges – Local Better Regulation Office (CB)  
Anna Miller – Ove Arup & Partners (AM)  
Peter Burgess – Ove Arup and Partners (JB)

##### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Matthew Fox – GVA (MF)  
David Carter – Birmingham CC (DC)  
Graham Crowe – St Francis Group (GC)  
Mark Smith – Ove Arup & Partners (MS)  
Ken Harrison – North Worcestershire Authorities  
Will Charlton – Brooke Smith Planning  
Dave Simpson – Solihull MBC  
Margaret Wilkinson - Planning for Real, Accord HA  
Steve Compton – Colliers  
Mike Best – Turley Associates  
Noel Street – PCPT Architects  
Paul McCann – Banner Homes

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting and introductions were made including from Martin Dyer from WSP who had recently joined the Group.



## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Sub-Group meeting held on the 24th October were accepted as a true record.

## **4. Updates/Feedback.**

For the benefit of new members CJ gave a very brief resume of the purpose of the Group, the work undertaken to date and intended outcomes.

Business-Friendly planning – Chief Executive's meeting 8<sup>th</sup> November.

CJ fed back to the Group the results of discussions held at the CX meeting on the 8<sup>th</sup> November and which followed the referral of matters from a Leader's meeting held on the 14<sup>th</sup> October. In response to a request to bring forward a Planning Charter the CX were presented with a suggested Charter together with a set of pledges. The Charter had been prepared by colleagues from Arups and Thomas Vale and derived from the work of the Group to date. A covering report explained that the CX were being asked to confirm that the Charter and Pledges were appropriate and could be used to inform a more detailed piece of work setting out specific actions intended to deliver the necessary step change in improvements.

The view of the CX meeting was that the Charter and Pledges was not enough and furthermore measureable targets needed to be incorporated to show clearly what ambitions could be delivered.

By way of a response the Group was disappointed that the CX meeting had not accepted what was put before it for consideration and neither did it appear to properly understand what was being presented. The CX were being asked for a steer as to whether the Charter and Pledges captured the key issues and from this what further work could be taken forward based on defined principles. It was not the intention to submit a complete package of work at that stage. Questions were raised by the Group as to whether or not the CX (and Leaders) did fully understand the nature of issues that have been raised by the business community and what was being asked of the LEP by business interests. The Group aired its frustrations at the level of commitment being made by Group members to address this topic which appeared to be not being acknowledged by CX, Leader's and the LEP Board and that the agenda was now seemingly being driven by people outwith the business community and who were not fully grasping what business wanted. Separately, there were questions asked and concerns raised about the process being undertaken to inform the aforementioned decision makers prior to and at meetings where the Groups work was under consideration.

CJ explained that he shared the Group's frustrations and had voiced these to the LEP Secretariat. One of the outcomes of this was that it had been suggested that

the Group may want to engage with Rob Brown – a LEP Board member – with a view to briefing him on the Groups activities and getting him to act as a champion. CJ had agreed to make contact with Rob and see what scope there was for taking matters forward.

The view of the Group was that subject to certain amendments the Charter and Pledges were appropriate and should form the basis for working up a set of actions with measureable targets. Discussion duly followed on the nature of changes to the Charter/Pledges and the key actions which could be undertaken and duly reported on. With inputs from Group members, it was agreed that AM and RM would consider revisions to the Charter and Pledges and begin drafting an Implementation/Action Plan to be brought back to the Group.

The view of the Group was that the Charter/Pledge and Action Plan did not need to go back to further meetings of the CX's and Leaders and instead should be prepared with the intention of going to the next appropriate meeting of the LEP Board for endorsement. The January 2012 meeting was identified.

**Action: AM and RM to revise Planning Charter and Pledges based on comments and suggestions from Group members. Also to work on a draft Implementation/Action Plan including key actions, measureable targets and timescales.**

Spatial Framework

CJ confirmed that the Visioning event originally scheduled for the 14<sup>th</sup> December had been postponed and would need to be re-arranged to a date in the new year.

Group members asked why the event had been postponed when it had been agreed to hold something prior to Xmas and that a detailed proposal covering the format of the day and invite list had been drawn up, presented at and accepted by the LEP Steering Group meeting held on 1<sup>st</sup> November. CJ reported that the main reason given was that there were concerns about scheduling a LEP Leader's meeting around this time and the ability to hold both. Group members were not satisfied with this and felt that arrangements could have been put in place to allow a Leader's meeting and the Visioning event to go ahead as planned. Any delay would not be helpful in progressing the Framework and importantly could generate criticism from different quarters about the ability of the LEP to deliver on agreed objectives. The Group asked that its displeasure be communicated to the LEP Secretariat and CJ agreed to do this.

It was noted that in the earlier discussion about the business-friendly planning work there were clear synergies between aspects of this work stream and the preparation of a Spatial Framework. A Visioning event which brought together the two elements of work would make sense and assist in educating LEP Board members, Leaders and business people about the role & function of planning. The Group agreed that if a report on business friendly planning was going to go to the January LEP Board meeting then a date for the Visioning event should be set for as soon as possible afterwards. This would also give time to agree speakers, prepare suitable event literature, finalise the invite list and get invitations out.

**Action: IW to speak with Katie Trout/Mark Barrow about availability of key personnel for early February Visioning event and liaise with Dave Carter regarding invitation list. AM of Arup to check room availability. CJ to raise issue of Spatial Framework and Visioning event with Rob Brown, LEP Board member. CJ, PW, DC to liaise in due course with regards to event literature.**

## **5. Any other business**

PB raised an issue in respect of low carbon housing and a project that Arup's Toyko office was seeking assistance on from the UK. It was suggested to PB that the request be forwarded to Sandy Taylor at Birmingham CC who was leading on carbon reduction matters for the LEP.

CJ informed the Group of some work being undertaken by the Stoke and Staffs. LEP into the planning system and how it was looking to bring forward a Charter Mark initiative. CJ explained that he had been asked to represent southern Staffordshire authorities in looking at how such an initiative would work in practice. He agreed to bring back to the Group any useful knowledge and information would assist the GBSLEP.

## **7. Date of next meeting**

It was agreed to hold the next meeting of the Group in early January 2012. MD offered the use of WSP's Birmingham offices subject to availability. Subsequent to the meeting a date of 10<sup>th</sup> January was agreed – 10.00am at WSP Offices, Birmingham City Centre. Details to follow.

RC-K asked if a series of future meeting dates could be circulated so that these could be put in the diary. CJ agreed to this request.

Arup's were thanked for hosting the present and previous meeting at their offices.

The meeting closed at 12.00pm

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 10<sup>th</sup> January 2012**

#### **WSP offices, Birmingham**

##### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Philip Somerfield - East Staffs. BC (PS)  
Richard Campbell-Kelly – NEC Group (RC-K)  
Isobel Woods - Solihull MBC (IW)  
Debbie Walsh (DW)  
Martin Dyer – WSP (MD)  
David Carter – Birmingham CC (DC)  
Michael Thompson – Ove Arup  
John Heminsley – Cannock Chase DC (JH)  
Paul Watson – Solihull MBC (PW)  
Andy Plant - St Francis Group (AP)  
Dave Simpson – Solihull MBC (DS)  
Claire Bridges – Local Better Regulation Office (CB)  
Rebecca Ford – Ove Arup & Partners (AM)  
Matt Barker – Wyre Forest DC/North Worcestershire Authorities

##### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Matthew Fox – GVA (MF)  
Graham Crowe – St Francis Group (GC)  
Mark Smith – Ove Arup & Partners (MS)  
Jessica Munn – Thomas Vale (JM)  
Rachel Macklin – Thomas Vale (RM)  
Matthew Bowers – Tamworth (MB)  
Ken Harrison – North Worcestershire Authorities  
Will Charlton – Brooke Smith Planning  
Margaret Wilkinson - Planning for Real, Accord HA  
Steve Compton – Colliers  
Mike Best – Turley Associates  
Noel Street – PCPT Architects  
Paul McCann – Banner Homes

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting and introductions were made including from Rebecca Ford (Ove Arup) who had taken over from Anna Miller in supporting the forthcoming Spatial Framework Visioning event, Michael Thompson standing in for Mark Smith and Matt Barker standing in for Ken Harrison.

## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Sub-Group meeting held on the 28<sup>th</sup> November 2011 were accepted as a true record.

## **4. Updates/Feedback.**

As with previous meetings, CJ gave a very brief resume of the purpose of the Group, the work undertaken to date and intended outcomes.

Business-Friendly planning

CJ reminded the Group of the work that had been agreed to be undertaken before Xmas and duly carried out in respect of preparing a draft Planning Charter, a set of related Pledges and an Implementation Plan including short term actions. These had been prepared on behalf of the Group by Rachel Macklin, Mark Smith and Anna Miller and circulated for comment. CJ reported that the overall view was that the drafts appropriately captured the discussion that had taken place in November and presented what collectively the Group thought could and should be endorsed by the LEP.

It was noted that a report containing the suggested Charter, Pledges and Implementation Plan/Actions had been presented to the LEP Officers Steering Group on 6<sup>th</sup> January and received the support of that Group.

In the discussions that had taken place about how the Charter and associated documents should then be taken forward, the Planning Sub- Group had agreed that it was essential to get buy-in from key personnel including members of the LEP Board prior to any reporting to the aforementioned. This view was supported by the LEP Officer Steering Group meeting. In this respect, CJ referred to the fact that he was planning to meet with Rob Brown of Roger Bullivant, a LEP Board member who has been tasked with assisting on developing the place agenda, one of the 3 pillars of the emerging LEP Economic Strategy. The meeting was scheduled to take place shortly after the Planning Sub-Group meeting but in telephone conversations/e-mail correspondence between himself and Rob Brown, CJ stated that Rob appeared happy with the work produced by the Planning Sub-Group. The purpose of the meeting was to seek endorsement from Rob that he was supportive of the Charter, Pledges etc and furthermore would champion a report to the Board on the 25<sup>th</sup> January.

If agreement was forthcoming from Rob Brown a report would be presented to the 25<sup>th</sup> January LEP Board with recommendations that the Charter, Pledges and Implementation Plan be formally endorsed and then arrangements made for delivery.

The Group was pleased to hear that moves were afoot to engage with Rob Brown as a LEP Board member seeing that this would help in articulating the work of the Group at Board level but also assist in identifying how planning would sit in the wider place agenda. A suggestion was made that if the LEP was serious about planning and regeneration issues then an invite should be extended to Rob Brown to attend future Planning Sub- Group meetings contributing to debate and helping to champion outputs. CJ agreed to take this issue up with Rob at the forthcoming meeting.

Assuming the Board accepted the Group's recommendations, debate turned to implementation of the various components. In particular the Group considered how the Planning Charter etc could be publicised and communicated to interested parties and in addition what practical measures would need to be taken to commence and see delivery of the Implementation Plan. It was agreed that a detailed approach to publicity and communication was needed and IW/DW volunteered to look at this aspect and bring forward proposals for the Group to consider. As regards delivering on the Charter and Implementation Plan again the Group agreed that this needed to be looked at in detail to see exactly what actions were required and who was best placed to perform delivery. JH volunteered to study the Implementation Plan and short term actions and as with the communications bring back to the Group a suggested way forward.

**Action: IW and DW to consider how the Charter, pledges, Implementation Plan and short term actions can be publicised and communicated to relevant/interested parties following Board endorsement. JH to consider the Implementation Plan and related short-term actions and bring forward proposals on delivery. CJ to liaise with Rob Brown and as part of this ask whether he would be willing and able to attend Group meetings.**

## Spatial Framework

DC confirmed that the Visioning event would take place on the afternoon of the 14<sup>th</sup> February at Ove Arup's Blythe Valley, Solihull offices. He explained that work was taking place at the present time to agree an invite list and finalise the format of the day.

DC ran through the proposed proceedings for the day and also circulated a draft of a pamphlet proposed to be distributed to delegates outlining the purpose of the Spatial Framework together with a plan showing the LEP area.

In terms of the proceedings there was some discussion about the speakers and the content of the proposed presentations. It was agreed that the context for any spatial framework needed to be explained linking this to the emerging Economic Strategy and that the idea/purpose of a Visioning event needed to be clearly defined. The Group welcomed the proposal that subject to Board agreement on the 25<sup>th</sup> January that the Planning Charter, associated Pledges and Delivery Plan could be officially launched at the same event and by doing so highlight the key relationship between policy and practice.

There was a lengthy discussion about the invite list and who should be invited to attend. Based on previous discussions, DC had identified approximately 120 maximum capacity for the event and RF confirmed that this was manageable. The issue was more around the mix of attendees, who they represented and what they could contribute given the agenda. Reference was made to a draft list of names and organisations which had been circulated. IW stressed the importance of agreeing an attendee list as soon as is possible so that the invites could go out and the date be confirmed in people's diaries. It was agreed that Group members should forward suggested names/e-mail addresses as soon as possible after the close of the meeting.

As regards the pamphlet the Group overall thought that this was appropriate. It neatly summarised relevant information about spatial policy and provided sufficient guidance to inform attendees about the issues needing to be considered at the Visioning event. The Group considered that a Foreword in Andy Street's name would be a welcome addition and this could further help to set the context for the exercise. The pamphlet would also contain the Planning Charter. Subject to agreed amendments and design work to improve the presentation, the Group was happy to see the pamphlet go forward.

It was noted that in the earlier discussion about the business-friendly planning work there were clear synergies between aspects of this work stream and the preparation of a Spatial Framework. A Visioning event which brought together the two elements of work would make sense and assist in educating LEP Board members, Leaders and business people about the role & function of planning. The Group agreed that if a report on business friendly planning was going to go to the January LEP Board meeting then a date for the Visioning event should be set for as soon as possible afterwards. This would also give time to agree speakers, prepare suitable event literature, finalise the invite list and get invitations out.

**Action: Group members to forward names/e-mail addresses to IW/DC for inclusion on attendee list. DC and IW to agree wording of invitation letter and co-ordinate distribution of this. DC/CJ/IW/RF to finalise event proceedings, speakers and administrative arrangements.**

## **5. Duty to cooperate**

DC spoke to a presentation on the new Duty to Cooperate brought in under the Localism Act and flagged up some potential issues which may be of future relevance in a LEP-wide planning context.

## **6. ESPON Rise**

DC circulated a presentation about this spatial strategy exercise examining different approaches across Europe. The Group was informed that DC had asked that an invite be extended to Group members to attend discussions about the work being undertaken and which could be relevant to the LEP.

## **7. Any other business**

CJ raised the issue of the long –term future of the Group and related to this, membership. He referred to proposals to streamline structures within the LEP and mentioned the 3 pillars people, place and business which were being used to bring together in a more structured manner individual topics/themes. It was not clear how the planning topic would be accommodated in any new structure but CJ had sought reassurances from the LEP Secretariat that the importance of planning matters would not be lost/downplayed as a result of any changes. As regards membership it was stressed that membership needed to suitably reflect those bodies/individuals that could bring about positive changes and were committed to doing so. Regular reviews of membership of the Group needed to take place and CJ asked that Group members give consideration as to who else could make contributions, particularly in respect of delivering the Planning Charter etc.

## **8. Date of next meeting**

**27<sup>th</sup> February 2012 – to be held at WSP’s Birmingham Office**

On behalf of the Group CJ thanked Martin Dyer for the use of WSP’s offices for the meeting and for the offer to host the next meeting in February.

The meeting closed at 12.00pm



# Greater Birmingham and Solihull LEP

## Meeting of the Planning Sub-Group – 27<sup>th</sup> February 2012

### WSP offices, Birmingham

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Philip Somerfield - East Staffs. BC (PS)  
Isobel Woods - Solihull MBC (IW)  
Debbie Walsh – DW Consultancy (DW)  
Martin Dyer – WSP (MD)  
David Carter – Birmingham CC (DC)  
Jessica Munn – Thomas Vale (JM)  
Rod Griffin – Arup (RG)  
Rachel Macklin – Thomas Vale (RM)  
John Heminsley – Cannock Chase DC (JH)  
Andy Plant - St Francis Group (AP)  
Jon Hockley – Birmingham Airport Group (JoH)  
Dave Simpson – Solihull MBC (DS)  
Gary Palmer – Solihull MBC (GP)  
Mike Best – Turley Associates (MB)  
John Acres – Turley Associates (JA)  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)

#### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Richard Campbell-Kelly – NEC Group  
Paul Watson – Solihull MBC  
Matthew Fox – GVA  
Graham Crowe – St Francis Group  
Mark Smith – Arup  
Matthew Bowers – Tamworth BC  
Will Charlton – Brooke Smith Planning  
Margaret Wilkinson - Planning for Real, Accord HA  
Steve Compton – Colliers  
Noel Street – PCPT Architects  
Paul McCann – Banner Homes

### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting and introductions were made. For new members the role and purpose of the Group was explained.

## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 10<sup>th</sup> January 2012 were accepted as a true record.

## **4. Updates/Feedback.**

As with previous meetings, CJ gave a very brief resume of the work undertaken to date by the Group in accordance with its agreed Terms of Reference.

### **Business-Friendly planning**

CJ confirmed that a report had been presented to the 25<sup>th</sup> January LEP Board setting out a proposed Planning Charter, related pledges and an Action Plan. The LEP Board duly agreed to endorse the aforementioned and further recommended that the Charter, Pledges and Action Plan be commended to the nine Local Authorities within the LEP area. The Board further agreed that the LEP Planning Group be held responsible for overseeing implementation of the Charter, monitoring its implementation and reporting back in due course to the LEP Board on the results.

Following the Board meeting, on the 14<sup>th</sup> February the Charter had been officially launched as part of the Spatial Framework Visioning event and garnered some good publicity.

The Group was pleased that the Board had accepted its proposals and noted that the need now was to ensure that the existence of the Charter etc was widely known within and outwith the LEP and that the key stakeholders within the planning system were aware of and acting upon the agreed actions. To assist in this it had been previously agreed that a Communications Plan was required and a detailed assessment undertaken of how implementation of the Action Plan could be carried forward. IW and JH had agreed to lead on these aspects respectively and fed back their initial thoughts and ideas on the scope of such work, assisted by contributions from other Group members.

After a lengthy discussion on each element it was agreed that IW supported by colleagues would further work up details of the Communications Plan and rolling this out & JH working with JoH would set up a small group of LA officers to determine the best way of embedding actions within existing policies and procedures.

In terms of taking things forward post the LEP Board resolutions CJ impressed upon the Group that the hard work started now and it was important that this was recognised by all parties. The Group would have a major role to play in getting the messages out as to what the LEP Board would like to see in the LEP area but also it was vital that these messages were then translated into transparent changes in the cultures, behaviours and actions of not just local authorities but other key stakeholders. At earlier meetings the Group had agreed that to assist in this process

and ensure a healthy and constructive dialogue between parties it was crucial that a LEP Board member undertook to champion the Charter and its implementation (and the overall work of the Planning Group). CJ reported that in this respect it had been hoped and expected that Rob Brown would take on this role however unfortunately at the January LEP Board meeting members were informed that Rob was stepping down from the Board. A replacement Board member with involvement in property/construction was in the process of being recruited. The Group agreed that on their appointment an approach should be made to the new incumbent to understand the work being carried out as regards planning in the LEP and an invitation extended to actively engage with the agenda.

**Action: IW and JH to consider comments made on the draft Communications Plan and suggested Implementation 'Actions' and progress these two work streams with the support of colleagues. Progress and next steps including assigning specific tasks to Group members be reported at the next meeting of the Group scheduled for 26<sup>th</sup> March.**

### Spatial Framework

DC fed back to the Group on the Visioning event held on the 14<sup>th</sup> February at Arup's Solihull offices.

The event had been well attended with 65 people turning up on the day. In addition to launching the Planning Charter, presentations had been given Mark Barrow (Birmingham CC) on the key spatial issues affecting the LEP area now and likely in the future whilst Dr David Eastwood (LEP Board) explained the emerging Economic ambitions of the area. Both were well received and stimulated a lot of thought and debate which carried forward into workshop sessions seeking to address questions about how planning could assist in delivering the LEP's ambitions and what other activity alongside planning would further help.

DC reported that the results of the workshop sessions would be included within a report of the proceedings of the event to be published and circulated shortly. In terms of next steps DC suggested that there was a need now to digest the results of the Visioning and event and consider the most appropriate way forward. Members of the Group voiced their thoughts and opinions on what was needed and what DC agreed to put some options together as part of a paper for the Group's March meeting.

**Action: DC to draft paper for consideration at the March 26<sup>th</sup> meeting on taking forward the Spatial Framework.**

## **5. Local Development Orders**

CJ raised the issue of LDO's and explained that these were becoming a popular tool across the country and being advocated by the Government as one way of simplifying the planning system. Examples of LDO's included those that were geographically based or limited to topics (or both). Representatives of some local authorities indicated that they were looking at the potential of using LDO's and CJ asked that for a future meeting more information be brought forward as part of a discussion on the LEP wide benefits.

## **6. ESPON Rise**

DC reminded the Group of this piece of work being undertaken across 4 European regions looking at integrated Strategies – how they have been developed and how they operate in practice. The University of Birmingham is a partner in the project and the GBSLEP had been chosen as one of the regions for study. A workshop had been arranged for the 1<sup>st</sup> March at the University for feedback on the results of the work undertaken to date and members of the Planning Group had been invited to attend.

CJ, DC and DW confirmed they were planning to attend the event.

## **7. Any other business**

None

## **8. Date of next meeting**

Further to a request to host the next Group meeting Ken Harrison proposed a venue in North Worcestershire. This was agreed.

26<sup>th</sup> March 10.00am - Redditch Borough Council offices

The meeting closed at 12.30pm

# Greater Birmingham and Solihull LEP

## Meeting of the Planning Sub-Group – 26<sup>th</sup> March 2012

### Town Hall, Redditch

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Philip Somerfield - East Staffs. BC (PS)  
Debbie Walsh – DW Consultancy (DW)  
Paul Watson – Solihull MBC (PW)  
David Carter – Birmingham CC (DC)  
John Heminsley – Cannock Chase DC (JH)  
Andy Plant - St Francis Group (AP)  
Jon Hockley – Birmingham Airport Group (JoH)  
John Acres – Turley Associates (JA)  
Ken Harrison – North Worcestershire Authorities (KH)  
Nick Harrison – GVA (NH)  
Matthew Bowers – Tamworth BC (MB)

#### ***Not attending/apologies***

Katie Teasdale – Birmingham Chamber of Commerce  
Isobel Woods - Solihull MBC  
Martin Dyer – WSP  
Jessica Munn – Thomas Vale  
Rachel Macklin – Thomas Vale  
Mike Best, John Acres – Turley Associates  
Dave Simpson – Solihull MBC  
Claire Bridges – Worcestershire LEP  
Gary Palmer – Solihull MBC  
Richard Campbell-Kelly – NEC Group  
Graham Crowe – St Francis Group  
Mark Smith – Arup  
Will Charlton – Brooke Smith Planning  
Margaret Wilkinson - Planning for Real, Accord HA  
Steve Compton – Colliers  
Noel Street – PCPT Architects  
Paul McCann – Banner Homes

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including from Nick Harrison who it was announced was taking over from Matthew Fox as GVA representative. DW informed the Group that unfortunately at short notice Claire Bridges was not able to attend the meeting.

## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 27<sup>th</sup> February 2012 were accepted as a true record.

## **4. Updates/Feedback.**

For the benefit of NH, CJ gave a brief resume of the work undertaken to date by the Group in accordance with its agreed Terms of Reference. The meeting then focused on the two specific work streams agreed to take forward the business-friendly planning initiative.

### **Planning Charter - Communications Strategy**

DW explained to the Group the work that she and Claire Bridges had been undertaking on the back of the communications strategy initiated by IW. There were different and important strands to the strategy which were in the process of being addressed with a view to agreeing a set of interrelated actions including identifying the many and varied audiences, determining the kinds of messages that needed to be relayed and the means by which to do this.

The Group recognised that there were a number of issues to consider to ensure that the Charter and the related pledges were being publicised across the LEP and the contents fully understood. It was acknowledged that the LEP Board, Board members including the soon-to-be announced incumbent representing the Property and Construction Sector, would have a major role to play in spreading the message and getting essential buy-in from relevant parties. Likewise engagement with the business community was also vital and attention was being paid as to how this could be achieved with the maximum impact. In respect of the latter there was the opportunity to utilise existing communication channels via professional/officer networks and these would be explored to taking the work stream forward.

In developing a communications strategy the Group sought to establish what specific role and function the newly-appointed PR consultants to the LEP Danks Cockburn could potentially undertake. It was agreed that discussions with DC should take place as soon as possible.

DW suggested that it would be helpful to meet with relevant Group members to assist in firming up the overall strategy and agree the detailed actions. The results could then be circulated around the Group and certain tasks assigned. CJ and DC agreed to discuss the matter further with DW at the close of the meeting.

**Action(s): DW and CB with assistance from other Group members to work up the Communication Strategy and related actions. CJ, DW and CB to engage with the new LEP property and construction member at an early stage to brief on the work of the Planning Group and determine role in respect of**

**disseminating information about the Planning Charter etc. Separately, DW and CB to contact Danks Cockburn to see how the LEP's PR advisors can assist in implementing the Strategy.**

### **Implementing the Action Plan**

JH briefed the meeting on actions agreed in respect of the Implementation Plan. He explained that he was in the process of bringing together a small task group made up of private sector interests and representatives of the LPA's within the LEP. Invitations had gone out along with a suggested agenda which focused initially on the short term objectives contained within the Plan principally but not exclusively around development management:

- availability of 'user-friendly' advice on websites and via other communication media
- handling of business enquiries
- co-ordination of planning and economic development advice
- the provision of customer feedback on pre-application advice
- formulation of a single validation checklist

JH made reference to some work that he and his Cannock colleagues were presently undertaking to assist the task group with its impending work programme, including reviewing the nature of planning advice provided on respective LPA websites within the LEP; beginning to draft a planning advice note that could go on the LEP website; and, looking at potential questions which could form part of any customer feedback.

In a group discussion that followed, it was suggested that part of the Task Group's remit should be to consider issues around planning performance and outcomes having regard to the fact that the work of the Group in implementing the Charter would be assessed by the LEP Board in due course. JH agreed to take this on board.

**Action: JH to set up task group to consider delivery of actions under the agreed Implementation Plan.**

In relation to both the aforementioned work streams members of the Group asked about intended timescales and outcomes. There was a need to co-ordinate the various actions being undertaken and ensure that the Group was fully informed and abreast of such matters. It was also pointed out that the Group needed to show to the LEP Board and other stakeholders that progress was being made in implementing the Boards decisions. In response CJ made reference to the Implementation Plan which contained specific actions and agreed timescales for both short and medium/long term delivery. The Communications Strategy was also seeking to do the same. However, it was recognised that not all Group members were at present active in taking forward the work streams and therefore there was a need to map out activities, by whom and when. CJ proposed that he bring together the workstream leads in advance of the next Group meeting in April and pull together this information.

**Action: CJ to meet with DC, DW, JH prior to next meeting of the Group with a view to producing a position statement and associated work programme.**

## **5. Spatial Framework**

DC introduced a report which had been prepared following discussion at the last Group meeting regarding progression of a Spatial Framework. The report set out some options around what a Framework could look like and what it should seek to do. Although presented as options or choices the report did offer the suggestion that perhaps there was scope to combine elements of the proposals as a package of measures to support strategic planning.

Reference in the report was made to the new duty to cooperate on the part of local planning authorities and particular agencies when dealing with strategic/larger-than-local planning matters. The point was made that a Spatial Framework as well as the LEP itself could have significance when it came to identifying and addressing future issues of strategic importance within the LEP area.

There was agreement within the Group that the exercise undertaken to map current/emerging spatial policy within the LEP had been useful as a starting point to inform preparation of a Framework but also in itself of value as a means of flagging up opportunities and constraints to the sustainable development of the LEP area. A suggestion was made that it would be helpful to keep this mapping up to date and this was agreed.

In terms of the Spatial Framework it was argued that this needed to be ambitious but at the same time realistic. It should seek to confront the major challenges to sustainable development and growth in the LEP area over a meaningful future time horizon and consider the options available. The Visioning event had started a process of examining the key topics and issues and this should inform the next stages of the process.

As an alternative to a long term Spatial Framework another suggestion put forward in the report was that a more short-term operational plan could be developed. This could effectively act as an annual plan which could be developed to show specific projects planned for the LEP area, connections between themes etc and flag up emerging policy concerns. The Group's view was that there seemed to be some value in a plan of this kind but it should sit alongside the more high-level, visionary Framework.

At the conclusion of the debate the view of members was that there was merit in taking forward each of the elements mentioned that is an on-going mapping of current policy, a long term Spatial Framework and a short-term operational plan. Underpinning work on each would be evidence gathering including feeding in the results of LEP wide monitoring work in relation to implementation of existing policy.

**Action: DC to firm up agreed plans for taking forward the Spatial Framework setting out next steps and putting in place arrangements for delivering on these.**



## **6. Related LEP-activity: Transport, Localism**

CJ updated the Group on matters pertaining to other topic areas in the LEP and sought to highlight the clear and obvious linkages between some of the different work areas. It was very apparent that the LEP needed to recognise these connections and seek to provide more coordination both in terms of communication but also potential future governance arrangements. As regards the LEP Place agenda there appeared to be convincing arguments for bringing together work streams such as planning, transport, Enterprise Parks/Belts etc, to ensure that there was suitable integration of these topics. The Group agreed that to deliver on the Place agenda required a coordinated and joined up approach and that the LEP as a Board and at officer level needed to give due to consideration to this.

## **7. Local Development Orders**

As a follow up to the issue being raised at the last Group meeting, CJ referred to Local Development Orders. These it was stated were being advocated by Government as a tool which could be used to make planning more simpler to understand and operate and in some areas support growth initiatives. Reference was made to LDO's being brought forward in Birmingham as examples. The Group was asked whether there were any LA's locally outside of Birmingham CC that were contemplating such a move. KH mentioned Wyre Forest where a proposed LDO in relation to South Kidderminster Enterprise Park was currently the subject of consultation. JH referred to his Authority Cannock Chase giving some thought to possible LDO's within his area principally to generate jobs, employment growth. PW commented that it was important to understand the potential significance of LDO's and ventured that in moving forward as a LEP this could be an area which the Planning Group is asked to explore further in more detail.

## **8. Any other business**

### *Duty to Cooperate (Dtc)*

Under the DtC DC referred to some work he was undertaking trying to establish the nature of strategic planning relationships between authorities within the LEP area. He produced a matrix which he was looking to populate with the views of authorities as to who they thought they had planning relationships with and which in theory would fall under the banner of the Dtc. It was agreed that following the meeting DC would circulate the matrix to LA reps. and seek their assistance in populating the table.

### *Population Projections*

DC circulated recently published 2010 population projections and pointed out the implications of these for the LEP area.

## **9. Date of next meeting**

Further to a request to host the next Group meeting Jon Hockley proposed a venue at Birmingham airport subject to availability being confirmed. This was agreed.

23<sup>rd</sup> April 10.00am – Birmingham Airport (subject to confirmation)

The meeting closed at 12.00pm

# **Greater Birmingham and Solihull LEP**

## **Meeting of the Planning Sub-Group – 23<sup>rd</sup> April 2012**

### **Birmingham Airport**

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Philip Somerfield - East Staffs. BC (PS)  
Debbie Walsh – DW Consultancy (DW)  
Paul Watson – Solihull MBC (PW)  
David Carter – Birmingham CC (DC)  
John Heminsley – Cannock Chase DC (JH)  
Andy Plant - St Francis Group (AP)  
Jon Hockley – Birmingham Airport Group (JoH)  
Jessica Munn – Thomas Vale  
Rachel Macklin – Thomas Vale  
Claire Bridges – Worcestershire LEP (CB)  
Rod Griffin – Arup (RG)  
Richard Campbell-Kelly – NEC Group  
Ken Harrison – North Worcestershire Authorities (KH)  
Nick Harrison – GVA (NH)  
Matthew Bowers – Tamworth BC (MB)

#### ***Apologies***

Isobel Woods - Solihull MBC  
John Acres – Turley Associates  
Martin Dyer – WSP  
Mike Best, John Acres – Turley Associates

### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting and for those not in attendance at the last meeting introduced Nick Harrison from GVA and explained that Nick had taken over from Matthew Fox as GVA representative on the Group.

### **2. Apologies**

Noted – see above.

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 26<sup>th</sup> March 2012 were accepted as a true record.

#### **4. Taking forward our Workstreams**

CJ explained that following the last meeting of the Group there had been work taking place to map out a possible way forward in terms of implementing the Planning Charter, the associated pledges and the agreed Action Plan. This had been prompted by a desire to see how best use could be made of available resources within (and external to) the Group but also in response to concerns that the Group needed urgently to prepare a detailed work programme which could help drive the delivery of actions.

A small group comprising CB, DW, DC and CJ had met to consider matters and the results were now presented to the wider Group. Using as the basis a Stakeholder Engagement and Communications Plan CB took the Group through an outline of the work that the Group had been tasked with doing, on-going work-streams and then a proposal for future working arrangements.

CB opined that looking at the various tasks facing the Group there were common themes and cross-over between many areas. This suggested that an appropriate way forward would be to identify those overarching themes and then combine tasks under each of these headings. A proposal was put to the Group that 3 work-streams presented themselves:

- Stakeholder Engagement and Communications
- Development Management
- Spatial Framework

Whilst two of the aforementioned had already been identified and work was progressing in respect of the Development Management theme it was considered that its terms of reference could be broadened. The Stakeholder Engagement and Communication theme could pick up issues across all 3 areas and assist in supporting the delivery of actions within each.

The Group agreed the principle of focussing on the 3 work areas and then discussed the governance arrangements. CJ emphasised the importance of all Group members taking an active role in future delivery. It was being proposed that each theme would have a working group lead comprising of membership from the Group plus other invited stakeholders. Separate Terms of Reference would be prepared and agreed for each work stream and then it would be the responsibility of each group to prepare and implement a work programme. The Planning Group would henceforth become a Steering Group overseeing delivery of actions, monitoring progress against a detailed work plan and being responsible for reporting back to the LEP Board.

The governance arrangements were agreed and nominations made to each of the workstreams from Group members in attendance.

**Action:**

***CB, DW, DC and CJ to meet and work up details of the agreed way forward. Prepare draft Terms of Reference for the separate work streams (including***

***scope for any Task and Finish activities), put together a draft business plan and overarching work programme to inform the work of the Planning Steering Group.***

Updates

Development Management

JH provided the Group with an update on the work stream he was leading on. He explained that he had recently called a first meeting of key professionals within the LEP to consider those matters of relevance to the development management function. Though the size of attendance had not been as desired, those that had attended had generally agreed with the areas that were being considered as being necessary and capable of improvement. JH explained that further to the meeting information was now being collated to inform understanding of what actions were needed to enhance existing processes and procedures.

The issue of attendance at the meeting was noted by the Group. It was stressed how vital it was that all LPA's across the LEP are represented and contribute to the work programme. Representatives on the Group agreed to take this message back to their respective authorities.

***Action: JH and Group LPA representatives to determine attendance at future meetings and ensure full LPA representation.***

Spatial Framework

DC gave an update on this work stream. He circulated a draft note of proceedings from the Visioning event held in February. It was noted that the final version would include the attendance list.

Separately, DC circulated and spoke to a proposal regarding developing an on-going mechanism for Engagement to support preparation of a Spatial Framework. The proposal was to hold a series of workshop events around the LEP area between May and June 2012 focussing on key themes. DC was looking for agreement on the approach being suggested (1 Themed event per LEP sub-area – Birmingham, Solihull, North Worcs., Southern Staffs.) and nominations from the identified areas within the LEP to host such events. The Group agreed with the proposed format viewing this as an opportunity to begin a meaningful debate about issues flagged up at the February Visioning event. There was a discussion about locations for the events and DC agreed to finalise venues with individual representatives of the Group.

***Action: DC to agree with Group representatives venues, dates for Engagement events and details of the agenda, speakers, invitees.***

## Stakeholder Engagement and Communication

CB and DW provided details of the work that had been undertaken to date on disseminating information about the Planning Charter, pledges and Action Plan agreed by the LEP Board and determining the necessary actions required to embed these into the thinking and actions of relevant parties.

CB explained the various activities that were planned or on-going as regards working with the newly-appointed LEP Communications team, Danks Cockburn. Reference was also made to the need for contact with Chris Webster the new LEP Board member with a property/construction background who along with the Group and assistance from CX, Leaders of the respective LPA's would have a major role to play in affecting change within the current planning regime.

Training and the requirement to ensure that all parties within the LEP are aware of legislation, guidance and good practice as it applies to the planning system was also flagged up as a key activity within the workstream. There was discussion within the Group as to how training could be rolled out and the best means of engaging with different sectors.

CB stated that on the back of these discussions some further work would be undertaken to firm up details but that the Engagement and Communications Plan was coming together and would provide a firm basis for delivering the required actions

### **5. Duty to Cooperate**

DC made reference to a matrix which he had previously raised with the Group and also spoken about at the West Midlands Planning Officers Group. The matrix was an attempt to identify relationships between LPA's in the West Midlands region and in doing so act as a tool to inform understanding of what the new statutory Duty to Cooperate could effectively mean and look like in a local context. DC was seeking LPA's support to populate the matrix, the results of which it was suggested would be of interest to the LEP having regards to identifying key spatial linkages.

***Action: Group LPA representatives to respond to the request to populate the matrix.***

### **6. Related LEP-activity: Transport, Localism**

CJ provided a brief overview of current LEP activity of interest/relevance to the Planning Group. He reiterated a point made at an earlier meeting for the LEP to be more joined up in its thinking and operation to ensure that plans and policies were truly aligned and capable of delivering on the LEP's agenda. This view was shared by Group members particularly by DW and PW.

## **7. GBSLEP Annual Report**

CJ spoke to a draft response prepared to feed into the 2011-12 GBSLEP Annual Report on the activity of the Planning Group over the last 12 months. The contents of the draft were generally accepted though some suggestions were made as to how it could be improved. CJ agreed to take those comments on board and amend the draft accordingly.

***Action: CJ to amend the draft response in line with comments received and submit to the LEP Secretariat.***

## **8. Any other business**

PW affirmed his desire to see a Group Work Programme put into place as soon as was possible. He also highlighted the importance of the Group seeking where possible to lead on/take an active role in planning initiatives of LEP-wide significance eg. LDO's. This was a vital role for the Group and one which should be promoted.

## **9. Date of next meeting**

Further to a request to host the next Group meeting Jon Hockley suggested Birmingham Airport again combining the meeting with a tour of the Airport facilities. This was agreed.

21<sup>st</sup> May 10.00am – Birmingham Airport (subject to confirmation)

The meeting closed at 11.45am

## **Update**

**Pease note: The next meeting of the Group on the 21<sup>st</sup> May will now take place at Lichfield District Council's offices, Lichfield. Subsequent to that the 25<sup>th</sup> June meeting will take place at Birmingham Airport along with a tour of the airport facilities.**

# **Greater Birmingham and Solihull LEP**

## **Meeting of the Planning Sub-Group – 21<sup>st</sup> May 2012**

### **District Council House, Lichfield**

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Philip Somerfield - East Staffs. BC (PS)  
Janet Kings – Centro (JK)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Andy Plant - St Francis Group (AP)  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)  
Dave Simpson – Solihull (DS)  
John Acres – Turley Associates (JA)

#### ***Apologies***

Isobel Woods - Solihull MBC  
Martin Dyer – WSP  
Debbie Walsh – DW Consultancy  
Paul Watson – Solihull MBC  
Jon Hockley – Birmingham Airport Group  
Jessica Munn – Thomas Vale  
Rachel Macklin – Thomas Vale  
Richard Campbell-Kelly – NEC Group  
Nick Harrison – GVA  
Matthew Bowers – Tamworth BC  
Will Charlton – Brooke Smith Planning  
Graham Crowe – St Francis Group

### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including Janet Kings from Centro who was attending in the place of her colleague Maria-Pilar Machancoses who unfortunately at late notice had had to send her apologies.

### **2. Apologies**

Noted – see above.

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 23<sup>rd</sup> April 2012 were accepted as a true record.



#### **4. Going Forward**

CJ referred to a draft of overall work programme that had been pulled together on behalf of the Group by CB and colleagues. This sought to identify the various work streams previously agreed by the Group as appropriate for taking forward the Group's agenda and against each group a set of planned and potential actions. As each work stream grouping was still in the process of forming itself the overall draft work programme would need further work but it was hoped this could take place very soon and allow the Planning Group to take on its mantle as effectively a Steering Group overseeing delivery and co-ordinating where necessary actions.

Generally, Group members made positive comments on the draft programme but it was suggested that further iterations would need to include clearer timelines and milestones. It was important therefore that the individual work streams came together as quickly as possible to assist in populating the programme in this respect.

An issue was raised about the implications of the National Planning Policy Framework and other emerging regimes such as the Community Infrastructure Levy (CIL) and questions posed as whether the Group needed to be taking these into account in progressing its work. It was acknowledged that these may indeed be issues the implications of such would need to be taken into account by the individual work streams. CJ added that if the scope of the Planning Group broadens in the future (and that of the LEP) to take on a role whereby there is more discussion between individual LPA's within the LEP area on planning matters outside of the present brief set down by the LEP Board then the affects of national legislation at local level could be an issue for future Group agendas.

JA proposed to carry out a piece of work which could inform consideration of the impacts of the NPPF for the Group/work streams and report back. This was agreed.

In the context of the work programme and work of the Planning Group generally, DC raised the issue of resources. This was becoming an issue and needed to be flagged up and addressed as the Group moved towards committing itself to delivering on a set of actions. Questions were going to have to be asked about the level of resources that would be required to fulfil the Groups obligations and the capacity to meet this. Without any funding the Group was dependent upon the good will of private and public sector representatives employers and their commitment to the Planning Group's/LEP agenda. However, in kind resources might not be enough and looking at some of the commitments being highlighted in the work programme eg. commissioning evidence, holding engagement events etc, these would more than likely involve finding some financial assistance. It was agreed that the Group as a collective and individual work streams clearly identify resource requirements and potential constraints with a view to considering these. At the same time it was also agreed that the general issue of resourcing (and including financial assistance to support theme groups) should be raised with the LEP.

Following the discussion around the work programme the leads for the respective work streams – JH, DC and CB provided brief updates.

JH expressed some frustration at not being able to get as yet involvement from all LPA's within the LEP as regards the development management work stream. The Group shared the disappointment and it was agreed that all LPA's needed to be play their part and contributing. CJ asked that LA representatives ensure that their DC colleagues were fully aware of JH's work and engaging with it.

DC ran through some of the key headline activities which the Spatial Framework group would be considering shortly. These included a series of engagement events to be held to identify strategically important issues and begin looking at these in more detail. There was a brief discussion within the Group as to the format of these events and the timing of such.

CB spoke to a paper previously circulated to the meeting outlining a series of action points related to the stakeholder theme group. She explained that as part of the work contact had now been made with the LEP's new PR team Danks Cockburn and opportunities identified as to where the Planning Group's messages could be got out to the various audiences. Further work needed to be undertaken however including engaging with the relevant LEP Board members, for example Chris Webster (property and construction). There was a discussion about the wording of letters being proposed to be sent to LA leaders and CX's, key stakeholders and business etc, and the timing of circulation. The common view was that the sooner this correspondence was circulated the better as this would help to remind parties what the LEP was seeking to do and act as stimulus for public and private sector bodies to make positive contributions.

#### **Actions:**

**JA to prepare a paper considering the potential implications of the NPPF for the various work streams.**

**Work stream leads to form their new groups, draft ToR and begin putting together draft work programmes. All leads to feed in information to the overarching work programme for the Planning Group via CB.**

**LA representatives on the Group to liaise with DC colleagues to seek their input into the Development Management work stream.**

#### **5. Related LEP-activity: Transport, Localism**

CJ updated the meeting on matters relevant to the Group arising elsewhere within the LEP. He made reference to other Theme group activities including the Transport Group and the Localism Group. In regards to the latter he mentioned a discussion taking place at the current time within the LEP about the wider Place agenda and the need to put in place a structure which allowed for more integration of related topics/themes. On the agenda for leaders and CX's and the LEP Steering Group, it was explained, was a report proposing the setting up of a Place Group reporting into a Place Board.

## **6. LEP Network Annual Report**

CJ referred to a report recently published by the LEP Network looking at the characteristics of the various LEP's within England and highlighting their work over the past 12 months. Of particular interest in the report was the section which was informed by work by Experian assessing the relative levels of resilience within LEP's to changing economic circumstances. The Group briefly considered some of the results.

## **7. Membership of the Group**

CJ raised the issue of Group membership and the need to make sure that representation on the Group was by willing participants who wanted and could make positive contributions. It was recognised that LEP work did not bring it any direct financial rewards but did allow partner organisations and individuals to influence planning processes, procedures and policies in a way which was not accessible through other means. More importantly, it allowed the public and private sectors together with other sectoral interests to come together to see how planning could be made simpler, more cost –effective and generally easier to understand and engage with and this would benefit all. The Group agreed that as wide a membership as possible would help the Group to function well and this should be actively encouraged. However, for continual positive engagement to happen issues had to be clearly defined along with the tasks being asked of members.

## **8. Future Meeting Dates**

A list of suggested meeting dates for the Planning Group up to January 2013 was circulated. It was noted that depending on the progress of the work streams a decision could be made in the future to reduce the number of meetings to for example once every two months, but such a decision was for future consideration.

## **9. Any Other Business**

None.

## **9. Date of next meeting**

25<sup>th</sup> June 10.00am – Birmingham Airport together with tour of the airport facilities.

The meeting closed at 12.00pm

# Greater Birmingham and Solihull LEP

## Meeting of the Planning Sub-Group – 25<sup>th</sup> June 2012

### Birmingham Airport

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Maria Pilar-Machancoses – Centro (MPM)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Andy Plant - St Francis Group (AP)  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)  
John Acres – Turley Associates (JA)  
Isobel Woods - Solihull MBC  
Paul Watson – Solihull MBC  
Jon Hockley – Birmingham Airport Group  
Jessica Munn – Thomas Vale  
Rachel Macklin – Thomas Vale  
Nick Harrison – GVA  
Tim Wooldridge – IM Properties  
Rod Griffin - Arup

#### ***Apologies***

Debbie Walsh – DW Consultancy  
Richard Campbell-Kelly – NEC Group  
Matthew Bowers – Tamworth BC  
Will Charlton – Brooke Smith Planning

### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including new members Tim Wooldridge of IM Properties and Maria Pilar-Machancoses from Centro.

### **2. Apologies**

Noted – see above.

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 21<sup>st</sup> May 2012 were accepted as a true record.

#### **4. NPPF and the LEP**

At the last meeting of the Planning Group the issue of the new National Planning Policy Framework and its potential implications for the LEP had been raised. It was agreed that JA would consider the matter and bring thoughts back to the next meeting.

JA apologised for not presenting any written material but sought to detail some areas of emerging policy and practice relating to the implementation of the NPPF which was of interest. It was too early to say whether or not decisions of Inspectors/SoS on appeals and Local Plans were reflective of what is to come but at the same time it was worth noting references to 'positive planning' in the context of development supporting growth, housing provision being viewed as both a necessity (to meet needs) and an important driver of growth and related to this potential shifts away from previously strongly held policy stances.

That said there appeared to be some very clear and strong contradictions with the Government seemingly wanting local communities to play a significant role in determining their own futures but only if this future mirrored the objectives and messages set out in the NPPF. The meeting agreed that tensions would likely arise where a locally derived position was seen to challenge or undermine growth aspirations. In this respect it would be interesting to see how PINS responds as well as the Government.

The meeting agreed that guidance was needed to help areas understand more about the NPPF and how to interpret policy. Much of the previous guidance, for example in relation to rural development, has been lost and not replaced whilst new areas of policy lack any kind of meaningful explanation eg. + 5% v + 20% housing land supply. MPM stated that she and her colleagues were in discussions with CLG about aspects of guidance that would be helpful and the suggestion was put forward at the meeting that perhaps one of the roles of the Planning Group (via the LEP Board) could be to identify where guidance was required and to lobby the Government to deliver the same.

**It was agreed that the Group keep a watching brief on the implementation of the NPPF nationally and locally, share any relevant knowledge including good practice and also identify where guidance was required to assist in interpreting the NPPF.**

#### **5. Work Programme and Workstream Updates**

CJ referred to a revised work programme that had been prepared following previous meetings and discussions with workstream leads. This had been kindly pulled together by CB and now hopefully reflected the overall intentions of the Group over the next year. The work programme would act as a mechanism with which to monitor delivery of actions by the individual workstreams but also the Group as a whole and in respect of the latter, would form the basis for reporting back to the LEP Board. The work programme was noted.

## *Stakeholder Engagement and Communications*

CB provided an update on the work of the Stakeholder Engagement and Communications workstream. In addition to pulling together the overall work programme, CB and her colleagues were in the process of identifying the key messages that had to be communicated across the various sectors (public private and third sector) and the means with which to do this. Letters were due to be sent to all LEP Chief Executives, Leaders thanking them for their involvement in the LEP Planning work to date and asking them to ensure that their respective authorities embed within their cultures and behaviours the actions coming out of the Planning Charter. Similar letters would be going out to business leaders and the voluntary sectors seeking their assistance in ensuring that the planning system works to the benefit of the LEP area as a whole. To help LPA's and the other sectors understand what was being asked of them the workstream was also looking at the potential to hold shared learning events. Finally, CB reported that she and colleagues were working with the Spatial Framework and Development Management workstreams to see where again, support could be given to assist in bringing together key players who influence how the planning system operates locally.

**Action: Draft letters to LA CX and Leaders, business leaders and third sector representatives – liaise with LEP Secretariat.**

## *Development Management*

J Heminsley updated the meeting on the work of the Development Management workstream. Reference was made to a number of work areas being explored including reviewing performance statistics a year on from the setting up of the Planning Group. John expressed his frustration at not being able to access information from all authorities within the LEP and indeed opined that there was a feeling that not all authorities were fully signed up to the agenda. This was disappointing but it was recognised that some work needed to be done to convince key people within each Authority of the importance of contributing and in a positive manner. It was respectfully pointed out that all authorities had via the LEP Board agreed to sign up to the Planning Charter and therefore there should be no reason for the situation to have occurred. The imminent sending of letters to CX and leaders might help focus the minds, the Group considered. CJ asked all LPA representatives to ensure that their DM colleagues were actively engaging with the process.

One of the main areas of work being looked at by the DM stream was that of the scope to streamline and simplify processes and procedures and in this respect having a single validation checklist was potentially attractive. The Black Country is exploring this and recently published a draft checklist for consultation. NA reported on some work he was doing which considered the various requirements laid down by LEP authorities. At this stage a draft document had been prepared. This would be refined in due course the meeting was informed but it showed quite starkly the amount of information required of applicants and importantly the areas where authorities ask for the same or very similar material.

JH explained that subject to all authorities coming back with requested data and responses to other information requests, a meeting of the DM workstream group would be called shortly with a view to taking matters forward.

**Action: LPA Planning Group representatives to liaise with DM colleagues to ensure positive contributions are taking place to the DM workstream.**

### *Spatial Framework*

DC provided an update on the work of the Spatial Framework workstream.

DC stated that a Terms of Reference had been drafted for the workstream group with the intention that this be brought to the meeting for ratification. The ToR was however not on the agenda and included in the papers so this would have to be deferred\*

**\* Note: I would suggest that we circulate the ToR around the Planning Group via e-mail and do the same for the other two workstreams. CB, DC, JH please forward to me and I will coordinate CJ.**

DC made reference to meetings held by the group to discuss and decide on a future work programme and timetable aimed at delivering a draft Framework by the end of the year. One of the key actions was to undertake a series of engagement events in September focusing on the main spatial issues affecting the LEP area. Dates and locations for 4 events throughout September were in the process of being agreed and notifications would go out shortly. Alongside the events would be some scenario development and testing taking place. A sub-group of the workstream had been set up to look at this particular element which would involve some research and evidence gathering.

**Action: Agree dates and locations for September engagement events and publicise in advance of notifications going out.**

## **6. Related LEP Activity**

CJ updated the meeting on LEP matters relevant to the Group. It was confirmed that a 'Place' Board and supporting officer group were being considered by the LEP to assist in taking forward the Place agenda. Previously the Place lead had been Cllr Mike Whitby (Birmingham CC) but subsequent to the recent elections Cllr Sir Albert Bore was now leader of the City Council. It had not yet been established what role Cllr Bore wished to play in the LEP and so as of this date the future Place lead was unknown. Who would be taking up the position however, should be known shortly.

It was reported that the Transport Group was in the process of drawing up a Transport Strategy and as part of this work identifying transport priorities for the LEP. The view was expressed that this work should not be undertaken in isolation but link with the Spatial Framework and other workstreams within the LEP. This was an example of where it was important that there was a Place Group able to coordinate and oversee activity of this kind.

**Action: Report back on LEP debate regarding the Place agenda and agreed governance arrangements including Place Lead.**

## **7. LEP Annual Report**

A draft copy of the LEP Annual Report was circulated to the meeting. It was explained that the Report was due to be presented at the LEP AGM being held on the 27<sup>th</sup> June at Villa Park in Birmingham. Although still in draft form the meeting noted and welcomed the references to the work undertaken in respect of planning and what was scheduled to take place over the next year.

## **8. Any Other Business**

A suggestion for future meetings was consideration of the Community Infrastructure Levy. It was noted that this together with other funding regimes were likely to become important means of supporting infrastructure provision within the LEP area, with the possibility of pooling monies being on the LEP agenda.

Following on from earlier debate it was also suggested that consideration needed to be given to the emerging transport strategy for the LEP and its relationship with the spatial framework. It was vital that transport was seen as an integral part of an overall strategy for the LEP area and not something separate.

## **9. Date of next meeting**

23<sup>rd</sup> July 10.00am – NEC, subject to confirmation.

The meeting closed at 11.30am



## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 23<sup>rd</sup> July 2012**

#### **NEC Solihull**

##### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Richard Campbell-Kelly – NEC Group  
Debbie Walsh – DW Consultancy  
Andy Plant - St Francis Group (AP)  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)  
Jon Hockley – Birmingham Airport Group (JHo)  
Jessica Munn – Thomas Vale (JM)  
Nick Harrison – GVA (NH)  
Rod Griffin – Arup (RG)  
Will Charlton – Brooke Smith Planning (WC)  
Lewis Payne – I M Properties (LP)  
Philip Somerfield – East Staffs. BC (PS)  
Robert Mitchell – Richborough Estates (RM)  
Dave Simpson – Solihull MBC (DS)  
Mike Best – Turley Associates (MB)  
Sarah Cook – Environment Agency (SC)  
Jim Davies – Environment Agency (JD)

##### ***Apologies***

Matthew Bowers – Tamworth BC  
Maria Pilar-Machancoses – Centro  
Tim Wooldridge – IM Properties  
John Acres – Turley Associates  
Rachel Macklin – Thomas Vale  
Isobel Woods - Solihull MBC  
Paul Watson – Solihull MBC  
Martin Dyer – WSP  
Geoff White - RICS

## **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including Sarah Cook and Jim Davies from the Environment Agency who had been invited to give a presentation on the work of the EA and in the future have representation on the Group itself. A welcome was also extended to new member Robert Mitchell of Richborough Estates and Lewis Payne of IM Properties standing in for Tim Wooldridge.

## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 25<sup>th</sup> June 2012 were accepted as a true record.

## **4. Presentation on the role of the Environment Agency in the LEP's – Sarah Cook and Jim Davies (EA)**

As context CJ explained that one of the main findings of the work undertaken to see how the planning system operated in the LEP was that of the vital role played by statutory consultees and key stakeholders. It was therefore important to understand how such bodies saw themselves and how they could contribute to making planning a more business-friendly regime and one that facilitated positive economic growth. An invite had been extended to the Environment Agency to attend the Planning Group and explain what its duties and responsibilities were and how it thought it could make a difference.

In opening Sarah Cook and Jim Davies explained their respective roles within EA. Sarah is the Environment, Planning and Engagement Manager for the Central Area, Midlands Region with Jim reporting into her as Principal Officer (Planning) Midlands. Jim then proceeded to give a short presentation on the statutory areas of responsibility of the EA, its remit as far as promoting sustainable development and sustainable use of natural resources, its involvement in the planning system, both in terms of plan making and development management, and its relationship to LEP's and the economic growth agenda. He emphasised that whilst in part a regulatory body, the EA's approach was one starting from a positive basis – a 'yes, if' attitude to development, consents and licensing. EA did not want to prevent good quality proposals coming forward nor be seen as a barrier to legitimate growth. At the same time it did have an important role to play in ensuring that nationally and locally the environment and key resources were being protected and given due regard in the development of strategies and plans, policies.

In terms of the relationship to LEP's Jim gave examples of where the EA was engaging on different levels and in different ways. This reflected the fact that LEP's across the country varied in their priorities and agenda's and as such there was no one size fits all approach that could be taken but rather bespoke ones. A discussion then followed on how the EA could work with the GBSLEP as regards influencing thinking about future key spatial issues and development management practice.

Jim and Sarah subsequently took questions on a range of issues including sustainable drainage and proposed new consent regimes, the EA's engagement with local planning authorities and on 'strategic planning' matters, and the potential for the GBSLEP and LEP's more generally to help promote the EA's activities.

On behalf of the Group CJ thanked Sarah and Jim for their interesting and informative presentation and for taking questions.

*Note: A copy of Jim's presentation is appended to this note.*

## **5. Workstream Updates**

CJ referred to the work programme included with the meeting agenda and papers – this was for reference only and would need updating following the meeting. It did however provide a useful guide as to the overall future intentions of the Group as regards implementing the Planning Charter and associated Implementation Plan.

**Action: CJ to update Work Programme with contributions from work stream leads.**

### *Stakeholder Engagement and Communications*

CB provided an update on the work of the Stakeholder Engagement and Communications workstream. A key piece of work at the moment was pulling together a letter to go out from Andy Street as Chair of the LEP promoting the Planning Charter and seeking the support of the different sectors – private, public and third sectors – in enhancing the way planning operates across the LEP area. Within the letters reference was being made to the work of the Planning Group including highlighting upcoming engagement events in respect of the Spatial Framework and Development Management themes.

As regards the events work was on-going to develop these, agree speakers, formats and content. CB ran through the Spatial Framework programme which would consist of 4 themed events taking place throughout September. Along with the Planning Charter letters targeted e-mail invites and wider publicity would be going out shortly. There was a discussion about speakers and the need to ensure that at each event a section on the work of the LEP and the importance of planning as a priority area for the LEP was included. The view was that a speaker from the Planning Group would be appropriate to undertake this role at each event providing for consistent messages and being a member of the Group speak with some authority. CJ asked for nominations to come forward and suggested that it would be useful to have both public and private sector representees. In terms of other speakers, there was a debate about the type of people that we would want to extend invites to – clearly there was a need to invite people with experience of the subjects under debate but the Group also favoured speakers that were not going to be afraid to present challenging arguments and event criticism to help stimulate debate. CB asked that those coordinating the events and the wider Planning Group give some thought to who potentially would fit the bill and could be invited.

**Action: Planning Group members to consider whether they would wish to speak at the September Spatial Framework events ( 1 event per speaker) on the LEP Planning agenda and separately to identify potential speakers who could present on any of the themed topics.**

### *Development Management*

J Heminsley updated the meeting on the work of the Development Management workstream. He confirmed that all data from the constituent local authorities had been collected to inform the analysis and that a good meeting had been held recently to review the various elements of the development management work stream that were being looked at. A further meeting was scheduled for 14<sup>th</sup> August. The Group noted the pleasing progress that was being made on the development management front and the commitment being shown by the local authorities to engage in this.

### *Spatial Framework*

Draft Terms of Reference for the work stream were presented and approved by the Group. It was noted that equivalent Terms for the Development Management and Stakeholder Engagement and Communications groups would be submitted for approval at future meetings.

Reference having already been made to the Spatial Framework events earlier in the meeting, DC concentrated on updating the Group on other elements of work including the scenario building and testing exercise. This was an important facet and had been considered in a useful meeting held recently with a sub-group of the work stream group, it was reported.

DC raised the issue of the Spatial Framework Group having the Duty to Cooperate as a standing item on its agenda. This he suggested was an important aspect of the 'new' planning system and one which the LEP should have a role in. A debate followed with general agreement that the topic deserved to be on the Group's agenda as this would provide a forum to consider cross-boundary issues including those of LEP-wide significance.

## **6. Related LEP Activity**

CJ updated the meeting on LEP matters relevant to the Group.

The LEP AGM had been held on the 27<sup>th</sup> June at Villa Park, Birmingham. This was well attended. The Annual report was launched and this made a number of references to planning and the Planning Charter. In the Q and A session that followed the Chair/Vice-Chairs presentations planning came up as a topic.

CJ reported that a Place Board with supporting Place Officer Group had now been agreed by the LEP Board. The Planning Group would feed into this new structure. Cllr Albert Bore was the suggested lead for the Place Group (post-meeting it was confirmed that Cllr Bore had accepted this role).

In addition to the Place Group a new additional Group 'Housing and Economic Growth' had been agreed. This Group is borne out of the GBSLEP City Deal recently approved by Government – the Group's focus will be on maximising the potential of public sector assets including land and property to deliver new housing (and employment opportunities).

An issue which it was thought the Group needed to be made aware of and linked to the DtC debate was that concerning housing provision in Birmingham. The matter had been raised at the 27<sup>th</sup> June LEP Board meeting by Board members following press reports about Birmingham's future housing needs and the scope to meet these within its boundaries. As a consequence of the debate it had been agreed that a briefing note should be prepared and circulated to all LEP LA Leaders setting out key messages. The paper had been prepared with Planning Group input and distributed. This explained the factual basis for the issue emerging – Birmingham's assessment of future housing figures – and the implications of meeting this including possible incursions into Green Belt and provision in local authority areas abutting Birmingham City. The issue highlighted the significance of planning in the context of the LEP but also the sensitivity around cross-boundary matters.

CJ agreed to circulate a copy of the City Deal to Planning Group members for information/reference.

**Action: CJ to circulate a copy of the GBSLEP City Deal recently agreed with Government.**

## **7. Government Consultations – simplifying and streamlining the planning system.**

Reference was made to a Ministerial statement made by Right Hon Greg Clark MP on 3<sup>rd</sup> July and linked to this 3 consultation papers issued by the Government setting out proposals to simplify and further streamline the planning system.

It was agreed that via John Heminsley the Development Management Sub-Group would consider the 3 papers and draft a suggested response to the consultations. The drafts would then be circulated around the Group and forwarded onto Andy Street to sign off. CJ asked that if any members of the Planning Group had views on the papers and wanted to contribute to the draft responses, to share their comments with the Development Management work stream.

**Action: The Development Management work stream to consider the 3 consultation papers published by the Government on 3<sup>rd</sup> July and work up for each a draft response. Members of the Planning Group with views on the papers to forward their comments to the Development Management Sub-Group.**

## **8. Key Stakeholders**

Copies of each of the draft Improvement Plans prepared by the Highways Agency, Environment Agency, Health and Safety Executive, Natural England and English Heritage following the Penfold Review were circulated to the Group. CJ informed the Group that the final versions would be published shortly but it was pleasing to see the commonalities between each of the documents and the clear links between the views of the respective agencies as to what improvements needed to be made and the findings of the Planning Group when considering this matter.

## **9. Community Infrastructure Levy**

It was explained that this item was being flagged up now but that a full assessment of the issues of CIL in a LEP context would be brought to a future meeting. It was important for the LEP and the Planning Group to understand how CIL will operate and how it will impact upon future strategic infrastructure delivery. As a LEP area with ambitions to grow and to deliver this the need to bring forward essential infrastructure provision, CIL could be one opportunity where authorities work together cross-boundary. CIL and other forms of funding will need to be looked at as part of an overall discussion about growth and how this can be achieved.

On this same topic CJ highlighted some research work carried out by RICS and recently published – Capturing Planning Gain – The Transition from Section 106 to Community Infrastructure Levy (June 2012). This was an interesting report which underlined the view of many professionals – no body knows what the effects of CIL will be and contrary to the reasoning behind it being set up, it is proving to be far more difficult to develop, operate and understand than S106! CJ agreed to circulate to members of the Planning Group a copy of the RICS research reports.

**Action: CJ to circulate a copy of the RICS S106/CIL report.**

## **9. Any Other Business**

It was reported that the LEP Network was holding a planning event in early September (date to be confirmed) and GBSLEP had been invited to send delegates. The event which would also include reps. from CLG was intended to consider the application of current planning reforms and the scope for further changes. CJ confirmed that he had registered his interest but that due to holiday commitments it maybe that he would be unable to fulfil this commitment. If this was the case other members of the Planning Group may wish to attend on behalf of the LEP.

A brief report was presented on a recent meeting with BIS officials attended by CJ and other planning and property professionals to consider how the planning system could be made more easier to understand, engage with and be more cost-effective. The meeting had been useful and offered an opportunity to feedback much of the work that the Planning Group has carried out over the last 18 months.

The LEP is currently examining resource requirements across all its topic areas, auditing present work demands and resource inputs and future demands/resource

requirements. CJ informed the Group that he had responded to this with a detailed comment and as part of this identified – with the help of work stream colleagues-specific resource ‘asks’. The view of the Group is that as we move forward to delivering agreed actions we will require additional resource, only some of which will be available through our existing resource base. This is not just a GBSLEP issue but something important to all LEP’s and being recognised by Government.

Jim Davies asked whether the LEP/Planning Group was in anyway connecting with the new Local Nature Partnerships. In response it was stated that as far as Planning Group members were aware - although individuals and local authorities were knowledgeable of LNP’s and engaging - the LEP itself was not directly involved. This was a matter to further explore.

Jon Hockley reported that a Government consultation on Aviation Policy had just been published. He asked whether people would want to see this if he circulated it. It was agreed that this would be of interest and it was agreed that Jon send this round.

## **9. Date of next meeting**

20<sup>th</sup> August 10.00am – venue to be agreed.

***Note: Subsequent to the meeting it was confirmed that the 20<sup>th</sup> August meeting will take place at GVA’s central Birmingham’s offices. Details to follow.***

The meeting closed at 12.15pm

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 20<sup>th</sup> August 2012**

#### **GVA Offices, Brindley Place, Birmingham**

##### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Debbie Walsh – DW Consultancy (DW)  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)  
Jon Hockley – Birmingham Airport Group (JHo)  
Jessica Munn – Thomas Vale (JM)  
Nick Harrison – GVA (NH)  
Will Charlton – Brooke Smith Planning (WC)  
Lewis Payne – I M Properties (LP)  
Philip Somerfield – East Staffs. BC (PS)  
Robert Mitchell – Richborough Estates (RM)  
Paul Campbell – Richborough Estates (PC)  
Dave Simpson – Solihull MBC (DS)  
Mike Best – Turley Associates (MB)  
Sarah Cook – Environment Agency (SC)  
Jim Davies – Environment Agency (JD)  
John Acres – Turley Associates (JA)

##### ***Apologies***

Matthew Bowers – Tamworth BC  
Richard Campbell-Kelly – NEC Group  
Andy Plant - St Francis Group  
Sarah Cook – Environment Agency  
Andy Plant – St. Francis Group  
Rod Griffin – Arup  
Maria Pilar-Machancoses – Centro  
Tim Wooldridge – IM Properties  
Rachel Macklin – Thomas Vale  
Isobel Woods - Solihull MBC  
Paul Watson – Solihull MBC  
Martin Dyer – WSP  
Geoff White - RICS



## **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including new member Paul Campbell from Richborough Estates

## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 23<sup>rd</sup> July 2012 were accepted as a true record.

## **4. Updates**

CJ referred to a previously circulated updated work programme. This identified the forthcoming series of spatial framework engagement events as well as similar events relating to development management. The Work Programme was noted.

**Action: CJ to review Work Programme on a regular basis with suitable contributions from work stream leads.**

### *Stakeholder Engagement and Communications*

CB provided an update on the work of the Stakeholder Engagement and Communications workstream. The key piece of work at the moment was working with colleagues to agree the arrangements for the 4 spatial framework events scheduled to take place in September. Claire took the Group through the details of each event and explained what actions had been carried out to date in respect of supporting these. Liaison with the LEP Secretariat was on-going to ensure that the events were being publicised and that invites were being sent out. Group members were encouraged to help out with the administrative arrangements where possible and assist in encouraging attendance at the respective events.

A discussion took place about the importance of having a LEP Board member present at each event. Such a member could open proceedings and act as chairman. This it was opined would add to the credibility of the spatial framework exercise through board endorsement as well as allow those attending to put more of a public face to the LEP Board. Chris Webster was suggested as the most appropriate member to approach to perform the aforementioned role given his background, though it was recognised other Board members could undertake to do the same as alternatives.

**Action: CJ agreed to consult with Chris Webster to see if he was willing and able to attend the planned events supported where possible by other Board member colleagues.**

### *Spatial Framework*

DC provided more details about how it was intended the Spatial Framework would be progressed taking into account the inputs arising from the forthcoming engagement events. He explained that a small sub-group of the Spatial Framework Group had been established and was seeking to develop some scenarios to be used to examine potential options and choices. These would be subsequently tested alongside an evidence basis and the results of consultation/engagement with key stakeholders and the public.

DC referred to significant areas of existing evidence which could be utilised including related to this the results of on-going monitoring work carried out on the back of the still relevant regional spatial strategy policy. Notwithstanding the SF exercise this same data was useful for considering how policy was operating across the LEP area and what future actions may need to be taken within the area as regards certain topics.

### *Development Management*

J Heminsley updated the meeting on the work of the Development Management workstream. Good progress was now being made in assessing key aspects of the development management regime as it operated across the LEP area. Areas where standards could be improved or new shared and consistent approaches taken had been identified and these would be further explored including via planned stakeholder engagement events being held in October. JH and CJ thanked relevant Group members for their contributions to date and the inputs from each of the constituent local authorities development management teams.

## **5. Related LEP Activity**

CJ updated the meeting on LEP matters relevant to the Group.

The LEP Board was in the process of putting together an Economic Strategy. Based around the 3 pillars of business, people and place the Board was looking to prepare and publish for consultation a white paper the results from which would help inform the Strategy. CJ reported that the LEP Officer Steering Group and individual sub-groups (of which Planning was one) were feeding into a draft white paper which would be presented to the Board prior to consultation taking place in Autumn.

The Place Group had been formally approved and would be working to a Place Board. Place brought together planning, housing, transport etc and in future would allow the various activities and actions flowing from each sub-group to be better focused and co-ordinated.

In addition, the Place agenda would address such matters as the Enterprise Zone, Enterprise Belt and M42 corridor.

## **6. Government Consultations – simplifying and streamlining the planning system.**

Following on from the previous meeting reference was made to a series of current government consultation papers addressing different aspects of the planning system. It had been agreed at the last meeting that a LEP response would be appropriate and JH had volunteered to coordinate this with inputs from Group members. JH informed that meeting that the DM sub-group was in the process of considering the papers and would be drafting responses for sign-off.

JH asked that any views/comments on the consultation papers should be forwarded to him as soon as was possible. The final draft responses would be sent to Andy Street to endorse on behalf of the LEP.

**Action: JH to coordinate response to the current government consultation papers. Views/comments on the papers to be forwarded to JH.**

## **7. LEP Network/DCLG Planning Event**

CJ reported a future LEP Network Planning event that was being proposed for sometime in September. Representation from the GBSLEP would be appropriate and CJ had indicated that he had put his name down. Due to leave commitments however and depending on the agreed date, it might be that he would not be able to attend. It was agreed that if this was the case, an alternative(s) member of the Planning Group would attend.

**Action: Agree attendance at forthcoming LEP network event depending on confirmed date.**

## **8. Future Agenda Items**

CJ asked for members of the Group to consider potential future agenda items recognising that planning was a topic for debate at national and local levels and as such generating much debate/discussion.

It was agreed that it would be useful to invite along bodies such as Natural England, Highways Agency etc to present as did the EA recently.

**Action: Group members to bring forward issues for discussion at future meetings of the Planning Group**

## **9. Any Other Business**

None.

## **10. Date of next meeting**

17<sup>th</sup> September 10.00am – Environment Agency Offices, Solihull

## **Greater Birmingham and Solihull LEP**

**Meeting of the Planning Sub-Group – 20<sup>th</sup> August 2012**

**GVA Offices, Brindley Place, Birmingham**

### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Debbie Walsh – DW Consultancy (DW)  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)  
Jon Hockley – Birmingham Airport Group (JHo)  
Jessica Munn – Thomas Vale (JM)  
Nick Harrison – GVA (NH)  
Will Charlton – Brooke Smith Planning (WC)  
Lewis Payne – I M Properties (LP)  
Philip Somerfield – East Staffs. BC (PS)  
Robert Mitchell – Richborough Estates (RM)  
Paul Campbell – Richborough Estates (PC)  
Dave Simpson – Solihull MBC (DS)  
Mike Best – Turley Associates (MB)  
Sarah Cook – Environment Agency (SC)  
Jim Davies – Environment Agency (JD)  
John Acres – Turley Associates (JA)

### ***Apologies***

Matthew Bowers – Tamworth BC  
Richard Campbell-Kelly – NEC Group  
Andy Plant - St Francis Group  
Sarah Cook – Environment Agency  
Andy Plant – St. Francis Group  
Rod Griffin – Arup  
Maria Pilar-Machancoses – Centro  
Tim Wooldridge – IM Properties  
Rachel Macklin – Thomas Vale  
Isobel Woods - Solihull MBC  
Paul Watson – Solihull MBC  
Martin Dyer – WSP  
Geoff White - RICS

## **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including new member Paul Campbell from Richborough Estates

## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 23<sup>rd</sup> July 2012 were accepted as a true record.

## **4. Updates**

CJ referred to a previously circulated updated work programme. This identified the forthcoming series of spatial framework engagement events as well as similar events relating to development management. The Work Programme was noted.

**Action: CJ to review Work Programme on a regular basis with suitable contributions from work stream leads.**

### *Stakeholder Engagement and Communications*

CB provided an update on the work of the Stakeholder Engagement and Communications workstream. The key piece of work at the moment was working with colleagues to agree the arrangements for the 4 spatial framework events scheduled to take place in September. Claire took the Group through the details of each event and explained what actions had been carried out to date in respect of supporting these. Liaison with the LEP Secretariat was on-going to ensure that the events were being publicised and that invites were being sent out. Group members were encouraged to help out with the administrative arrangements where possible and assist in encouraging attendance at the respective events.

A discussion took place about the importance of having a LEP Board member present at each event. Such a member could open proceedings and act as chairman. This it was opined would add to the credibility of the spatial framework exercise through board endorsement as well as allow those attending to put more of a public face to the LEP Board. Chris Webster was suggested as the most appropriate member to approach to perform the aforementioned role given his background, though it was recognised other Board members could undertake to do the same as alternatives.

**Action: CJ agreed to consult with Chris Webster to see if he was willing and able to attend the planned events supported where possible by other Board member colleagues.**

### *Spatial Framework*

DC provided more details about how it was intended the Spatial Framework would be progressed taking into account the inputs arising from the forthcoming engagement events. He explained that a small sub-group of the Spatial Framework Group had been established and was seeking to develop some scenarios to be used to examine potential options and choices. These would be subsequently tested alongside an evidence basis and the results of consultation/engagement with key stakeholders and the public.

DC referred to significant areas of existing evidence which could be utilised including related to this the results of on-going monitoring work carried out on the back of the still relevant regional spatial strategy policy. Notwithstanding the SF exercise this same data was useful for considering how policy was operating across the LEP area and what future actions may need to be taken within the area as regards certain topics.

### *Development Management*

J Heminsley updated the meeting on the work of the Development Management workstream. Good progress was now being made in assessing key aspects of the development management regime as it operated across the LEP area. Areas where standards could be improved or new shared and consistent approaches taken had been identified and these would be further explored including via planned stakeholder engagement events being held in October. JH and CJ thanked relevant Group members for their contributions to date and the inputs from each of the constituent local authorities development management teams.

## **5. Related LEP Activity**

CJ updated the meeting on LEP matters relevant to the Group.

The LEP Board was in the process of putting together an Economic Strategy. Based around the 3 pillars of business, people and place the Board was looking to prepare and publish for consultation a white paper the results from which would help inform the Strategy. CJ reported that the LEP Officer Steering Group and individual sub-groups (of which Planning was one) were feeding into a draft white paper which would be presented to the Board prior to consultation taking place in Autumn.

The Place Group had been formally approved and would be working to a Place Board. Place brought together planning, housing, transport etc and in future would allow the various activities and actions flowing from each sub-group to be better focused and co-ordinated.

In addition, the Place agenda would address such matters as the Enterprise Zone, Enterprise Belt and M42 corridor.

## **6. Government Consultations – simplifying and streamlining the planning system.**

Following on from the previous meeting reference was made to a series of current government consultation papers addressing different aspects of the planning system. It had been agreed at the last meeting that a LEP response would be appropriate and JH had volunteered to coordinate this with inputs from Group members. JH informed that meeting that the DM sub-group was in the process of considering the papers and would be drafting responses for sign-off.

JH asked that any views/comments on the consultation papers should be forwarded to him as soon as was possible. The final draft responses would be sent to Andy Street to endorse on behalf of the LEP.

**Action: JH to coordinate response to the current government consultation papers. Views/comments on the papers to be forwarded to JH.**

## **7. LEP Network/DCLG Planning Event**

CJ reported a future LEP Network Planning event that was being proposed for sometime in September. Representation from the GBSLEP would be appropriate and CJ had indicated that he had put his name down. Due to leave commitments however and depending on the agreed date, it might be that he would not be able to attend. It was agreed that if this was the case, an alternative(s) member of the Planning Group would attend.

**Action: Agree attendance at forthcoming LEP network event depending on confirmed date.**

## **8. Future Agenda Items**

CJ asked for members of the Group to consider potential future agenda items recognising that planning was a topic for debate at national and local levels and as such generating much debate/discussion.

It was agreed that it would be useful to invite along bodies such as Natural England, Highways Agency etc to present as did the EA recently.

**Action: Group members to bring forward issues for discussion at future meetings of the Planning Group**

## **9. Any Other Business**

None.

## **10. Date of next meeting**

17<sup>th</sup> September 10.00am – Environment Agency Offices, Solihull

## **Greater Birmingham and Solihull LEP**

**Meeting of the Planning Sub-Group – 17<sup>th</sup> September 2012**

### **Environment Agency Offices, Solihull**

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Andy Plant – St. Francis Group  
Rod Griffin – Arup  
Rachel Macklin – Thomas Vale  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)  
Jon Hockley – Birmingham Airport Group (JHo)  
Lewis Payne – I M Properties (LP)  
Philip Somerfield – East Staffs. BC (PS)  
Robert Mitchell – Richborough Estates (RM)  
Dave Simpson – Solihull MBC (DS)  
Sarah Cook – Environment Agency (SC)  
Jim Davies – Environment Agency (JD)

#### ***Apologies***

Matthew Bowers – Tamworth BC  
Debbie Walsh – DW Consultancy  
Jessica Munn – Thomas Vale  
Nick Harrison – GVA  
Paul Campbell – Richborough Estates  
Mike Best – Turley Associates  
Richard Campbell-Kelly – NEC Group  
John Acres – Turley Associates  
Maria Pilar-Machancoses – Centro  
Tim Wooldridge – IM Properties  
Isobel Woods - Solihull MBC  
Paul Watson – Solihull MBC  
Will Charlton – Brooke Smith Planning (WC)  
Martin Dyer – WSP  
Geoff White - RICS



## **1. Welcome and Introductions**

CJ welcomed everyone to the meeting and thanked Sarah Cook and Jim Davies from the Environment Agency for kindly offering to act as hosts.

## **2. Apologies**

Noted – see above.

## **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 20<sup>th</sup> August were circulated at the meeting and accepted as a true record.

## **4. Updates**

As per usual CJ referred to an updated work programme showing the activities planned to take place across the different work streams and Planning Group as a whole. The Work Programme was noted.

**Action: CJ to review Work Programme on a regular basis with suitable contributions from work stream leads.**

### *Stakeholder Engagement and Communications*

CB referred to the on-going programme of Spatial Framework events taking place throughout September. Before feeding back experiences of the first two events that had taken place in Worcestershire and Staffordshire respectively, CB raised an issue about the administrative work involved in preparing for the events and the lack of corporate LEP support for this. There was concern that a lot of resource had been expended on the part of members of the Planning Group to help in facilitating the first two events and was continuing with the workshops being organised for Solihull and Birmingham. Although some support had come from the LEP Secretariat, this was not as much as expected or hoped for. Discussions had taken place with key members of the Secretariat and it was accepted that this highlighted a problem for the LEP which needed to be resolved. As the Planning Group and other Sub-Groups began to develop key work areas at the request of the Board more resources would be required to meet the various demands. It was not good enough to keep relying on the good faith of private and public sectors or already overstretched budgets within each sector. This was noted and CJ referred to the matter being raised by LEP's with Government. It was hoped that Government was listening and indeed an announcement was due on this specific issue.

Notwithstanding the above, there was positive feed back from the first two events that had been held. In both cases the proceedings had gone well with good quality presentations from speakers and contributions to interesting debates coming from invited attendees. The meeting reviewed the structure and format of the events and agreed that lessons from the two events could inform the events to come. The

failure to stimulate interest on the part of LEP Board members was noted though Cllr Hollingworth's contribution as chairman at the Burton event was complimented.

**Action: DC, JHo, PW, DS to progress arrangements for the forthcoming engagement events planned for Solihull and Birmingham learning from experiences at Worcestershire and Staffordshire. Planning Group members where possible to offer support to both events including attending. Lessons learnt to inform arranging similar engagement activities in the future.**

### *Spatial Framework*

DC expressed his views on how the first two engagement events had gone saying that he thought they were helpful in bringing a wide range of interested parties together and discussing some of the key important issues for the LEP as it moves forward. DC was particularly pleased that at each event to date a number of attendees had shown an interest in being involved in the Spatial Framework and wanted to contribute to its development. It was hoped that this level of interest would continue at the next events in Solihull and Birmingham.

In addition to the events DC reminded the Group of the separate work streams being taken forward in support of the Framework. These included the setting up of a small sub-group looking at a process/procedure for developing and testing scenarios which would inform options for the Framework. DC circulated the outputs from the work carried out so far in this respect and the Group noted this. A request was made for Planning Group members to identify themes/topics which they would be interested in supporting through their own inputs alongside external bodies.

It was explained that given the timescales set down for delivering a Framework for LEP Board consideration that significant work was necessary between now and the new year. At the Spatial Framework Group a November conference had been discussed which would provide an opportunity to feed back to attendees the outcomes from the engagement events plus work carried out on the scenarios. An event at the end of November would involve a lot of planning and would be dependent upon work being completed as set out but the feeling was that this was a vital goal if the Framework was to be taken forward in a meaningful way. A request was made to Group members to join a small sub-group to consider the arrangements for a November conference.

A question was raised about the Framework and cross-boundary working with other LEP's. It was recognised that any Spatial Framework for the GBSLEP would need to consider relevant cross-boundary issues. As a consequence the suggestion was made that representatives from LEP's bordering the GBSLEP should be invited to attend meetings of the Spatial Framework Group and participate in discussions & work streams. It was agreed to invite representatives to future meetings of the SF Group.

**Action: DC and the Spatial Framework Group to progress the Spatial Framework work programme in accordance with the agreed timetable supported by the Planning Group where possible. A small sub-group be set up to discuss the format/structure and arrangements for an engagement event**

**in November. Planning Group members to support theme/topic groups as part of the scenario building and testing phases.**

### *Development Management*

J Heminsley updated the meeting on the work of the Development Management workstream. LEP wide agreement was being reached in a number of key areas relating to policy and practice which was pleasing to see. John referred to pre-application advice, customer feedback arrangements and validation in this context. John thanked local authority representatives for their inputs to date and hoped that this would continue as the work stream developed. As per the work programme it was noted that it had been previously agreed to hold a series of engagement events to allow for contributions from the business sectors, agents, clients and stakeholders/statutory consultees. These were in the process of being finalised. John detailed one change to the programme and this was a decision to put back the 3<sup>rd</sup> October Learning and practice exchange workshop to the 7<sup>th</sup> November. This would then bring together the outcomes/outputs of the events scheduled for the 10<sup>th</sup> and 17<sup>th</sup> October.

CJ thanked John and the DM Work Stream for their efforts so far emphasising that this was the key area of concern which led to the setting up of the Planning Sub-Group. To be able to bring forward improvements in DM practice across the LEP geography was a significant achievement and one to be proud of.

**Action: JHe with the support of Planning Group members and representatives from the LA DM side progress improvements to DM informed and guided by the outcomes of the forthcoming engagement events.**

### **5. Related LEP Activity**

CJ updated the meeting on LEP matters relevant to the Group including the preparation of an Economic Strategy White Paper and subsequent consultation. Since the last Planning Group meeting contributions had been made to a draft Strategy which was due to be presented to the LEP Board at its meeting coming up on the 21<sup>st</sup> September. CJ reminded the meeting of previous comments about the structure of the White Paper and the various sub-groupings that were feeding in views and comments. Andy Plant raised a query about the sub-groups and the general organisational arrangements of the LEP. He asked whether the Group could be circulated with information which detailed the groupings, their responsibilities, leads and how the organisational structure worked in practice. CJ agreed to do this for the Group.

**Action: CJ to prepare and circulate to members of the Group details of the organisational structure of the LEP including reference to the various sub-groups and their respective areas of interest.**

### **6. Government Consultations – simplifying and streamlining the planning system.**

JH confirmed that a LEP response on the 3 consultations issued in July had been signed off by Andy Street and submitted prior to the September deadlines. Separately, it was agreed that a response should be submitted on the current S106 consultation. JH again agreed to coordinate this on behalf of the LEP. Rather than ask for comments, JH suggested that he circulate a draft response prepared by Cannock Chase DC which Planning Group members could comment on as the basis for a LEP response.

**Action: JH to coordinate response to the current government consultation on S106 and agree with Andy Street a response for submission prior to the 8<sup>th</sup> October deadline.**

## **7. Key Current Issues – Viability Testing of Local Plans; Duty to Cooperate - Birmingham Housing Numbers**

Robert Mitchell had asked for these two items to be put on the meeting agenda.

In terms of Viability testing, it was acknowledged that this is a significant issue for the planning system to deal with particularly at the current time given the state of national and local economies. LPA's are being encouraged to take account of viability studies in preparing their Local Plan policies and then implementing these through DM practice. RM was keen to understand what was happening across the GBSLEP as regards undertaking such testing. It was confirmed that viability work was on-going or had been undertaken in respect of all plan making activity in the GBSLEP with results also where applicable feeding into considerations around CIL regimes. Having regard to development proposals including re-assessments of previous permissions/S106 agreements, in accordance with Government advice local authorities were looking carefully at viability issues and determining whether there was scope to relax normal policy conditions. It was clear that some authorities were adopting more flexible approaches than others in evaluating the economics of development but in general the onus was being placed upon developers/planning applicants to make their case as to why a development should be permitted notwithstanding policy.

Duty to Cooperate –The meeting debated the Duty to Cooperate both in the context of issues arising within the GBSLEP and of concern to member authorities but also in the context of the LEP's relationship with other LEP areas and constituent authorities. Reference was made to the strategic planning considerations being raised around Birmingham's ability to meet housing needs and the potential implications for some GBSLEP authorities. This was an example of where the DtC was very relevant. The discussion then turned to what possible role GBSLEP (and other LEP's) may take towards identifying cross-boundary issues and hence influencing consideration of such matters through the statutory planning process.

## **8. LEP Network/DCLG Planning Event**

CJ confirmed that this event was now scheduled for 15<sup>th</sup> October in Dudley. CJ, DC and JD had registered for the event and would report back to the Group.

## **9. Future Agenda Items**

As previously, CJ asked for members of the Group to consider potential future agenda items. He indicated that one particular objective was to invite representatives of the main statutory consultees to attend future meetings and explain their respective roles in the planning system. This would be helpful in understanding any barriers which exist to better working and allow possible solutions to be identified.

**Action: Group members to bring forward issues for discussion at future meetings of the Planning Group. Natural England to be approached to see if they would attend a forthcoming meeting of the Group**

## **10. Any Other Business**

None.

## **11. Date of next meeting**

*22<sup>nd</sup> October 10.00am – Venue subsequently confirmed as IM Properties offices, Coleshill*

## **Greater Birmingham and Solihull LEP**

**Meeting of the Planning Sub-Group – 22<sup>nd</sup> October 2012**

### **IM Properties, Coleshill**

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Andy Plant – St. Francis Group (AP)  
Matthew Bowers – Tamworth BC (MB)  
Debbie Walsh – DW Consultancy (DW)  
Gary Palmer – Solihull (GP)  
Claire Bridges – Worcestershire LEP (CB)  
Ken Harrison – North Worcestershire Authorities (KH)  
Lewis Payne – I M Properties (LP)  
Philip Somerfield – East Staffs. BC (PS)  
Maria Pilar-Machancoses – Centro (MPM)  
Geoff White – RICS (GW)  
Chris May – Pegasus Planning (CM)  
Robert Mitchell – Richborough Estates (RM)  
Sarah Cook – Environment Agency (SC)  
Jim Davies – Environment Agency (JD)

#### ***Apologies***

Rod Griffin – Arup  
Rachel Macklin – Thomas Vale  
Jon Hockley – Birmingham Airport Group  
Jessica Munn – Thomas Vale  
Nick Harrison – GVA  
Paul Campbell – Richborough Estates  
Mike Best – Turley Associates  
Richard Campbell-Kelly – NEC Group  
John Acres – Turley Associates  
Tim Wooldridge – IM Properties  
Isobel Woods - Solihull MBC  
Paul Watson – Solihull MBC  
Will Charlton – Brooke Smith Planning  
Martin Dyer – WSP

## 1. Welcome and Introductions

CJ welcomed everyone to the meeting which included a new member Chris May of Pegasus Planning.

## 2. Apologies

Apologies were noted included from Anna Collins of Natural England who was to have given a presentation as part of the agenda. It was hoped that Anna could attend the next meeting in November.

## 3. Minutes of the Last Meeting

The minutes of the last Group meeting held on the 17<sup>th</sup> September were circulated at the meeting and accepted as a true record.

## 4. Updates

### *Stakeholder Engagement and Communications*

CB provided a brief update on the work being taken forward on Stakeholder Engagement and Communications. She referred to the events that had been held in respect of the Spatial Framework and which were on-going in terms of the Development Management Work Stream. It was noted that discussions had taken place between CB and DC about the timetable for progressing the Spatial Framework, the results of which would mean amendments having to be made to the Work Programme. A revised Work Programme would be prepared and circulated around the Group shortly.

**Action: Update Work Programme to reflect revisions to timetable for the Spatial Framework work stream and also planned activity associated with Development Management**

### Spatial Framework

DC fed back from the 4 engagement events that had been held throughout September on the Spatial Framework. These seemed to have been well received, generating interest from many quarters and providing a number of views which would help in taking the Framework forward. Each event had provided an opportunity to explore in some depth the issues relevant to the LEP and importantly on the back of this, individuals and organisations had expressed a desire to contribute to the Frameworks preparation. This was to be welcomed.

Originally, it had been suggested that a Conference be planned for the end of November to report on the outcomes of the engagement events but also to present the work of the various topic groups which were being proposed to begin putting a draft Framework together. Given however the short timescales involved in arranging such a Conference and the fact that the topic groups would need to be agreed and

progress work again in a very short timescale, it was being proposed that the Conference be put back to the new year.

DC then confirmed the topic groups and topic leads were agreed:

Homes and Communities – John Acres  
Sustainable Living and Environmental Quality – Jim Davies  
Shaping the Economy – Rod Griffin  
Connectivity – Jon Hockley  
Urban Structure – Jessica Munn

DC stated that he would be liaising with each of the topic leads shortly and preparing a brief to help guide the subsequent work streams. It was agreed that the brief should set out clearly what the purpose of the Spatial Framework was to help understanding. The Brief(s) would be prepared by the end of the month to allow the topic groups to come together and begin their work in November.

**Action: Confirm revised timetable with topic groups established and commencing work by November and a Conference planned for January 2013.**

#### *Development Management*

J Heminsley updated the meeting on the work of the Development Management workstream. He fed back on two events which had taken place recently with agents and statutory agencies/consultees. Both of these had been useful exercises in highlighting key issues and exchanging views on good and bad practice. Reference was made to the absence of some key agencies which needed to be rectified if positive changes to the way the DM regime works in the LEP were to be initiated. Overall, though JH expressed the opinion that the engagement was very helpful and would hopefully ensure that at an event planned for 7<sup>th</sup> November (and following that) there would be significant learning opportunities and the scope to propose new ways of working that would benefit all. In respect of the upcoming event JH agreed to circulate his thoughts on the format/content. Looking longer term there was also some discussion about how the development management workstream could develop and in particular the most appropriate ways for disseminating good practice and providing the aforementioned learning opportunities.

**Action: Post the Group meeting, JHe to circulate thoughts on the format/content of the event to be held on 7<sup>th</sup> November.**

#### **5. Related LEP Activity**

CJ introduced an item on the LEP Economic Strategy White Paper 'Strategy for Growth' which was the subject of a current consultation exercise. He explained the background to the document and stated that the LEP Baord was encouraging as wide a spread as people and organisations to consider the contents and make comments before the deadline of the 16<sup>th</sup> November. This included the various LEP Sub-Groups. There followed a brief discussion on the White Paper and the questions being posed with people generally welcoming the White Paper's publication but raising a number of areas of concern/questions including:



- the timescales over which the Strategy would apply
- whether there were too many actions being proposed/the suggested strategy approach being unfocused
- ambitious enough?
- Too public sector orientated?

CJ asked the Group whether it wished to agree a response to the consultation and this was confirmed. He offered to coordinate this and asked for comments/views to be forwarded to him by 9<sup>th</sup> November at the latest. This would allow a draft response to be prepared and circulated around the Group and hopefully agreed before the 16<sup>th</sup> November.

Linked to the ES White Paper and particularly having regard to the delivery of any ambitions requiring joined up thinking and coordinated actions, MPM and KH were asked to explain the work being undertaken presently within the LEP in regards to transport and the place agenda. MCP summarised the key areas of activity on transport including the City Deal, DoT Funding and emerging Transport Strategy. KH commented on the Place Strategy which would provide a context for investment priorities across the LEP area.

**Action: Members of the Planning Group to forward comments/views on the LEP Economic Strategy White paper to CJ by the 9<sup>th</sup> November at the latest. CJ to prepare a draft response and circulate around the Group for agreement and submit this by the 16<sup>th</sup> November deadline.**

## **6. Government Consultations – simplifying and streamlining the planning system.**

A discussion took place around the various consultations and government statements on planning that have been issued in the last month or so.

JH reported that a response on S106 had not gone back on behalf of the LEP as no comments had been received to a draft circulated.

Announcements made by the Government on 6<sup>th</sup> September about muted and planned changes to the planning system had stimulated significant debate similar to when the draft NPPF had been published. The Group considered some of the changes being proposed and also generally the Government's seemingly endless concerns about planning in the context of economic growth. One of the key issues raised was how such announcements should be viewed having regard to Localism. Should it not be for local communities including local authorities and LEP's to determine the shape and form of the planning regime in their areas and not central government. The overall impression being given was the government was desperately trying to find solutions to the problem of stimulating growth but missing the point rather as the commonly held view is that it is the ability to borrow money/demand that is causing the difficulties. That said where planning can be made easier to understand and operate then this should be supported. The work being undertaken by the Planning Group on development management was quoted

as an example of this and an initiative driven not by Government per se but by the parties involved in planning and developing the GBSLEP area.

## **7. Feedback from LEP Network Planning event – 15<sup>th</sup> October**

The Group received via CJ, DC, JD and SC feedback from the LEP Network Planning event held in Dudley on 15<sup>th</sup> October. The event considered the effects of the changes to the Planning System and to what extent LEP's were influencing and being influenced by Planning. Presentations had been given by the DCLG, RTPi and workshops held to consider issues around infrastructure provision, strategic growth and the relationship between Local Nature Partnerships and LEP's.

Overall, the view was that the event had been useful providing an opportunity to understand what was happening around the country. What was very clear though was that the Government/DCLG is not going to prescribe how LEP's engage with strategic planning issues and not does it envisage granting any statutory planning powers.

## **8. LEP Network/DCLG Planning Event**

CJ confirmed that this event was now scheduled for 15<sup>th</sup> October in Dudley. CJ, DC and JD had registered for the event and would report back to the Group.

## **9. Future Agenda Items**

CJ informed the Group that the Woodland Trust had asked to attend a future meeting to make a presentation to the Group. The request had been agreed and the Trust would be attending the November meeting. In addition, it was hoped that Anna Collins of NE could attend that meeting too.

Further to the discussion around transport earlier on in the agenda, it was suggested and agreed that a future meeting agenda could focus on LEP Transport matters with presentations from relevant organisations.

## **10. Any Other Business**

Reference was made to a draft report circulated by the LEP Secretariat in advance of the LEP Board meeting on 24<sup>th</sup> October. The report was on the subject of LEP Funding and sought to allocate £125,000 to support various LEP activity. A concern had been raised that notwithstanding what was seen as a justifiable case for financial support, the proposals in the draft report made no mention of funding for any aspect of the Planning Group's activities. This was disappointing and this view had been communicated to the LEP Secretariat.

The Group agreed that a submission should be made to see if some funding could be obtained with the priorities being to develop the Spatial Framework and assist the Development Management workstream.

**Action: CJ to respond to the LEP Secretariat with a request that the draft report be amended to propose funding support for the Planning Group's activities.**

**11. Date of next meeting**

*26<sup>th</sup> November 10.00am – District Council House, Lichfield*

# Greater Birmingham and Solihull LEP

## Meeting of the Planning Sub-Group – 26<sup>th</sup> November 2012

### District Council House, Lichfield

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
John Heminsley – Cannock Chase DC (JH)  
David Carter – Birmingham CC (DC)  
Andy Plant – St. Francis Group (AP)  
Jessica Munn – Thomas Vale (JM)  
Matthew Bowers – Tamworth BC (MB)  
Ken Harrison – Solihull (KH)  
Claire Bridges – Worcestershire LEP (CB)  
Lewis Payne – I M Properties (LP)  
Philip Somerfield – East Staffs. BC (PS)  
Robert Mitchell – Richborough Estates (RM)  
Jim Davies – Environment Agency (JD)  
John Acres – Turley Associates  
David McCann – Highways Agency (DMc)  
Justin Milward – Woodland Trust  
Anna Collins – Natural England  
Grady Mclean – Natural England  
Emma Webster – WM Housing

#### ***Apologies***

Rod Griffin – Arup  
Debbie Walsh – DW Consultancy (DW)  
Geoff White – RICS (GW)  
Chris May – Pegasus Planning (CM)  
Sarah Cook – Environment Agency (SC)  
Rachel Macklin – Thomas Vale  
Jon Hockley – Birmingham Airport Group  
Nick Harrison – GVA  
Richard Campbell-Kelly – NEC Group  
Will Charlton – Brooke Smith Planning

### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including new members and guests.

### **2. Apologies**

Apologies were noted –see above.

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 22<sup>nd</sup> October were circulated at the meeting and accepted as a true record.

In terms of matters arising CJ referred to the issue of resource requirements. The matter had been discussed with the LEP Secretariat following the circulation of a draft report after which Katie Trout from the Secretariat had agreed to meet with CJ and other members of the Planning Group to consider the matter in more detail. CJ confirmed that a meeting with Katie was due to take place after the Planning Group meeting, the outcomes of which would be reported to the Group in due course.

### **4. Woodland Trust and LEP's**

Justin Milward of the Woodland Trust gave a presentation on the role and purpose of the Woodland Trust and sought to show how the issue of tree/woodland planting is very relevant to the growth agenda bringing opportunities for economic prosperity alongside social and environmental benefits.

In the question and answer session that followed the presentation the Group sought to understand how the work of the Trust and similar bodies could be publicised more broadly within the LEP and what mechanisms were available to embed the thinking and practices in policy and implementation, LEP wide.

*Nb. A copy of presentation will be circulated with this note.*

### **5. Natural England and LEP's**

Following the presentation by the Woodland Trust, Anna Collins from Natural England explained how her organisation was responding to the growth agenda. She with her colleague Grady Mclean detailed the structure of NE nationally and regionally in terms of the various areas of responsibility and then focused on how NE was positioning itself to support the planning system and sustainable development. Reference was made to an Improvement Plan prepared by NE in response to a request from Government. Anna briefly summarised aspects of where NE was specifically aiming to adopt a new way of working including through the development of a Discretionary Advisory Service (DAS).

There was some concern raised by the Group about the difficulties in accessing Natural England personnel and it was hoped that clearer reporting lines could be established within the organisation locally. The other concern was over the DAS and how this would operate. A number of the Group questioned what the real purpose of this was – should not the focus be on improving the quality of the existing services provided by NE as opposed to introducing a new service which was subject to payment of additional fees. How was this helping business? Anna noted the concerns and agreed to take comments back. The Group asked John Heminsley to also liaise with Anna and her colleagues on the matter and other issues relating to NE's role in the planning system.

Nb. A copy of Anna's presentation will be circulated shortly.

## **6. Updates**

The Group was circulated with a revised and updated version of the overall Work Programme prepared by CB. CJ stated that this was useful for identifying where we were with the various workstreams. This would have to be further updated to take account of issues to be raised on today's meeting agenda and also need to be rolled forward from the present time horizon. The work programme was duly noted.

In addition to the work programme CJ also mentioned that it was proposed to prepare a report for the January LEP Board meeting to update the Board on the work of the Planning Group.

Action: CB with support from CJ, DC and JH to update the Work Programme.

### *Stakeholder Engagement and Communications*

CB in the context of the Work Programme referred to discussions she had been having with DC about the next steps with the Spatial Framework and the implications for the timings/content of events muted previously. It was agreed that events such as that being planned for the Spatial Framework were beneficial but due to their high profile and role in not just highlighting the work of the Group but also more widely the LEP, they had to be well organised and crucially take place when there was detailed information to disseminate.

### *Spatial Framework*

DC updated the meeting on progress made with the Spatial Framework. A brief had been prepared to help guide the work of the various Theme Groups and following comments, it was now proposed to amend this to address the issue of drivers of change and also potential conflicts of interest.

On the matter of the Groups these had now been formalised with leads identified as well as contributors. Two of the 5 Groups had already scheduled their first meetings but it was noted that the remaining 3 had still to put the necessary arrangements in place. DC requested that this be rectified as soon as was possible. In respect of the theme groups and the timescales for achieving meaningful outcomes by the end of the calendar year as envisaged, there was a discussion about the reality of the original deadlines being met. The view expressed was that with xmas upcoming it would be very difficult to meet the requirements of the brief and a better option would be to allow some time into the new year. This would provide an element of breathing space. CJ reminded the meeting of the need to take the Spatial Framework forward without major delay. However, he and colleagues did acknowledge that the Theme Groups required time to form themselves and produce the necessary work to inform the next stages of the Plan formation. It was agreed that the deadlines for Theme Group outputs would be put back until mid-January.

One of the implications of the above and also linked into the earlier discussion around events, was that the ability to hold an engagement event for the Spatial Framework at the end of January was brought into question. DC opined that to do the event justice and to ensure that maximum benefit was gained from it for both the Group and attendees was to put this back to mid-February. This was also agreed whilst again noting the importance of not allowing too much slippage when it came to moving the Framework forward as required by the LEP Board.

**Action: DC to revise the Theme Group brief to take account of issues raised about drivers of change and conflicts of interest. Revised dates to be agreed for the outputs from the Theme Groups and the holding of a key engagement event/conference in regards to the Spatial Framework.**

### *Development Management*

J Heminsley detailed the specific areas he and his DM colleagues had focused on in terms of policy and procedure. These included pre-application advice, validation, S106, Discharge of conditions etc. In the described areas a consensus was emerging of agreed approaches which could be taken across the LEP area which was a positive sign and in line with the ambitions of the LEP Board. Additional work was needed on certain matter but it was hoped to be in a position shortly whereby the DM Group could publicise its work including highlighting good practice within the LEP area.

**Action: JHe to consider the additional work areas required to be explored as part of the DM workstream and identify the means by which revised policy & procedures and examples of good practice could be enshrined within each LPA and other relevant agencies.**

## **7. GBSLEP Economic Strategy**

The meeting was informed that the consultation period had now ended on the White Paper. The Planning Group had submitted a response and CJ thanked those that had contributed to it. A report was due to go the LEP Board the following day summarising the responses received and setting out a recommended way forward. CJ briefly highlighted the key issues raised through the consultation and which in many areas mirrored the Planning Group's response.

## **8. General Planning Matters**

The Government had recently published an Infrastructure and Growth Bill which as suggested beforehand through the media and professional press included provisions for amending legislation and guidance in respect of the planning system. Planning was still seen as a barrier to growth and holding back key and necessary investment. The CPRE, LGA and Local District Network had all published informative summaries of the Bill and associated commentaries on the strengths and weaknesses of what was being proposed. CJ recommended Group members to view these if they had not already done so.

## **9. Dates of future meetings**

Along with the agenda, a list of future meeting dates to July 2013 had been circulated. CJ sought confirmation from the Group that they were happy to continue meeting on a monthly basis and on a Monday morning. This was agreed.

## **10. Any other business**

It was noted that the Government had recently issued a report and associated SEA into the issue of revoking the Regional Spatial Strategy and Regional Economic Strategy. DC and the Spatial Planning Group were asked to consider the report on behalf of the Group with a view to determining the key issues and whether a LEP response was required.

**Action: DC/Spatial Planning Group to consider the West Midlands RSS Revocation Report.**

## **11. Date of next meeting**

17<sup>th</sup> December – *Venue to be confirmed.*



# Greater Birmingham and Solihull LEP

## Meeting of the Planning Sub-Group – 17<sup>th</sup> December 2012

### Baskerville House, Birmingham

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
John Heminsley – Cannock Chase DC (JHe)  
David Carter – Birmingham CC (DC)  
Matthew Bowers – Tamworth BC (MB)  
Claire Bridges – Worcestershire LEP (CB)  
Lewis Payne – I M Properties (LP)  
Philip Somerfield – East Staffs. BC (PS)  
John Acres – Turley Associates (JA)  
Rod Griffin – Arup (RG)  
Debbie Walsh – DW Consultancy (DW)  
Nick Harrison – GVA (NH)  
Gary Palmer – Solihull MBC (GP)  
Sarah Cook – Environment Agency (SC)  
Maria Pilar-Machancoses – Centro (MPM)

#### ***Apologies***

Geoff White – RICS (GW)  
Chris May – Pegasus Planning (CM)  
Rachel Macklin – Thomas Vale (RM)  
Jon Hockley – Birmingham Airport Group (JHo)  
Richard Campbell-Kelly – NEC Group (RCK)  
Will Charlton – Brooke Smith Planning (WC)  
Andy Plant – St. Francis Group (AP)  
Jessica Munn – Thomas Vale (JM)  
Emma Webster – WM Housing (EW)  
Jim Davies – Environment Agency (JD)  
Robert Mitchell – Richborough Estates (RM)  
David McCann – Highways Agency (DMc)  
Ken Harrison – Solihull (KH)

### **1. Welcome and Introductions**

DC took the Chair of the meeting as CJ was delayed due to a major traffic incident. DC welcomed everyone to the meeting and added that CJ would confirm apologies received in the minutes of the meeting.

### **2. Apologies**

Apologies were noted –see above.

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 26 November were circulated at the meeting and accepted as a true record.

### **4. Transport and LEPs**

Maria Pilar-Machancoses, Centro/GBS LEP Transport Sub Group gave a presentation on forthcoming organisational and programme changes to transport at national and local levels. MPM explained how Local Transport Bodies will relate to LEPs and highlighted potential issues and opportunities arising for both bodies in supporting and improving transport infrastructure as part of the Growth agenda in the GBS LEP as well as across the Midlands' LEPs as a whole.

In the question and answer session that followed the presentation, the Group sought to understand how the complex landscape of planning and transport , involving a wide range of interests, can be properly addressed by the GBS LEP and LTB in a co-ordinated and effective way. There was agreement that a new solution is needed to break into the constant loop of developing partnership strategies, re-packaging local priorities and not actually delivering needed infrastructure. A good 30 year vision could identify how all parties can effectively support key infrastructure solutions which support growth in the right locations. It was also recognised that the GBS LEP should advocate the importance of being a UK “transport hub” with national significance for any solutions it proposes for funding and not just make a Midlands regional argument.

It was acknowledged that the West Midlands LEPs Chairs are working together in supporting Midlands-wide infrastructure i.e. Birmingham Airport expansion to serve all LEPs. It was also recognised that LEPs are not preparing their own Transport Strategies, given limited capacity and resources, but prefer to work with local transport and business interests to lobby and influence government attitudes together.

Although the Transport Sub Group and Spatial Framework Connections Group are both looking at transport and infrastructure issues/opportunities, it was agreed that there is a healthy opportunity for a wide range of different professional perspectives to be captured by both groups. There are some participants who are common to both groups and would ensure avoidance of conflict, duplication or gaps.

*NB. A copy of presentation will be circulated with this note.*

### **5. CIL Paper – Gary Palmer, Solihull MBC**

GP talked through the paper which has been to Birmingham City Council Planning Committee and was due to go to Solihull MBC Planning Committee. The table captures the current charging position in different local authorities in the LEP area, in the Midlands and in the SMBC CIPFA Family Group.

JA commented that some authorities and businesses will see charging as a disincentive to invest and commit development and while the economic climate is

tough, there will actually be variations across localities within the GBS LEP area as well as between all LEPs. This may be another manifestation of displacement/diversion of economic growth at local levels. Developers cannot borrow to pay the CIL charge and feel under pressure to arrange deferred payments which is a serious issue in the current economic climate.

It was noted that Birmingham CC has three different categories of charging but that this scenario would not exist elsewhere in the LEP. The South East LEPs and authorities have been able to adopt CIL because development/wealth is more buoyant in this climate. There is also an issue about what authorities will do with spending CIL funds and governance arrangements to make sure it is spent effectively.

JA referred to recent CIL Guidance and recommended a comparative exercise be undertaken across the GBS LEP. It was agreed that individual authorities would explore these issues further and that there would be another Item for discussion on the next agenda.

**Action: GP and JHe to co-ordinate individual authority information on CIL for further discussion at the January PSG.**

## **6. Updates**

The Group was circulated with a revised and updated version of the overall Work Programme prepared by CB who advised that the proposed Conference had been moved to February to reflect the last meeting's agreement. CB advised that there may be an opportunity to synchronize the Conference with the GBS LEP Economic Strategy launch and share the venue.. The work programme was duly noted.

**Action: CB with support from CJ, DC and JH to update the Work Programme.**

### *Stakeholder Engagement and Communications*

CB referred to continuing discussions with DC and JH about the next steps with the Spatial Framework and Development Management work streams and the implications for the timings/content of events planned for 2013.

**Action: CB with support from CJ, DC and JH to update the stakeholder and communications plan and to identify resources needed to take the plan forwards.**

### *Spatial Framework*

DC updated the meeting on progress made with the Spatial Framework. The five Theme Groups have got underway and, given the festive break and waves of illness, the timetable for the work has been revised to culminate in February/March. It is important to allow sufficient time for scenario testing in each theme and for the outputs/outcomes to be considered fully and combined effectively. It was also acknowledged that while the outcomes of the Heseltine Review and Government's impending Growth Plan criteria/pilots will have an impact, it would be best to keep

working on these themes and overall Spatial Framework in readiness for any external announcements.

JA presented an impromptu summary of the Housing Theme Group work and its scenario testing to the PSG. The Theme Group has focused on 4 Scenario options – A) High Growth/Business as Usual B) High Economic Growth/Transformation C) Low Growth/Business as Usual and D) Low Growth/Transformation. The issues/opportunities prompted an interesting debate and notably a Green Belt review was mentioned in High Growth options.

**Action: DC to advise all of Spatial Framework “brainstorming” meeting date when all five themes will be brought together; the plans for holding a key engagement event/conference in regards to the Spatial Framework. Resources required to deliver all Spatial Framework outcomes is needed alongside emerging proposals.**

#### *Development Management*

J He summarised the DM work being brought together as a result of the autumn meetings and workshops (pre-application advice, validation, S106, Discharge of conditions etc.) The DM Group has achieved a consensus and will be able to publicise its work including highlighting good practice within the LEP area at the Spring conference. However, it is likely that some pieces of work will need allocated resources to commission external help in support of the DM Group. JHe is meeting the Highways Agency in adjoining Staffordshire and Worcestershire as well as Natural England. The next step is to move towards a consistent validation offer but this piece of work will need to be commissioned given limited DM capacity.

**Action: JHe to define the work programme and examples of good practice and to identify where extra resources would be needed to advance all priorities.**

#### *General Update*

DC, JHe and CB summarised the meeting (held after the last PSG meeting) with Katie Trout, GBS LEP Executive regarding the efforts and resources that had been contributed by all private sector and local authorities to date to underpin an ambitious stakeholder process for the Spatial Framework and Development Management work. Concern was expressed in terms of going forwards in 2013 and the general shortage of LEP funding. NB Although the Chancellor’s Autumn Statement has since announced further £250k LEP resources and a potential National Single Pot Fund for LEPs to bid from, as well as the GBS LEP hoping to become a national Growth Plan Pilot, there will still be limited resources available to LEP Sub Groups.

At the November meeting of PSG, CJ mentioned that it was proposed to prepare a report for the January 2013 LEP Board meeting to update the Board on the work of the Planning Group attached report outline was referenced). It was agreed that the PSG would prepare a SMART/resource based Forward Looking Action Plan for 2013 to incorporate in this Update Report. The PSG agreed that we should demonstrate what has actually been achieved so far for the PSG Place Shaping and work and the LEP in its widest sense, especially in terms of reaching out to the wider business

community. It was also emphasized that the action plan should not simply request extra resources for planned outputs but clearly demonstrate the added value that the extra resource/activities continue to bring to the LEP's reputation and standing as a whole. This resource based plan should also demonstrate how the PSG will be implementing the LEP's Economic Strategy commitments.

**Action: CJ to prepare PSG Update Report for January 2013 LEP Board and include an action plan defining achievements from existing resources to date as well as added value being brought to PSG, Place Shaping, Economic Strategy, potential Growth Plan Pilot and LEP as a whole. Report to highlight where resources are needed and implications for doing/not doing the activity.**

## **7. GBS LEP Update**

CJ explained that all comments on the GBS LEP Economic White Paper Consultation are being considered by the LEP Board and many PSG comments have been reflected in the proposed changes e.g. stronger GBS LEP identity, more succinct and concise, bolder and more ambitious etc. The timetable has been revised to launch in February 2013 NB This was subsequently revised to March 2013 as the LEP Board awaits the announcements of the Government's full response to the Heseltine Review and whether GBS LEP will become a National Pathfinder Growth Plan Pilot.

The Chancellor's Autumn Statement allocated more resources in principle to LEPs and detailed advice on the criteria, terms and conditions is awaited from BIS/CLG. CJ referred to the earlier discussion on gaining Executive support and resources to support the PSG work in 2013 and the important need for the PSG Update Report in January 2013 to make a strong business case for resources within the LEP.

**Action: CJ to substantiate the business case and incorporate external landscape considerations (Heseltine Review, Autumn Statement and Growth Plan announcements) within the Update Report as agreed under Item 6.**

## **8. General Planning Matters**

DC referred to the WM Regional Spatial Strategy revocation and the issue of its continued existence for local plan conformity. It was agreed that revocation should be pursued.

It was noted that the Government was revising proposed Permitted Development changes in its recent consultation in response to public and local authorities' reaction and new guidance is awaited.

## **9. Any other business**

DW referred to Coventry University's "Sustainable Building Futures" and a test chamber for building fabrics and requested that anyone with SME contacts that might be interested in using this facility contacts DW.

## **10. Date of next meeting**

21 January 2013 at 10am – *Venue to be confirmed.*

# **Greater Birmingham and Solihull LEP**

## **Meeting of the Planning Sub-Group – 21<sup>st</sup> January 2013**

### **GVA Offices, Brindleyplace, Birmingham**

#### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Chris May – Pegasus Planning (CM)  
Rachel Macklin – Thomas Vale (RM)  
Jon Hockley – Birmingham Airport Group (JHo)  
Andy Plant – St. Francis Group (AP)  
David McCann – Highways Agency (DMc)  
Emma Webster – WM Housing (EW)  
Ken Harrison – Solihull (KH)  
David Carter – Birmingham CC (DC)  
Rod Griffin – Arup (RG)  
Jessica Munn – Thomas Vale (JM)  
Nick Harrison – GVA (NH)  
Ruth Bamford – Redditch and Bromsgrove Council's and North Worcestershire Authorities (RB)  
Jonathan Elmer – Wyre Forest DC and North Worcestershire Authorities (JE)

#### ***Apologies***

Matthew Bowers – Tamworth BC  
Claire Bridges – Worcestershire LEP  
Lewis Payne – I M Properties  
Philip Somerfield – East Staffs. BC  
John Acres – Turley Associates  
Sarah Cook – Environment Agency  
Geoff White – RICS  
Richard Campbell-Kelly – NEC Group  
Jim Davies – Environment Agency  
Rebecca Mayman – Wyre Forest DC

#### **1. Welcome and Introductions**

CJ welcomed those attending the meeting and noting the weather conditions thanked people for being able to make it. Unfortunately, the weather was likely to impact upon overall attendance.

#### **2. Apologies**

Apologies were noted –see above.

### 3. Minutes of the Last Meeting

The minutes of the last Group meeting held on the 17th December were received and subject to an amendment to refer to Highway's Authorities rather than the Highways Agency in Section 6., accepted as a true record.

### 4. Updates

#### *Planning Update – Report to 18<sup>th</sup> Jan LEP Board*

CJ fed back to the meeting on the Board's consideration of the Planning Update report. The Board recognised the work that had been put in by the Planning Group and the various partners since the Planning Charter had been adopted 12 months ago. Board members were keen to understand what effect the Charter was having on the actions of LPA's, statutory consultees and key stakeholders, including specifically business. It was pleased to see so much engagement taking place between sectors to discuss the issues impacting upon planning performance and to hear of the results emanating from this. CJ referred to the more positive attitude members of the Board seemed to be adopting towards planning which was encouraging and opined that this was in part down to the Group being able to educate the Board about planning and how it operates across the LEP.

Much of the discussion at the Board meeting was focused around the Spatial Framework, how this related to the emerging Economic Strategy and also the statutory plan making taking place within individual local planning authorities. In respect of the latter the Board was keen to understand how the Spatial Framework would seek to deal with some of the key issues for the LEP such as future major housing and employment growth and how any guidance/planning policy would be interpreted by LPA's. It was recognised in this respect that the LEP is not a formal planning body and should not be seeking to undermine or prejudice emerging local planning policy. At the same time and in the absence of a strategic planning system of plan making in England given the fact that the LEP covers a large area and contains 9 LPA's it was clear there are a number of cross-boundary planning matters that need to be addressed and which are relevant in a LEP context. A high level strategic, Spatial Planning Framework offers a means to consider such matters, address some difficult questions, bring different parties and different views together and establish a way forward which can inform statutory plans.

At the conclusion of what was an interesting debate on this specific subject the Board asked that a further more detailed report on the intended processes and timescales for developing the Spatial Framework be brought to its March meeting.

#### *Work Programme*

An updated and revised version of the Planning Group Work Programme was considered by the meeting.

**Action: DC and CJ to prepare a report for the March 14<sup>th</sup> Board meeting on the work programme and timescales for delivering a Spatial Framework GP.**

## *Spatial Framework*

DC updated the meeting on progress made with the Spatial Framework. The five Theme Groups were underway and all met over Xmas and the New Year. Each had adopted a slightly different approach but working within the brief that had been set. The feedback from those that had been involved was generally positive indicating an enthusiasm and desire to address some of the key issues impacting upon the LEP. DC informed the meeting that a workshop had been arranged for the 30<sup>th</sup> January to consider the outputs from all of the theme groups and to start to pull together the key threads and issues for a conference to be held in early/mid March. The intention was to use the conference to debate matters with a wider audience, begin to consider options and work towards developing the first iteration of a Framework Plan.

**Action: DC to coordinate workshop meeting on 30<sup>th</sup> January and discuss details of future conference with CJ, CB and Spatial Planning Group.**

## Development Management

In the absence of JHe there was no detailed update on the development management work stream. Reference was made however to the Planning Update report and the work that John and the sub-group had undertaken and that that was still outstanding. CJ referred to the need to publicise the positive outcomes achieved in DM practice and procedure as this was one of the main reasons why the LEP established a Planning Group. It was acknowledged also that to move forward additional resources would be required and having now obtained approval from the Board/LEP Secretariat to access such resources, the necessary work needed to be carried out.

**Action: JH to discuss with CJ the next stages of the DM work programme.**

In the absence of CB there was no detailed update on the Stakeholder Engagement and Communications work though it was noted the support that CB was giving to the Spatial Framework and DM work streams as well as her involvement in raising the profile of the Group within and outwith the LEP. CB would be working closely with both DC in developing the March Spatial Framework conference arrangements and with JH in terms of publicising the improvements in DM policy and practice.

In addition, CJ made reference to CB's role in promoting the Planning Group's work with the GBSLEP via a soon to be enhanced GBSLEP Website and internal newsletter (see below).

**Action: CJ, DC, JH, CB to discuss stakeholder engagement opportunities, conference arrangements and general communications practices.**



## **5. GBS LEP Update**

### **Strategy for Growth**

CJ explained that following the consultation on the White Paper a revised draft and very much slimmed down version of the Strategy had been prepared and had been presented to the LEP Board at its 18<sup>th</sup> January meeting. The Board had acknowledged that there was a need to make the Strategy more concise and clear in its objectives and target areas where a real difference could be made to stimulate economic growth and prosperity. Steve Hollis the LEP Board Vice Chair was driving this work assisted principally by Andrew Holdsworth of BCC. The draft would now be subject to further scrutiny from Board members who along with the LEP Sub-Groups would be asked to help develop KPI's and suggested delivery mechanisms. The intention was that the Strategy when approved would sit alongside a Delivery Plan, a Funding Plan and the Spatial Framework Document. The aim was to report a final pre-publication version of the Strategy to the 14<sup>th</sup> March LEP Board meeting and then subsequently formally launch the Document in April.

### **Heseltine Review: The Birmingham Project**

The meeting heard about the recently announced initiative involving Lord Heseltine and the GBSLEP. On the back of his report No stone Unturned examining the way economic development is practised in the UK and how this could be improved, the GBSLEP had asked Government to be considered as a pilot for taking forward many of the recommendations by Lord Heseltine. The Government had responded positively and Lord Heseltine was keen to work directly with the GBSLEP and partners to develop upon the reports recommendations and consider what could be achieved. A high level Steering Group led by Lord Heseltine has been established to lead work on a number of themes supported by a Core Executive Group. The intended work areas include Localism, Whitehall, Government and Growth (R & D, Infrastructure, Public Assets, Procurement), Private Sector and Education & Skills. The Steering Group has been charged with producing a report within 3 months.

### **Resources and Core Funding**

CJ reported that following the Autumn Statement which promised two year funding to support the development of LEP's in the sum of £250,000 each the LEP Board on the 18<sup>th</sup> January had considered proposals on how this could be utilised within the GBSLEP. The Board agreed that there was a need to strengthen the LEP Secretariat to support the work of the Board and its various sub-groups, including planning. There was also a requirement to extend and improve communications, allow for some resources to be used to fund necessary research/consultancy work and to facilitate stakeholder engagement.

CJ again made reference to the discussions held with the key LEP Officers about the specific resource requirements emanating out of the work of the Planning Group and the agreement reached that support would be forthcoming for the various work streams.

**Action: JH, DC, CB, CJ to follow up and detail actual areas of spend, timescales etc with LEP Secretariat**

### **Website and Internal Communications**

Further to the above announcement in terms of core funding allocations it was noted that the GBSLEP website would be being further developed as a key communication tool for the LEP. It was acknowledged by the Board that the website should play a bigger part in explaining what the LEP was about, what it was doing and what it was achieving. The Sub-Groups needed to engage with the website and use this to disseminate information and interact with interested parties.

Separately, it had been announced that the LEP was introducing a monthly internal newsletter as a means of improving communications within the LEP structures. This would complement the existing outward facing newsletter and allow the Board, sub-group leads, the LEP Secretariat and partner organisations to better understand ongoing actions within the LEP plus future work programmes. It was hoped the newsletter would assist in better coordinating activities as well as improve generally knowledge of the various work streams taking place across the LEP.

**Action: The Planning Group to consider how it and its various sub-groups utilise a refreshed GBSLEP Website and feed into the monthly internal newsletter.**

## **6. Community Infrastructure Levy**

In the absence of Gary Palmer (Solihull) and JHe, it was not possible to pick up the issues raised at the December meeting and agreed to be considered further at January's meeting. A general discussion therefore took place about the importance of CIL in the context of the GBSLEP and why there was a need to consider some of the emerging issues.

Reference was made to a Worcestershire Infrastructure Delivery Plan which had been prepared and was looking county-wide at infrastructure requirements and planned delivery. The view of the meeting was that it would be helpful to understand what the Plan was saying and what kind of approach was being taken in Worcestershire as regards CIL. The suggestion was made that given the relationship of CIL to plan making a presentation to the Spatial Planning Sub-Group would make sense.

**Action: Contact be made with the authors of the Worcestershire Infrastructure Delivery Plan and an invite be extended to attend a meeting of the Spatial Planning Sub-Group to explain the content of the Plan and the approach towards the use of CIL.**

**Gary Palmer and JHe to present to the February meeting of the Planning Group on the results of their work on assessing where LEP LPA's are with the preparation of CIL and to raise issues emerging of relevance to the LEP.**

### **7. Any other business**

CJ referred to the results of the Taylor Review into Planning Guidance which were published just before the Christmas break. Taylor was recommending the setting up of a CLG hosted and maintained website to act as a single source of planning guidance to sit alongside the NPPF. Guidance should be significantly reduced from that which is extant at the present time and new guidance needs to be produced by Government to address a number of critical subjects including the duty to cooperate, viability, local green space designation, environmental quality, neighbourhood planning, water supply, compliance with the EU Water Directive and the relationship between planning and environmental permitting. In addition to new guidance updated guidance is urgently required as regards SHLAA and SHMAA's, climate change and renewable energy, flooding, EIA, SA, Biodiversity and development management principles as they relate to issues of prematurity and propriety.

The meeting was informed that at the same time as publishing his report a consultation exercise was being carried out into Taylor's recommendations. Responses were sought by the 15<sup>th</sup> February at the latest. CJ asked whether the Group thought a LEP response was necessary or not. The view of the meeting was a response was not necessary.

JHo informed the Group of a development proposal for a new aircraft hangar at Birmingham Airport being promoted by the airline company Monarch. The company favoured Birmingham over other locations due to the existence of skilled workers in the area.

JHo also made reference to a consultation document published by the airport considering the implications of the extended runway at Birmingham on future flight paths and aircraft movements.

### **8. Date of next meeting**

18<sup>th</sup> February at 10am – Arup Offices, Blythe Valley Business Park, Solihull.

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 18<sup>th</sup> February 2013**

#### **Arup Campus, Blythe Valley Business Park, Solihull**

##### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Rachel Macklin – Thomas Vale (RM)  
Jon Hockley – Birmingham Airport Group (JHo)  
Andy Plant – St. Francis Group (AP)  
David McCann – Highways Agency (DMc)  
David Carter – Birmingham CC (DC)  
Lewis Payne – I M Properties (LP)  
Jim Davies – Environment Agency (JD)  
Sarah Cook – Environment Agency (SC)  
John Acres – Turley Associates (JA)  
Dave Simpson – Solihull (DS)  
Claire Bridges – consultant/Worcestershire LEP (CB)  
John Heminsley – Cannock Chase DC (JHe)  
Rod Griffin – Arup (RG)  
Jessica Munn – Thomas Vale (JM)  
Nick Harrison – GVA (NH)  
Ruth Bamford – Redditch and Bromsgrove Council's and North Worcestershire (RB) Authorities (RB)

##### ***Apologies***

Matthew Bowers – Tamworth BC  
Ken Harrison – Solihull  
Rebecca Mayman – Wyre Forest DC  
Philip Somerfield – East Staffs. BC  
Richard Campbell-Kelly – NEC Group  
Tim Wooldridge – IM Properties

#### **1. Welcome and Introductions**

CJ welcomed those attending the meeting and introduced Michael Thompson of Arup's who it had been agreed would make a presentation to the meeting on the Community Infrastructure Levy in particular drawing on experiences of working with Southampton CC. It was suggested that the meeting took this item first on the agenda after apologies and consideration of the notes of the last meeting. This was agreed.

#### **2. Apologies**

Apologies were noted –see above.

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 21<sup>st</sup> January 2013 were received and accepted as a true record.

### **4. CIL – presentation by Michael Thompson, Arup**

Michael spoke to a series of slides which summarised the legislative background to CIL, included the results of monitoring of CIL take up across the country to date and then focused on Arup's work with Southampton City Council.

In terms of take up it was noted that 94 individual authorities either have an adopted CIL Charging Schedule in place or are working on producing one (11 adopted). Geographically there seemed to be a concentration of CIL CS in the south east/south of the country where development pressures were higher than those elsewhere in the country though parts of other regions did show that this was also happening in certain other locations.

Charging schedules varied in their scope and included and excluded a number of development types. Also there were variations in the nature of charging with some authorities going for district-wide charging rates and others area-based.

A number of common themes are emerging with CS eg. viability, development types to be charged, defining the types of infrastructure to be funded, service providers seeing CIL as a solution to budget problems etc. These were all issues affecting the preparation of CIL CS and being raised through consultation or at examination.

MT explained the process that SCC has followed and the work that Arup's working with property agents have done to produce both a credible evidence base and from that a draft CS.

At the close of his presentation MT took questions on issues around the speed of take up of CIL, the affect of CIL on development proposals coming forward, relationship of CIL to flood risk and flood alleviation, actual CIL spend following receipt of monies and the relationship between S106 and CIL in the future.

Following this the Group thanked MT for his presentation and for taking questions.

At the previous meeting of the Group it had been agreed that JHe and GP (Solihull) would bring back to the Group the results of some work that Solihull have been doing looking at CIL take up/preparation of CIL within the GBSLEP and issues relevant to the LEP in this context.

JHe referred to a paper from Solihull which he had been provided with summarising the aforementioned work. It was agreed that it would be helpful to circulate this around the Group for consideration outside the meeting.

Separately, DS from Solihull referred to some national CIL monitoring work being carried out by Pinsent Masons which would be of use to the Group. This looked at CIL coverage across the country and the differential rates being developed as part of

authorities charging schedules. As with JH's paper, it was agreed to circulate this to members of the Group for further consideration.

CJ proposed that the importance of CIL and infrastructure provision to the Group meant that it should be a standing item on the agenda.

**Action(s) CJ to circulate the presentation by Arup on CIL to Group members. CJ also to circulate the Solihull CIL paper and the work undertaken by Pinsent Mason on CIL tracking. JHe to discuss with Solihull bringing a paper to a future CIL meeting highlighting relevant issues for the GBSLEP.**

## **5. Updates**

### *General Update*

CJ referred to the updated Work Programme prepared and circulated by CB prior to the meeting. The work programme was noted.

Reference was also made to a report which again had been circulated to the Group considered by the GBSLEP Executive Group (LA CX's Group) on progress with the Planning Charter. The Executive had noted the good work being undertaken by the Planning Group and the positive nature of the report. The Executive had asked whether there were specific examples/data which could be highlighted to show the changes that the Planning Charter was having and where this was the case what plans there were for publicising this. In response CJ had indicated that the Group undertook monitoring work and there was certain data available. However this could be expanded upon and it was an issue for the Group to consider.

**Action: The Group to consider the issue of monitoring of the Charter and measuring the impact of this. Discussions to be held regarding publicising the Charter and its effectiveness.**

### *Spatial Framework*

DC updated the meeting on progress made with the Spatial Framework to date. He referred to a workshop event held on 30<sup>th</sup> January which had brought together the topic leads and supporting partners with the aim of appraising the work undertaken to date and considering the next steps necessary to inform a planned work programme including feeding into a conference in March. DC highlighted the need to undertake some key studies/evidence gathering which were critical to the development of a Framework. Subject to agreement of the Group (and the Spatial Planning Group) the intention was to begin drawing up briefs to identify specific requirements which would likely generate the need for resources from the LEP. In principle these resources had been agreed but it was important that the Group made its bids as soon as was possible. DC was confident that the work carried out by the theme groups was sufficiently robust enough to begin pulling together the basis of a first Draft Framework. This could then be presented at the planned conference and effectively kick-start debate about some of the key questions and options for the GBSLEP. In terms of the Conference itself DC outlined a proposed format which

had been considered by the Spatial Planning Group and separately by himself, CJ, CB and JHe. This would be a half day event based around interactive sessions. Concerns over the short timescales between now and March had prompted a re-think and the view had been taken that the event should now be put back to mid-April. This would also avoid April, allow more preparation time and ensure that all topic leads could participate. This was agreed by the Group.

In terms of the Spatial Framework CJ reminded the meeting that the LEP Board was taking a keen interest in its preparation and had requested that a detailed report go to its March 14<sup>th</sup> meeting on the intended work programme, timescales and how key issues such as future housing growth would be looked at. CJ and DC would need to discuss the report.

Reflecting the Board's interest, CJ informed the meeting that Chris Webster (Miller Construction CX) a Board member had been asked by the Board to 'oversee' preparation of the Framework and liaise with the Planning Group. CJ indicated that he was in the process of arranging a meeting between Chris, himself and DC to understand what this role meant and to determine how Chris could play into the Framework's preparation.

**Action: DC and CJ to discuss the report for the 14<sup>th</sup> March LEP Board meeting on the Spatial Framework and to arrange a meeting with Chris Webster to discuss the Framework.**

#### *Development Management*

JHe provided an update on the work of the DM group. He confirmed that he was in the process of agreeing with the constituent authorities areas of agreement on topics considered to date as well as looking at new areas to consider. As reported previously there was a need to do some detailed work in respect of validation which would likely involve commissioning consultants. John would be preparing a brief for consideration by the DM Group prior to discussing this with the LEP Secretariat as regards drawing down funding to do the work. It was noted that the need to look at validation was even more important given the Government's recent highlighting of the subject. Separately, there was discussion about the need to publicise the results of the DM work as part of a wider exercise around the impact of the Planning Charter. It was agreed that the DM group should look at ideas as to how best to do this including looking at learning exchange events.

**Action(s) JH to liaise with constituent local authorities to confirm areas of agreement on topics/issues. JH to prepare a draft Brief in respect of commissioning work on validation. The DM Group – with CB – to consider means of publicising the work of the Group within and outwith the LEP.**

**Action: JH to discuss with CJ the next stages of the DM work programme.**

### *Stakeholder Engagement and Communication*

CB reported on the work she has been doing on pulling together a comprehensive stakeholder engagement database. This to date included over 165 people/organisations which was impressive by any standards. CB asked that Group members assist her in making sure that the database is added to with appropriate contacts and in keeping the database up to date.

CB also referred to her involvement in publicising the work of the Planning Group, future plans to assist the various work streams (including coordinating arrangements for the April SF event) and to work closely with the LEP Secretariat's PR side.

CJ mentioned the various newsletters being developed within the LEP that as a Group we should be populating and also the 'improved' GBSLEP website which offered a range of possibilities including interacting with stakeholders.

**Action: The Group to liaise with CB regarding updates to the stakeholder database.**

### **6. GBS LEP Strategy for Growth**

CJ updated the meeting on progress with the Strategy for Growth referring to the most recent iteration which had been circulated with the meeting papers along with a specific request of the Planning Group to inform further work on the Strategy, namely looking at KPI's and the draft narrative.

In terms of the KPI's these had already been given an airing in the last Spatial Planning Group meeting with a number of questions asked about either the suitability of those KPI's identified in the draft Strategy or how they should be represented in the final document. There had been much discussion for example over the KPI which sought to identify a level of housing growth over the period of the Strategy (to 2020) with conflicting views over how this should be framed having regards to both local plans and the role of the Spatial Framework. It was agreed that DC would act as a conduit for responding back to the LEP and CJ asked that Group members feed their views back to DC for consideration noting the very tight timescales.

**Action: Group members consider the draft Strategy for Growth and particularly the issue of KPI's relating to planning & development and forward views to DC to inform a Planning Group response.**



## **7. The Greater Birmingham Project**

The meeting heard more about the Greater Birmingham Project and specifically the request for the Planning Group (including individual members of the Group) to feed into the exercise. Prior to the meeting CJ had circulated a copy of the Brief prepared to consider certain recommendations from Lord Heseltine's 'No Stone Unturned' report and which related to planning. CJ reported that East Staffs BC via Philip Somerfield had been asked to look at planning application performance in regards to business/economic development proposals, Solihull MBC via Ken Harrison was examining the role of LDO's and the Planning Group as a whole was being tasked with exploring the relationship between planning and enhanced economic activity, using the Planning Charter as a tool. In respect of the latter of these, CJ referred to a paper he had circulated which offered some suggestions as to how the effectiveness of the Planning Charter could be tested and generally what tangible (and intangible) measures could be used to show how planning can make a positive difference. Comments on the paper were made at the meeting and a debate took place about what constituted 'improvement' and how planning could function differently such that it could definitely be said to be supporting growth. In this regards there was discussion about compliance of proposals with policy and the matter of cultural attitudes/behaviours on the part of local authorities when first presented with proposals.

**Action: Group members be asked to feed their comments back to CJ on the discussion paper specifically responding to issues around how should the effectiveness of improvements in planning (eg. via the Planning Charter), be measured? What tangible and intangible measures should be put in place and tested?**

## **8. Government Consultations**

JHe referred to a plan from Government to extend Permitted Development limits in the Spring of this year to allow offices (B1 (a)) to be converted to residential use (C3). Alongside the introduction of this legislative change, the Government are inviting local authorities to seek exemptions for specific parts of their authority area where they consider these changes will have significant adverse economic impacts, which can clearly be substantiated by evidence. JHe commented that authorities within the LEP area were looking to make representations following up on a previous consultation when the proposal was first aired.

## **9. Business Regulation and the LEP**

JD spoke briefly to a paper which he had asked to be circulated with the agenda concerning business regulation. The paper explained that the GBSLEP was one of two LEP's in the country (the other being Leicester and Leicestershire) working with Government on a pathfinder project to do with better business regulation. A number of topic areas relating to regulation of business by local government and other public sector bodies is covered in this work and indeed it was noted that various local authorities in the GBSLEP through specific departments were playing significant

roles. Planning however was not being considered and through various meetings that have taken place within and outwith the GBSLEP area, the question of whether it should be being addressed was being raised.

CB added further comments and explained further the nature of the pathfinder project.

It was agreed that it would be helpful to explore this topic in more depth and to that end put the matter on the agenda of our next meeting when we could also seek to invite an external speaker.

**Action: CJ to add this item to the March agenda and CB/JD to liaise with regards to putting a paper to the meeting/inviting an external speaker.**

### **10. Davies Commission (Aviation Policy)**

JHo informed the meeting of a current review of aviation policy being carried out by the Davies Commission on behalf of the Government. This could have implications for airports like that of Birmingham and JH stated that BA would be making representations where appropriate.

### **11. Any other business**

None.

### **12. Date of next meeting**

18<sup>th</sup> March – Redditch/Bromsgrove.

# DRAFT

Greater Birmingham and Solihull Local Enterprise Partnership

## Planning Sub-group meeting

18 March 2013

Committee Room, The Council House, Bromsgrove

### Present:

Ruth Bamford, Bromsgrove & Redditch District Councils  
Matt Bowers, Tamworth Borough Council  
David Carter, Birmingham City Council  
Jim Davies, Environment Agency  
Mike Dunphy, Bromsgrove District Council  
Nick Harrison, GVA  
John Heminsley, Cannock Chase Council  
C. May, Pegasus  
Jess Munn, Thomas Vale  
Lewis Payne, IM Properties  
Andy Plant, St Francis Group  
Dave Simpson, Solihull MBC

### 1. Welcome

DC welcomed everyone to the meeting. He explained that Craig Jordan was on leave and had asked him to chair the meeting. It was agreed that DC would produce an action note of the meeting.

### 2. Apologies

Mike Best, Claire Bridges, Sarah Cook, Rod Griffin, Craig Jordan, Dave McCann, Rachel Macklin, Philip Somerfield

### 3. Notes of the meeting held 18 March 2013

The following points were raised:

p3 CIL: JHe indicated that liaison between himself and Gary Palmer was continuing/

**Action: A paper would be brought to the next meeting.**

p4 Development Management: JHe would discuss the next stages of the work programme following a meeting of the DM Group later in the week.

**Action: JHe to discuss work programme with CJ.**

p5 GBSLEP Strategy for Growth: DC confirmed that all the comments made on the draft had been sent to Andrew Holdsworth. The latest version included much stronger references to the Spatial Plan.

**Action: DC to circulate the Board version with the notes.**

# DRAFT

## 4. Updates

### Planning Work Programme

The latest version of the work programme was noted.

JHe suggested a short (say 15 min) DM update could be included on the agenda for the Planning Summit.

**Action: DC to programme.**

### Spatial Framework

DC updated on progress including:

- Board Report on the Spatial Plan circulated with the agenda. This included a summary of the further research proposed (para 5) and also put down a marker for funding up to £250K.
- A briefing meeting CJ and DC held with Chris Webster before the Board meeting. This went well. The spatial plan is one of three key areas that CW will be taking forward alongside the Enterprise Zone and public land assets.
- Reference to a draft brief in the proposed Strategic Housing Market Assessment. There was a long discussion on this and comments were invited to feed into the next draft. The following suggestions were made:
  - (1) The methodology might include an audit of what work had been carried out thus far and the stress the importance of a level playing field. There could be an interim report at this stage to help determine the later work.
  - (2) The need to recognise that a technical report does not take the decisions.

**Action: Comments on the Draft SHMA brief to be sent to DC by the end of the week.**

### Development Management

JHe would be seeking sign-off at the next DM meeting (Wednesday) to the work on cross-LEP pre-application service. He also noted the expectation of LEP-wide validation criteria and the need to commission work on this. There would be some modest financial implications arising from this. DC suggested a brief a request for funding be made as early as possible, possibly drawing on the £250K already taken through the LEP Board.

**Action: JHe to firm up proposal re validation criteria**

### Stakeholder Engagement and Communication

No specific items discussed.

## 6. Greater Birmingham Project: Government and Growth Work Stream – Input from the Planning Sub-Group

The attachment which had been circulated previously for comment was circulated with the agenda. This formed the basis of a very effective presentation by CJ at the recent Public

# DRAFT

Asset meeting with Lord Heseltine (held 8 March). He was attracted by the assertion that the approach to planning in the GBSLEP could be rolled out across all LEPs.

It was noted the Birmingham Project report had been published on 17 March and this included a short section reflecting the Planning Group paper. It was also noted that the government intended to publish its response to the Heseltine report indicating it had accepted in whole or in part 81 of the 89 recommendations.

## **7. Community Infrastructure Levy**

There was discussion over and above that under item 3. JHe noted the potential tensions and differences in viability across the LEP. The objective was to ensure that the issues would be highlighted and discussed. MD noted that work on viability within Worcestershire had recently been completed.

## **8. Response to Government Consultations**

JHe indicated no new consultations for the group to consider but noted the variety of responses on the CoU from recent office to residential consultation.

## **9. AOB**

None raised.

DC expressed thanks on behalf of the group to Bromsgrove District Council for kindly hosting the meeting.

## **10. Future Agenda Items**

None raised.

## **11. Date of Next Meeting**

15 April 2013 to be held in the Datteln Room at the Civic Centre, Cannock

[The address is Civic Centre, PO Box 28, Beecroft Road, Cannock WS11 1BG. The barrier to the Members' car park, which is to the right of the Civic Suite as you look from Beecroft Road, will be removed for the morning to allow attendees to park there. The Civic Centre is about a 15 minute walk from Cannock railway station which is on the Birmingham New Street - Rugeley Trent Valley London Midland Trains route]

## **Greater Birmingham and Solihull LEP**

**Meeting of the Planning Sub-Group – 15<sup>th</sup> April 2013**

**Civic Centre, Cannock**

### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Matthew Taylor – Highways Agency  
Antony Lancaster – Cannock Chase DC  
Martin Dyer - WSP  
Ken Harrison – Solihull MBC  
David McCann – Highways Agency (DMc)  
David Carter – Birmingham CC (DC)  
Jim Davies – Environment Agency (JD)  
John Acres – Turley Associates (JA)

### **1. Welcome and Introductions**

CJ welcomed those attending the meeting and thanked Cannock District Council for acting as hosts. He also thanked DC for chairing the March meeting of the Group.

### **2. Apologies**

Apologies were noted.

### 3. Minutes of the Last Meeting

The minutes of the last Group meeting held on the 18<sup>th</sup> March 2013 were received and accepted as a true record.

### 4. Updates

#### *Planning Group*

Reference was made to the Work Programme previously circulated setting out the next planned actions of the Group around taking forward the Spatial Framework, Development Management activities and general areas for improvement within the planning system operating across the LEP. It was noted that the Work Programme would be updated following the meeting.

#### *Spatial Planning Group*

DC updated the meeting on the progress being made with the SF and specifically highlighted the upcoming Planning Summit being held on the 25<sup>th</sup> April in this context. DC asked people encouraged people to book onto the summit via the Chamber link which had been sent round. He stated that currently numbers of confirmed attendees stood at approximately 60. DC then took the meeting through the draft agenda put together for the event which included a series of short introductory presentations followed by interactive workshops. The meeting discussed the proposed outline of the event and the mechanics of how things would/should work. A discussion took place about the need for facilitators to assist the workshop sessions and separately note-takers.

***Action: DC and the Spatial Planning Group to work up final agenda for Planning Summit and discuss/agree speakers, facilitators and note-takers. Also finalise arrangements for the event with Chamber and Planning and Spatial Planning Group colleagues.***

#### *Development Management*

In the absence of John Heminsley, John's colleague Antony Lancaster of Cannock Chase DC updated the meeting on progress with the development management workstream. Antony highlighted key areas of work which included:

- an agreed commitment on the part of LPA's and statutory agencies to deliver a consistent pre-application service of a high standard across the LEP area
- a commitment to monitor LPA planning performance and ensure that national standards of performance are being exceeded
- taking forward work on a single validation checklist that could apply across the LEP

- starting to address other work areas where a standard LEP wide approach would be beneficial eg. S106, discharge of planning conditions, format of decision notices and the general use of conditions.

Antony also confirmed that John had indicated a willingness to report on the work of the DM Group as part of the 25<sup>th</sup> April Summit.

The meeting asked for clarification on the issue of pre-application advice and specifically the matter of payments for such a service. Antony agreed to take this back to John and the DM group to respond to. The issue of monitoring was also commented on and the need for a process of monitoring which allowed data from all authorities to be quickly and efficiently obtained, analysed and acted upon. The view of the meeting was that this was presently not the case with some weaknesses apparent in monitoring and reporting systems of certain authorities.

***Action: John H and the DM Group be asked to clarify the position on pre-application charging and to note the comments about monitoring systems across the LEP.***

#### *Stakeholder Engagement and Communication*

CB was unfortunately unable to attend the meeting however CJ took the opportunity to state that CB was carrying some good work putting together databases on behalf of the Group and liaising with the LEP Secretariat and PR people to ensure that the Group's activities were being promoted/publicised within and outwith the LEP. CJ asked that CB's work be acknowledged and she be thanked for her on-going contributions.

#### **5. Presentation on the role of the Highways Agency in economic growth and planning – David McCann (HA)**

The meeting then received a presentation from David McCann from the Highways Agency about the work of the Agency and its role in facilitating sustainable growth.

David provided the legislative and policy background to the role and functions of the HA and the context within which the HA works on a daily basis. He explained the systems, processes and tools that the HA use to undertake its work and then gave local examples of where positive outcomes had been achieved, particularly focussing on the role of partnership working.

At the end of his presentation David took questions including in respect of the strategic nature of HA work and how it looks across boundaries/regions to inform its work; how the HA defines its transport priorities (and how these feed into and are influenced by DoT/Government thinking); attitudes towards toll roads/road funding; the use of holding directions; and, the use of consultants.

David was duly thanked for an interesting presentation and for answering the questions put to him.



At the end of the session the Group was informed that David was moving to another role within the HA and was being replaced by his colleague Matthew Taylor who introduced himself. Mark would be attending future meetings of the Planning Group in place of David.

**Action: Circulate a copy of David's presentation to the Group**

## **6. GBS LEP Strategy for Growth**

CJ gave a brief update on progress of the Strategy for Growth which it was noted would be finalised and launched shortly. He also made reference to the Greater Birmingham Project and how this was informing thinking locally and nationally. There followed a discussion on the Single Growth Fund Pot, how this would operate and what it might mean for the GBSLEP area.

## **7. Business Regulation and the LEP**

No new information was available to the meeting on this subject but it was confirmed that a presentation on the issue would be made to the May meeting – this was being coordinated by CB and JD.

**Action: Confirm presentation and speaker(s) for May Planning Group meeting.**

## **8. CIL**

In the absence of JH this item was deferred to be considered at the May meeting of the Group.

## **9. Any other business**

CJ explained that an approach had been made to English Heritage West Midlands to attend a future meeting of the Group and explain as a statutory agency how it was playing into the growth agenda. EH has accepted the invite and arrangements would be made shortly to confirm which meeting representatives would be attending.

The Group was also asked to note the list of future meeting dates circulated with the agenda and papers.

A request was made that the recently published household projections should be considered at a future meeting. This was agreed.

## **10. Date of next meeting**

20<sup>th</sup> May – venue to be confirmed.

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 20<sup>th</sup> May 2013**

#### **Centro House, Birmingham**

##### ***Attending:***

Craig Jordan - Lichfield DC – Lead (CJ)  
Matthew Taylor – Highways Agency  
Martin Dyer – WSP (MD)  
Ken Harrison – Solihull MBC (KH)  
David Carter – Birmingham CC (DC)  
Jim Davies – Environment Agency (JD)  
John Acres – Turley Associates (JA)  
Nick Harrison – GVA (NH)  
Claire Bridges – Consultant/WLEP  
Phil Somerfield – East Staffs BC  
Sarah Cook – Environment Agency (SC)  
Maria Pilar Machancoses (Centro)  
Martin Everett – Environment Agency (ME)  
Mark Wolstencroft – Birmingham CC (MW)  
Rachel Macklin - Bouygues Development (RM)  
Jessica Munn – Thomas Vale Construction (JM)  
Lewis Payne – IM Properties (IM)  
Ruth Bamford – Bromsgrove and Redditch Councils (RB)  
Andy Plant – St. Francis Group (AP)  
Geoff White – RICS (GW)

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including Martin Everett from the Environment Agency and Mark Wolstencroft from Birmingham CC who were present to discuss regulation activity within the LEP and potential links with planning.

#### **2. Apologies**

Apologies were noted from Matthew Bowers (Tamworth BC) and John Heminsley (Cannock Chase DC).

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 15<sup>th</sup> April 2013 were received and accepted as a true record.

### **4. Links between planning and the GBSLEP Regulation Work stream – Presentation by Martin Everett (Environment Agency) supported by Mark Wolstencroft (Birmingham CC)**

Following discussions at previous Planning Group meetings about the work of the GBSLEP in considering regulation matters, it was explained that an invite had been extended to the GBSLEP Regulation Sub-Group to attend a meeting of the Planning Group to detail the work being undertaken and from this see how planning could play into this agenda.

On behalf of the Regulation Sub-Group, Martin Everett from the EA had agreed to make a presentation supported by a colleague Mark Wolstencroft from Birmingham CC.

Under the banner for Better Business for All, Martin described work which has been taking place in the GBSLEP – one of two national LEP pathfinder projects, the other being within the Leicester and Leicestershire LEP – involving a collaboration between business a range of regulatory bodies. The focus has been very much on identifying how regulation can work with business to promote good practice and in doing so also contribute to growth and prosperity. In this context Martin and his colleagues from the regulation sector have been seeking to understand what business wants from the sector and how processes and procedures can be streamlined and made more ‘user-friendly’. There was clear synergies here with the work that the Planning Sub-Group has been carrying out in respect of development management.

As a result of the above Martin referred to a number of products and tools which have been put together to enhance the relationship between business and regulatory activity. Moving on from the broader picture and relating this to his own organisations efforts Martin referred to the Environment Agency’s approach and specifically in the field of waste management. Martin showed how through the application of ‘smart’ thinking and practice, regulation could support the development of business and form part of an integral approach which generated economic benefits. Regulation in this respect could and should be seen as a positive and not necessarily a negative activity.

Supplementing Martin’s presentation, Mark Wolstencroft Operations Manager Environmental Protection at Birmingham CC provided examples of work that he and colleagues across the West Midlands conurbation are undertaking with regards to making regulation provide both a level of protection but also an environment which can support growth and investment.

Both presentations were welcomed by the Group and stimulated a lot of thought about how some of the themes identified were relevant to planning practice. Certainly, it was recognised that knowing the industry you are seeking to 'manage', knowing your customers (not just the direct customers but also the wider community) and understanding how important relationships are in any business are all factors that are relevant to planning.

At the close of the presentations a request was made for the Regulation Sub-Group and its partners to consider how the work of the LEP Planning Group could play into the GBSLEP regulation work streams. It was agreed that the Development Management sub-group led by JHe would be best placed to act as a conduit between the two.

Both Martin and Mark were thanked for their interesting presentations and for taking questions.

*Nb. Copies of slides attached to this note*

## **5. Updates**

### *Spatial Planning Group*

DC updated the meeting on the progress being made with the Spatial Framework following the Planning Summit held on the 25<sup>th</sup> April at St. Andrews, Birmingham. This had been well attended and seemingly well received. DC was in the process of finalising a write-up of the event and also drawing together a skeleton of the first iteration of the Framework Plan. It was agreed that material from the event should be posted on the GBSLEP Website. Theme leads would shortly be asked to assist DC in populating the draft Plan based on the outputs from the Summit. There were tight timescales as the GBSLEP Board have asked that a first draft of the Plan go to the 26<sup>th</sup> June Board meeting following which consultation will take place. There was a discussion about what shape/form consultation should take with suggestions that any consultation should be supported by a series of events similar to those held in the Autumn time last year across the LEP geography. DC asked that group members give some thought as to ideas for consultation including practical arrangements for generating, receiving and analysing formal comments.

DC updated on the evidence base which was needed to underpin the Plan and referred to progress with the Housing Study Brief which was close to being finalised. A parallel Employment Brief was required and DC asked whether there was some support that could be offered to develop this. JA suggested that this was an area that his colleague Mike Best from Turley Associates was particularly knowledgeable about and he would seek his views on whether assistance could be given. The issue of SEA was raised by RB and DC confirmed that as with any SEA exercise this would be iterative as the plan progressed through its various stages. Alistair Scott of Birmingham City University had offered to look at this matter.

**Action: DC and the Spatial Planning Group to work up a first version of the Draft Spatial Framework Plan and progress briefs for the parallel evidence gathering. Separately, group members consider ideas for the shape and form of consultation to take place on the draft Plan and feed these back through either the main Planning Group or Spatial Planning Sub-Group.**

#### *Development Management*

In the absence of John Heminsley, CJ summarised progress on the development management workstream. He specifically mentioned work that was on-going with regards to validation and the aspiration to achieve a single validation checklist that could be put in place for the LEP. Reference was also made to work on pre-application advice and engagement.

As reported previously there was a recognition that there was a need to publicise and celebrate the achievements of the Development Management Group particularly as the area under consideration forms a substantial part of the Planning Charter. It was agreed that discussions should be held with JHe to discuss how this could be done with a suggestion that an event for LA members and officers and reps from the private and voluntary sectors may be appropriate.

**Action: Discussions to be held with John H and the DM Group to consider how to publicise the work of the Group to date.**

#### *Stakeholder Engagement and Communication*

CB emphasised that support was being given to the two aforementioned work streams but that outside this a good working relationship was now developing with the LEP's PR consultants Danks Cockburn. This had resulted in material being put on the website and planning related activity being communicated via social media channels. There was still significant room for improvement and CB stated that this would need some additional resource putting in alongside her own continuing efforts. CJ asked that if there were group members who could assist in this respect it would be appreciated and if so to make contact with CB.

#### *Future Work Programme*

CJ explained that recent discussions had taken place on the basis of determining the future work programme of the Group. The Group itself was approximately 2 years old and in January 2012 had had approved the Planning Charter. Since this time a lot of work had been carried out and it was necessary to undertake a review to see what exactly had been achieved, what was outstanding, what needed to be done to address any outstanding issues and whether any new issues had come to the fore.

To help in the review CB had put together a 'traffic-light' based assessment which had been circulated prior to the meeting. This was the basis for a brief but interesting discussion the outcome of which was that there was agreement that

much had been taken forward successfully from the Charter but still there was significant areas that needed to be addressed. There was insufficient time at the meeting to identify priority areas and as such CJ asked that group members take the assessment away and feed comments back to himself/Clare B for consideration. What would be particularly helpful would be to receive views on gaps in delivery to date and options for dealing with these. On the back of further discussions a revised and updated work programme will be prepared.

***Action: Group members consider the 'traffic-light' appraisal circulated for the meeting and feedback views to CJ/CB.***

## **6. GBS LEP Strategy for Growth**

CJ briefly referred to the recently published final version of the GBSLEP's Strategy for Growth. This had been the subject of a soft launch about a fortnight ago and would be highlighted again at the forthcoming GBSLEP AGM being held at Villa Park on the 26<sup>th</sup> June.

## **7. CIL**

In the absence of JH and Gary Palmer (Solihull) this item was deferred to be considered at the June meeting of the Group.

## **8. Any other business**

Maria PM mentioned the Local Transport Board and its focus on major transport scheme priorities. Submissions were currently being made to the LTB by scheme promoters and these would have to go through a robust assessment procedure prior to successful projects being forwarded to the DfT by the end of July. A significant amount of work was involved for all parties.

Reference was also made to consultations taking place on HS2 – namely route design changes and draft Environmental Statement. Both consultations are due to run until 11<sup>th</sup> July and the LEP would be responding.

Finally, KH touched upon the work taking place in respect of the M42 gateway of which more will be in the public domain shortly.

## **19. Date of next meeting**

17th June – Highways Agency Offices, The Cube, Birmingham.

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 17<sup>th</sup> June 2013**

#### **Highways Agency Offices, The Cube, Birmingham**

##### ***Attending:***

Craig Jordan - Lichfield DC – Chair (CJ)  
Matthew Taylor – Highways Agency (MT)  
Ken Harrison – Solihull MBC (KH)  
Matthew Bowers (Tamworth BC)  
David Carter – Birmingham CC (DC)  
John Acres – Turley Associates (JA)  
Phil Somerfield – East Staffs BC (PS)  
Jon Hockley – Birmingham Airport (JHo)  
Jessica Munn – Thomas Vale Construction (JM)  
Debbie Walsh – Consultant (DW)  
Andy Plant – St. Francis Group (AP)  
Geoff White – RICS (GW)

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting and thanked the Highways Agency for hosting. Prior to the formal business MT gave a brief overview of the Highways Agency structure and responsibilities as it operates out of The Cube.

#### **2. Apologies**

Apologies were noted from and John Heminsley (Cannock Chase DC), Martin Dyer – WSP, Jim Davies – Environment Agency, Sarah Cook – Environment Agency, Rachel Macklin - Bouygues Development, Lewis Payne – IM Properties (IM), Nick Harrison – GVA, Claire Bridges – WLEP/Consultant, Rebecca Mayman (Wyre Forest), Ruth Bamford – Redditch and Bromsgrove Council's.

### 3. Minutes of the Last Meeting

The minutes of the last Group meeting held on the 15<sup>th</sup> April 2013 were received and accepted as a true record, subject to it being noted that Rebecca Mayman of Wyre Forest DC had unfortunately been omitted from the attendance list.

### 4. Updates

#### *Planning Group Work Programme*

CJ reminded the meeting that at the last meeting of the Group it had received a paper reviewing the implementation of the charter and looking forward what tasks would/could be picked up as part an updated work programme. Comments had been made at a discussion on the paper circulated by CB and were also invited after the meeting. CJ explained that some views had come forward following the meeting and a suggested future work programme was now in the process of being put together. It was hoped to have this in place shortly for the Groups consideration.

***Action: CJ to liaise with CB, DC, JHe with a view to preparing a draft work programme for circulation to the Group.***

#### *Spatial Plan*

DC updated the Group on progress with the Spatial Plan. A first iteration of the Plan was due to go to the 26<sup>th</sup> June Board for approval and agreement for this to go out for consultation. The Plan had already been viewed by Chris Webster the Board member responsible for overseeing its preparation and taking it forward supported by Cllrs Wilcox and Hollingworth local authority board representatives. It had also been presented to the LA Leaders at their recent meeting and endorsed. The Plan was also due to be considered by the LEP Place Board on the 18<sup>th</sup> June.

DC took the meeting through the Plan as presented, noting that this was still in the process of being worked up but generally reflected that that would be put before the main Board. He highlighted the strategic objectives underpinning the Plan, the approach that had been taken to consider the key drivers and the outcomes of this process and the main strategic issues that the Plan in its final state would need to address. It was recognised that the first iteration did not seek to provide much more than a framework for going forward but this was explained by the fact that evidence gathering and analysis still had to take place. DC then explained the next stages of the process and the position in taking forward the commissioning of evidence.

There was a discussion about the way consultation would be carried out and DC made reference in this respect to conversations that had taken place at the Spatial Planning Group and the Leaders meeting. It was agreed that the exercise would need to be innovative and creative to capture the imagination of people and organisations but it would also have to be focused to ensure that people understood



the purpose of the Plan and identified the key issues for comment. DC and CJ encouraged Group members to give some thought to how consultation could be structured and what means could be used to get the key messages across to different sectors. GW flagged up the role that his organisation, RICS, could play in engaging with the business community and offered his/their services to do this. This was welcomed.

***Action: Group members to feed their suggestions on consultation to DC, CJ and for these to be considered by the Spatial Planning Group in collaboration with CB and the LEP's PR support Danks Cockburn.***

#### Development Management

In the absence of JHe, CJ provided a brief update on the work of the DM group. A key point here was the success that had been achieved by the Group to date in developing a good working relationship across sectors involved in DM and taking forward some new/innovative practice designed to make the system more user-friendly. This work needed now to be highlighted within and outwith the LEP and CJ said he would be taking this up with JHe. Going forward, the recent exercise reviewing the progress on the Planning Charter had highlighted the fact that there was still areas of DM that needed to be addressed and these would be picked up in the updated Work Programme. It was emphasised that a collective, collaborative approach to DM practice and procedure was what the LEP wanted to see – without this it would be difficult to achieve the goals set out in the Charter.

***Action: CJ to speak with JHe about publicising and celebrating the DM work undertaken to date. In addition agreeing those areas of DM which needed to be looked in the future.***

#### **5. Presentation on Sustainable Building Futures – Debbie Walsh**

Debbie Walsh made a presentation to the Group on an initiative being taken forward by Coventry University with ERDF support. The project was aimed at supporting and developing SME's within the West Midlands to bring forward and implement technologies that would assist techniques and processes involved in sustainable construction. Debbie explained the background to the project, its scope and specific goals.

A number of organisations around the table expressed an interest in the work and sought further information. DW circulated a leaflet summarising the project and CJ agreed to put round to the Group a copy of the presentation that DW had spoken to.

*Nb. Presentation appended with this note*

## **6. GBS LEP Strategy for Growth**

It was noted that the GBSLEP Strategy for Growth had now been finalised and had been the subject of a soft launch recently. It would also be referenced at the forthcoming LEP AGM being held on the 26<sup>th</sup> June at Villa Park. The focus of work now was on developing the delivery mechanisms and the means to monitor and report on outputs/outcomes. Aston University was assisting the LEP in this respect.

Work on preparing for the results of Lord Heseltine's work and the Government's proposed response – the creation of a single funding pot – was on-going. The GBSLEP felt that its work with Lord Heseltine on the Greater Birmingham Project gave it some advantage in being able to put together a convincing case for funding and powers/responsibilities. The outcome of the forthcoming Spending Review would be eagerly awaited.

## **7. CIL**

KH picked up this item summarising what was happening across the West Midlands in terms of CIL. He also made reference to national monitoring taking place. Local Authority representatives provided additional information to that supplied by KH. There was a discussion about the general rate of progress of CIL Charging Schedules coming forward and implementation of those that had been approved. The issue of viability and its relationship to charge setting was identified as a particularly topical issue. In this regard, it was noted that the Inspector considering Southampton's draft CIL CS – and which the Group had received a presentation on earlier in the year – was recommending a lowering of the CIL rates to reflect viability concerns.

KH was thanked for his contribution and asked whether in tandem with JHe he could come back to future meetings of the Group with updates on CIL progression around the LEP geography including highlighting any key issues for the LEP as a whole. He agreed to do this.

***Action: KH and JHe to present updates on CIL progression to future meetings of the Group.***

## **8. Any other business**

KH referred to the imminent launch of UK Central the branding for the work that Solihull has been doing based around development plans/opportunities linked to the M42 gateway concept. There would be a national launch and after this a more local WM launch.

## **9. Date of next meeting**

22<sup>nd</sup> July - Bromsgrove.

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 22<sup>nd</sup> July 2013**

#### **Council House, Bromsgrove**

##### ***Attending:***

Craig Jordan - Lichfield DC – Chair (CJ)  
John Heminsley – Cannock Chase DC (JHe)  
Nick Harrison – GVA (NH)  
Claire Bridges – WLEP (CB)  
Ken Harrison – Solihull MBC (KH)  
Sarah Cook – Environment Agency (SC)  
Jim Davies – Environment Agency (JD)  
David Carter – Birmingham CC (DC)  
John Acres – Turley Associates (JA)  
Jessica Munn – Thomas Vale Construction (JM)  
Ruth Bamford – Redditch and Bromsgrove Council's (RB)  
Rachel Macklin – Bouygues Development

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting.

#### **2. Apologies**

Apologies were noted from Matthew Taylor (Highways Agency), Matthew Bowers (Tamworth BC), Phil Somerfield (East Staffs BC), Andy Plant (St. Francis Group), Jon Hockley (Birmingham Airport), Geoff White (RICS), Rebecca Mayman (Wyre Forest) and Lewis Payne (IM Properties).

#### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 17<sup>th</sup> June 2013 were received and accepted as a true record.

## 4. Updates

### *Planning Group Work Programme*

CJ referred to a previous Group meeting held at Centro's offices when a debate had taken place regarding the forward plan and review of implementation of the Planning Charter both informed by a paper prepared by CB. It had been a useful exercise to take stock of where the Group was in terms of progressing the various actions identified in the action plan linked to the Charter but now it was important to clarify those areas where good progress had been made, areas where work was still needed and any new issues which needed to be addressed in looking forward. To help this exercise comments had been requested from the Group and some had been forthcoming. Taking into account comments, it was explained that CB had drawn up a stakeholder engagement plan and this had been circulated with the agenda for discussion.

Using CB's paper as background, a lengthy debate took place around the state of planning within the LEP and the role/function of the Planning Group in influencing positive changes. Reference was made to the origins of the Group based on concerns locally that planning was a barrier to growth and did not fit easily with the ambitions portrayed in a growth agenda. Much good work had subsequently occurred to address this and provide a far more positive picture where in fact planning was seen as a positive rather than a negative and indeed a vital element in delivering growth and prosperity. The feeling of the meeting was that generally the planning system within the LEP was working well helped by the collaborative working engendered by initiatives such as the LEP Planning Group as well as networking between the main actors. What was now emerging was a realisation that planning could and should be very much at the centre of activity within the LEP going forward, with for example local plan making and the Spatial Strategy addressing key strategic issues to the fore and aligning with the overall LEP Growth Strategy.

Questions were raised as to whether the Group was fully cognisant of the needs/wants of the development industry (or for that matter local communities) as regards how the planning system functions locally. Did the Group need to engage more and if so what mechanisms could and should be used. What the Group should not be doing is assuming – without any form of challenge – that it knows what the issues are and hence progress a work programme which is out of step with reality.

JA helpfully summarised what he thought were the current priority areas for the development industry/private sector relating to planning namely the need to continually cut red tape, viability issues, local plan performance, growth in the context of the NPPF and planning post the removal of RSS.

Based on the above discussion it was agreed that CB, CJ, DC and JHe should get together to consider the various points made and develop ideas to inform the future work programme.

***Action: CJ to liaise with CB, DC, JHe.***

### *Spatial Plan*

DC confirmed that the LEP Board had given approval to go out for public consultation on a first iteration of the Spatial Strategy. A user-friendly version of the Strategy was being prepared and a request was made from DC to LA's to provide photographs which could be included in the documentation. The actual consultation arrangements were being discussed and would need to be agreed with Chris Webster, the LEP Board lead on the Strategy. A series of events was likely to be held as part of the consultation and these would likely involve as before a geographical and themed approach. Dates, times and venues would have to be agreed shortly to ensure timetables could be met for the Strategy. It was agreed that encouragement should be given to non-LA members and agencies to hold separate but linked events to publicise the Strategy and in doing so assist in spreading the word and generating feedback. Consultation on the Strategy was likely now to take place in Autumn rather than over the summer.

In terms of evidence gathering to support the development of the Strategy, DC reported that it was hoped to commission a Housing Study shortly and also commence preparing a brief for a Employment study.

## Development Management

JHe updated the meeting regarding the various themes being taken forward by the Development Management sub-group. One of the main focuses of attention at the present time is that of validation and the aim of developing a consistent approach across the LEP predicated on an agreed baseline. This theme was quite timely given that all local planning authorities are under a duty to ensure that their local checklists are up to date and have been reviewed by 31<sup>st</sup> July 2013. There was a discussion about the merits of a single checklist and the scope for this to come forward given certain views around the table. Generally with respect to DM there was an acknowledgement that real efforts should now be being made to publicise the areas of improvement/change in practices and procedures which have arisen as a consequence of the DM group. This should also link in with the review of the main Group's Work Programme to ensure that new and previously identified areas for improvement are picked up.

***Action: DM group to progress discussions re. validation and with CB, CJ plans to publicise the work of the Group.***

## **5. Environment Agency Updates – Jim Davies (EA)**

JD updated the meeting on various matters of concern to the EA and the Group. These included reporting on an upcoming 3 month pilot based on the Midlands where the EA is seeking to introduce charging for pre-application advice and consultation. The initiative was in response to funding issues affecting the EA and a desire to allocate resources appropriately given demands. JD stated that the EA welcomed comments on the suitability of the initiative and it was agreed that the Group should respond to this invitation via the Development Management workstream. Separately, reference was made to a consultation currently taking place in respect of catchment scale planning under the Water Framework Directive, again views would be welcome on this. Finally, JD referred to the outcome of a tri-ennial review of the EA and NE which had recommended closer links between the two agencies including in terms of utilising resources better and combining knowledge and expertise. This would most likely be seen in the context of consultation responses in the future which brought together the views of the respective agencies.

**Action: Via the Development Management work stream the Group to feed back comments on the pre-application charging pilot and where appropriate views on the Water Framework Directive catchment plans.**

## **6. GBS LEP Updates**

It was noted that following an earlier 'soft' launch the agreed GBSLEP Strategy for Growth had been presented at the GBSLEP AGM held on the 26<sup>th</sup> June at Villa Park.

The Government had announced more details of the Single Local Growth Fund ('the single pot') and issued guidance on what LEP's needed to be doing to access the funding being devolved down to them under the new arrangement. Each LEP had now to produce a growth plan articulating its needs and the means by which resources would be used to deliver on the stated objectives. Work within the LEP was now beginning to put in place a suitable means of drawing up the Growth Plan for submission to Government.

## **7. CIL**

There were no new updates regarding CIL. It was agreed that KH, JHe would bring an update to the next meeting of the Group including a review of progress on CIL across the LEP area and emerging issues of relevance to the Group.

***Action: KH and JHe to present an update on CIL progression to the next meeting of the Group.***

## **8. Any other business**

Sarah Cook informed the meeting that due revised work arrangements with the EA she would be absent from Group meetings until December. In her place attending from the EA alongside Jim Davies would be a Martin See.

Jessica Munn also informed the meeting that due to upcoming maternity leave she would also be absent.

## **9. Date of next meeting**

Due to leave commitments it was agreed that the scheduled 19th August meeting of the Group would be cancelled and the next meeting would take place on 23<sup>rd</sup> September. A request would go out in due course for offers of a venue for this meeting.

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 23rd September 2013**

#### **Council House, Birmingham**

##### ***Attending:***

Craig Jordan - Lichfield DC – Chair (CJ)  
Nick Harrison – GVA (NH)  
Andy Plant – St Francis Group (AP)  
Ken Harrison – Solihull MBC (KH)  
Jim Davies – Environment Agency (JD)  
John Acres – Turley Associates (JA)  
Robert Mitchell – Richborough Estates (RM)  
Phil Somerfield – East Staffs BC (PS)  
Matthew Taylor – Highways Agency (MT)

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting.

#### **2. Apologies**

Apologies were noted from Rachel Macklin (Bouygues Development), John Heminsley (Cannock Chase DC), Dave Carter (Birmingham CC).

#### **3. Notices**

The Group was informed that Jon Hockley had now left the Birmingham Airport Group and consequently would not be attending future meetings. Jon's replacement was due to commence work shortly and Jon had indicated that he/she would be asked to represent the Airport on the Group at future meetings. On behalf of the Group CJ said he had thanked Jon for his contribution to the Group.

With Jon's departure this raised the question of who could lead on the connectivity work stream. It was agreed to consider this at a later date.



CJ announced that Jessica Munn had had a little girl, Francesca – the meeting expressed its pleasure at the news.

#### **4. Minutes of the Last Meeting**

It was noted that there had not been a meeting in August due to annual leave commitments. The minutes of the last Group meeting held on the 22<sup>nd</sup> July 2013 were received and accepted as a true record.

#### **5. Updates**

##### *Planning Group Work Programme*

CJ referred to the current work programme which was in the process of being updated – this highlighted the key work streams but also areas where to date work remained outstanding linked to the agreed Planning Charter and associated Implementation/Action Plan.

A discussion followed about the role of the Group moving forward and having regard to the GBSLEP Strategy for Growth and its implementation and related review of governance arrangements.

CJ explained that the Planning Group was one of a number of sub-groups established by the LEP to take forward defined tasks and work streams and report into the LEP Board. Planning's areas of concern principally came under the 'Place' banner which was also supported by a Housing and Economic Assets Group and a Strategic Transport Group. In addition, specific project groups were considering UKC, HS2, the Creative City and the Enterprise Zone. There was a recognition within the LEP that synergies exist between the aforementioned groups and their respective subject areas particularly planning, housing, employment and transport. It was important therefore that the individual Groups were aware of the various work streams being taken forward and engaged in these in a way that ensured that all information was being captured and policy was aligned.

Chris Webster, Chief Executive of Miller Construction and GBSLEP Board member was leading on the Place agenda overseeing in particular the work of the HEA Group and also the Spatial Plan.

The LEP Strategy for Growth contained 6 key strategic objectives including maximising physical assets to provide for sustainable growth and ensuring high quality levels of connectivity. These were very relevant to the work of the Planning Group it was considered.

The meeting reviewed the background to the setting up of the Group highlighting the concerns expressed by a number of commentators at the constraints planning put in the way of development and legitimate economic growth. The LEP Board had asked the Group to consider whether planning was a 'problem' in the context of the GBSLEP area and if so what

improvements could be made. The Group had duly focused on determining whether there was evidence to substantiate the claims being made – the results showed that to a large degree the concerns were overstated but it was accepted by representatives of local government and the planning/development industry that there was scope to enhance policies, procedures and processes to make the planning system work better in a range of key areas. This conclusion led to the formulation of the Planning Charter and an Action Plan.

The meeting noted the improvements that had been made in the development management field and the intention to take this further. Similarly, work had been carried out to check that local policy was aligned with the national and local growth agenda's. The decision to recommend that the LEP take forward a Spatial Plan was a response to both the need to consider the spatial implications of the emerging Strategy for Growth and an acknowledgement that across the combined LEP geography there were major strategic planning and development issues that required consideration. This work is now on-going.

It was agreed that the Group had made significant strides in addressing the issue of the planning system as it operates within the GBSLEP but that more work needed to be done. This was an important area of continuous improvement. However, with the Strategy for Growth now in place and delivery becoming the focus the Group needed to examine how it could shape and influence this delivery.

**Action: CJ to circulate details of the GBSLEP Governance arrangements and to facilitate a discussion at the next Group meeting around the future role/function of the Group having regard to the GBSLEP's stated ambitions.**

### *Spatial Plan*

In the absence of DC, CJ gave an update on the Spatial Plan and the work of the Spatial Planning Sub-Group.

The meeting was informed that a publication version of the Spatial Plan was in the process of being finalised and would be launched shortly. Proof checking was taking place including ensuring that contact details were correct. The launch would feature a press release and an on-line questionnaire. The intention was not to print hard copies of the Plan but to make this accessible electronically via the GBSLEP website. CJ asked members to help in publicising the consultation where possible.

At this stage consultation events were still being organised – locations were required and volunteers needed to support the events.

In terms of the further research the Housing Study was in the process of being commissioned. It was hoped to make an appointment in early October to allow the work to commence. KH confirmed this.

Briefs for the Employment work and SA were to be prepared.

Under the Duty to Co-operate, some issues were raised and in particular about the question of LEP endorsement of individual local authority development plans. There was concern both at the mandate available to the Planning Group/Spatial Planning Group to effectively endorse a local plan, the actual process that was involved and the role of certain members in this. Private Sector representatives wondered how their involvement in any such exercise would fit with their ability to carry out their normal duties on behalf of clients. It was agreed that some clarity was needed on these matters and that they should be considered by the Spatial Planning Group.

**Action: DC and the Spatial Planning Group to consider issues around the GBSLEP's involvement in DtC matters and local plan endorsement.**

Development Management

In JH's absence, CJ updated the meeting on the development management work stream assisted by AP. It was emphasised that a key objective was to review practice across the LEP and to see where improvements could be implemented and on a consistent basis. Whilst individual practices might differ to reflect local circumstances the DM work stream was seeking to share best practice, bring forward improvements which could be carried forward by all the constituent authorities and in doing so highlight the business-friendly approach sought by the LEP. It was noted that discussions around the various topic areas – pre-application advice, validation etc – were generally fruitful though certain tensions remained. It was hoped that these could be overcome where the above consistent LEP wide approach was open to challenge.

## **6. CIL**

KH provided a brief update on where individual LEP authorities were with bringing forward draft Charging Schedules and Reg. 123 lists. It was noted that some progress was being made, although the speed of developing regimes across the LEP varied significantly. A number of viability studies were on-going to help inform the setting of charging rates. From examinations undertaken to date across the country it was clear that this is a key issue for the development industry and Inspectors.

**Action: KH, JH to present further updates at subsequent meetings including highlighting issues of importance to the LEP as a whole.**

## **7. GBS LEP Updates**

CJ updated the meeting in respect of the GBSLEP Strategy for Growth, the new Strategic Economic Plan (SEP), Investment Plan, EU Funding Strategy work and Local Transport Major Schemes.

It was noted that the Single Local Growth Fund was now in the process of being rolled out by Government with LEP's charged with preparing a SEP identifying their economic ambitions and how they seek to realise these. The SEP's would effectively form bidding documents to access the SLGF – consequently a lot of resource was being committed

## **8. Any other business**

None.

## **9. Date of next meeting**

21<sup>st</sup> October – venue to be confirmed.

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 21<sup>st</sup> October 2013**

#### **Council House Extension, Birmingham**

##### ***Attending:***

Craig Jordan - Lichfield DC – Chair (CJ)  
Dave Carter - Birmingham CC (DC)  
John Heminsley - Cannock Chase DC (JH)  
Claire Bridges – WLEP (CB)  
Maurice Barlow – Solihull MBC (MB)  
Ruth Bamford – Redditch and Bromsgrove Council's (RB)  
Mike Jones – Richborough Estates (MJ)  
Rebecca Mayman – Wyre Forest DC (RM)  
Matthew Taylor – Highways Agency (MT)  
Andy Plant – St Francis Group (AP)  
Matt Bowers – Tamworth BC (MBo)

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting.

#### **2. Apologies**

Apologies were noted from Rachel Macklin (Bouygues Development), Robert Mitchell (Richborough Estates), Lewis Payne (IM Properties), Nick Harrison (GVA), Ken Harrison (SMBC) and Geoff White (RICS).

### **3. Notices**

The Group was informed that due to on-going work pressures and also impending maternity leave Rachel Macklin had advised that she was regrettably standing down from the Group. She had asked to pass on her best wishes to the Group and hoped that she could find a colleague either within her own company or another based within the property/development sector to replace her. The Group expressed its appreciation for the contribution Rachel had made to the Group's work since its inception and asked that these be conveyed to her.

### **4. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 23rd September 2013 were received and accepted as a true record.

### **5. Updates**

Spatial Framework

DC updated the meeting on the work of the Spatial Planning Group and progress made with the Spatial Plan.

In terms of the Spatial Plan a first draft had now been published and was currently subject to public consultation. The document was available via the GBSLEP website and was accompanied by an on-line survey. A press release had gone out at the start of the consultation in early October. The deadline for comments on the Plan was 20<sup>th</sup> December.

To help explain and publicise the Plan a number of events were due to be held across the GBSLEP in November and into December. The dates, venues and formats of these were still being finalised but the intention was to have sessions either at the beginning or end of the working day allowing for business people to attend, a series of short presentations highlighting the key features of the draft Plan, a local focus identifying some of the key issues facing the area where the events were being held and a concluding Q & A session.

Arrangements were being made to send out invites to relevant parties including stakeholder groups. Also use was being made of twitter and other social media & a game aimed at capturing the imagination of younger people was in preparation based around the contents of the Plan.

**Action: DC and the Spatial Planning Group to finalise consultation dates, venues and formats.**

## Development Management

JH advised that via the DM Group all constituent authorities were working to agreed principles on pre-application advice and these were being supported by relevant highway bodies and statutory agencies. However, for various reasons it was proving difficult to put in place a single validation checklist. Dialogue between the LEP and statutory agencies continued to be good – NE had agreed to put on a training event for local authorities regarding ecology which would be helpful.

It had been agreed that an event to publicise the improvements which have been achieved since the inception of the Planning Charter and the formation of the DM Group should be held. There may be an opportunity to link this with a wider event to cover the Spatial Plan and generally the work of the main Planning Group plus the two sub-groups. This would be considered in due course.

Going forward JH highlighted actions relating to highways and regulation and also detailed likely areas to be pursued in the future including common formats for decision notices, standardisation of S106 obligations/agreements and good practice in discharging planning conditions.

**Action: JE to progress training event with NE, collect LA performance stats. and agree next issues to be addressed by the DM Group.**

## 6. Going Forward

CJ spoke to a paper circulated prior to the meeting and which was intended to stimulate thoughts and ideas as to how the Planning Group (and sub-groups) would go forward in the future.

It was recognised that since the Planning Charter had been agreed and published by the GBSLEP Board in January 2012 much progress had been made in improving the way planning operated across the GBSLEP geography. Processes had been reviewed and enhanced in development management with more to come. Extant local planning policies had been appraised to see whether and if so how they aligned with national guidance and the growth agenda. It had been agreed that a high level spatial framework to consider key strategic matters affecting the GBSLEP should sit alongside the Strategy for Growth and this was in preparation.

So some good things had happened but there remained problems which needed to be resolved and since the Charter new issues were emerging. These also needed to be addressed.

It was noted that when originally set up the Planning Group's initial task was to understand whether there was any grounds for planning being viewed as a barrier to growth. In the context of the GBSLEP and based on collected evidence there was no reason to claim this was the case. However there remained a perception that planning – be it nationally or locally – was indeed a problem. One of the key successes of the Group had been to educate politicians and local business people explaining what the purpose of planning was and to showcase the positives rather than the negatives. Planning involved decisions which impacted upon people, however the underlying premise was that decisions were taken for the public good.

Over the last two years GBSLEP Board had been provided with information which showed that generally local planning authorities within the LEP were aware of the need to support sustainable growth and receptive to ideas and proposals that would make planning easier to understand and access, including by business. As such planning was vital to achieving growth as advocated under the GBSLEP Strategy for Growth and the policies and processes were in place to assist in delivering this.

Moving forward there were clearly areas which need more work including importantly cultures and behaviours within local planning authorities but also the development industry and business. Also stakeholder engagement and good levels of communication between parties involved in planning issues was another area. DM procedures would continue to need reviewing and updating. Likewise policies will need to reflect the push for more jobs and wealth creation.

Looking at more detailed aspects of the system understanding economic conditions and issues around development viability need to be considered more than they have previously, as do the affects of the NPPF and changes in planning rules/regulations by Government.



In the context of the above, a discussion took place about the role of the Group. It was agreed that much good progress had been made in explaining what planning was about and how it could make a positive difference. Private Sector interests were keen to highlight areas where improvements could still be made in terms of both procedures and the drafting and implementation of policy. These will be looked at. Importantly, planning officials needed to be more involved in working with developers to deliver the growth that is seen as essential. More training of members and officers was required and generally all those involved in planning would benefit from greater knowledge of key aspects of national (and local) policy as it impacts upon housing, employment etc. The emphasis of the Group should now be on delivery it was argued reflecting the present economic circumstances, national and local policy but also a recognition that if undertaken properly planning can provide for the infrastructure that supports necessary growth.

**Action: CJ, JH, DC and CB to note the discussion, identify key actions including drawing up a new and updated work programme.**

## **7. CIL**

MB/JH commented on CIL matters. It was agreed to bring a further update report to the next meeting.

**Action: KH, JH to present further CIL updates at subsequent meetings including highlighting issues of importance to the LEP as a whole.**

## **8. GBS LEP Updates**

CJ briefly updated the meeting in respect of the new Strategic Economic Plan (SEP) and Local Growth Fund work.

## **9. Any other business**

None.

## **10. Date of next meeting**

18<sup>th</sup> November – venue to be confirmed.

## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 18<sup>th</sup> November 2013**

#### **District Council House, Lichfield**

##### ***Attending:***

Craig Jordan - Lichfield DC – Chair (CJ)  
Dave Carter - Birmingham CC (DC)  
John Heminsley - Cannock Chase DC (JH)  
Claire Bridges – WLEP (CB)  
John Acres – Turley Associates (JA)  
Andy Plant – St Francis Group (AP)  
Matt Bowers – Tamworth BC (MBo)  
Victoria Chell – RLF Morgan Devey (VC)  
Robert Eaton – Birmingham Airport (RE)  
Martin See – Environment Agency (MS)

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting including Robert Eaton from Birmingham Airport who had taken over from Jon Hockley and Victoria Chell of RLF Morgan Devey who was observing pending joining the Group.

#### **2. Apologies**

Apologies were noted from Rebecca Mayman – Wyre Forest DC, Lewis Payne - IM Properties, Nick Harrison (GVA), Jim Davies – Environment Agency, Ruth Bamford – Redditch and Bromsgrove Council's, Matthew Taylor – Highways Agency.

### **3. Minutes of the Last Meeting**

Subject to a change being made to correct JE to JH under Item 5 Updates: Development Management, the minutes of the last Group meeting held on the 21<sup>st</sup> October 2013 were received and accepted as a true record.

### **5. Updates**

#### Spatial Framework

DC updated the meeting on the work of the Spatial Planning Group and progress made with the Spatial Plan.

A first iteration of the Spatial Plan had been produced and was currently the subject of consultation until the 20<sup>th</sup> December. Accompanying the documentation were a series of events being held around the LEP geography designed to stimulate interest about the Plan and encourage responses. 4 events were being held in north Worcestershire (22<sup>nd</sup> Nov), Solihull (28<sup>th</sup> Nov) southern Staffordshire (4<sup>th</sup> Dec) and Birmingham (10<sup>th</sup> Dec). Arrangements were being put in place for each event which would include a series of short presentations on the GBSLEP, the Spatial Plan consultation draft, local development plan making followed by an interactive workshop aimed at generating debate about some of the key spatial issues/opportunities facing the GBSLEP.

As regards evidence gathering, DC confirmed that the Strategic Housing Study was being progressed using consultants Peter Brett Associates. There was the possibility of the work being broadened to include Telford, the Black Country and South Staffordshire and this was being considered.

In terms of the parallel employment study, reference was made to a piece of work being progressed by the WM Council's which it was considered could provide the necessary evidence base to help progress the Spatial Plan. A brief had been prepared for this work and this was currently being considered by the Spatial Planning Sub-Group to see if indeed this would produce the desired results or whether a separate study would have to be commissioned.

The other element of work necessary to take forward the SP was that of Sustainability Appraisal. The approach to this – and which could involve substantial work – was also currently being explored.

Finally, DC referred to discussions held around the role of the LEP in commenting on emerging statutory Local Plans and issues about mandates and potential conflicts of interest with LEP partners. Discussions were ongoing with respect to these matters and DC was confident that suitable ways of working could be agreed.

## Development Management

In the absence of JH at the last group meeting a summary of progress by the DM group had been presented by CJ. This time round, JH provided more details on the matters previously covered as well as further updates on progress. He confirmed that via the DM Group all constituent authorities were working to agreed principles on pre-application advice and these principles were being supported by the relevant local highway bodies and statutory agencies, NE, EA, EH and HA. There remained issues with regards to having in place a single validation checklist.

Going forward JH identified specific areas which the DM group would be looking to address including common formats for decision notices, standardisation of S106 obligations/agreements and good practice in discharging planning conditions.

JH confirmed that arrangements were in hand for NE to provide training on ecology to LPA's.

It was explained that a key objective of the DM Group was to introduce improvements in practice across the LEP but then publicise was had been achieved. To date whilst improvements had been carried out the communication of this to external parties had not. This needed to be rectified. Some solutions had been discussed including making use of agents panels and other existing fora. However, the meeting discussed the possibility of incorporating this into a wider engagement event(s) that the overall Planning Group was considering for the future – see below.

**Action: JE to progress training event with NE, collect and report on LA performance statistics, agree next issues to be addressed by the DM Group and feed into discussions about engagement events.**

## **6. Going Forward – Future Role/Function of the Planning Group**

For the benefit of those attending the meeting for the first time, CJ explained the background to the setting up of the Planning Sub-Group by the GBSLEP, its purpose and what it had achieved. He then explained that over the last couple of meetings the Group and its members had been reviewing progress in the light of a Planning Charter and Action Plan agreed in 2012 and also determining what its focus as a Group should be going forward. In terms of the latter a number of considerations had to be factored in including the state of the planning system and how it operates in the GBSLEP area, the issues that have been successfully addressed and those that remain to be dealt with, new issues including whether and how the Group broadens its scope to incorporate the role of planning in delivering on the GBSLEP agenda and importantly, the resources required and available to make a real difference.

It was acknowledged that two work streams dealing with Development Management and Spatial Planning respectively were at the core of the work that the Planning Group had been asked to consider and what was deemed appropriate having regard to the Planning Charter. The feeling of the meeting was that these two work streams should continue and with increased emphasis – new members would be encouraged to join the two sub-groups and/or participate in their work programme activity. This would allow the main Planning Group to adopt a more overarching, strategic function.

Resources were acknowledged to be an issue that needed to be taken into account. The Planning Group and its two work streams could only continue to function and to the required standard if a sufficient level and quality of resource was available. It was recognised that across all sectors there were significant workloads but variable resources to cope with this. The LEP's were reliant on public sector partners to utilise ever diminishing levels of resource whilst the private sector in many areas had cut back in response to earlier economic conditions. All sectors needed to be mindful of their various commitments and this needs to be reflected in how the Planning Group operates.

The outcome of an interesting discussion was that the Planning Group's work programme should be revisited to focus on ensuring that the two principle work streams were functioning properly and that the Group should seek to complement rather than duplicate. It was agreed therefore that the Group's activities should be based around the following:

- identifying key themes/topics impacting upon planning practise across the LEP
- acting as a conduit for issues raised at GBSLEP Board level or nationally with regards to planning's interaction with the growth agenda
- engage at a strategic level with key players in the planning and development field as a means of establishing working relationships and becoming aware of new/emerging issues
- promoting and raising the awareness of the work being carried out by the two work streams
- facilitating learning and training events for both planning and non-planning professionals to assist in information exchange.

A suggestion was made and accepted by those attending that the above could be accommodated within existing resources. It was also agreed that by being more focussed and strategic & allowing the two work streams to concentrate on detailed/operational matters, the main Planning Group could be more streamlined in its activities – it could for example meet less frequently and in doing so ensure that the meetings held are more productive for all concerned. A meeting every two months would make sense and these meetings could for example include presentations, invited speakers on key topics of interest as well as brief updates. The views of the Group's members would be sought on the types of issues/topics which could be addressed.

**Action: It was agreed that CJ working with CB, DC and JH would review the work programme of the Planning Group in the light of this discussion, re-focus the activities of the Group, reduce the number of meetings accordingly to one every two months and invite suggestions on the format of meetings including topics to be addressed.**

## **6. GBS LEP Strategic Economic Plan (SEP)**

CJ briefly updated the meeting in respect of the new Strategic Economic Plan (SEP) and Local Growth Fund work. Reference was made to the process being followed to work up a SEP on behalf of the GBSLEP setting out its ambitions identifying key projects and delivery mechanisms and detailing what was being asked of Government – funding, devolved powers, freedoms, flexibilities etc.

The GBSLEP alongside the SEP was also inviting partners to bring forward schemes/projects which were deemed to be aligned with the Strategy for Growth and which could represent the means by which the GBSLEP's ambitions could be realised. These were project which would require LGF support. Over 60 schemes had been submitted to date and these were being appraised. Part of the appraisal process involved the various LEP Sub-Groups being asked to consider the project submissions from their specific perspectives and feeding comments back to the SEP Programme Team and overarching Steering Group. The Planning Group was of the view that it would be helpful to assess submissions having regard to conformity with spatial planning principles and having regard to the key spatial objectives which underpin the Strategy for Growth. To assist in this process the meeting was informed of an appraisal tool put together by DC which could be used for this purpose.

**Action: Planning Group to review project submissions having regard to alignment with sustainable development and GBSLEP spatial planning principles and feedback views/comments to SEP Programme Team work**

## **7. Community Infrastructure Levy**

JH circulated a paper summarising progress on CIL by a range of authorities within the West Midlands Region. Progress varies significantly with some authorities consulting on draft charging schedules and others still progressing work looking at issues around viability. It was agreed that for future meetings an update on progress of GBSLEP authorities would be helpful together with analysis of some of the key issues emerging across the LEP regarding CIL policy and its implications.

**Action: JH to bring further updates to future meetings**

## **8. Wider GBSLEP activity**

See above under 6.

## **9. Any other business**

None.

## **10. Date of next meeting**

20<sup>th</sup> January 2014 – location (to be confirmed) RLF Morgan Devey offices, Birmingham

**Please note: Future meeting dates:**

**2014**

**20<sup>th</sup> January**

**17<sup>th</sup> March, 19<sup>th</sup> May, 21<sup>st</sup> July, 22<sup>nd</sup> September, 17<sup>th</sup> November**

**2015**

**19<sup>th</sup> January**



## **Greater Birmingham and Solihull LEP**

### **Meeting of the Planning Sub-Group – 20<sup>th</sup> January 2014**

#### **RLF Morgan Devey Offices, Birmingham**

##### ***Attending:***

Craig Jordan - Lichfield DC – Chair (CJ)  
Dave Carter - Birmingham CC (DC)  
Martin Fletcher – Solihull MBC (MF)  
Andy Plant – St Francis Group (AP)  
Claire Bridges – Worc. LEP (CB)  
Noel Street – PCPT Architects (NH)  
Vicky Chell – RLF Morgan Devey (VC)  
Matthew Bowers – Tamworth BC (MB)  
Philip Somerfield – East Staffs BC (PS)  
Sarah Day – RLF Morgan Devey (SD)  
Chloe Taylor – LEP Secretariat (CT)

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting and thanked RLF Morgan Devey for kindly offering to host.

#### **2. Apologies**

Apologies were noted from Rebecca Mayman – Wyre Forest DC, Nick Harrison (GVA), Ruth Bamford – Redditch and Bromsgrove Council's, Matthew Taylor – Highways Agency.

### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 18<sup>th</sup> November 2013 were received and accepted as a true record.

### **4. Updates**

#### Spatial Framework

DC updated the meeting on the work of the Spatial Planning Group and progress made with the Spatial Plan.

The consultation period on the first iteration of the Spatial Plan would shortly be closing the meeting was informed. A number of responses had been received including via the online portal. These along with comments made at the various consultation events held around the LEP in November and December would be analysed and help inform the next iteration of the Plan. In terms of the events the size and nature of the attendances were noted, it was particularly good to see a cross-section of interests from the various sectors. The presentations on the Plan and the position on Local Plan preparation in the LEP seemed to have gone down well and the events again as experienced previously provided a good opportunity to explain to a wide audience the role and function of the LEP itself.

The next stages of Plan preparation were dependent upon progress being made with the evidence base. DC stated that a draft report covering stages 1 & 2 of the Joint Housing Study brief was due to be submitted shortly. This was a critical piece of work. Discussions were on-going about broadening the study to ensure that the appropriate housing market areas were being captured but also to see in the light of the results where there maybe scope to accommodate growth outwith but clearly related to the GBSLEP area.

In terms of the parallel employment study and SA work, the employment study was work being taken forward by WM CLG the results of which would play into the Plan development. As regards the SA, discussions were taking place as to how best to carry this out. Options included employing consultants (at a cost) to undertake this work with input from various parties connected with the Spatial Planning Group or to carry out the work 'internally' and then engage consultants to review and verify this (lesser cost). These options were being evaluated and it was hoped to make a decision shortly.

## Development Management

In the absence of JH, CJ briefly summarised the workstreams being taken forward by John and his group.

An issue that had been brought to CJ's attention was the absence of representatives from all 3 Worcestershire Authorities at the last DM meeting and irregular attendance generally from Redditch and Bromsgrove Council's. In terms of seeking to reflect a joined up and consistent approach across the GBSLEP such absences were not helpful and potentially undermined the good work that was taking place with more planned. It was hoped that the issue was down to difficulties of fielding a representative rather than any other reason.

Separately, CJ stressed the importance of local authorities feeding back to JH performance data. This was useful not only to see what levels of activity were taking place across the LEP but also to assess the impact the work of the DM Group was having.

## **5. Work Programme**

CB spoke to a draft work programme that had been circulated prior to the meeting. This flagged up a number of activities which were either on-going via the two work streams or were to be taken forward by the same or the main Group. There was some discussion about the intention to publicise the outputs/outcomes of the DM Group but also the main Group generally. There was also a debate about the need to verify outcomes with independent third parties as part of the process of checking to see what differences the GBSLEP was making on the ground. It was agreed that going forward it was vital to continue to engage with those parties directly involved in the operation of the planning system in the GBSLEP area – this could in addition to verifying the results of actions and initiatives also help to highlight new and emerging issues and thus assist in setting future agendas. CJ made reference to dialogues currently taking place to do exactly that establish links with a wide variety of actors. It was hoped that at the March meeting of the Group there would be an example of such engagement with a round table discussion led by members of RICS.

## **6. Relationship Building – Noel Street, PCPT Architects**

Following on from 5) above, Noel Street of PCPT Architects and a member of the Planning Group explained how he would like to develop a working relationship between the GBSLEP and a group which he chairs, the Property and Construction 'Constructing Excellence' Group part of the Birmingham Business Club. Noel described how his group had been established to promote best practice within the local property and construction business sector. His view was it would make sense for the GBSLEP Planning Group to engage with this group and he would be happy to help facilitate this. It was agreed that this would be appropriate and CJ suggested that Noel, himself and CB discuss practical arrangements outside the meeting.

## **7. March meeting – RICS led debate**

CJ confirmed that following previous discussions he had been liaising with Geoff White of RICS to organise a round table discussion at the March meeting of the Group. This would be an opportunity to hear from RICS members about their experiences of how the planning system works and to discuss issues arising.

## **8. GBSLEP Strategic Economic Plan**

CJ provided an update on the progress with developing a SEP for the GBSLEP for submission to Government for approval. The SEP would form the basis for the LEP receiving Local Growth Fund allocations to help deliver on its ambitions. It was explained that a draft SEP had been successfully submitted prior to Xmas. The SEP was developed around the key priority objectives set down in the Strategy for Growth and sought to provide a narrative as to how it was envisaged the LEP and its constituent areas would grow and develop beneficially with the necessary interventions. The SEP would be only one of 39 being prepared therefore it was vital that a good credible story was told and that importantly the proposed actions would be deliverable and make a significant difference. Since the submission some initial feedback had been received from Ministers and their civil servants. Overall, the feedback was positive but the LEP would now have to do some more work to develop the detail, provide more clarity in parts and ensure that the ambitions were fully integrated. Of note for the Planning group ministers were very keen to see how housing delivery was being addressed as part of the GBSLEP agenda with the emphasis unsurprisingly being on wanting to see commitments to improve and increase rates of delivery. This was one area which would need more work on going forward.

## **9. National road and rail networks: draft national policy statement – consultation.**

Reference was made to a current government consultation on a draft policy statement concerning road and rail networks. This was linked to the NPPF.

## **10. Community Infrastructure Levy Update**

MF provided a brief update on the situation with Solihull where 28 responses had been received to consultation on a draft Charging Schedule.

It was agreed that at the next meeting KH and JH provide a further update on progress being made across the GBSLEP geography.

## **11. Any other business**

None.

## **12. Date of next meeting**

17<sup>th</sup> March – location (to be confirmed)

### **Please note: Future meeting dates:**

#### **2014**

***17<sup>th</sup> March, 19<sup>th</sup> May, 21<sup>st</sup> July, 22<sup>nd</sup> September, 17<sup>th</sup> November***

#### **2015**

***19<sup>th</sup> January***

# **Greater Birmingham and Solihull LEP**

## **Meeting of the Planning Sub-Group – 17<sup>th</sup> March 2014**

### **Baskerville House, Birmingham**

#### **Attending:**

Craig Jordan - Lichfield DC – Chair (CJ)  
Chloe Taylor – LEP Secretariat (CT)  
Darren Clarke – EC Harris (DCI)  
Dave Carter - Birmingham CC (DC)  
Geoff White – RICS (GW)  
Gerald Sweeney – Alliance Planning (GS)  
John Acres – Turley Associates (JA)  
John Heminsley - Cannock Chase DC (JH)  
Ken Harrison – Solihull MBC (KH)  
Lewis Payne - IM Properties (LP)  
Matthew Bowers – Tamworth BC (MB)  
Matthew Taylor – Highways Agency (MT)  
Noel Street - PCPT Architects (NS)  
Philip Somerfield – East Staffs BC (PS)  
Robert Eaton - Birmingham Airport (RE)  
Russell Baker (RB)  
Sarah Cook - Environment Agency (SC)  
Will Charlton – Brooke Smith Planning (WC)

#### **1. Welcome and Introductions**

CJ welcomed everyone to the meeting, especially those who were attending for the first time to participate in the Presentation and Roundtable discussion.

#### **2. Apologies**

Apologies were noted from: Rebecca Mayman (Wyre Forest DC), Nick Harrison (GVA); Ruth Bamford (Redditch and Bromsgrove Council's); Martin Fletcher (Solihull MBC); Andy Plant (St Francis Group); Claire Bridges (Worc. LEP); Noel Hunt (PCPT Architects); Vicky Chell (RLF Morgan Devey); Sarah Day (RLF Morgan Devey).

#### **3. Minutes of the Last Meeting**

The minutes of the last Group meeting held on the 20<sup>th</sup> January 2014 were received and accepted as a true record.

#### **4. Presentation and Roundtable discussion – led by Geoff White (RICS) and colleagues on the planning system and its operation**

GW led the group discussion on the planning system. He outlined the length of time and cost it can take to get a decision. However, 90% of applications go through without problems in this area. In February 2012, the GBSLEP launched the Planning Charter, and is one of the most ambitious LEPs in the country, setting a target to create 100,000 jobs by 2020. The purpose of the session is to identify any specific issues, what's poor about the planning regime and how we can improve it. The discussion highlighted the following:

##### **+’s**

- LEP can shine a light in the right direction
- Works well at strategic level
- Resources short and getting shorter – spatial plan is an attempt to work in partnership
- Working cross-LEP (e.g. with Black Country LEP)

##### **-’s**

- Need bricks and supply chain
- Substantial development needed across west midlands
- Lack of joined up thinking
- Transport is a problem (e.g. Aston Expressway)
- There is a disconnect between the strategic and delivery level (e.g. the statutory planning system slow and cautious)
- Problems on the pre-application side – getting responses from council

##### **Opportunities**

- Explore the Green Belt as a way forward –
- Government backed CPO powers – land under own control to make deliver
- Need to emphasise that development not necessarily a bad thing, and how deliver, because of benefits to local areas, planning is about delivering and not stopping things.
- Viability vs. deliverability – infrastructure is important as a precursor
- Look at challenges as good planners not administrative boundaries
- Plethora of brownfield sites with viability issues – is the problem with planning or finance, flood prevention might make the site more viable
- Need structured planning we are poorer for not having structured planning – the SPRG Housing Study will identify strategic sites that need investment, this is expected to report in April/May
- An investment prospectus could be developed showcasing offer
- Improve engagement, message out and speak to network meetings.

## 5. Updates:

### Work Programme including stakeholder engagement

NS informed the meeting about the Birmingham Best Practice Club, a network for anyone in the construction industry. There will be a Construction 2025 event in June 2014 that members are invited to attend.

### Spatial Framework

DC updated the meeting on the work of the Spatial Planning Group and progress made with the Spatial Plan.

The consultation period on the first iteration of the Spatial Plan closed in January. A short report analysing responses would be going to the LEP Board in March. There were 115 responses to the consultation from organisations across all sectors (this included at the event, written and online responses).

The challenge is that the first version of the document does not address scale and distribution of growth. There are three further pieces of work:

Joint Housing Study – the interim report is due mid-April, this will be followed by a final report mid-May

Strategic Employment Sites Study – seeking legacy funding to undertake a regional assessment

Sustainability Assessment – work is underway to explore the options for undertaking this piece of work.

### Development Management

JH updated the group about the work being taken forward. This included discharge conditions, S106, ways of dealing with species/habitat issues and an invitation to the private sector members to engage with the process and feedback if the approach is right.

**Action** – to consider if want to get involved further with DM group and send contact details to Craig Jordan to participate further.

## 6. Performance Monitoring

CT updated the group around the work to launch the Monitoring Portal, this will provide performance information on the strategic objectives outlined in the Strategy for Growth.

There are three headline sub-outcomes that relate to planning in the Strategy for Growth Optimising Assets workstream. These are:

- Ensure housing availability and growth to meet current and future demands, attract new investment, and drive economic growth with a mix of property types to meet aspirations of the LEP
- Develop a strong and clear pro-growth LEP planning offer
- Create and support a LEP Strategic Spatial Plan to work collaboratively with the LEP Economic Strategy



Underneath the sub-outcomes will need to sit specific actions and relevant KPIs underpinning the whole workstreams (there are none at present). There will also need to be regular performance updates to be captured in the monitoring portal.

**Action** – CJ / DC / JH will identify (by the end of March) the sub-outcomes / actions / lead partners to ensure that the work stream was on track. These would be put forward to the Optimising Assets group for consideration and endorsement.

## **7. GBSLEP Strategic Economic Plan**

The group received a powerpoint update of the Strategic Economic Plan. Over 200 projects had been put forward for consideration in the Local Growth Fund, of these 94 had been through the prioritisation process. As part of the engagement activity a draft SEP update has been produced.

**Action** - stakeholders are invited to contribute to the development of the SEP and feedback any comments by 20 March to [gbslep@birmingham.gov.uk](mailto:gbslep@birmingham.gov.uk)

## **8. Community Infrastructure Levy update**

JH advised the group that an update on CIL charging schedules across the LEP and wider area is being prepared and will be circulated to the group. This will include information on the progress of CIL charging schedules and related material across the GBSLEP area and within the wider West Midlands area.

**Action** – JH to prepare update and forward to CJ to send to the Planning Group.

## **9. Any other business**

The Housing and Economic Growth Group is being broadened to cover the wider Optimising Assets agenda. The membership of the group is being reviewed to ensure that it picks up the wider agenda as set out in the Strategy for Growth. As part of this work, a representative from the Planning Group is being sought to sit on the new Optimising Assets group.

**Action** – all to consider if want to sit on the Optimising Assets Group and put names forward to CJ by end of March

## **10. Date of next meeting**

19<sup>th</sup> May – location (to be confirmed)

**Please note: Future meeting dates:**

**2014: 19<sup>th</sup> May, 21<sup>st</sup> July, 22<sup>nd</sup> September, 17<sup>th</sup> November**

**2015: 19<sup>th</sup> January**

# Greater Birmingham and Solihull LEP

## Meeting of the Planning Sub-Group – 19<sup>th</sup> May 2014

### Baskerville House, Birmingham

#### Attending:

Craig Jordan - Lichfield DC – Chair (CJ)  
Chloe Taylor – LEP Secretariat (CT)  
Geoff White – RICS (GW)  
Robert Mitchell – Richborough Estates (RM)  
Maria-Pilar Machancoses - Centro (MM)  
Matthew Taylor – Highways Agency (MT)  
Philip Somerfield – East Staffs BC (PS)  
Robert Eaton - Birmingham Airport (RE)  
Jim Davies – Environment Agency (JD)  
Claire Bridges – Worcestershire LEP (CB)  
Dave Carter – Birmingham City Council (DC)  
Andy Plant – St Francis Group (AP)  
Victoria Chell - RLF Morgan Devey (VC)  
Rachell Batts – Solihull (RB)

#### 1. Welcome and Introductions

CJ welcomed everyone to the meeting and thanked the GBSLEP for hosting the meeting.

#### 2. Apologies

Apologies were noted from: John Heminsley; Matthew Bowers; Sarah Cook, Ken Harrison.

#### 3. Minutes of the Last Meeting

The minutes of the last Group meeting held on the 17 March 2014 were received and accepted as a true record, with a correction to one name.

#### 4. Midlands Connect – presentation by Maria-Pilar Machancoses (Centro)

The “Midlands Connect” Programme is mainly focused in developing the strongest possible case for strategic transport investment in the region ensuring the West Midlands is well placed to inform not only strategic rail programmes (CP6-CP7) but also other local and national investment programmes (i.e. Highways Agency’s Route-based Strategies). A ‘maxi-SEP’ is being developed that maps all the projects in the WM SEPs and Connectivity objectives, this will be available at end of July.

**Action:** MM to circulate draft for comment.

## 5. Updates

### - **Work Programme (CJ/CB)**

The group agreed that the Work Programme needed updating to reflect revised timescales (for example, for the SPRG).

### - **GBSLEP Spatial Plan and Supporting Evidence (DC)**

There are 3 pieces of work underpinning the Spatial Plan:

1. Strategic Housing Needs Study – PBA have provided an interim report. A provisional timetable has been identified, with the interim report for Stages 1 & 2 being presented to GBSLEP and BCLEP Chief Executives in mid-June, and then to LEP Board.

The group asked why the interim report had not been shared, it was stated that report will be shared with the LEP Board before it is published. Following this the Report will be shared with partners and there will be a workshop with partner organisations.

Stage 3 (to be agreed) will explore the spatial options for meeting the likely shortfall in housing provision identified through the first two phases. It is anticipated that once the brief for Stage 3 has been signed off it will take 1 month to complete. It was highlighted that the Study was referred to in Bromsgrove District Plan with initial hearings scheduled for June.

**Action:** DC to find out dates for the Bromsgrove hearing.

2. Environment Study

There has been a Steering Group meeting, Collingwood are devising a methodology and this will be in place by the end of May. There will be an all day scoping workshop in June to look at the content for the study.

3. Strategic Employment Sites Study

This will be a joint study between the six West Midlands LEPS. The tender process will be completed by the end of May, with a view to complete the study by the end of July.

### - **Development Management (JH)**

JH unable to attend the meeting.

**Action:** JH to circulate DM update electronically.

## 6. July Stakeholder Engagement event – Noel Street/CB

CB and NS are planning a construction stakeholder event for 15 July, 8am – 10am. They have invited Sir Albert Bore to speak. The aim of the session is to identify what can be done through the planning system to attract inward investment. There will be a flyer and promotional material. CB will approach the LEP Secretariat to support with promoting the event.

**Action:** CB to contact LEP Secretariat for support promoting the event.

**Action:** All to send names and leads to CB/CJ so can undertake targeted promotion.

## 7. Topical Planning Issues – John Acres

There were three topical planning issues highlighted to the group:

- a. Planning group and the SEP. There was a discussion about the housing numbers in the SEP and the origin of Appendix M. CT clarified that the numbers referred to the properties that would be brought forward by the LGF bids and that the Housing Appendix had been drafted with the input of the Housing & Economic Growth Sub-Group, the Planning Sub-Group would now be better linked to HEG as the Chair will now sit on the Group.
- b. PBA Report – this was covered under item 5.1.
- c. High Court Challenge to Solihull Local Plan – RB provided an update on Solihull Local Plan following the High Court ruling. The judge ruled that the full housing need required in Solihull had not been objectively assessed. Solihull are reviewing the housing figure will be reviewed and work with PBA to address.

## 8. Performance Monitoring – see attachment - CJ

CT updated the group on the Strategy for Growth Portal, the intention is to launch the portal at the LEP AGM on 20 June. The group were asked to consider the sub-outcomes, actions and performance indicators to monitor progress and propose new ones for inclusion in the Strategy for Growth Portal.

Suggestions from the group included capturing actions (such as, business friendly planning, Spatial Plan, Strategic Housing Needs Study) and the difference made by the group (e.g. housing units delivered, housing planning approvals, appeals, and decisions overturned on appeal).

**Action:** CJ to provide suggested sub-outcome, actions and performance measures for the group to feedback under the Optimising Assets strand of the portal.

## **9. GBSLEP Strategic Economic Plan – update – CT/CJ**

CT updated the group on the submission of the Strategic Economic Plan on 31 March. Following submission, the LEP had been asked to submit a ranked list of projects for the Local Growth Fund for 2015/16, project sponsors had also been asked to provide further project information. The LEP has attended a Clarification Session with the DfT on transport projects in the SEP. It is anticipated that the next stage of activity will focus on Freedoms and Flexibilities.

The SEP contained a Housing Paper that included a bid into the Local Growth Fund for Unblocking Small Housing Sites this was detailed in Appendix M alongside a request to increase the HRA Borrowing Cap. Following the submission the details of the HRA Borrowing Programme (2015-16 and 2016-17) had been published.

**Action:** CT to provide a list of projects in the SEP.

## **10. Community Infrastructure Levy update – JH/KH**

There was no update as neither JH or KH were in attendance. An update will be presented at the next meeting.

**Action:** CJ to ensure that a CIL updated is circulated in the meantime.

## **11. Any other business**

CT informed the group that the LEP AGM will be taking place on the 20 June.

## **12. Date of Next Meeting – 21 July 2014 (Venue tbc)**

**Please note: Future meeting dates:**

**2014: 22<sup>nd</sup> September, 17<sup>th</sup> November**

**2015: 19<sup>th</sup> January**

**Birmingham Development Plan  
DUTY TO CO-OPERATE STATEMENT**

**APPENDIX 22**

**Invitation to tender for the provision of: Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) joint Strategic Housing Needs Study, September 2013**

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Issued by:  
CORPORATE PROCUREMENT SERVICE  
COUNCIL HOUSE  
MANOR SQUARE SOLIHULL  
WEST MIDLANDS  
B91 3QB

**ITT – Part 1**

**INVITATION TO TENDER FOR THE PROVISION OF  
Greater Birmingham and Solihull Local Enterprise Partnership  
(GBSLEP) joint Strategic Housing Needs Study**

**Contract Ref. 00000423**

**Tender closing by 12 noon on: 30 September 2013**

Instructions re tender submission: Please submit your tender submission via the e-tendering system.

All supporting documentation must be in English.

Part 3 of this invitation to tender will form the basis for your submission. Please attach additional documents where we have requested them. No additional or supporting documents are required

## Purpose of this document

Solihull MBC requires the information sought in this tender document from suppliers responding to the advertisement.

**NOTE: THIS TENDER DOCUMENT MUST BE COMPLETED AND RETURNED IF YOU WISH TO BE CONSIDERED FOR INCLUSION WITHIN THE FULL TENDER PROCESS.**

Responses to the tender response document will be used in the selecting & award process of the successful supplier in this procurement.

Organisations should ensure that they carefully read the following guidance notes and in particular the 'Instructions to Applicants' as failure to comply with these instructions is likely to disqualify an application

This is a competitive procurement conducted in accordance with the Open Procedure (EU) and will include interviews on the **7 October 2013**.

## Instructions to Applicants

Applicants are required to nominate a single point of contact in their Organisation for their response (refer to Q3.2.2 on the Questionnaire form). The Authority will only contact the Applicant via the nominated point of contact. The Applicant must therefore undertake to update any changes relating to the nominated point of contact on the e-tendering system promptly.

## Registration with CSW-JETS

To access the tender documents bidders are required to be registered with the CSW-JETS website at [www.csw-jets.co.uk](http://www.csw-jets.co.uk)

Once registration is complete, go to the 'current tenders' tab alternatively to access this and other tender opportunities – click on the 'All Opportunities' link at [www.csw-jets.co.uk](http://www.csw-jets.co.uk)

You are required to answer all of the questions and return the completed document / questionnaire and any associated documentation in electronic format via the CSW-JETS e-tendering portal - by **no later than 12:00 Noon on 30 September 2013**.

Please note that you will be unable to submit your tender on the e-tendering system after the stated deadline and tender submissions will not be accepted in any other way.

1. When completing the tender document electronically, answer boxes may be enlarged if there is insufficient space allocated on the form. You **must not** alter or amend the questionnaire in any other way and **under no circumstances should THE QUESTIONS be altered as doing so will result in the application being rejected**.
2. To enable us to assess your Organisation's suitability, we require you to provide all of the information requested in this questionnaire. Failure to complete the form in full or to provide any of the documents requested may result in your application being rejected.

Rather than leaving answer spaces blank, if the question does not apply to you please write 'Not applicable' or 'N/A'. If you do not have / know the answer please write 'Not known' or 'N/K'.

3. **Except where specifically requested**, no additional or supporting documents are required. Do not send any general marketing material or promotional information for your organisation in order to answer any of the questions.



4. The Authority reserves the right to raise further questions, request further documentation or re-assess any areas evaluated and accepted as part of this tender prior to formal award of a contract. Any material differences identified as a result of any re-evaluation may result in your tender not being accepted.
5. The Organisation agrees to promptly notify the Authority (and provide any additional relevant information) if at any stage after submitting the tender bid any information contained in the questionnaire becomes no longer true or accurate. If following an evaluation of your questionnaire, your Organisation is awarded the contract, the Authority may seek written confirmation from your Organisation that the details contained within this questionnaire remain current and accurate.
6. Any financial figures you place in the form should be stated in full and in GBP e.g. £5,456,789.99 not £5.46m.
7. Where reference is made within this questionnaire to any UK standard or legislation and you are not currently subject to UK standards or legislation, please supply details of any equivalent standards or legislation that apply to your Organisation.
8. Please note that any form of canvassing will lead to disqualification from the procurement process **(this does not include contact made legitimately to the contact detailed at point 10 below in order to seek clarification or guidance)**. Applicants must complete the Canvassing Certificate at Appendix A and the Declaration at Appendix C of this document.
9. The Authority does not accept, and will not respond to any **verbal** requests for clarification. Any queries or requests for clarification **MUST** be made via the CSW-JETS e-tendering system
10. Requests for clarification will be accepted up until **12:00 noon 18 September 2013**  
  
After this date no clarification requests will receive a response. If any question or request for clarification is of such significance that all Applicants should be made aware of it, both the query and the response will be communicated to them via the e-tendering system.
11. Any information and/or documents submitted in response to this questionnaire must relate to the applicant only; the applicant being the Organisation which (it is proposed) will enter into a formal contract should their bid be successful. If you are submitting a bid on behalf of a consortium of Organisations, the lead partner in the consortium is required to complete this questionnaire with their information. However, the Authority reserves the right to require the other members of the consortium to complete a questionnaire or to provide the Authority with such information as requested.
12. The publication of this tender document in no way commits the Authority to award any contract pursuant to any procurement process.
13. The Authority reserves the right to;
  - a. cancel the selection and evaluation process at any stage;
  - b. amend the terms, conditions and/or requirements of the questionnaire / procurement process;
  - c. cancel, postpone or suspend this procurement.
14. Your inclusion or otherwise on a list of companies invited to submit formal tenders does not imply any on-going representation by the Authority as to your Organisation's financial stability or technical competence.

15. All information provided to the Organisation by the Authority shall be regarded as confidential and used only to prepare a response to the questionnaire. The questionnaire remains the property of the Authority and must be returned upon demand.
16. The Authority will not be liable for any costs or expenses incurred by applicants in completing and submitting a questionnaire.
17. All responses and submissions provided in this document may form part of the contract should your Organisation subsequently be successful.
18. The Authority reserves the right to disclose all or any information supplied by Organisations in the questionnaire to the Director General of the Office of Fair Trading for the purposes of assisting the Director General in the discharge of his or her duties under the Competition Act 1980 and 1998 and any relevant legislation.

## **1. Freedom of Information**

Solihull MBC is committed to open government and to meeting their legal responsibilities under the Freedom of Information Act 2000. Accordingly, all information submitted to a public authority may need to be disclosed by the public authority in response to a request under the Act. Solihull MBC may also decide to include certain information in the publication scheme, which Solihull MBC maintains under the Act.

If a supplier considers that any of the information included in their pre-qualification questionnaire is commercially sensitive, they should identify it and explain (in broad terms) what harm may result from disclosure if a request is received, and the time period applicable to that sensitivity.

Solihull MBC undertakes to use its best endeavours to keep confidential any information provided by the supplier, subject to the Council's obligations under law, including the Freedom of Information Act 2000. Suppliers should be aware that, even where they have indicated that information is commercially sensitive, Solihull MBC might be required to disclose it under the Act if a request is received.

Potential providers should also note that the receipt of any material marked 'confidential' or equivalent by Solihull MBC should not be taken to mean that Solihull MBC accepts any duty of confidence by virtue of that marking.

## **2. Data Protection Act 1998**

The 1998 Data Protection Act makes it mandatory that the Council obtains contractual guarantees from all third parties that process personal information on its behalf. It also requires that the Council ensure that measures are in place to prevent unauthorised or unlawful processing of personal information and to prevent accidental loss, destruction or damage to any personal information that is processed on behalf of the Council.

**ITT - Part 1 – Proposal**

- 1.1 Introduction
- 1.2 Instructions and conditions of tendering
- 1.3 Specification schedule
- 1.4 Timetable
- 1.5 Appendices – Sign and return A and C

**ITT – Part 2 – Terms and Conditions of Contract**

- A. General Provisions
- B. Provision of the Services
- C. Payment and Contract Price
- D. Statutory Obligations and Regulations
- E. Protection of Information
- F. Control of the Contract
- G. Liabilities
- H. Default, Disruption and Termination
- I. Disputes and Law

**ITT – Part 3 – Response document**

- 3.1 Form of Tender
- 3.2 Form of Contract
- 3.3 Questionnaire
- 3.4 Invoicing and Pricing schedule
- 3.5 Implementation plan
- 3.6 Change control
- 3.7 Commercially Sensitive Information schedule
- 3.8 Anti-Collusive Tendering
- 3.9 Procurement /Process Checklist
- 3.10 Summary of Ineligibility

## 1. INVITATION TO TENDER – PART 1 – PROPOSAL

### 1.1 INTRODUCTION

Solihull Metropolitan Borough Council (SMBC) is located between Birmingham to the west and Coventry and Warwickshire to the east. We are at the heart of the regional and national motorway and rail networks. The international gateway of Birmingham Airport ensures that we have good transport links with the region and beyond. This Airport is the 5th largest in the UK and the 2nd largest regional airport for passenger throughput and is served by Birmingham International Railway Station.

The Borough is bordered by the M6 and the M40 and split by the M42. Around 70% of the Borough's 44,000 acres (69 square miles) is greenbelt. There are 1,300 acres of parks and open spaces. The Council serves a population of just under 200,000 people residing in 84,000 households.

The Council has approximately 8,000 employees of which 4,700 are teaching staff.

In terms of Schools, there are 61 Primary Schools plus 1 Primary Academy, 5 Special and 3 Secondary Schools, plus 11 Secondary Academies.

Solihull has more than 4,000 businesses which are registered for Value Added Tax (VAT), 27% of which operate within the administration and service sectors. About 15% of businesses are in construction, 13% in finance and related work and 12% in retail.

Over 60 businesses employ 200 or more people. More than half the businesses employ four or fewer. About 11,000 people at Solihull are self-employed.

Solihull Council has a number of ambitious goals. We are working with a number of partners, including those in the private sector, and making real progress on regenerating the Borough, particularly north Solihull, transforming secondary education and operating modern, customer focused contact services.

The local authorities within the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) wish to undertake a joint Strategic Housing Needs Study and invite tenders from suitably qualified and experienced consultants.

GBSLEP is led by businesses and local authorities across natural economic areas. They provide the vision, knowledge and strategic leadership required to drive sustainable private sector growth and job creation in their areas.

The GBSLEP Board is comprised from the private sector, local authorities and universities and colleges. There are a total of 18 Directors, ten from the business community, seven from local authorities and one representing higher/further education. The GBSLEP is business-led and business community representatives have been recruited with the aim of reflecting the geography of the area as well as different sizes and sectors of commerce and industry.

Further information is available on the GBSLEP website at:

<http://centrefenterprise.com/>

The Greater Birmingham and Solihull Local Enterprise Partnership member authorities are:

Birmingham  
Bromsgrove  
Cannock Chase  
East Staffordshire  
Lichfield

Redditch  
Solihull  
Tamworth  
Wyre Forest

The purpose of the joint Strategic Housing Needs Study is to provide technical evidence to the commissioning authorities and the GBSLEP on the scale of future housing, requirements including housing needs, which cannot be accommodated within the local authority area in which they arise and to identify a range of options regarding where additional development land could be provided within the study area to meet these needs. The study will also inform the development of the GBSLEP Spatial Framework Plan and individual local plans where appropriate.

Solihull MBC has been invited to lead in the tendering exercise for the study.

The proposed contract period is from 11 October 2013 to 7 February 2014.

Any extension of the contract would be agreed by both parties and would be subject to the terms and conditions of the main contract.

The Council reserves the right to a pricing review should the total expenditure increase due to the above.

Please ensure that your organisation's name is placed on the footer of each page.

No variant bids will be accepted.

The Council reserves the right to enter into a reverse auction.

## **1.2 Instructions and Conditions of Tendering**

### **1.2.1 Sufficiency of Information**

The Tenderer shall ensure that it is familiar with the content, the extent and nature of its obligations as outlined in this Invitation to Tender (hereafter referred to as the Tender Documents) and shall in any event be deemed to have done so before submitting its Tender response (hereafter referred to as the Tender).

The Tenderer will be deemed for all purposes connected with the Tender Documents to have carried out all research, investigations and enquiries which can reasonably be carried out and to have satisfied itself as to the nature, extent, volume and character of the Services (in the context of and as it is described in the Specification) and the extent of the personnel, equipment, assets, property and systems which may be required and any other matter which may affect its Tender.

### **1.2.2 Costs and Expenses**

All costs, expenses and liabilities incurred by the Tenderer in connection with preparation and submission of the Tender will be borne by the Tenderer.

The Tenderer shall have no claim whatsoever against the Council in respect of such costs, and in particular (but without limitation) the Council shall not make any payments to the successful Tenderer or any other Tenderer save as expressly

provided in the Contract and (save to the extent set out in the Tender Documents).

In all cases pricing shall be exclusive of Value Added Tax, which will be applied in accordance with legislation.

### **1.2.3 Further Information and Enquiries**

Tenderers should contact the Corporate Procurement Service via the e-tendering system to obtain further information or to make enquiries. The Council reserves the right to share enquiries and subsequent responses with all Tenderers. All enquiries should be made at least seven working days before the Tender closing date. Clarification queries will not be accepted after 18th September 2013. All enquiries will be answered 5 days before the tender closing date.

The Council reserves the right to make amendments to the Tender Documents during the tendering process to cater for specific issues, which arise during the tender process. Such amendments will be communicated in writing to all Tenderers via the e-tendering system.

### **1.2.4 Completion of Tender**

Tenderers must use the Tender documents – Part 3 as a template for their response. Responses to the questions/comments should be inserted beneath each relevant section. This document must be returned in its entirety as your Tender submission together with all appropriate supporting documentation via the e-tendering system.

### **1.2.5 Form of Tender**

All documents requiring a signature must be signed:

- Where the tenderer is an individual, by that individual
- Where the tenderer is a partnership, by two duly authorised partners.
- Where the tenderer is a company, preferably by two directors or by a director and the secretary of the Company, such persons being duly authorised for that purpose.
- In the case of a Limited Company a duly authorised officer of the company must sign the tender.

### **1.2.6 Volume/Usage Information**

Information provided about volumes/usage are based on genuine estimates, for the requirements. However, the Council is not bound to these requirements and the Tenderer must accept that usage may vary from these estimates.

### **1.2.7 Parent Company Guarantee or Performance Bond**

Following financial evaluation, there may be a requirement for a Parent Company Guarantee or Performance Bond.

### **1.2.8 Terms and Conditions**

The Terms and Conditions in Invitation to Tender - Part 2 will form the basis of the Contract between the Council and the successful Tenderer.

The Council proposes to conclude the Contract on the terms set out in the Terms and Conditions of Contract although may at its discretion accept proposed amendments provided that such amendments are set out in full by the Tenderer when its Tender is submitted as part of a variant bid.

The Council must be satisfied with the amendments proposed. The degree of amendment proposed by the Tenderer will be one of the factors in Tender evaluation. The Council may at its discretion reject a Tender based on amended Conditions.

The Council will critically examine any matters which were not raised on submission of Tenders but which are subsequently identified by the Tenderer. The Council reserves the right to reject a Tender from a Tenderer who raises during the evaluation period proposed amendments which were not identified as part of its Tender.

#### **1.2.9 Return of Tenders**

Tenders must be duly completed (Part 3 – response document) and returned with any additional documentation requested in the Tender Documents or that the Tenderer wishes to provide in support of this Tender via the e-tendering system.

Tenders must be uploaded **no later than noon on 30 September 2013**.

The e-tendering system will not allow any tender or accompanying documentation to be uploaded after this time and date.

#### **1.2.10 Extension of tender closing date**

The Council may at its own discretion extend the tender closing date and time specified without representation from any tenderers. In this case, any extension granted will apply to all tenderers and each shall be notified in writing via the e-tendering system.

#### **1.2.11 Errors in tenders**

If the Tenderer after submitting the Tender informs the Council that there is an error in any of the prices or rates contained in the tender then the Council will afford the tenderer an opportunity to confirm or withdraw its tender. However, the tender amount will be adjusted to correct arithmetic errors evident within the tender document.

#### **1.2.12 Rejection of Tenders**

The Council reserves the right to reject any Tender submitted by a Tenderer in respect of which the Tenderer:

- a) Does not submit a Tender in accordance with the instructions issued by the Council during the tender period; or



- b) Discloses to any third party prices shown in its Tender except where such disclosure is made in confidence in order to obtain quotations necessary for the purposes of financing or insurance; or
- c) Enters into any agreement with any other person that such other person shall refrain from submitting a Tender or shall limit or restrict the prices to be shown by any other Tenderer in its Tender; or
- d) Fixes prices in its Tender in accordance with any arrangement with any person or by reference to any other Tender; or
- e) Offers or gives or agrees to give any member or officer of the Council any gift, benefit or consideration of any kind or value as an inducement or reward with regard to the contract; or
- f) In connection with the award of the Contract commits an offence under the Prevention of Corruption Acts 1889 -1916 or Section 117 of the Local Government Act 1972; or
- g) Has directly or indirectly canvassed any member or official of the Council or their agents concerning award of the Contract or who has directly or indirectly obtained or attempted to obtain information from any such member or official concerning any other Tenderer or Tender submitted by any other Tenderer; or
- h) Has done anything improper to influence the Council during the tender period; or
- i) Has failed to use the English language; or
- j) Has failed to return the Tender Documents fully completed and signed or any of the accompanying documents requested; or
- k) Where the Council believes that there has been any form of co-operation or collusion with another Tenderer; or
- l) Attempts to alter its offer after the last date for receipt of tenders; or
- m) Expresses that the tender is conditional upon the Councils acceptance of alterations to the specification or the terms and conditions of contract.

For the avoidance of doubt any non-acceptance or rejection in accordance with the above shall be without prejudice to any other civil remedies available to the Council or any criminal liability which such conduct by a Tenderer may attract.

### **1.2.13 Tender Evaluation and Award Procedure**

The Council intends to award the Contract on the basis of the most economically advantageous offer to the Council.

In evaluating Tenders the Council shall have regard to the following criteria and indicative weightings:

Some section responses will be evaluated on a 'pass/Fail' basis.

Technical/Quality will account for 85% of the Tender Evaluation and will be based on responses to Part 3 of the Invitation to tender. The highest Technical/Quality bid

score will be given 100% for Technical/Quality. Other scores will then be calculated in proportion to give the Weighted Service Offer Score.

Each provider's Technical/Quality Evaluation score will be calculated by assessing the questions listed in Part 3 of this Invitation to Tender as follows:-

To calculate the amended Score = (Supplier A score divided by Top Scoring Supplier) multiplied by 85.

i.e. - (Supplier A / Top scoring supplier \* 85)

Section Number	Scoring Method	Weighting
Appendix A - Canvassing Certificate	Pass/Fail	N/A
Appendix C - Declaration	Pass/Fail	N/A
3.3.7 - Insurance	Pass/Fail	N/A
3.3.6 – Financial Information	Pass/Fail	N/A
3.3.5 – Compliance with EC legislation / UK procurement legislation	Pass/Fail	N/A
3.8 – Anti-Collusive Tendering	Pass/Fail	N/A
Specification		
<ul style="list-style-type: none"> <li>▪ Clarity of submission, methodology and effectiveness in demonstrating how the project objectives and outcomes will be achieved.</li> </ul>	Qualitative Score – 0-5	35%
<ul style="list-style-type: none"> <li>▪ Previous track record in successful delivery of similar projects.</li> </ul>	Qualitative Score – 0-5	5%
<ul style="list-style-type: none"> <li>▪ Quality assurance and project management processes and procedures Timescales and resources – these must be realistic in order to undertake this work within the timescale.</li> </ul>	Qualitative Score – 0-5	20%
<ul style="list-style-type: none"> <li>• Interviews <ul style="list-style-type: none"> <li>○ Methodology and effectiveness in demonstrating how the project objectives and outcomes will be achieved</li> <li>○ Project management processes and procedures</li> <li>○ Consultants experience in delivering similar projects and proposed involvement in project</li> </ul> <p><b>The interviews will be held on the 7<sup>th</sup> October</b></p> </li> </ul>	Qualitative Score – 0-5	40%
<b>Total Technical / Quality Evaluation Weighting</b>		<b>100%</b>

### Price / Value for Money score

Price / Value for Money will account for **15%** of the tender evaluation.

The lowest quote will be given 100% for Value for Money. Other scores will then be calculated in proportion to the lowest price to give the Weighted Value for Money Score – the higher the price, the lower the score.

To calculate the amended Score = (Top Scoring Supplier divided by Supplier A score) multiplied by 15

i.e. - (Top scoring supplier / Supplier A \* 15)

Section Number	Scoring Method	Weighting
3.3.1 – Pricing – fixed term period	Score – 0-5	100%
<b>Pricing Weighting</b>		<b>100%</b>

### **Overall Assessment**

The Weighted Technical / Quality Score and the Weighted Price / Value for Money Score for each submission will be added together to produce a Combined Weighted Score. The scores for each Tender will be compared. A risk assessment will be carried out on the Tender offering the most economically advantageous Tender i.e. the highest Combined Weighted Score.

The Council reserves the right to award the contract in full or in part, and is not bound to accept the lowest or any tender.

The Council also reserves the right to undertake post tender clarification, including meetings, with Tenderers concerning any aspects arising from or in conjunction with the Tender.

### **Scoring Criteria**

0 The response does not meet the requirements of the tender.

1 The response provides limited detail in line with the requirements of the tender; however the response does not demonstrate an adequate understanding of the contracts objectives, and/or does not cover the main management and technical risks to an acceptable standard.

2 The response demonstrates an adequate understanding of the contracts objectives and the requirements of the tender, and covers the main management and technical risks to an acceptable standard.

3 The response demonstrates a good understanding of the contract objectives and the requirements of the specification. It deals with the main management and technical risks to a good standard.

4 The response demonstrates a very good understanding of the contract objectives and the requirements of the specification. It deals with the main management and technical risks to a very good standard and provides for delivering continuous improvement over the life of the contract.

5 The response has been tailored specifically to suit the contract objectives and the requirements of the specification, uses innovative approaches to deal comprehensively with the main management and technical risks, and is likely to maximise performance and deliver continuous improvement.

#### **1.2.14 Acceptance of Tender**

Where the Tender process has been undertaken in accordance with EU Procurement Directives the Standstill Period shall apply, whereby unsuccessful Tenderers are able to challenge the Contract Award during the 10 days following the notification to Tenderers of the intended Contract award.

Any acceptance by the Council of a Tender shall be notified to the successful Tenderer in writing.

#### **1.2.15 The Contract**

The Council may choose to execute the Contract by means of:

- a) a formal Contract Document
- b) a formal Contract Document executed as a deed
- c) a formal acceptance letter

Whichever of these options is selected by the Council the Contract will embody the Tender Documents, the Tender and any other subsequent correspondence and agreements deemed appropriate by the Council.

#### **1.2.16 Confidentiality and Ownership of Documents**

The Tender Documents and all other documentation issued by the Council relating to the Contract shall be treated by the Tenderer as private and confidential for use only in connection with the Tender and shall not be disclosed in whole or in part to any third party without the prior written consent of the officer named in the tender save where such information has been disclosed for the purposes of obtaining quotations from proposed insurers and/or sub-contractors and other information required to be submitted with the Tender.

The copyright in all the documents which constitute the Contract shall vest in the Council and all such documents and all copies thereof are and shall remain the property of the Council and must be returned to the Council upon demand.

#### **1.2.17 Tenderer's Warranties**

In submitting a Tender the Tenderer warrants, represents and undertakes to the Council that:

- a) It has not done any of the acts or matters which would constitute a rejection of tender, and has complied in all respects with these Instructions for Tendering.
- b) All information, representations and other matters of fact communicated (whether in writing or otherwise) to the Council by the Tenderer or its Staff in connection with or arising out of the Tender are true, complete and accurate in all respects.
- c) It has carried out its own investigations and research, has satisfied itself in respect of all matters relating to the Tender Documents. Tenderers should not rely on any information received other than that supplied by the Council in the Tender Documents or other information in written form from the Council's agent. The Council will not accept responsibility for any information

obtained otherwise.

- d) It has full power and authority to enter the Contract and fulfil its obligations under the Contract and will if requested produce evidence of such to the Council.
- e) It is of sound financial standing and the Tenderer and its directors, officers and employees are not aware of any circumstances (other than such circumstances that may be disclosed in the audited accounts or other financial statements of the Tenderer) submitted to the Council, which may adversely affect such financial standing in the future.
- f) It has, and has made arrangements to ensure that it will continue to have, sufficient working capital, skilled staff, equipment, machinery and other resources available to fulfil its obligations under the Contract.

### **1.2.18 Insurance**

Tenderers must have the following minimum levels of insurance where applicable to the Contract:

Employers liability	£10 million per incident
Public and products liability	£5 million per incident
Professional indemnity	£2 million annual aggregate

Tenderers are required to submit copies of current insurance certificates to evidence this or Tenderers should confirm that if successful they would obtain the required insurance.

### **1.2.19 Announcements**

The Council reserves the right to publish the contract value and the name of the successful Tenderer, and such other information regarding the contract award as may be required in accordance with EU Procurement Directives or other procurement rules with which the Council must comply.

#### **Local government spending transparency**

- All new items of spending over £500 will be published on the Council's website from October 2010  
<http://www.solihull.gov.uk/opendata/expenditure.htm>
- All contracts and tender documents for expenditure over £50,000 may be published in full on Solihull MBC's Web site from January 2011.

#### **Feedback to Tenderers**

Tenderers are entitled to feedback as to why they may have been unsuccessful in tendering for the contract. However, the Council will not disclose information which may be considered confidential or commercially sensitive.

#### **Freedom of Information**

The Council undertakes to use its best endeavours to keep confidential any information provided by the Tenderer subject to the Council's obligations under law, including the Freedom of Information Act 2000.

### **Data Protection Act 1998**

The 1998 Data Protection Act makes it mandatory that the Council obtains contractual guarantees from all third parties that process personal information on its behalf. It also requires that the Council ensure that measures are in place to prevent unauthorised or unlawful processing of personal information and to prevent accidental loss, destruction or damage to any personal information that is processed on behalf of the Council.

### 1.3 SPECIFICATION SCHEDULE

#### Introduction

The local authorities within the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) wish to undertake a joint Strategic Housing Needs Study and invite tenders from suitably qualified and experienced consultants.

#### Purpose

To provide technical evidence to the commissioning authorities and the GBSLEP on the scale of future housing, requirements including housing needs, which cannot be accommodated within the local authority area in which they arise and to identify a range of options regarding where additional development land could be provided within the study area to meet these needs. The study will also inform the development of the GBSLEP Spatial Framework Plan and individual local plans where appropriate.

#### Variant / Alternative bids

Variant or alternative bids **will not** be accepted

#### Contract Term

The study will be undertaken to the following timetable:

Stage	Date
Appointment of Consultant	Friday 11 October 2013
Inception Meeting	W/C Monday 14 October 2013
Stage 1. The Stock Take	
First Interim Report	Friday 22 November 2013
Stage 2. Identifying the Shortfall or Surplus	
Second Interim Report	Friday 20 December 2013
Stage 3. Options to address the shortfall: GBSLEP Leaders to consider Interim Report and review and agree the detail of the brief for Stage 3.	Week commencing 13 January 2014
Final report and sign off	Friday 7 February 2014

#### Scope

The scope of this procurement covers:

- All of the activities outlined in The Requirements; and;
- Across the area outlined within the Geography

#### Background to the requirement

Over the last couple of years significant changes have been made to the planning system. These include the publication on new national planning policy in the form of the National Planning Policy Framework (NPPF), the abolition of Regional Assemblies and the imminent revocation of the West Midland Regional Spatial Strategy (RSS). These changes mean that a new approach is required when considering housing growth.



## The RSS

Under the previous planning system local authority housing targets were set by the RSS. The West Midlands Regional Planning Body, working with local authorities established the targets taking account of demand, need, supply and regional strategies. This work resulted in a re-allocation of provision between authorities. Once adopted the RSS, and the housing targets within it, became a part of the local authority's statutory development plans.

## National Planning Policy Framework

With the imminent revocation of the RSS local authorities are now required to establish housing targets in accordance with the provisions of the NPPF. The NPPF requires the objectively assessed need for housing to be assessed and addressed. It requires local plans to provide sufficient housing to meet objectively assessed need in a sustainable way, and, where a local authority cannot accommodate the level of housing required within its boundary, it states that provision should be made beyond those administrative boundaries.

Cross boundary, collaborative, working between neighbouring authorities, in accordance with the Localism Act's Duty to Cooperate, is fundamental to the NPPF. Relevant extracts from the NPPF are set out overleaf:

### Extracts from the NPPF

“Local planning authorities should have a clear understanding of housing needs in their area. They should prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries...” - Paragraph 159

“To boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area...” - Paragraph 47

“Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities” - Paragraph 178

“Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework....” - Paragraph 179

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination...” - Paragraph 181

## The Emerging Picture within the Study Area

Technical work undertaken by individual local authorities in relation to housing requirements and supply, indicate that in some local authorities the level of housing required cannot be met within the respective authority's administrative area, requiring some reallocation outside their boundaries. This means that there will be a requirement for neighbouring authorities to demonstrate that they have worked together to ensure that the objectively assessed needs will be met.

Evidence to date suggests that planning inspectors are giving considerable weight to the requirement for joint working when considering the soundness of local plans and this study will help to demonstrate that the local authorities within the study area are compliant with the NPPF in this regard.

## The GBSLEP Spatial Framework and the Plan Making Process

House building is one of the key drivers of growth across the LEP area. The GBSLEP board have taken the decision to produce a Spatial Framework for the LEP area and has agreed in principle that a range of technical work, including a strategic housing study, is required to underpin the Framework.

The local authorities within the LEP area are at different stages of the plan making process. Some are well advanced, others less so. Clearly this study should not delay individual authorities progressing their plans towards adoption. Where the timetable for the study would cause delays to a plan it would be sensible for work on the plan to proceed based on existing evidence with such plans acknowledging that an early review may be required subject to the findings of the study.

## **The Requirements**

The successful consultants will undertake the study in three stages:

### Stage 1

The first stage will be to carry out a 'Stock Take'. This will include:

- Auditing the existing evidence base and establishing a baseline position
- Reviewing existing SHMAs (including methodologies and scenarios used) and identify any commonalities and differences.
- Reviewing existing SHLAAs (including methodologies) and identify any commonalities and differences.
- Taking account of current or emerging housing studies of other neighbouring authorities which are not taking part in the study.
- Considering the relevance of the existing evidence base in the light of the NPPF and the latest household projections.
- Advise on the different housing markets that affect the GBSLEP area and the relationships between them.
- Advise on the link between the local GBSLEP economy and the GBSLEP housing markets.
- Identifying any gaps in the base data / shortcomings in the baseline position.
- Identify any work required in order to arrive at a consistent baseline position which will enable Stage 2 of the study to be undertaken.

An interim report will be presented upon completion of stage 1.

### Stage 2

Stage 2 of the study should be grounded in the evidence base from stage 1. The Steering Group will review the requirements of stage 2 should the findings of stage 1 indicate that this is necessary.

Undertake an assessment of the amount of new housing which will be required over the period 2011-2033 for the whole of the study area, the capacity of the study area to accommodate new housing and identify the scale of any shortfall or surplus. This will take account of all relevant factors including:

- The findings of stage 1 of the study (which will include a recommended approach / scenario).
- DCLG household projections.
- Socio-economic influences on household formation Variance in fertility and mortality rates
- Migration, including international migration.
- Likelihood of household requiring institutional accommodation.
- Vacancies and second homes
- Unmet and backlog need
- Environmental issues
- Deliverability
- Where the need will arise (by local authority).
- Review of the level and broad location of the supply of land which has already been identified to provide housing, including an analysis of current and emerging development plans and an analysis of SHLAAs. This should include appropriate analysis for areas which are deemed to be part of housing market area whether these areas are within the GBSLEP area, or not.

A second interim report will be presented upon completion of stage 2. This interim report will be considered by the GBSLEP Leaders prior to the commencement of Stage 3.

### Stage 3

The opportunity will be taken to review and refine the specification for Stage 3 of the study taking account of the outcomes of stages 1 and 2.

Identify a number of broad spatial options (to be agreed by the Steering Group) for addressing any shortfall of suitable land for housing (or surplus of land suitable for housing – after needs within the LPA have been met.). These will:

- Take account of migration trends, the relationship with adjoining housing market areas and other relevant evidence.
- Take account of the type and size and tenure of housing where these will affect the strategic nature of the study.
- Be both feasible and deliverable (acknowledging that some existing policy designations may need to be revisited).
- Provide local planning authorities and decision makers with a clear basis on which to undertake more detailed work and where necessary review their development plans.
- Provide broad indicative housing requirement figures for each option for each local authority.

In developing options a Sustainability Appraisal (SA) process will need to be developed and undertaken in parallel with the Housing Needs Study. The consultants appointed to undertake the needs study will be required to work closely with the body appointed to undertake the SA.

Although inspectors at recent Examinations in Public (i.e. Coventry) have referred to studies of this type as joint Strategic Housing Market Assessments (SHMAs), the requirements of the study differ from a SHMA as defined by national planning guidance and best practice guidance, which is principally aimed at identifying affordable housing needs over a five year period.

### **Geography**

The Study will be undertaken for the local authority areas set out below and the associated housing market areas revealed by stage 1.

The Greater Birmingham and Solihull Local Enterprise Partnership member authorities:

- Birmingham
- Bromsgrove
- Cannock Chase
- East Staffordshire
- Lichfield
- Redditch
- Solihull
- Tamworth
- Wyre Forest

Other authorities accepting the invitation to take part in or cooperate with the study.

The study should take account of all housing market areas identified whether or not the local authorities choose to take part or not.

The study will need to take account of current and emerging housing studies undertaken by other neighbouring authorities.

### **Management**

The study will be commissioned by Solihull Council on behalf of the commissioning authorities.

A Management Panel consisting of local planning authority representatives and nominated representatives of the private sector will be established. The consultants will be required to attend regular meetings with the Panel. The outcome will be reported to the LEP board.

### **Other Requirements**

- The successful contractor shall maintain the confidentiality of all information relating to individuals and shall conform to the Data Protection Act regulations, implement an Equal Opportunities policy within their service delivery and in their outputs, and shall not publish any findings of the appraisal without the written permission of the client.
- The contractor will be required to supply all data and software necessary to allow the client to make regular updates without incurring further expense, in order to extend the useful life of the analysis.
- All materials supplied or paid for by the client including survey results and other supporting materials will remain the property of the client and should be returned on completion of the contract.
- All outputs produced by the successful consultant will become the property of the client on completion of the contract, and the copyright of all output material will belong to the client.
- The client reserves the right to make quality checks at any time during the contract period.
- The client shall rely on the information provided by the tendering consultants in their quotation submission. A material misrepresentation contained therein shall constitute a material breach of contract.
- This study is not a SHMA. Individual local authorities, particularly those who do not have a local, up to date, SHMA in place, may wish to take the opportunity to commission additional detailed work, for example, to examine need by dwelling size or tenure. The successful consultant should be prepared to undertake such additional work where required, entering into a contract with the local authority directly.
- The risks associated with delivering the project and the project on time

## The Tender Documentation

As a minimum the tender response should include details of:

- The methodology, data sources and technical approach to be used in relation to stages 1, 2 and 3.
- Details of the specific research outputs and how they will be presented.
- The client resources that will be required (in terms of staff and data).
- Details of how the work will be managed and organised.
- Details of the consultants project team including their qualifications, their roles, their involvement in terms of time, their experience (both generally and in relation to SHMAs) and their individual costs.
- The track record of the tendering consultant. Examples of similar work which they have undertaken for other clients and details of any work undertaken on behalf of the clients should be submitted.
- Details of and sub-contracting on the part of the consultant.
- Identification of any potential conflict of interest in relation to the study.
- A payment schedule.
- Details of the period for which the quote remains firm.
- A signature of the contractor.
- Full contact details.

## Fees

Tenders should include:

- Separate and individual costs for:
  - stage 1
  - stage 2
  - stage 3
- The cost of purchasing any specialist data which cannot be provided by the commissioning clients.
- The cost of providing any data should be included in the tender cost
- The consultants travel costs and expenses for attending all meetings with the Management Panel should be included in the tender cost. All to be held within the study area.
- Rates for additional work such as presentations, appearance at examinations and the variation to quoted charges in the event of additional work that might be identified to stage 3 of the study.
- A payment schedule will be agreed with the successful consultant.

## Contact Details

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Manor Square, Solihull, West Midlands. B91 3QB  
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Tel: 0121 704 8320

Mark Collyer  
Housing Strategy Officer  
Solihull Council, Places Directorate - Policy and Spatial Planning Services, Council House,  
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Tel: 0121 704 8145

#### 1.4 TIMETABLE

ACTIVITY	DATE
ITT issued	9th September 2013
ITTs returned <b>(no later than 12:00 noon)</b>	30th September 2013
Initial evaluation completed and if applicable, shortlist agreed	2nd & 3rd October 2013
Tender Interview Panel	7th October 2013
Approval to award	9th October 2013
Tenderers notified of award	10th October 2013
Service Delivery commences	11th October 2013

The above dates are indicative and are provided for information purposes and are not legally binding

**Appendix A – Canvassing Certificate** pass/fail

**TO:**

**SOLIHULL METROPOLITAN BOROUGH COUNCIL**

**(hereinafter called ‘the Authority’)**

***I/We hereby certify that I/we have not canvassed or solicited any Member, officer or employee of the Authority in connection with the award of this tender or any other tender or proposed tender for the services and that no person employed by me/us or acting on my/our behalf has done any such act.***

***I/We further hereby undertake that I/we will not in future canvass or solicit any member, officer or employee of the Authority in connection with the award of this tender or any other tender or proposed tender for the services and that no person employed by me/us or acting on my/our behalf will do any such act.***

<b>Signed</b>			<b>Status</b>	
<b>For and on behalf of</b>				
<b>Date</b>				

## Appendix C – DECLARATION pass/fail

**WHEN YOU HAVE COMPLETED THE QUESTIONNAIRE, PLEASE READ AND SIGN THE SECTION BELOW.**

**TO SOLIHULL MBC**

I / We

- a. certify that the information supplied is accurate to the best of my / our knowledge and
- b. accept the conditions and undertakings requested in the questionnaire and
- c. understand that false information could result in my / our exclusion from further participation in this and future tender processes and
- d. certify that I/we shall undertake to notify the Authority immediately of any material changes of information and/or circumstances, including change of address occurring at any time subsequent to the submission of this questionnaire and
- e. understand that in the event of the Authority entering into a contract with us the answers to the questions set out in this questionnaire will be binding upon me/us and any misrepresentation may lead to termination of the contact and
- f. understand that the Authority is not obliged to accept any proposal submitted or to enter into a contract with any contract and I/we have no claim against the Authority for any costs or expenses incurred in submitting this questionnaire and
- g. confirm that I/we have read and accept the conditions of participation in this questionnaire
- h. understand that no representation or warranty, express or implied, is or will be made or given in relation to the accuracy or the completeness of any information contained in this questionnaire or otherwise provided by or on behalf of the Authority.

**Signed:**

**Date:**

**Name (please print):**

**Position:**

The undertaking should be signed by a director, partner or other senior authorised representative in her / his own name and on behalf of the Organisation.



**Birmingham Development Plan  
DUTY TO CO-OPERATE STATEMENT**

**APPENDIX 23**

**Study Brief: West Midlands Strategic Employment Sites Study, April 2014**

## W40 TENDER BRIEF

### Study Brief: West Midlands Strategic Employment Sites Study

#### 1. Purpose and requirements of the Study

- 1.1 West Midlands Local Authority Chief Executives recognise the value of having a reserve of strategic sites, which are attractive and able to accommodate internationally footloose businesses and very large scale logistics facilities. A joint study is being commissioned on behalf of Chief Executives using legacy funding for West Midlands-wide planning work from the disbanded West Midlands Regional Assembly, to understand whether there is a continuing need to provide and protect investment opportunities of this scale and nature in the future. The work will help local authorities and their partners better support economic and geographical rebalancing across England through facilitating major manufacturing operations to significantly expand and/or relocate to the West Midlands. This work is being commissioned by South Staffordshire District Council on behalf of Chief Executives, working through the WM Planning Officers Group and an officer Steering Group including representatives from each participating Local Enterprise Partnership (LEP), which are covered by the study.
- 1.2 In the West Midlands these strategic sites have historically been held in reserve outside of the local employment land supply or “reservoir” for “locally generated” growth to be used for exceptional inward investment and in some cases single users. These sites were not intended to provide alternative locations for existing businesses, which might inadvertently be to the detriment of their existing locations, but to provide for development that could not normally be accommodated. Mindful of the social, employment and sustainability considerations across the West Midlands, such sites have needed to be accessible to major population centres.
- 1.3 Chief Executives are also mindful that the identification and delivery of sites like these benefit from long-term, cross-boundary strategic planning. While previously this would have been undertaken as part of the regional strategy process this is now a matter for individual or groups of local authorities under the duty to cooperate.
- 1.4 Interested parties’ attention is drawn also to the *South Staffordshire and Black Country Sub Regional High Quality Employment Land Study*, which has been out to tender and is due to be formally let shortly. This (*Sub Regional study*), however, is seeking to identify mechanisms to deliver the employment land portfolios contained within the adopted Black Country Joint Core Strategy and the adopted South Staffordshire Core Strategy. It

is, therefore, distinct from this much wider study, which is seeking advice on larger scale more strategic requirements across the West Midlands.

#### Phase 1 Study Review Requirements

1.5 There is a need to understand what strategic employment developments are being proposed by councils and others and any work being undertaken to identify future need and capacity within and around the West Midlands. Therefore, a Study is being commissioned to consider objectively the continued relevance of providing strategic employment sites of the scale and nature of those set out in the former West Midlands Regional Spatial Strategy (RSS). Taking into account the National Planning Policy Framework including its requirements for realistic, justified and deliverable proposals consideration will need to be given to past, current and foreseeable future demands.

1.6 The Study will:

#### **A. Identify Provision**

1. Review the current planning economic and enterprise policy context at national, sub-regional and local levels
2. Identify the portfolio of existing strategic development sites and significant known planned provision both within the West Midlands and in neighbouring areas
3. Identify and take account of any relevant existing and on-going studies seeking to identify strategic development locations in and around the West Midlands
4. Assess strategic level accessibility of the current and emerging supply

#### **B. Assess Demand**

1. Assess long-term market demand for strategic economic development opportunities including the nature of infrastructure requirements these sites would need
2. Take account of the impact of known planned and proposed significant infrastructure developments on demand
3. Assess the frequency of future large scale inward investment opportunities
4. Identify realistic and deliverable growth aspirations of Local Enterprise Partnerships as expressed in their economic strategies/strategic economic plans
5. Assess the extent of past and existing frustrated demand and/or lost opportunities

#### **C. Conclude on the Relationship between Future Demand and Supply**

1. Consider how demand has changed since RSS designations
2. Set out the broad conclusions about the continued relevance of strategic employment sites and potential size thresholds
3. Consider the extent to which the current supply of sites would meet anticipated demand

4. The desirability and scope to target strategic employment sites to specific sectors, in particular advanced manufacturing
5. Identify the nature of any shortfall or overprovision and how this relates to the pattern of labour supply (e.g. working age population, unemployment and skills)

#### Potential Phase 2 – Shortfall Advice

- 1.6 Subject to considering the findings of the Study by Chief Executives (advised by the Steering Group), a second phase may be commissioned to advise on how any shortfalls in provision might be addressed. For example this might include setting out the methodology and potential geographies for more specific studies to identify among other things known opportunities, demand and broad locations and potentially investigate other related issues which may emerge such as relationships between strategic sites and housing assessments.

## **2. Geography**

- 2.1 The Study will inform collective long-term thinking for West Midlands' local planning authorities and their respective Local Enterprise Partnerships. In order to better understand and draw conclusions for the West Midlands, the Study will also need take into account the approach towards major employment provision outside of the West Midlands including best practice from other parts of the EU, tender documents should indicate the appropriate scope of this.

## **3. Background**

- 3.1 The characteristics of the current tranche of strategic sites are set out in the now revoked West Midlands Regional Spatial Strategy Phase 2 Partial Revision Draft<sup>1</sup>. Although the Spatial Strategy no longer formally forms part of the development plan, the designations in the Strategy still have currency through adopted and developing Local Plans and the evidence base continues to have some relevance.
- 3.2 The key designations in the Spatial Strategy are attached at appendix one and are:
  - a) Regional Investment Sites (RIS) – Policy PA7
  - b) Major Investment Sites (MIS) – Policy PA8
  - c) Regional Logistics Sites (RLS) – Policy PA9
- 3.3 Consultants will be expected to scope-out and draw on relevant contextual documents and reports, these will include:
  - a) Regional Spatial Strategy RIS, RLS and MIS technical work
  - b) RSS Phase 2 Revision Report of the Panel
  - c) Black Country and southern Staffordshire Regional Logistics Sites Study
  - d) Coventry and Warwickshire Sub-Regional Employment Land Study

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<sup>1</sup> Submitted to Secretary of State December 2007

- e) West Midlands Annual Monitoring Report/Regional Employment Land Survey
- f) Coventry Gateway application and supporting documents
- g) Daventry International Rail Freight Terminal 3 consultant's report
- h) MIRA Enterprise Zone proposals in Leicestershire
- i) East Midlands Airport Master Plan
- j) Birmingham International Airport Master Plan
- k) HS2 economic analyses and evidence base
- l) Emerging LEP strategies and Strategic Economic Plans
- m) Other sub-regional studies including the South Staffordshire Employment Land Review, Black Country Employment Land Review and the Warwick Economics and Development reports prepared for the Birmingham Development Plan
- n) Relevant local plan commitments
- o) Local employment land studies

**Extracts of relevant Regional Spatial Strategy Policies**

RSS Phase 2 revision draft – submitted to Secretary of State 21<sup>st</sup> December 2007.

**Policy PA7**

**Regional Investment Sites**

- A. *Within the portfolio of employment sites, provision should be made for a series of Regional Investment Sites (RIS) the purpose of which will be to support:*
- i) the diversification and modernisation of the Region's economy; and in particular*
  - ii) the development of the Region's cluster priorities as identified in the West Midlands Economic Strategy.*
- B. *Regional Investment Sites will be identified within development plans. The RPB should be consulted on such proposals. Sites should be:*
- i) in the order of 25–50 hectares*
  - ii) high-quality sites attractive to national and international investors*
  - iii) served or capable of being served by multi-modal transport facilities and broadband IT infrastructure*
  - iv) possess good quality public transport links, or be capable of having such links provided*
  - v) well related to the motorway and trunk road network*
  - vi) located within, or close to, the areas of greatest need and*
  - vii) accessible to effective education and training opportunities to ensure that the employment benefits are available to the local workforce.*
- C. *Taking account of current provision (set out below), at least one RIS should be made available within or linked by public transport to:*
- i) each of the Urban Regeneration Zones and*
  - ii) each of the High-Technology Corridors.*
- D. *In some circumstances, a particular RIS may serve the needs of more than one Zone/Corridor.*
- E. *New RIS will be required to meet the needs of the following High-Technology Corridors/Regeneration Zones:*
- i) Birmingham to Worcestershire HTC and*
  - ii) South Black Country and West Birmingham RZ.*
- F. *Additional provision may be required to serve the needs of the Coventry and Nuneaton Regeneration Zone and East Birmingham and North Solihull Regeneration Zone.*

- G. *The potential for bringing forward proposals within the Regeneration Zones should be considered first. Development proposed on the edge of MUAs or on other greenfield sites should meet the criteria set out in policy PA1.*
- H. *Joint working between the relevant local authorities and key partners including AWM should identify how the gaps and potential gaps in provision set out in E. and F. above are to be filled. The outcome of the joint working should then be taken forward through the relevant Core Strategies.*

7.37 Developments on RIS will be strictly controlled to ensure that they support the objectives of the Spatial Strategy and be of the highest quality falling within Classes B1 and, where appropriate, B2. In particular, large-scale speculative office development which can be more appropriately accommodated within town centres and warehousing-only developments will not be permitted.

7.38 The following areas are currently considered to be adequately served by RIS; the North Staffordshire RZ; North Black Country and South Staffs RZ; Wolverhampton to Telford HTC; and Coventry-Solihull-Warwick HTC. In respect of the Birmingham to Worcestershire HTC, the emerging Longbridge Area Action Plan proposes an RIS which would serve this corridor.

7.39 Current RIS where development has commenced or is identified in an adopted development plan or taken forward through the development control process:

**Ansty**

Coventry Solihull Warwickshire HTC & Coventry Nuneaton RZ3

**Birmingham Business Park**

Coventry Solihull Warwickshire HTC & E Birmingham/N Solihull RZ

**Blythe Valley Park & extension**

Coventry Solihull Warwickshire HTC

**Hilton Cross**

N Black Country & S Staffs RZ & Wolverhampton to Telford HTC

**Wolverhampton Business Park**

N Black Country & S Staffs RZ & Wolverhampton to Telford HTC

**Wobaston Road**

N Black Country & S Staffs RZ & Wolverhampton to Telford HTC

**Blythe Bridge**

North Staffordshire RZ

**Chatterley Valley**

North Staffordshire RZ

**Policy PA8**  
**Major Investment Sites**

- A. *Within the portfolio of employment sites, provision should be made for up to two Major Investment Sites (MIS) the purpose of which will be to meet the need for accommodating very large-scale investment by single users with an international choice of locations in order to help diversify and restructure the Regional economy.*
- B. *The MIS will be identified within development plans. The RPB should be consulted on such proposals. Sites should be:*
- i) in the order of 50 hectares*
  - ii) high-quality sites*
  - iii) served or capable of being served by multi-modal transport facilities and broadband IT infrastructure;*
  - iv) possess good quality public transport links, or be capable of having such links provided*
  - v) well related to motorway and trunk road network, but avoiding sites immediately adjacent to motorway junctions where this is likely to exacerbate congestion problems*
  - vi) located in areas close to a large pool of labour with employment needs*
  - vii) accessible to effective education and training opportunities to ensure that the employment benefits are available to the local workforce and*
  - viii) supported by the RPB.*
- C. *The Region should at all times have up to two sites readily available for development in order to respond quickly to demand. Development proposed on the edge of MUAs or on other greenfield sites should meet the criteria set out in policy PA1.*
- D. *One MIS has already been identified at Wobaston Road (north of Wolverhampton), and the Regional priority will be to direct suitable investments to this location.*
- E. *In the event that development of the MIS at Wobaston Road is committed then a further site will need to be identified and brought forward as a matter of urgency.*
- 7.41 MIS should be located within or close to the MUAs and have good quality existing or potential public transport links to areas of employment need.
- 7.42 Development on MIS will be strictly controlled to ensure that they support the objectives of the Spatial Strategy. In particular, large-scale, speculative development, which can be more appropriately accommodated within town centres and warehousing-only developments, will not be permitted.



- 7.43 In the event that a MIS is released for a development significantly smaller than 50 hectares, then the balance of the land allocated should remain undeveloped pending either expansion by the user or for its consideration through the development planning process.

## **Policy PA9**

### **Regional Logistics Sites**

- A. *Within the portfolio of employment sites, provision should be made for Regional Logistics Sites (RLS) the purpose of which will be to provide opportunities for the concentrated development of warehousing and distribution uses.*
- B. *RLS with existing or potential for dedicated access to the regional rail and highway networks will be identified within development plans. The RPB should be consulted on such proposals. Sites should also:*
- i) be in the order of 50 hectares or more*
  - ii) possess good quality public transport links, or be capable of having such links provided*
  - iii) be served or proposed to be served by multi-modal transport facilities and broadband IT infrastructure*
  - iv) have easy access to an appropriate labour supply and education and training opportunities*
  - v) aim to minimise environmental impact*
  - vi) have a suitable configuration which allows large-scale high-bay warehousing, intermodal terminal facilities, appropriate railway wagon reception facilities and secure parking facilities for all goods vehicles (see also policy T10) and*
  - vii) be located away from incompatible neighbours allowing 24-hour operations and no restrictions on vehicle movements.*
- C. *Based on a study of the future demand for logistics within the Region it is estimated that at least 150 hectares of land could be required on RLS-type locations to service the West Midlands in the period up to 2021.*
- D. *The Region should have a choice of RLS available at any point in time and consideration and priority should be given to bringing forward additional land taking account the following in priority order:*

*To upgrade the existing rail-connected logistics facility at Birch Coppice near Tamworth to a RLS*

*The scope for the realistic extension of existing LRS within the region and DIRFT which adjoins the regional boundary near Rugby, subject to local environmental and other constraints and recognising the proximity of Hams Hall and Birch Coppice and the need to avoid an over-concentration of RLS development within the same broad location.*

*The potential for new rail-served facilities to serve (a) the needs of the Black Country located in southern Staffordshire and (b) to serve the North Staffordshire conurbation.*

*Discussions between the relevant local authorities and key partners including AWM in the areas identified above should identify how RLS provision will be met and subject to agreement by the RPB the sites should then be taken forward through the relevant Core Strategy.*

*Annual monitoring will be important to ensure that there is adequate provision for this sector throughout the plan period.*

- 7.45 Development uses on RLS will be strictly controlled to ensure that they support the objectives of the Spatial Strategy, with B1/B2 development not being permitted unless it is demonstrated that this is essential to support the primary purpose of the site.
- 7.46 Major concentrations of warehousing and distribution will be discouraged both within urban areas and immediately adjacent to motorway junctions, where a high level of heavy goods traffic would further exacerbate congestion. There are other important sites within the employment land portfolio within the Region that will accommodate logistics developments. These include Hortonwood, Telford which is rail connected and Fradley. In the longer-run the redevelopment of the former Drakelow Power Station site near Burton-upon-Trent offers potential for logistics-related development which would help serve the West Midlands Region.

## Further Details

The final report along with any supporting data should be presented in the following formats:

- The draft report should be A4 colour.
- The consultant should allow for the production of 10 colour copies of the final report. The report should also be provided on CD in Adobe Acrobat readable format.
- Electronic versions of all data collected will be compatible with Microsoft Excel.
- Collected data to be retained by the client.

## Timescale

The anticipated programme for the preparation of the report is as set out in the table below. Submissions in response to this brief should indicate any proposed variations to the suggested programme:

### West Midlands Strategic Employment Sites Stage 1

Item	Date
Brief released – invitation to quote	Tuesday 15 <sup>th</sup> April 2014
Closing date for return of quotes	<b>MIDDAY</b> Tuesday 13th May 2014
Interviews for <b>shortlisted</b> consultants	Friday 30 <sup>th</sup> May 2014
Inception Meeting	To be determined
Receipt of Draft Report	To be determined
Receipt of final report	To be determined but approximately six weeks from date of appointment

## Payment

Payment will be made subject to satisfactory completion of the Report

## Instructions for Submitting a Quotation

A written quotation shall be submitted and should exclude VAT, but include all expenses and disbursements incurred by the consultant in the delivery of the services set out in this brief.

The appointment will be subject to satisfactory performance by the appointed organisation and its staff. The client reserves the right to terminate the appointment at any time and also to seek a change in the member(s) of staff allocated to the project after due discussion with the organisation.

Quotation to include:

- i) Detailed proposal and methodology for the delivery of services to meet the requirements of the brief.
- ii) Details of the proposed personnel who will deliver the services accompanied by a summary of the relevant curriculum vitae.



## **Appendix A**

### **Terms and Conditions of Contract**

#### **South Staffordshire District Council - Standard Terms and Conditions - for the Supply of Goods and Services**

##### **1. General**

**1.1** These terms and conditions shall apply to the Purchase Order:

- unless the Purchase Order refers to a specific contract in which case that specified contract shall apply in conjunction with these terms and conditions in the order of priority identified in the specified contract;
- subject only to any minor changes to these terms and conditions which are set out in the Purchase Order.

**1.2** Any purchase by the Buyer is conditional upon acceptance of these terms and conditions by the Provider. If the Provider does not wish to accept these terms and conditions, then the Provider should not accept the Purchase Order, and should inform the Buyer immediately.

**1.3** Delivery of Goods or provision of the Services by the Provider to the Buyer shall be deemed to be conclusive evidence of the Provider's acceptance of these conditions.

**1.4** This does not preclude the right of the Provider to make a counter-offer, and if such counter-offer is to be made, the document containing such counter-offer shall be headed with the words 'Counter-offer'. Failure to mark such offer as 'Counter-offer' will mean that the document shall be construed as an acceptance of the Purchase Order subject only to the Conditions and statute and common law.

**1.5** The Provider must comply with every relevant legal requirement (including EU and UK Standards) relating to the manufacture, packaging and delivery of the Goods.

##### **2. Definitions**

'**Buyer**' means South Staffordshire District Council, as identified on the Purchase Order.

'**Goods**' means all or any of the items set out in the Purchase Order which are to be supplied to the Buyer by the Provider.

'**Parties**' means the Buyer and the Provider.

'**Provider**' means the person, firm or company named as such on the Purchase Order (or its successors in title).

'**Purchase Order**' means any Purchase Order placed by the Buyer under which the Provider agrees to supply Goods and/or Services to the Buyer.

'**Services**' means the Services to be performed by the Provider for the Buyer as described in the Purchase Order and anything created or produced as a result of the Services.

'**Specification**' means the requirements to which the Goods and/or Services supplied shall conform as detailed in the Purchase Order.

'**Working Day**' \* means the Buyer's usual working days, which exclude weekends, bank holidays, some other days published by the Buyer, or such other days as may be notified to the Provider by the Buyer.

### **3. Assignment and Sub-contracting**

**3.1** The Provider shall not assign, transfer, sublet or subcontract in whole or in part any of the Purchaser Order without the prior written consent of the Buyer.

### **4. Corruption and Whistleblowing**

**4.1** The Provider shall not do anything, or omit to do anything, which may be considered to be an inducement to any employee of the Buyer. The contract shall be void and any sums already paid by the Buyer shall be repaid to the Buyer if the Provider offered or made any inducement, bribe or gift to any member, agent or officer of the Buyer for the purpose of obtaining or influencing any decision by the Buyer on the contract. Any such inducement shall be deemed to be a breach, which shall be considered incapable of remedy. The Provider shall report any request for an inducement to the Buyer under the Buyer's Whistleblowing Policy, which can be found on the authority's web-site: <http://www.sstaffs.gov.uk>

### **5. Intellectual Property**

**5.1** Intellectual property and other rights in the Goods and/or Services shall vest in the party from whom the Goods and/or Services originate unless the Goods and/or Services are produced for the Buyer as bespoke. If the latter applies such rights shall vest in the Buyer upon their creation and the Provider shall do all such things and execute all such documents as the Buyer may require in order to perfect such vesting. The Provider shall ensure that it includes corresponding provisions in its contracts with its own sub-contractors and providers.

**5.2** In the event of any breach of any such intellectual property rights the Provider shall indemnify the Buyer, unless the Buyer is responsible for the breach in question.

### **6. Public data**

**6.1.** The Parties acknowledge that, except for any information which is exempt from disclosure in accordance with the provisions of the Freedom of Information Act ("the Act") the text of this Agreement, and any Schedules to this Agreement, is not Confidential Information. The Buyer shall be responsible for determining in its absolute discretion whether any part of the Agreement or its Schedules is exempt from disclosure in accordance with the provisions of the Act

**6.2.** Notwithstanding any other term of this Agreement, the Provider hereby gives its consent for the Buyer to publish this Agreement and its Schedules in its entirety, including from time to time agreed changes to the Agreement, to the general public in whatever form the Buyer decides.

### **7. Price Variation**

**7.1** The prices in the Purchase Order shall apply (without variation) for both the period and/or stated quantity of the Goods and/or Services, unless specifically otherwise agreed in writing by the Parties.

### **8. Liability**

**8.1** Neither party excludes or limits liability to the other for death or personal injury as a result of its negligence.

**8.2** The Provider's liability for breach of confidentiality or infringement of intellectual property rights shall be unlimited unless otherwise agreed in writing by the Parties.

**8.3** The liability of either party for direct loss of, or damage to, the tangible property of the other shall be limited to five million pounds per claim unless otherwise stated in the Purchase Order.

**8.4** The Provider will ensure that it has insurance in place and shall maintain such insurance throughout the period covered by this contract to cover its liabilities under the Purchase Order, to include professional indemnity insurance for £5,000,000 (where Services are to be provided), public liability insurance for £5,000,000, and employer's liability insurance (where relevant) for £5,000,000 (unless otherwise agreed in writing between the Parties).

**8.5** The provider shall indemnify the buyer against all actions, proceedings, costs, claims, demands and liabilities in respect of the services provided by the provider.

## **9. Documents**

**9.1** All advice notes, invoices and packing notes issued by the Provider shall be clearly marked by the Provider with the Provider's name and address, the Purchase Order number, the item code, date of despatch, a description of the Goods and/or Services, the address of their intended destination and the due delivery date.

## **10. Quality and Performance**

**10.1** The Goods and/or Services shall conform with the Specification; be of sound design, materials and workmanship; be fit for the purpose for which they are procured by the Buyer and be capable of the required performance and where relevant must comply with samples previously approved by the Buyer.

**10.2** The Provider warrants to the Buyer that in the case of Goods supplied, that the Goods will be of satisfactory quality (within the meaning of the Sale of Goods Act 1979) and fit for any purpose stated by the Provider or made known to the Buyer at the time the Purchase Order is placed; the Goods will be free from defects in design, material and workmanship; the Goods will correspond with any relevant specified sample and will comply with all statutory requirements and regulations relating to the sale of goods. The Provider warrants to the Buyer that, in the case of Services to be provided, that the Services shall conform to the specification and be capable of the required performance and further that all such Services purchased under the Purchase Order will be executed by the Provider in a timely, efficient and professional manner to the appropriate prevailing standards and to the reasonable satisfaction of the Buyer.

## **11. Inspection and Testing**

**11.1** Before dispatching the Goods or commencing provision of the Service the Provider shall, if appropriate and if previously agreed by the Parties, allow the Buyer to inspect and test the Goods and/or Services for compliance with the Specification and/or any other provisions of the Purchase Order. If in the Buyer's reasonable opinion, the Goods and/or Services do not comply with the Specification, the Buyer shall inform the Provider (in writing, unless this is impractical) either, of the Buyer's intention to reject the Goods, or the remedial steps which must be undertaken by the Provider to ensure compliance with the Specification.

## **12. Delivery**

**12.1** The Provider shall at their own risk deliver the Goods and/or Services as instructed in the Purchase Order and obtain a receipt for them from an authorised officer of the Buyer. Any requirements as to the manner, quantities or special requirements for delivery, specified in the Purchase Order, shall also be complied with by the Buyer.

**12.2** The Buyer will allow the Provider access to its premises as necessary for the delivery of the Goods and/or Services. The Buyer may refuse admission to the Provider's personnel or require such personnel to leave its premises at any time and shall not be obliged to give the Provider the reason(s) for its decision. The Provider shall be responsible for the off-loading of Goods on delivery. The Buyer will not apply the provisions of this clause vexatiously.

**12.3** Whilst on the Buyer's premises, the Provider shall abide by the Buyer's rules and regulations relating to the premises.

### **13. Extension of Time, Rescheduling or Cancellation**

**13.1** If, for any cause beyond the reasonable control of the Provider, delivery of the Goods, or performance of the Services, is delayed, then unless time is of the essence the time for delivery/performance may be rescheduled by the Buyer (acting reasonably). Delay for any other reason shall be at the sole discretion of the Buyer, in which case the Provider shall be responsible for any additional costs. The Buyer shall be entitled by notice in writing to the Provider to withdraw the Purchase Order, and may re-order with whosoever the Buyer pleases to complete the Purchase Order. Any increase in price paid by the Buyer due to this condition being exercised shall be borne by the Provider.

**13.2** Notification of any anticipated or actual delay must be immediately communicated to the Buyer by the Provider specifying the reasons for the delay.

**13.3** If in the reasonable opinion of the Buyer it is inappropriate to reschedule delivery of the Goods and/or performance of the Services then the Buyer may cancel the Purchase Order without incurring any liability for such cancellation.

**13.4** The Buyer may without notice cancel the Purchase Order immediately if the Provider becomes bankrupt, has a receiver appointed or goes into liquidation and the Buyer may complete the Purchase Order with whosoever the Buyer pleases, and any increase in price due to this condition being exercised shall rank with other claims of creditors of the Supplier. The Buyer may also cancel this Purchase Order and recover from the Provider the amount of any loss resulting from such cancellation if the Supplier is guilty of any offence under relevant Prevention of Corruption legislation.

### **14. Risk and Title**

**14.1** Risk and title in the Goods and/or Services shall only pass to the Buyer upon acceptance of the Goods and/or Services when delivered to the place and address specified in the Purchase Order, unless otherwise agreed in writing by the Parties.

**14.2** The Buyer also reserves the right to take possession of all Goods to which it has title.

### **15. Damage or Loss in Transit**

**15.1** Any Goods lost or damaged in transit shall be restored or replaced by the Provider at the Provider's expense and to the Buyer's satisfaction.

**15.2** Delivery shall not be deemed to have taken place until restoration has taken place to the satisfaction of the Buyer or replacement Goods have been accepted by the Buyer.

**15.3** Goods shall be deemed not to have been delivered by the Provider if a receipt from an authorised officer of the Buyer cannot be produced by the Provider.

### **16. Rejection**

**16.1** Unless otherwise agreed in writing by the Parties, if, at any time within 3 months from the date of delivery, having regard to the nature of the Goods or Services, the Goods and/or Services fail to comply with the Purchase Order, the Buyer may, by notice to the Provider (which notice shall be confirmed in writing) reject the whole or any



part of the Goods and/or Services. The Buyer may then (without prejudice to its other rights and remedies) accept replacement Goods and or re-performed Services from the Provider at the Provider's expense.

**16.2** The Buyer's rights in these conditions supplement any warranty or guarantee offered by the Supplier. The Buyer will have the right to require the Provider to remedy defects in the Goods or Services (by repair or replacement) if within twelve months of delivery the Goods or Services become defective because of poor design or workmanship, use of faulty materials or other relevant reason.

**16.3** If any Goods rejected by the Buyer are not removed by the Provider within seven days from the date of the notice, the Buyer may remove the Goods at the Provider's cost. The Buyer may reject the Goods for any reason given in 15.1 above or any other valid grounds.

**16.4** The Buyer shall not be liable for any damage to or deterioration of any rejected Goods whilst in its possession howsoever caused.

## **17. Terms of Payment**

**17.1** The Provider shall provide an invoice and delivery note quoting the **Order** number and giving details of the Goods delivered. The Purchase Order number must be quoted on the invoice failure to do so may result in late payment.

**17.2** The Buyer agrees to pay the Provider either, the total price for the Goods and/or Services which is stated in the Purchase Order (or otherwise agreed in writing between the Parties) within 30 Working Days of the date of receipt of a valid and undisputed invoice, which (if the Provider determines that VAT is payable) must comply with the requirements of H.M.Revenue and Customs for VAT purposes.

**17.3** All prices and rates which are stated in the Purchase Order are exclusive of VAT (unless otherwise stated in the Purchase Order).

**17.4** If the Buyer has informed the Provider that an invoice is disputed by it, the issue will (unless otherwise agreed by the Parties) be referred under the Dispute Resolution Procedure\*.

**17.5** If requested to do so by the Buyer, the Provider shall accept payment of monies due by electronic funds transfer through BACS Ltd or other electronic payment means, as good discharge of the Buyer's indebtedness under the Purchase Order.

**17.6** If any undisputed monies are not paid by the due date, then the Provider or the Buyer (as applicable) may charge interest on such undisputed monies on a day to day basis from the date falling 30 Working Days from when payment fell due, (or such other date as may be agreed in writing between the Parties), to the date of payment (both dates inclusive) at the rate of two (2) per cent per annum over the base lending rate of the Bank of England from time to time. The Parties agree that this clause provides each of the Parties with a substantial remedy in respect of any late payment of sums due for the purposes of the Late Payment of Commercial Debts (Interest) Act 1998).

## **18. Set Off**

**18.1** The Buyer shall be entitled to set off against any sums due to the Provider under the Purchase Order any sums which become payable by the Provider to the Buyer in relation to the Purchase Order or any other contract between the Parties.

## **19. Compliance**

**19.1** The Provider and its personnel shall at all times comply with all applicable laws, including statutes, regulations and bye-laws of local or other competent authorities.

## **20. Entire Agreement**

**20.1** These terms and conditions and the Purchase Order shall (unless expressly agreed otherwise in writing by the Parties) comprise out the entire terms and conditions of the contract in relation to the subject matter of the Purchase Order (subject to clause 1.1) and the Provider's terms and conditions of contracting are expressly excluded. The Purchaser Order and these terms and conditions shall therefore take priority over any other arrangements, communications (whether verbal or written), or any other documents (including, but not limited to, other purchase orders, or other terms and conditions) except if the Purchase Order is displaced pursuant to an over-riding contract pertaining to the Goods and/or Services either, issued by, or referred to, by the Buyer.

## **21. Contracts (Rights of Third Parties) Act 1999**

**21.1** The contract between the Parties which is referred to in clause 19.1 does not confer (and is not intended to confer) any rights on any third party, whether pursuant to the Contracts (Rights of Third Parties) Act 1999, or otherwise.

## **22. No Agency**

**22.1** This contract does not either; create a partnership between the Buyer and the Provider, or make one of the Parties the agent of the other for any purpose.

## **23. Publicity**

**23.1** The Provider shall not, without the prior written permission of the Buyer, advertise or disclose to any third party that it is providing Goods and/or Services to the Buyer.

## **24. Governing Law**

**24.1** This contract shall be governed by English law and the Parties shall submit to the exclusive jurisdiction of the English courts.

## **25. Dispute Resolution Procedure (DRP)**

**25.1** If any of the Provider's invoices are disputed by the Buyer, then unless otherwise agreed between the Parties, the Parties agree to refer the dispute in accordance with the Buyer's Standard Disputes Resolution Procedure.

## **26. Services performed in or on Council buildings**

**26.1 ASBESTOS** – the Council has adopted a policy of monitoring for asbestos on all Council premises. All Providers engaged by the Council to carry out work on or in those premises must, if during the course of the work they find any material or substances which may contain asbestos, immediately notify the Architects and Facilities Manager or the officer supervising the contract. No more work should then be undertaken until further instructions are received from the said Executive Director or officer supervising the contract. Providers must ensure that their employees, their sub-contractors and their agents or any other persons engaged by the Providers are made aware of this condition. **IMPORTANT** – before any work is carried out in the Civic Offices, a 'Permit to Work' must be obtained and issued through the Supervising Officer.

## **27. Hazardous or Noxious Goods**

**27.1** Where Goods are supplied by the Provider to the Buyer which are of a hazardous or noxious nature such Goods or the container in which the Goods are stored or transported shall be clearly marked so as to show

- (a) the nature of the Goods;
- (b) any hazards associated with the Goods;
- (c) any precautions involved in handling the Goods;
- (d) any measures to be taken in case of accident.

## **28. Equalities**

**28.1** The Provider shall comply with current equality legislation in the same manner as the Council. Further information can be found on the Equality and Human Rights Commission web site: [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## **29. CRB**

**29.1** When reasonably required by the Buyer, the Provider agrees to comply with the Buyer's standard requirements in respect of Criminal Records Bureau ("CRB") clearance\*

## **30. TUPE**

**30.1** The Provider shall if so required comply with the Buyer's standard obligations in respect of the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE") (as amended), together with any relevant codes of practice and guidance issued under such regulations.

**Birmingham Development Plan  
DUTY TO CO-OPERATE STATEMENT**

**APPENDIX 24**

**Greater Birmingham & Solihull Local Enterprise Partnership, Sustainability Appraisal of the Spatial  
Plan for Recovery and Growth - Draft Work-Plan, May 2014**

# Greater Birmingham & Solihull Local Enterprise Partnership Sustainability Appraisal of the Spatial Plan for Recovery and Growth - *Support contract*

## Work-Plan for the Sustainability Appraisal

### 1. Introduction

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This note sets out an initial work-plan for the Sustainability Appraisal (SA) of the development of the Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP) Spatial Plan for Recovery and Growth (the “Spatial Plan”). It includes: details of the overall aims of the SA; the key stages in undertaking the SA and how these integrate with the development of the Spatial Plan; and initial work-plan setting out the key tasks, their timing, responsibilities and key outputs. The final section outlines CEP’s proposed role in supporting the Working Group undertake the SA.

### 2. Principles for the SA

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The following high level principles for the SA have been agreed by the SA Working Group:

#### Process

- The SA will be integrated into the development of the GBSLEP Spatial Plan.
- The SA will be undertaken by the SA Working Group, with support from CEP and the members of the Spatial Planning Group / Theme Leads.
- The SA should incorporate engagement with key stakeholders, and where possible be undertaken through iterative discussions between key stakeholders / experts.
- The process should be transparent with rationale provided for key decisions.
- The SA should respect the ‘key principles of spatial planning’ already integrated into the initial draft of the Spatial Plan - which are drawn from the ecosystems approach.
- The SA should aim to provide an effective process for local authorities within the GBSLEP area to cooperate.
- The SA should be proportionate and effective in informing the development of the Spatial Plan.

#### Appraisal Scope and Method

- The SA should aim to be compliant with the requirements of the Strategic Environmental Assessment (SEA) Directive.
- The scope of the SA should consider all relevant sustainability effects at the strategic level, including those relating to equalities and health.
- The SA should focus on the most significant likely effects at the strategic level.
- The SA should cover likely significant implications beyond the GBSLEP (e.g. HMAs), insofar as is possible in accordance with the scenarios identified within the Spatial Plan.
- The SA should inform the development of the Spatial Plan’s scenarios for delivering unmet growth.
- Any alternatives considered as part for the Spatial Plan SA should at an appropriately strategic level, as more detailed alternatives are more appropriate for the SA of Local Plans.
- The SA will inform the development of the Spatial Plan’s strategic policies and strategic objectives.

- The SA will inform the prioritisation of the 14 strategic planning principles and the overall vision.
- The SA will draw on existing evidence, including SAs, RSS evidence base and LEP commissions for the detail where proportionate and available.

### Outputs

- The outputs from the SA should be concise and easy to understand, including by politicians and the LEP Board.
- The SA process and its outputs should set an example of good practice that other LEPs might follow.

## 3. Integrating the Spatial Plan and SA Processes

Figure 1 presents an initial summary of the key steps in the development of the Spatial Plan and how these are likely to integrate with the key steps in undertaking the SA.

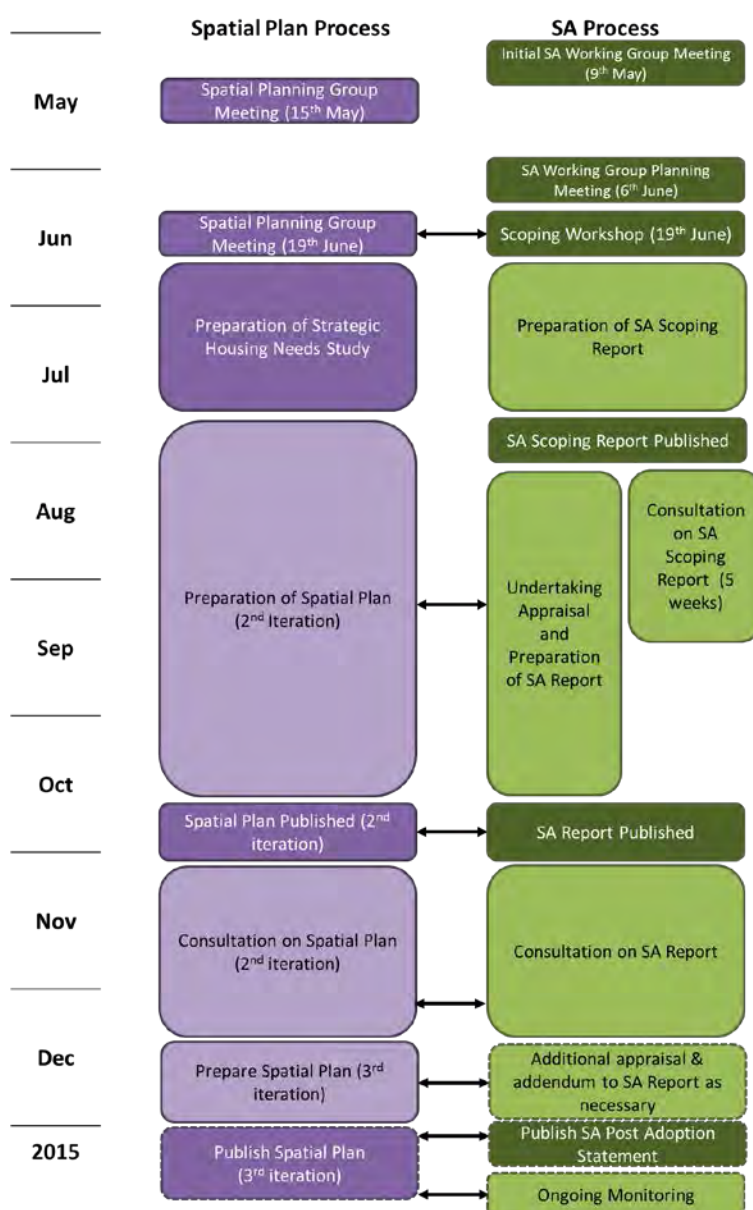


Figure 1: Draft timeline for the development of the Spatial Plan and undertaking the SA

## 4. Detailed Work-Plan

This note only provides an initial view on the likely timings of the SA process and over the coming months it is expected that the programme will need to be flexible to meet any changes to the Spatial Plan development process.

The proposed SA process has been divided into four key stages:

- Scoping
- The appraisal of the objectives, scenarios and policies including business as usual option.
- Preparing, publishing and consulting on SA Report
- Post SA Report

The key activities, timings, responsibilities (between the SA Working Group and CEP) and the key outputs during each of these stages are set-out below.

### Scoping

**Table 1: Key scoping activities and work-plan**

Key activities	Timing	Responsibility	Output
<b>Developing outline of proposed SA methodology</b>	Early June	• CEP	• Brief SA methodology note
<b>Scoping Workshop (19<sup>th</sup> June)</b>			
• Develop draft agenda/structure and materials	Early June	• CEP	• Workshop agenda and materials
• Organise workshop – invites, venue etc	Late May – early June	• Working Group	• -
• Planning meeting (Working Group & CEP)	6 <sup>th</sup> June	• Working Group	• Meeting Note
• Workshop facilitation	19 <sup>th</sup> June	• CEP	• -
• Prepare workshop record	Late June	• Working Group	• Workshop record
<b>Preparing Scoping Report</b>	June - July		
• Develop contents list for the SA Scoping Report and guide on key tasks	Mid-end June	• CEP	• Scoping Report contents note and guide
• Develop proposed assessment framework	Mid-end June	• CEP	• Assessment framework
• Undertake work required for the Scoping Report, including: review of the policy context; referencing and mapping relevant baseline information and evidence; identifying key issues and problems; and presenting the SA method	June – mid July	• Working Group	• Draft sections of report
• Progress meeting	End June	• Working Group/CEP	• Finalise approach to Scoping Report/agree responsibilities for preparing the report.
• Draft and finalise report	Mid-end July	• Working Group	• Draft sections of report
	End July	• CEP	• Review draft report
	Early August	• Working Group	• Final report
<b>Consultation on Scoping Report (5 weeks)</b>	August – early September	• Working Group	• -

Key activities	Timing	Responsibility	Output
<ul style="list-style-type: none"> <li>Collate responses</li> </ul>	Early September	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Collated set of consultation responses</li> </ul>

## The appraisal of the draft plan and scenarios

Table 1: Key appraisal activities and work-plan

Key activities	Timing	Responsibility	Output
<b>Appraisal of the spatial alternatives</b>			
<ul style="list-style-type: none"> <li>Working meeting to undertake appraisal (Working Group &amp; CEP)</li> </ul>	Commence during August 3x 1 day sessions during September	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Meeting worksheets</li> </ul>
<ul style="list-style-type: none"> <li>Write-up / further development of alternatives appraisal</li> </ul>	September	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Draft appraisal chapter</li> </ul>
<b>Appraisal of Spatial Plan policies and objectives</b>			
<ul style="list-style-type: none"> <li>Preparation of policies and objectives appraisal commentary</li> </ul>	During September	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Draft chapter / commentary</li> </ul>
<b>Developing measures to mitigate adverse effects and maximise beneficial effects</b>			
<ul style="list-style-type: none"> <li>Preparation recommendations to incorporate in the draft plan</li> </ul>	During September?	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Draft mitigation chapter</li> </ul>
<b>Developing proposed monitoring measures</b>	During September?	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Draft monitoring chapter</li> </ul>
<b>Prepare SA Report template</b>	Early September	<ul style="list-style-type: none"> <li>CEP</li> </ul>	<ul style="list-style-type: none"> <li>SA Report template</li> </ul>

## Preparing, publishing and consulting on SA Report

Table 1: Key reporting activities and work-plan

Key activities	Timing	Responsibility	Output
<b>Preparation of SA Report template</b>	Early September	<ul style="list-style-type: none"> <li>CEP</li> </ul>	<ul style="list-style-type: none"> <li>SA Report template</li> </ul>
<b>Preparation of the SA Report and Non-Technical Summary</b>			
<ul style="list-style-type: none"> <li>Prepare draft SA Report and NTS</li> </ul>	Mid October	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Draft SA Report and NTS</li> </ul>
<ul style="list-style-type: none"> <li>Review draft SA Report and NTS</li> </ul>	Late October	<ul style="list-style-type: none"> <li>CEP</li> </ul>	<ul style="list-style-type: none"> <li>Comments on draft SA Report and NTS</li> </ul>
<ul style="list-style-type: none"> <li>Finalise SA Report and NTS</li> </ul>	Late October – early Nov	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Final SA Report and NTS</li> </ul>
<b>Consultation on SA Report (at the same time as the draft Spatial Plan)</b>	November – December?	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	
<ul style="list-style-type: none"> <li>Collate comments received</li> </ul>	Late December?	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Collated comments</li> </ul>
<b>Undertake additional appraisal and prepare addendum to the SA Report if necessary</b>	TBC?	<ul style="list-style-type: none"> <li>Working Group</li> <li>CEP advise</li> </ul>	<ul style="list-style-type: none"> <li>SA Report addendum</li> </ul>



## Post SA Report

**Table 1: Key post-reporting activities and work-plan**

Key activities	Timing	Responsibility	Output
<b>Post Adoption Statement</b>			
<ul style="list-style-type: none"> <li>Provide a template for the Post Adoption Statement (PAS)</li> </ul>	December - TBC?	<ul style="list-style-type: none"> <li>CEP</li> </ul>	<ul style="list-style-type: none"> <li>PAS template</li> </ul>
<ul style="list-style-type: none"> <li>Prepare Draft PAS and finalise monitoring arrangements</li> </ul>	December – January - TBC?	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Draft PAS</li> </ul>
<ul style="list-style-type: none"> <li>Review Draft PAS</li> </ul>	January - TBC?	<ul style="list-style-type: none"> <li>CEP</li> </ul>	<ul style="list-style-type: none"> <li>Comments on draft PAS</li> </ul>
<ul style="list-style-type: none"> <li>Finalise and publish PAS</li> </ul>	TBC?	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Final PAS</li> </ul>
<b>Ongoing Monitoring / response to adverse effects</b>	TBC?	<ul style="list-style-type: none"> <li>Working Group</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring reports etc</li> </ul>

## 5. CEP's approach to support

As agreed, CEP (Ric Eales and Jonathan Baker) will be providing targeted support to the GBSLEP SA Working Group. The SA Working Group is responsible for preparing and delivering the SA, it is the role of CEP to support them so that they meet the aims for the appraisal.

Considering the available resources for CEP (£9,000 – fees and expenses excl. VAT) the role proposed is based around developing materials/guidance, undertaking critical friend reviews and attending meetings / independent facilitation. An initial outline of the proposed allocations of resources drawing on the activists and responsibilities set out in section 4 is provided below.

### Developing materials

CEP will provide specific materials to support key stages. These will include:

1. A workplan for the SA process (this document) – 1 day
2. A template for the Scoping Report, including a guide to key tasks and how to deliver a proportionate and strategic SA and the proposed assessment framework – 1.5 day
3. Materials to support the Scoping Workshop – 1 day
4. A template for the Environment Report, including notes on how to deliver a proportionate and strategic SA – 1.5 days
5. A template and note on undertaking the Post Adoption Statement - 1 day

### Critical friend reviews

CEP will also provide critical friend reviews for the following documents:

6. The draft Scoping Report – 1days
7. The initial assessment of the alternatives – 0.5 day
8. Draft Environment Report including NTS – 2 days
9. Review of Environment Report and any addendum post consultation – 0.5 days
10. The post adoption statement – 0.5 days

### Attending meetings / independent facilitation

CEP will attend meetings / provide independent facilitation including:

11. Initial start-up meeting – 1 day
12. Scoping Workshop planning meeting – 1 day
13. The Scoping Workshop – 2 days
14. Appraisal working meetings – 2 day

Approximately 16.5 days in total

**Birmingham Development Plan  
DUTY TO CO-OPERATE STATEMENT**

**APPENDIX 25**

Package of notes of meetings of the Greater Birmingham & Solihull Local Enterprise Partnership,  
Spatial Planning Group held between May 2012 and May 2014

## GBSLEP – SPATIAL PLANNING GROUP

9.30 am, Thursday 15 May 2014  
Birmingham City Council Offices  
Room 201, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (Chair)  
Nichola Shandley, Birmingham City Council (notes)  
Andrew Donnelly, West Midlands Joint Council  
Mark Parkinson, Staffordshire County Council  
John Acres, Turley Associates  
Ken Harrison, Solihull Metropolitan Borough Council  
Emily Barker, Worcestershire County Council

Rebecca Mayman, Wyre Forest District Council  
Mike Dunphy, Bromsgrove District Council & Redditch B.C.  
Emma Baker, Redditch Borough Council  
Martin Dando, Dudley Metropolitan Borough Council for Black  
Country Authorities  
Matthew Bowers, Tamworth Borough Council  
John Morgan, Cannock Chase District Council

### Actions

#### 1. Apologies

Sarah Jones, Cannock Chase District Council  
Alister Scott, Birmingham City University  
Andy Plant, St Francis Group  
Annette Roberts, Dudley Metropolitan Borough Council for Black Country Authorities  
Maurice Barlow, Solihull Metropolitan Borough Council  
Craig Jordan, Lichfield District Council  
Glen Langham, Gallagher Estates

#### 2. Notes of previous meeting and matters arising – 17.04.14

No comments were received and the notes were accepted as accurate.

#### 3. Strategy Development

DC explained that he wanted to give an update on what has been happening with the studies.

### Housing Study

DC and CJ met Chris Webster, GBSLEP Board Member on Wednesday 14 May to obtain his views. We have already had a presentation from PBA although not everyone has seen it. There is a GBSLEP Chief Executives meeting next week and we are hoping that PBA, if available, will attend that meeting. The Black Country representatives have been invited to attend. Following this meeting there is a GBSLEP Leaders meeting on 13 June and a GBSLEP Board meeting approximately one week later. The Board will endorse stages 1 and 2 of the study and the brief for stage 3. A workshop will then be held with private sector representatives to obtain their input and will be fed back to the Board. If there are too many issues it will be for Chris Webster having delegated authority to approve.

JA asked if the study was the work of the GBSLEP or Local Authorities. DC explained that the study is funded by the GBSLEP and that it is a technical study which is not influenced by local authorities or the private sector. Chris Webster's view is that the board have commissioned the work and they should receive it first.

MB asked if there will be a chance to see the interim report before the Leaders meeting, as he was concerned that the leaders will not be happy just to sign it off at the meeting.

### Environment Study

DC advised that the process has now started for this study and the board has approved the £8,000 required for the work. A steering group meeting has taken place with the representatives who came forward and the consultants. CEP are going to provide a paper by the end of May and there will be a scoping workshop arranged with representatives from the Environment Agency, Natural England and open to any other organisation that you would like to invite. The next full meeting of this Group will increase to a day to include a scoping exercise. The practicalities and timing – the scoping report should be completed by the end of July, PBA will be looking at options at the end of June and there will be scoping options from this group for them to work from.

Realistically there will be six options and some suggestions have been received. Another key discussion at the steering group was should the options look at accommodating overall growth or the shortfall in growth. It was agreed to look at the shortfall.

MB raised the issue that some local authorities have not got plans showing this information in place or agreed.

DC noted this and suggested that where there is an incomplete plan with site allocations, the information used for the

assessment i.e. SEA etc can be used. He has stressed to the consultants not to produce a doorstep of document/s. The invitation is there for anyone interested in joining the group. The group is currently made up of mainly local authority representatives, however it would be useful for private sector representatives to join and you are invited and welcome to be part of the group. The scoping workshop will take place on 19 June and will follow on from this meeting.

### Employment Land Study

AD referred to the strategic sites brief previously circulated. Expressions of interest have been sent out and four consultants are interested and will be interviewed on 30 May. The wider group originally set up by Sherman Wong and Steve Winterflood has been reduced with representatives from a selection of LEPs. The first piece of work will see if there is a need and demand for sites.

JA asked if there was going to be a more general study.

DC explained that this has been discussed and there would have to be an internal study of other employment sites or maybe an analysis could be undertaken by Mott MacDonald as they already hold the data.

Action – DC and AD to think about drawing together an employment land proforma to gather information from each local authority. Once drafted, this will be circulated for comments prior to asking each LA to complete.

**DC/AD**

MB asked what the expected timetable is.

AD advised that interviews will take place on 30 May and then it will take six weeks for stage one after the inception meeting.

DC advised that the studies should all come to fruition during the summer with completion in October.

AD suggested including offices in the study.

DC advised that this is where we need to understand what each individual local authority includes.

MB asked if a formal timetable could be pulled together.

JA mentioned the Strategic Economic Plan (SEP) and advised that he has glanced through, and is surprised how

unrelated the plan is to the work of this group and the planning group. He questioned the housing figures and whether there was a structure for SEPs.

DC advised that he sees the plan as an implementation plan and you would need to refer to all the other plans to get a full picture.

AD advised that Ian Smith from BIS was seconded to help pull the plan together and he understood the plan is for bidding for funding.

MB it is a bidding document

KH agreed it is a bidding document but when other plans are produced it would need to be refreshed.

JA asked who had produced the plan as he has not been party to this group and it looks like it has not included private sector input.

#### **4. Duty to Co-operate**

DC stated that there were several plans leading to key stages and asked for each local authority representative to give an update.

##### Cannock - JM

The plan will be formally adopted by full council in early June and will follow with the site allocation process.

##### Tamworth - MB

The consultation closed on Monday, the timetable will start following the elections but before the summer recess.

##### Dudley – MDa

MD advised that Walsall and Dudley were pursuing site allocations documents to meet growth requirements in adopted JCS, with documents to be published in July.

AD mentioned that the Harrogate Inspector had recently questioned allocations documents being prepared to meet a Core Strategy requirement which had been superseded by new SHMA evidence and that Sheffield had recently abandoned preparation of an allocations document on this basis.

MD advised that date for formally reviewing JCS was 2016.

Wolverhampton is currently working on their city centre plan.

Bromsgrove and Redditch – EBak and MDu

Are currently preparing for two hearings on 16 – 17 June, with a further hearing on 19 September. Redditch will be first and then Bromsgrove, and are considering matters in question which should be available on the website today.

Wyre Forest – RM

Are gearing up towards reviewing their core strategy next year and issues and options next summer, and will be undertaking our land availability assessment later in the year.

South Worcestershire – EBar

Are currently working on our call for sties.

Solihull – KH

Are currently waiting on the order from the judge which could be received in weeks and they have sought leave to appeal.

Staffordshire – MP

No update

Birmingham – DC

We are currently working through the representations and proposing to submit the plan in June with the examination in



late September.

There was a discussion about the housing shortfall and how this will be explained at the EIP to the Inspector.

Lichfield

It is understood that a developer has challenged the process in relation to brownfield land.

5. A.O.B.

DC announced that he will be departing at the end of August and if anyone would like to volunteer to be the new chair to please step forward.

JA said that this would be a huge loss to the group.

## GBSLEP – SPATIAL PLANNING GROUP

9.30 am, Thursday 17 April 2014  
Birmingham City Council Offices  
Room G01B, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (Chair)  
Nichola Shandley, Birmingham City Council (notes)  
Craig Jordan, Lichfield District Council  
Mike Dunphy, Bromsgrove District Council & Redditch B.C.  
Andrew Donnelly, West Midlands Joint Council  
Maurice Barlow, Solihull Metropolitan Borough Council

Robert Mitchell, Richborough Estates  
John Acres, Turley Associates  
Emily Barker, Worcestershire County Council  
Sarah Jones, Cannock Chase District Council  
John Morgan, Cannock Chase District Council  
Mark Parkinson, Staffordshire County Council

### Actions

#### 1. Apologies

Simon Papprell, Canal and Rivers Trust  
Alister Scott, Birmingham City University  
Matthew Bowers, Tamworth Borough Council  
Andy Plant, St Francis Group  
Emily Baker, Redditch Borough Council  
Philip Somerfield, East Staffordshire  
Annette Roberts, Dudley Metropolitan Borough Council for Black Country Authorities

#### 2. Notes of previous meeting and matters arising – 20.02.14

##### Previous Notes

No comments made.

##### Matters Arising

JA referred to the letter from Barton Willmore and mentioned that he thought their study was going to be included as an item on the agenda.

DC advised that this would happen following the completion of the PBA study. He asked if there were any objections to this; none were put forward.

JA asked for an update of the PBA study and DC advised that this would be discussed under item 3.

### **3. Strategy Development**

#### Housing Study

DC gave an update from the GBSLEP Joint Strategic Housing Study; Steering Group Meeting held on 16 April. The meeting lasted a whole day with discussions around stages 1 and 2, summarising the key outcomes and housing shortfall and agreeing to draw on the conclusions of the LEP Study consultation to draw an analysis of options to accommodate growth. A copy of the report from the LEP Study Consultation was handed out. There was a further discussion in relation to possible options, and DC handed out a copy of a report which summarises the key outcomes and analysis of opinions on ways to accommodate growth drawn on the conclusions from the recent LEP study consultation.

JA enquired as to when private sector partners would have sight of the study conclusions. DC advised that a report would be produced on the study findings and would in the first instance be shared with leaders due to being potentially politically sensitive. Stage 3 cannot progress until the brief is agreed by the LEP Leaders.

#### Employment Study

DC handed out copies of the Strategic Employment Sites Study brief and advised that AD has been asked to manage the tendering process. It is being procured via South Staffordshire as Steve Winterflood is the budget holder. Key dates, Expression of Interest 13 May; Interview/shortlisting 30 May. The CLG WM has been disbanded so this has led to the change in approach.

A discussion took place as to whether additional work on the supply of more general employment land is required. The consensus was that it was in terms of getting a handle on supply and quality to deliver the LEP economic objectives and fit in with the housing analysis.

Effectively there are two stages 1) a trawl of what is in place or forthcoming plans and monitoring information; 2) consider whether a further study is required. It is unclear whether or not there is capacity and funding to do this. DC

and CJ to consider further.

SEA

DC gave update advising that progress has been made and the board have agreed with limited funding. Alister Scott to confirm that Collingwood will undertake the work and tie this into the housing study. A small working group has been established and includes representatives from Staffordshire, Wyre Forest and AD. If anyone else would like to join please let DC know.

Strategic Framework Strategy

DC advised that the working groups need to be reconvened once PBA work is published in order to prepare a second iteration.

DC agreed to contact the LEP Secretariat seeking clarification as to how the job target in the SEP had emerged. He drew attention to the fact that South Worcestershire was providing dwellings in excess of trend and that the likely origin of these was North Worcestershire/conurbation. This issue has also been addressed in Bromsgrove/Redditch response to the Inspector's query. JA urged caution is given to assumptions about changes to economic activity rates/people working longer.

**Actions  
DC/CJ**

**ALL**

**DC**

**4. Duty to Co-operate**

General Update: -

Bromsgrove and Redditch have submitted their plans for examination. Outcome hearing of matters expected in mid-June within interim report and then picked up in September.

Tamworth's draft local plan is published for consultation.

North Warwickshire to consult on relatively detailed modifications, from this it is inferred that the inspector is likely to find the plan sound.

To note: - Coventry and Warwickshire Joint Committee had received a report on their SHMA, this drew attention to potential overspill from Birmingham HMA and stated need for green belt study. Copy to be circulated with notes.

**NS/AD**

Worcestershire – Stage 1 ended March with the settled housing figure of 1,300 dwellings per annum. The call for sites has been issued with the closing date today. Stage 2 will reconvene in December.

S. Worcestershire – approach is a job led strategy with clear indication to get more housing, filled by migration from North and should take account of this.

JM felt that LA's are caught between adopted core strategies. He advised that Stratford have written to MP's in relation to the five year land supply and he has asked for a copy of this letter to be released. He also asked where things were with the Regional Logistics Study. DC explained that this will be picked up with the employment land study.

Lichfield – the consultation has finished on the proposed modifications and will need to feedback to the Inspector.

Birmingham – still going through the consultation responses and aiming to complete this by the end of May. BCC are also looking at when to submit the plan.

**5. Any Other Business**

AD wanted to bring everyone's attention to an RTPI research document; Planning for Growth: The Role of LEP's in England which is interesting. A copy to be circulated with the notes of the meeting.

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 20 February 2014  
Birmingham City Council Offices  
Room G01B, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (Chair)  
Nichola Shandley, Birmingham City Council (notes)  
Jim Davies, Environment Agency  
Kazi Hussain, Environment Agency  
Maria Dunn, Wyre Forest District Council  
Rebecca Maymen, Wyre Forest District Council  
Mike Dunphy, Bromsgrove District Council  
Ben Horovitz, Worcestershire County Council  
Craig Jordan, Lichfield District Council

Antony Lancaster, Cannock Chase District Council  
John Morgan, Cannock Chase District Council  
Maurice Barlow, Solihull Metropolitan Borough Council  
Simon Papprell, Canal and Rivers Trust  
Alister Scott, Birmingham City University  
John Acres, Turley Associates  
Robert Mitchell, Richborough Estates  
Andrew Donnelly, West Midlands Joint Council

### Actions

#### 1. Apologies

Annette Roberts, Dudley Metropolitan Borough Council for Black Country Authorities  
Emily Barker, Worcestershire County Council  
Rod Griffin, Arups  
Matthew Bowers, Tamworth Borough Council  
Alexander Roberts, Tamworth Borough Council  
Andy Plant, St Francis Group

#### Additional Items

- Place Making Awards – DC advised that although the GBSLEP Spatial Plan Recovery & Growth did not win the top award, it was good news as the plan was highly commended. AS also advised that the plan has been submitted for an RTPA Award.
- Letter from Barton Willmore – to be discussed under item 3

**2. Notes of Meeting and Matters Arising – 12.12.13**

Page 2 – Strategic Framework Strategy Development Consultations

DC thanked AS for organising the video, which can be viewed at <http://youtu.be/iPlolcMb7C4>.

Page 3 – Environment Study

AS asked for it to be noted that the 50% match funding would be up to £3,000 for the SEA Study.

Page 6/7 – Any Other Business

BES Programme match funding – AS advised that due to work commitments it was not possible to apply for this funding within the timescale.

**3. Strategic Development**

3.1 Strategic Framework Strategy Development

3.1.1. Consultation Feedback

DC gave an update on the consultation and explained the analysis produced and advised that approximately 115 organisations had taken part in the consultation. Further work is required to produce a summary of responses received in writing a progress report will need to be taken to the GBSLEP board.

A discussion took place on the data and analysis produced and how it will be used and taken forward. It was agreed to hold three sessions/meetings with theme leads to take the plan forward to the next stage. The meetings will need to coincide with the housing study. DC agreed to prepare a note for theme leads to work on the approach to these meetings for discussion.

Housing Study

3.1.2. DC gave an update on the housing study, advising that PBA have been commissioned and are working on an interim report. Stages one and two are due mid-April with stage three programmed for completion in mid-May. The Black Country authorities have now commissioned PBA, so the study has been extended to include them resulting in two

**DC**

separate reports with the inclusion of much of the material common to both. It has been identified that there is a cross over of the housing market areas with some other local authorities and more detailed discussions will need to be held with them (i.e. North Warwickshire, South Staffordshire and Stratford).

### Barton Wilmore Letter

RMit explained that he sits on a consortium that has undertaken their own housing study as part of the response on the Birmingham Development Plan and felt obliged to share this with the group. Mark Sitch from Barton Wilmore is prepared to attend a meeting of this group to go over the figures.

DC advised that it was helpful that another study has been done, however he felt that it was not appropriate to have a presentation given to the group, prior to the release of the study by PBA. He asked RMit a) who is part of the consortium and b) if the report could be circulated and shared with PBA.

RMit advised that he could not disclose details of the consortium as this was confidential; however there were ten representatives of land owners or house builders. The report would be available in a couple of weeks.

DC asked if the letter could be shared. RMit agreed that the letter could be, however the report was still a draft but will be submitted in response to the Birmingham Development Plan consultation at which point it will be in the public domain.

### Environment Study

DC reminded the group that AS had previously produced a brief giving different options and the group decided the preferred option would be to take on some of the work using representatives specialising in SEA from each local authority with guidance from Collingwood consultants.

AS advised that Collingwood have been working with Birmingham City University on other work and have also undertaken a similar study for the Scottish Government. There is £3,000 of surplus funding and this could be used towards a study with Collingwood acting in a guiding/ quality control role.

DC explained that he has put the proposition to Katie Trout at the GBSLEP Secretariat, who has confirmed that they are content with this subject to assurances with the procurement process. This could be sorted out and the key issue is to ensure that everyone is happy and able to put resources forward to help with the process. Key points made include:

-



**Actions**

- To be undertaken with representatives from the local authorities and private sector
- The Housing Study would be a core component
- Would need someone to co-ordinate and produce the report. A suggestion was to break into smaller groups then bring together into a report.

AD asked if the study undertaken for the Scottish Government could be shared. AS to circulate (see link below)

**AS**

<http://www.scotland.gov.uk/Topics/farmingrural/SRDP/SRDP20142012/SRDP20142020ExAnteEvaluationSEA>

It was agreed as a way forward to hold a smaller meeting to discuss a way forward with nominees from the following local authority areas; Southern Staffordshire, North Worcestershire, Solihull and Birmingham. JA suggested that the meeting could be linked to an event that AS is holding on 5 March.

**ALL**

Employment Land Study

DC advised that CLG no longer exists but that the study would go forward with Regional Chief Executives delegating responsibility to S. Winterflood using protected legacy money from the former Regional Assembly.

**4. Duty to Co-operate**

AL advised that in relation to the Cannock Chase Local Plan, they have now received the Inspector's report and the plan can be adopted.

**5. Any Other Business**

None

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 12 December 2013  
Birmingham City Council Offices  
Room G01B, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (Chair)	Robert Mitchell, Richborough Estates
Nichola Shandley, Birmingham City Council (notes)	Emily Barker, Worcestershire County Council
Mike Dunphy, Bromsgrove District Council	Philip Somerfield, East Staffordshire Borough Council
Craig Jordan, Lichfield District Council	Maurice Barlow, Solihull Metropolitan Borough Council
John Morgan, Cannock Chase District Council	
Alister Scott, Birmingham City University	
Annette Roberts, Dudley Metropolitan Borough Council for Black Country Authorities	

### Actions

#### 1. Apologies

Apologies have been received from: -

Rebecca Mayman, Wyre Forest District Council	Anna Collins, Natural England
Ken Harrison, Solihull Metropolitan Borough Council	Anna Rose, Rugby Borough Council
Jim Davies, Environment Agency	Andrew Donnelly, West Midlands Joint Council
John Acres, Turley Associates	

DC mentioned that he had asked the Canals and Rivers Trust to join the group. They have sent their apologies for this meeting; however hope to attend the next.

#### 2. Notes of Meeting and Matters Arising – 14.11.13

##### Item 5 – Duty to Co-operate; General Update on Local Plans

JM advised that an update was given by Cannock Chase and was missing from the notes. Cannock Chase District Council is consulting on the major modifications to their plan; the consultation started on 15 November and runs until 18 December.

Item 6 – Any Other Business

DC gave an update on RMI request for a copy of the letter sent by Andy Street to Andrew Mitchell MP. He advised that as the LEP was classed as a private company; FOI requests do not apply. However there is nothing to hide in the contents of the letter, but it does have some personal comments from Andy Street to Andrew Mitchell MP that are not for sharing in the public domain.

There are two options; the first would be to send the text from the letter that is not personal in an email, or secondly send a copy of the letter with the personal text blacked out. RMI asked if the second option could be undertaken. Action DC to pursue this with the GBSLEP Secretariat.

**DC**

**3. Strategy Development**

Strategic Framework Strategy Development – consultations

The four events have now taken place and we should now start to receive responses to the consultation. DC asked if each authority could start to chivvy up responses and agreed that he would send an email out thanking those who attended and encouraging them to send responses in.

**DC/ALL**

PS asked how the other LA's would be responding.

CJ, EB, MB and JM advised that they would prepare a response through their Cabinet Member and MD and AR would prepare an officer response.

AS advised that the video will be available soon and he would provide DC with the link. DC to include in the email.

**DC**

Further Research

Housing Study

DC advised that a meeting was held with Peter Brett Associates, the local authorities who commissioned the study and other local authorities who have come forward to potentially join or co-operate with the study. It was a useful and helpful meeting; and the aspiration by the Black Country to join the study was noted; and a meeting will be held shortly to look at procurement implications. Telford is keen to become engaged; while South Staffordshire, North Warwickshire and Stratford did not want to join the study but were willing to co-operate. The question was asked why other local

authorities were not invited or excluded i.e. Warwick. This was not done deliberately and they would be invited in any further meetings. Peter Brett's wish to meet with all local authorities during the study.

### Environment Study

AS has prepared a thought piece/first draft for this study brief; a copy this was circulated and he explained each section and options available for undertaking the work.

DC thanked AS for pulling this together. He advised that it links into the ecosystem approach, however there may be an issue with cost and procurement and hopefully would look to achieve a fifty page NPPF-style of document rather than a document containing thousands of pages. It was felt that the LEED Toolkit was good if starting from scratch, however as the majority of information was already available it would not be useful for this study. Out of the options listed, option 2 but modified to reflect option 4 was favoured by DC.

AS advised that he could possibly match fund 50% with what funding the LEP will provide, if the consultants he has suggested are chosen.

DC asked if anyone had any thoughts: -

MB welcomed the approach providing we could deliver and the involvement of the group and consultants was a good balance.

EB was unsure whether it is something we legally need to do, but agreed it was a good suggestion to work together and the extra resource will grease the wheels. Would need to include LNP's.

AS mentioned an email received from Rebecca Mayman from Wyre Forest who advised that they undertook the work in house to inform their plans and asked consultants to quality check it. RM's colleague Maria Dunn has offered to assist in this work if we require extra resource. AS also asked whether we should just do a SEA or should a SA be included.

MD expressed the need to be careful on the legality of the study and felt that the study should include the SEA and SA. He also agreed that the best option would be option 2 as long as all local authorities would be able to resource officer time.

Agreed Action was for everyone to provide AS with comments by the end of next week (20 December). DC/CJ will then take this to Katie Trout at the GBSLEP Secretariat in the New Year regarding funding/procurement issues. AS asked if

**ALL**

anyone would like to work with him in a smaller group and co-produce this work to let him know.

Employment Land

DC circulated the latest version of West Midland Employment Land Study Brief undertaken by Sherman Wong. MD raised his concerns with conflicting projections in studies. CJ asked whether there was a need to compliment this work on non-strategic employment land. DC advised that each local authority local plan should cover local employment land and this study would be at a more strategic level. Actions for the group to take the brief away and let DC have comments as soon as possible and NS to circulate the document electronically.

**ALL**

**4. Duty to Co-operate**

Birmingham Development Plan

DC circulated copies of the slides and gave the presentation advising that it had been produced to address the key principles in the emerging plan as agreed at the last meeting. In making his presentation DC self-assessed the emerging plan using a traffic light system.

Observations/concerns are: -

RMi raised his concerns with the role of the group in terms of reviewing local plan's against a set of principles from the emerging GBSLEP Spatial Plan for Recovery of Growth. If plans are presented to the group then the group can do no more than 'note' that a plan has been presented and comment no further. This view was not shared by the group.

AS advised that he would like to see more commentary on the principles; including the justification and evidence base. He suggested that the presentation could be merged with the principles i.e. they could sit together rather than separate and this would make it clearer.

EB suggested that the issue seems to be more a matter of detail, high level principles are fine, but it is how you get into the finer details.

PS suggested it is difficult to get overall strategic principle rather than the detail.

JM stated that when Martin Eade gave a recent presentation it seemed that decisions had been made where there are things outstanding.

CJ advised it is a strategic matter, with it delivery and be capable of going forward as a plan. This is a strategic forum rather than getting into the nitty gritty.

AS stated it needs to show evidence to say that the evidence work has been done rather than a presumption. Dc responded to say that the evidence base had been produced in accordance with the requirements.

AR asked if the quarter of million retail requirements is in the city centre. DC confirmed that most of it was and included commitments.

### General Update on Local Plans

#### Cannock

JM advised that Cannock is currently consulting on the major modifications to their plan; the consultation started on 15 November and runs until 18 December. They are also undertaking a consultation on CIL, which started on 29 November and finishes on 10 January 2014. The Cannock Chase Local Plan Part 2 Site Allocations, preliminary work has just started on the development of this document.

#### Bromsgrove

MD advised that the Bromsgrove District Plan will not be submitted by the end of the year.

#### Black Country

AR gave an update on the Black Country Local Authorities as follows: -

#### Walsall

SAD & the AAP (having been through I&O in the summer) are due for Preferred Options summer 2014. Hope also to consult on a draft CIL charging schedule at the same time.

#### Sandwell

SAD and AAPs adopted  
CIL - Pre Submission Mid 2014

Wolverhampton

Stafford Rd and Bilston Corridor AAPs - submission 15 November 2013  
City Centre AAP - Issues and Options consultation - October/November 2013  
Tettenhall and Heathfield Neighbourhood Plans - public consultation commenced

Dudley

Halesowen AAP – adopted November  
Stourbridge AAP – adopted November  
Allocations (DEV STRATEGY DPD) – preferred options (Pre Submission) June 2014  
Dudley Town Centre AAP – Issues and Options Feb/March 2014  
CIL –Pre Submission Feb 2014  
Various SPDs

East Staffordshire

PS advised that the pre-submission was in November.

**5. Any Other Business**

JM advised that in the Chancellors Autumn Statement is stated that LEPs could apply for up to £250,000 in funding and are we going to apply for this.

CJ in response to your first point, I understand that this funding is to help LEPs bring forward SEPs.

MD advised that Bromsgrove had a recent CLG Advisory Visit by Keith Holland. It was free and a useful meeting and he would encourage other local authorities to take up the opportunity. DC confirmed that Birmingham was having a similar meeting.

DC mentioned match funding. AS advised that the BES programme is different and putting together knowledge exchange with a start date of April/May. EAT Me Tree portal, needs to be redesigned and would like to work with

**Actions**

different groups to ensure that the tool is useful to that group. It is not fit for purpose at the moment and could use time this group would devote to it to obtain funding to the drive the process. There is an opportunity for the LEP to be involved with no cost. Would just need to introduce it to the group, take it away and test and then feedback. The group would need to sign a letter to say that they have provided the time. This approach was agreed and DC and AS to discuss and produce the letter.

**DC/AS**

DC advised that Mott MacDonald will be chasing to fill the gaps in their joint monitoring work. The importance of this work was noted.

He also mentioned that the Spatial Plan had been put forward for the Place Making Awards and had been shortlisted. The award ceremony will take place on Tuesday 28 January at the British Museum, London and is an opportunity for members of the group to attend. The cost is £100 per person and an email has been sent to Katie Trout from the Secretariat to ask if there is any funding. If anyone is interested in attending, please let DC know. CJ suggested that a representative from the board should attend and perhaps one from local authority, private sector and academic. NS to circulate details of the event and if anyone has any aspirations to attend please let DC know.

**NS**

**Meeting Dates for 2014**

**Thursday 16 January; 2:00 pm, Room G01A, 1 Lancaster Circus (PLEASE NOTE CHANGE OF TIME)**

**Thursday 20 February 2014; 9:30 am, Room G01B, 1 Lancaster Circus**

**Thursday 13 March 2014; 9:30 am, Room 201, 1 Lancaster Circus**

**Thursday 17 April 2014; 9:30 am, Room G01B, 1 Lancaster Circus**

**Thursday 15 May 2014; 9:30 am, Room G01A, 1 Lancaster Circus**

**Thursday 19 June 2014; 9:30 am, Room G01B, 1 Lancaster Circus**

**Thursday 17 July 2014; 9:30 am, Room G01A, 1 Lancaster Circus**

**Thursday 21 August 2014; 9:30 am, Room G01A, 1 Lancaster Circus**

**Thursday 18 September 2014; 9:30 am, Room G01A, 1 Lancaster Circus**

**Thursday 16 October 2014; 9:30 am, Room G01A, 1 Lancaster Circus**

**Thursday 13 November 2014; 9:30 am, Room G0 1A, 1 Lancaster Circus**

**Thursday 18 November 2014; 9:30 am, Room G01A, 1 Lancaster Circus**



## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 14 November 2013  
Birmingham City Council Offices  
Room G01B, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (Chair)  
Nichola Shandley, Birmingham City Council (notes)  
Mike Dunphy, Bromsgrove District Council  
Rebecca Mayman, Wyre Forest District Council  
Emily Barker, Worcestershire County Council  
Andy Plant, St Francis Group  
Craig Jordan, Lichfield District Council  
Matthew Bowers, Tamworth Borough Council

Alister Scott, Birmingham City University  
John Acres, Turley Associates  
John Morgan, Cannock Chase District Council  
Robert Mitchell, Richborough Estates  
Michael Jones, Richborough Estates  
Glen Langham, Gallagher Estates  
Rachel Batts, Solihull Metropolitan Borough Council

### Actions

#### 1. Apologies

Apologies have been received from: -

Philip Somerfield, East Staffordshire Borough Council  
Ken Harrison, Solihull Metropolitan Borough Council  
Andrew Donnelly, West Midlands Joint Council

#### 2. Notes of Last Meeting and Matters Arising

There were no comments made in relation to the notes of the meeting held on Thursday 17 October.

#### 3. Strategy Development

Strategic Framework Strategy Development – Consultation Programme

DC confirmed that he has twice circulated emails about the event and agreed to send another out on Friday 15

November. Current and approximate number of bookings received for each event: -

Birmingham – 45 bookings

Cannock – 30 bookings

Worcester – 33 bookings

Matt Danks has been asked to start tweeting about the events, starting 10 days before the event and 3 days leading up to the event.

DC suggested the following format for each event as follows: -

1. Welcome (10 minutes)
2. Presentation on the consultation draft of the SPRG (15 minutes)
3. Presentation on the current development planning position (15 minutes)
4. Private sector perspective (10 minutes)
5. Game (60 minutes)
6. Question and Answer Session to panel of speakers (30 minutes)

AS suggested that it would be more relevant for a board member to open each of the events and explain the background and ongoing work of the GBSLEP. DC agreed it would be relevant for a board member or chief officer from the local authority and agreed to discuss separately with CJ.

In relation to the presentations, DC suggested that either he or CJ give the presentation on items 2 and 3. He asked for volunteers from the private sector members of the group to give the presentation on item 4. AP agreed to do this at the Solihull event; JA at the Birmingham and Staffs events; and MJ at the North Worcester (diary permitting) event.

DC showed the template for the board game; and circulated the instructions, explaining how the game would work. AS expressed his concerns that someone should chair the game and there should also be someone capturing the discussion. DC asked that the organisers for each event consider and put in place what AS has suggested.

Further comments made in relation to the events were: -

**Actions**

**DC**

**DC/CJ**

**JM, MD, DC,  
RB/KH**

**Actions**

GL raised that: -

- people tend to disappear after they have obtained the information
- could use post-it-notes to capture the discussion and then get someone from that table to run through them
- some of the questions are complicated; if attendees are not planning savvy they may struggle with them

DC responded that: -

- those invited will have some knowledge of the planning system
- any suggestions on simplifying the language would be welcomed
- the game has not been tested yet and will be prior to its use

**ALL**

CJ expressed his concerns with the terminology; it might not be appropriate to call it a “game”, especially with recent press from politicians. DC suggested calling it “Growth Options”. Feedback on the wording is required by Friday 15 November.

**ALL**

AS asked if the hash tag that was being used for tweeting had been checked for duplication. DC confirmed that the hash tag being used was #SPRG.con which was unique to the GBSLEP.

AS also asked if anyone had arranged for a video to be made of the events. DC advised that he had spoken to Matt Danks but he had not had time to arrange anything. AS suggested that he could arrange for someone from BCU to video one event. DC to liaise with AS on this.

**DC/AS**

Further Research Progress

- Housing Study

DC confirmed that PBA consultants have been appointed to undertake the study and an inception meeting has been arranged for next week.

RMa mentioned the email recently received from South Staffordshire Council asking if they should be included in the study.

DC confirmed that two requests had been received from South Staffordshire and Black Country to join the study. Although DC would welcome widening the study, it will need to be discussed and the inception meeting and would also depend on whether it would cause delays.

- Employment Land Brief

DC advised that Sherman Wong, CLG had recently circulated the draft Employment Land Brief and he passed a copy of the document around. He asked that the group to take time to look at the document and if they have any observations or comments to let him have them. DC agreed to circulate an electronic copy of the document.

**DC**

- Other Studies

JA mentioned that the consultants undertaking the Coventry HMA are not taking into account other local authority areas. Solihull, Coventry and Birmingham studies need to be reflected in someway. DC advised that the inception meeting will need to discuss and pick up these points.

Environment Study

DC explained that the group need to define a brief and start undertaking this work. AS asked if it will be a full brief as there would be a lot of work involved. DC advised that it would not be and would have to be manageable within the resources available. A suggestion would be to do a study of the options that come out of the Housing Study? MD asked if consultants could do this work. DC advised it was a possibility, although funding would need to be established. RMA suggested that the group undertake the work and then get it quality checked. AS agreed that there was value in doing the work ourselves. AS agreed to start to put ideas and options down, if anyone has any ideas or comments please send them to him.

**AS/ALL**

Joint Study between LEP and Local Nature Partnership

DC mentioned that he had received an email from Sandy Taylor, Head of Climate Change and Environment at BCC in relation to a meeting to discuss a potential joint study between the LEP and LNP under the New Anglia LEP and LEED framework. He advised that he doesn't necessarily agree with undertaking a separate study and believes it should link with the current studies. The next item links into this discussion.

**4. Biodiversity and Ecosystem Service Sustainability (BESS) – Knowledge Exchange Grants**

AS advised that whilst looking at the objectives in the wheel of LEP fortune there was significant scope for GBSLEP to obtain funding. Match funding could be based on either money or officer time; £13 million is available. The director of

the BESS programme is very aware of the work of the GBSLEP. DC asked if AS would like to attend the meeting with Sandy Taylor; AS agreed.

EB advised that she had a copy of the final report into the work which New Anglia LEP undertook in partnership with their LNP, using the LEED toolkit. Worcestershire is replicating this work and working alongside Claire Bridges on the project. The approach was developed to work alongside growth and investment plans, as opposed to spatial strategies but it has been a very useful way of working which can be refined and adapted to different approaches and circumstances and engenders engagement between different sectors in a positive way. EB agreed to circulate a copy of the final report into the work which new Anglia LEP undertook in partnership with their LNP and also a project power point from Natural England which explains the work further.

**EB**

**5. Duty to Co-operate**

- Discussion on approach to consultations on Local Plans

Following discussion at the last meeting and concerns made in relation to the groups responsibility under duty to cooperate and it being noted as endorsing plans. DC circulated a copy of the agreed terms of reference and key principals of the emerging plan. He pointed the group to point 3 in the TOR which was agreed in March this year; and asked if there was a need for any amendments to this. JA requested a possible change to the wording “neighbouring local authorities” to “constituent local authorities”. AS suggested that any presentations made should identify where the plan addresses the key principles of the emerging plan.

It was agreed to trial this on the Birmingham Development Plan presentation and see where it fits with the key principles.

**DC**

- General Update on Local Plans

Solihull

RB – we have received the back check from the Inspector and are busy getting it back to him. We are hoping for a quick turn around from the Inspector before he goes on holiday.

Lichfield

CJ - We are doing the work that the Inspector has asked for; finding another housing site and have to go back to the Inspector by January.

Worcestershire

EB – Further work on SHMA evidence base and housing numbers, the hearing will be in March for stage 1.

Bromsgrove

MD - The period for representation closed on Monday 11 November and we are looking at those. Housing seems to be the main issue.

Wyre Forest

RMa – Looking at the representations with Worcestershire.

Tamworth

MB – currently updating the evidence base.

- Strategic Economic Plan (SEP)

DC circulated a list of projects put forward by each local authority together with a matrix listing the key principles in the emerging plan and scoring. As a trial he asked the LA members of the group to use the matrix to score their projects and bring copies with them to the GBSLEP Planning Group meeting on Monday 18 November. If anyone has any additional projects they would like to be added can they let DC or CJ have these before the meeting.

AP asked about deliverability i.e. drop something that is deliverable in favour of one that's not. CJ mentioned the several emails he circulated on 22 October which gives more detail for each project.

**Actions**

**6. Any Other Business**

RMi mentioned his request for a copy of the letter that Andy Street sent in response to Andrew Mitchell MP's letter. He advised that he has contacted the LEP Secretariat for a copy; and has been advised that Andy is happy for him to receive a copy; however they have said that he needs to obtain this from DC or CJ. DC advised that he would check with Katie Trout as he feels that it is not for him to release a copy of the letter into the public domain.

**DC**

JM asked whether the letter in relation to the GBSLEP Spatial Plan consultation has been circulated to all LEP MP's. DC confirmed that they have and agreed to circulate a copy of the letter sent out with the notes of this meeting.

**DC**

**7. Next Meeting**

**Thursday 12 December; 9:30 am, Room G01B, 1 Lancaster Circus**

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 17 October 2013  
Birmingham City Council Offices  
Room G01B, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (Chair)  
Nichola Shandley, Birmingham City Council (notes)  
Mike Dunphy, Bromsgrove District Council  
Rebecca Mayman, Wyre Forest District Council  
Emily Barker, Worcestershire County Council  
Jim Davies, Environment Agency  
Andy Plant, St Francis Group  
Craig Jordan, Lichfield District Council

Alistair Scott, Birmingham City University  
John Acres, Turley Associates  
John Morgan, Cannock Chase District Council  
Robert Mitchell, Richborough Estates  
Michael Jones, Richborough Estates  
Dave Simpson, Solihull Metropolitan Borough Council  
Andrew Donnelly, West Midlands Joint Council  
Annette Roberts, Dudley Metropolitan Borough Council – representing  
Black Country LEP

### Actions

#### 1. Apologies

Apologies have been received from: -

Emma Baker, Bromsgrove & Redditch  
John Heminsley, Cannock Chase District Council

#### 2. Notes of Meeting and Matters Arising

##### 2.1 Page 3 Duty to Cooperate

RM referred to the sentence “On the matter of strategic concern to the GBSLEP there are no objections”, and advised that he had objections which he had raised and these were supported at the Planning Sub-group meeting. He requested that **no** memorandum of understanding be put in place however if an MOU was required that a full assessment of a plan and evidence informing that plan be scrutinised in detail. JA advised that at this meeting the discussion was around conflict of interest and whether the GBSLEP Strategic Planning group have the power to endorse something. Should the wording be changed from endorsed to noted?



**Actions**

DC advised that if the GBSLEP is approached to comment on something then we need to do it. Noting a consultation is insufficient. JA advised that his concerns are when at examinations, GBSLEP is being noted as endorsing plans under the duty to co-operate, but we are not. DC advised that he will speak to Craig Jordan and suggested that an in-depth discussion takes place at the next meeting. CJ advised that we have a responsibility under the Localism Act and need to be clear on what we say; how we say it; and how it is interpreted.

DC stated that the Staffordshire Memorandum of Understanding has been sent to Andy Street for signing. RM requested that this is pulled back. DC advised that it was too late as the Staffordshire Inquiry has started or is about to start.

In conclusion it was agreed that the degree of scrutiny that can be given as part of this group is the main discussion at the next meeting. RM to provide a sentence to include in the minutes of the previous meeting to cover his objections.

**DC/RM**

2.2 Page 3 – South Worcestershire

EB asked that the minute be changed to say the Public Examination commences on 30 September.

**NS**

**3 Duty to Co-operate**

3.1 General update on Local Plans

Presentation on Bromsgrove Development Plan

MD gave a presentation on Bromsgrove's District Plan and there was a discussion on the housing, green belt and employment aspects of the plan. There were no serious issues identified regarding the content of the emerging local plan and the GBSLEP Spatial Plan consultation document.

**MD**

RM asked how many hectares the land allocated for housing is. MD to provide the figure.

Birmingham Development Plan update

DC advised that the pre-submission draft was going to Cabinet on 21 October, Full Council on 3 December and out to consultation on 6 January.

3.2 Update on Public Examinations

Cannock

The Public Examination ended on 28 September. There has been strong post-examination dialogue with the Inspector and various modifications identified. Both Birmingham City Council and Lichfield District Council colleagues were in attendance. There was 5% or 20% buffer for housing was discussed at length. The Inspector is not issuing an interim report; there will be a consultation on the new round of modifications by Christmas.

Solihull

On 10th and 11<sup>th</sup> October there was a structured discussion on the main modifications and the Inspector will be making his report in due course. The main area of concern is on housing issues. The Hunston issue was discussed. At the close of the examination the Inspector indicated that completing his report would be a priority. Ian Dove's note has been sent to the Inspector.

South Worcestershire

EB advised that she was on leave during the examination. However, phase 1 looked at the evidence base for duty to co-operate; housing numbers and employment land. They are expecting the interim report and feedback at the end of October.

4. Strategy Development

Strategic Framework Strategy Development – consultation programme

DC confirmed that: -

- Document, background papers, and Survey Monkey questionnaire are on the website
- Video - No progress has been made on the production
- Game – have a draft version, it needs some work to finish it. DC to speak to AS on this
- Twitter – need to establish. GBSLEP already has a Twitter account we may be able to use this. Matt Danks has put a couple of messages out already. AS suggested that an appropriate hash tag is used to generate discussion on the strategy. DC suggested #SPRGcon which is the website address.

**DC/AS**

He mentioned that a letter has been sent to Andy Street from Andrew Mitchell MP. It basically says that the GBSLEP needs to

sort out the housing issue. He advised that he had prepared a response to this. He asked whether the group felt that a letter should be sent to MP's and statutory consultees advising them of the consultation. Although he knew MP's have already been notified through the GBSLEP newsletter. He advised that he could obtain the MP's details from Katie Trout, however asked if everyone could provide him with details of their statutory consultees.

### Events

- Bromsgrove 22<sup>nd</sup> November
- Birmingham aim for second week of December
- Staffordshire aim for first week of December
- Solihull provisionally aim for last week of November – DS to speak to KH.

Need to get details of each event out as soon as possible and each authority needs to include a contact name and number for bookings. AS mentioned that each authority should think about the time of the event i.e. early morning, late afternoon. DC suggested a mixture of times and the events will be approximately 2½-3 hours. He requested that everyone work together on the presentations.

DC explained that he did not think there was time to produce a video. AS suggested having a set of questions and video various people answering these. AR suggested to video people who have difference needs i.e. business, residents etc, or interview and question time and talk to people about specific sites and what they feel about them.

### Further Areas for Research

#### Housing Study

Interviews have been held and a preferred contractor was agreed although this is not in the public domain. Consultants will need to know where we are re Black Country Leaders where Leaders want to join the study and we need to know how to achieve this through the procurement process. DS, DC to discuss with AR.

#### Other Studies

Sherman Wong from the Centre for Local Government West Midlands is undertaking an employment study. This will be on strategic employment sites and any further work will be on a cross LEP basis rather than individual basis. A briefing paper on this work will be prepared and circulated for comments. WM Council's have £60,000 funding available.

**Actions**

**ALL**

**DS,DC & AR**

**Actions**

**5. Any Other Business**

5.1 AS advised that he will be speaking at the PIPA (Politicians in Planning) Conference to tell the GBSLEP story and has also been asked to run a session in the afternoon. There will be politicians in attendance and if anyone has any ideas or suggestions of things to cover please let me know.

Suggestions: -

- The ten ways of accommodating growth question
- Ask elected members what their views of the most strategic issues are.

5.2 DC requested that any reports or local press coverage on the Spatial Plan are sent to him so he can gather them altogether. RM asked whether they should be taking reports through their members. DC suggested that one report could be prepared and tweaked for each individual local authority. CJ confirmed that Lichfield would be responding. RM agreed to draft a report.

**RM**

CJ asked if the group were picking up the NPPF Practice Guidance note. AD advised that the closing date has passed, however that he has sent a response on behalf of WM Metropolitan Authorities and agreed to circulate a copy of this.

**AD**

AR advised that she could provide an update of the Local Plan in the Black Country.

**AR**

**6. Date of Next Meeting**

The next meeting will be held on Thursday 14 November at 9:30, Room G01B, 1 Lancaster Circus Queensway.

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 12 September 2013  
Birmingham City Council Offices  
Room 201, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (chair)  
Andrew Donnelly, CEPOG Support Team  
Mike Dunphy, Bromsgrove District Council  
John Morgan, Cannock Chase District Council  
Robert Mitchell, Richborough Estates  
Rebecca Mayman, Wyre Forest District Council

Emily Barker, Worcestershire County Council  
Andy Plant, St Francis Group  
Dave Simpson, Solihull MBC  
Grady McLean, Natural England

### Actions

#### 1. Apologies

Apologies received from the following; -

Jim Davies, Environment Agency  
Alistair Scott, Birmingham City University  
John Acres, Turley Associates  
Rachel Macklin, Bouygues Development (Thomas Vale)  
Philip Somerfield, East Staffordshire  
John Hockley, Birmingham Airport

#### 2. Notes of Last Meeting and Matters Arising

The minutes were checked for accuracy and the following change was agreed: -  
JM - under Item 5 point made was specific in relation to logistics study not just technical study.

DC reported that John Hockley leaves his post tomorrow so we should record our thanks for all his efforts particularly leading on connectivity work. DC to speak to Craig and put to Planning Sub Group to see how to get a replacement person to lead on connectivity.

Meeting to be held on Friday later in the week about Technical Housing work and continuing work looking at employment land and

DC

strategic sites.

**3. Duty to Co-operate**

Lichfield – Received Inspectors interim report last week and raised issues of soundness in particular housing numbers; asked to increase from level in submitted plan and for additional site(s) to be identified. This will lead to additional sessions with a final decision unlikely until 2014.

Helpful that it has endorsed approach being taken towards the DtC of letting Local Plans proceed with commitment to address long term growth issues. Inspector made positive point on work LEP is doing.

Cannock – Examination commences 24 September.

Tamworth – no change

North Warwickshire – unsure as awaiting results of technical studies.

Solihull –Inspector’s interim report received in Spring and content with decision. There will be another hearing on 10<sup>th</sup> October on main representations on modifications. It was agreed to put UK Central on the next agenda in October.

**DS**

Bromsgrove/Redditch - Two Plans with cross boundary matters in relation to growth of Redditch – Bromsgrove goes to Cabinet on 25<sup>th</sup>. Redditch went to Executive and Full Council, will be published on 30<sup>th</sup> and submission by end of the year. MD agreed to do a presentation on Bromsgrove Plan at next meeting.

**MD**

Wyre Forest – Development plan review process will start early 2015. Next year they will be gathering evidence and base line information. Members have chosen not to go to consultation on draft schedule delaying it until late 2014. It will be a Local Plan.

Birmingham – Birmingham Development Plan will go to Cabinet in October with a view to going to Full Council in December 2013.

South Worcestershire – Public Examination commences 1<sup>st</sup> October 2013.

Stafford – Alex Yendole contacted DC and has produced a joint memo of understanding (tabled) – DC proposed the Group agree the paper. DC discussed with Craig and thought Andy Street should ideally sign this agreement. Meeting between DC/AY last week on duty to cooperate matters DC made suggestions on the content and felt nothing of real concern. MOU refers to spatial planning work in strategic housing study in GBSLEP.

DS – Is it worth asking someone to come to meeting and do a presentation. DC - as a matter of good practice should ask areas adjoining our LEP to attend to discuss their Plans.

RM – Can LEP sign up if not done a full assessment of Plans themselves? What does it achieve if sign up to it? DC – Given recent history Stafford can't be criticised for being 'belt and braces'. On the matters of strategic concern to the GBSLEP there are no objections. In any event the MOU does not prevent individual organisations from making representations if they see fit. RM asked for his comments to be noted.

DC to put forward for signature by the LEP.

Stratford – consultation ends tomorrow document states need to address Redditch Council's employment needs. Also possibility of an extra 2000 dwellings at Long Marston. DC suggested we could invite Stratford to attend a future meeting to talk about their Plan.

South Worcestershire – Public Examination commences 4<sup>th</sup> October with reserve days. AD understanding onus on Council to identify strategic matters and local authorities should be aware of this.

**4. Strategy Development**

Strategic Framework Strategy Development - Progress

DC prepared version of Plan for publication which went to the Board. DC updated contact details and sent to Secretariat who wanted some changes made to presentation of the document. Matt Danks PR has restructured document which works well. DC circulated survey for Survey Monkey and when document finished may need to amend questions.

**DC**

No progress on consultation programme – we had proposition of holding consultation events in each area as per last year. We need to sort out urgently. Due to delay in producing documents DC discussed with Craig and agreed consultation can continue until end of the year. Events to start early November and each area to think of best timing and location for their event. Action for all to do by end of September deadline to confirm date, time and location for the session.

**ALL**

DC has been talking to Sustrans regarding a presentation and if anyone has any other suggestions for events they would be welcomed.

DC events do not need to be themed as previously but will need to be format on plan and process common to all events then a more local perspective given for the area.

DC displayed game produced by Richard Moohan on future growth. Agreed we need to think about how to deal with growth

**Actions**

outside the LEP area in a less specific manner. DC asked for agreement subject to this key change and we continue to develop game and make available for consultation and other events.

Further Research Progress

DC reported that Solihull have now sent Housing study out as part of the procurement process and DS advised the closing date for tenders is end of September, appointment in October and final report sign off is beginning of February. Need to confirm people from each area to attend interviews and agreement on format of interviews, also need to identify people to evaluate tenders. Brief to be circulated with notes of the meeting.

DC

Briefs for employment land and appraisal need to be sorted. A further meeting on employment land is to be held and can progress after this.

AD - Engaging / Liaising with Black Country and North Worcestershire will they be sent a copy of brief? DC drafted letter for Craig to send to neighbouring authorities to ask if wanted to engage in process. DC advised it is up to authorities in S Staffordshire and N Worcestershire to advise on the involvement of other authorities in those counties.

**5. Any Other Business**

MD – next Friday Highways Agency are holding sessions on route based strategies split over LEP areas and asked if anyone from the LEP will be attending.? DC not heard about it. JM – Invites have gone to Chief Executives – MD to forward email to DC.

MD

**6. Date of Next Meeting**

Thursday 17 October at 9.30 am in Room G01B, 1 Lancaster Circus.



## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 18 July 2013  
Birmingham City Council Offices  
Room 401, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (chair)  
Nichola Shandley, Birmingham City Council (notes)  
Richard Moohan, Birmingham City Council (placement)  
Mike Dunphy, Bromsgrove District Council  
Alistair Scott, Birmingham City University  
John Morgan, Cannock Chase District Council  
Robert Mitchell, Richborough Estates  
Rebecca Mayman, Wyre Forest District Council

Philip Somerfield, East Staffordshire Borough Council  
Emily Barker, Worcestershire County Council  
Andrew Donnelly, CEPOG Support Team  
Matthew Bowers, Tamworth Borough Council  
Craig Jordan, Lichfield District Council  
Ken Harrison, Solihull Metropolitan Borough Council  
Andy Plant, St Francis Group

### Actions

#### 1. Apologies

Apologies received from the following; -

Jon Hockley, Birmingham Airport  
Anna Rose, Rugby Borough Council  
Emma Baker, Redditch Borough Council  
John Acres, Turley Associates

Alex Roberts, Tamworth Borough Council  
Jim Davis, Environment Agency  
Rachel Macklin, Thomas Vale

DC introduced Richard Moohan and advised that he is on a four week placement with Birmingham City Council after geography at Leeds University. Everyone at the meeting introduced themselves.

#### 2. Notes of Last Meeting and Matters Arising

The minutes were checked for accuracy and the following changes were agreed: -

- Page 3; Item 4; Further Research Progress

AS did not recall the action to provide a paper. It was agreed to amend the minutes; the second paragraph to say "AS agreed to look at the consultation process for the spatial plan and has prepared a paper and last paragraph amended to say

”DS requested that the electronic papers are circulated to the group”.

- Page 4; item 3; Duty to Co-operate; other plans

JM requested an amendment to the third paragraph to say “The public examination is programmed for late September.

### **3. Duty to Co-operate**

DC advised that Alex Yendole of Stafford Borough Council has been in touch in relation to their consultation and said that he wrote to the GBSLEP Secretariat in February. DC has no recollection of receiving this previously and has checked through emails. CJ also confirmed that he had not received anything. DC agreed to contact the secretariat to check and ensure that all future consultation documents are shared.

**DC**

DC advised that he has not seen the Stafford Plan and asked for the views of the Staffordshire authorities. PS confirmed that East Staffs have been involved and have signed off an MOU. DC stated that a collective response is needed in the next few days and asked for the Staffordshire authorities to read and let him have comments back by close of play on Monday. He also advised that the GBSLEP are being asked to sign it off, so we need to pay attention. If required DC agreed to meet with Alex Yendole. DC asked CJ who would be best placed to sign this off on behalf of the GSBLEP. CJ confirmed that it would be a board member i.e. Andy Street and could be done through Katie Trout.

**PS/CJ**

#### General Updates

Lichfield, CJ – the hearing session was completed last week and a couple of issues were found, one being whether housing need is met. Publication of the preliminary report will be in September and we may have to revisit the hearing session and consultation.

East Staffordshire, PS – currently working towards October for the pre-publication.

Wyre Forest, RMa – adoption of site allocation plan is 24 July and at which point there will be a clean sweep of plans.

Solihull, KH – have just started consultation on main modifications to their draft local plan and includes a reference to the spatial framework. Consultation will run from 15 July to 27 August.

Cannock Chase, JM – the examination on the local plan will commence in September.

Bromsgrove, MD – advised that a report on the Housing Growth Consultation will be going to their Cabinet on 3 September, full council on 25 September and publication thereafter.

Worcestershire, EB – the South Worcestershire local plan first examination is programmed for October.

AD advised that Stratford upon Avon has gone out on their own on their Core Strategy and also mentioned that the GBSLEP Housing Study was used by developers in two opposing ways at Solihull and Lichfield examinations.

#### **4. Spatial Plan**

DC circulated the appendix which includes the draft spatial plan and the Board has agreed can go out to consultation. The document will need converting into a format that can go out to consultation. Other inclusions include a preface from Chris Webster, DC to mention to him when they meet to discuss the timetable. Also it might be useful to prepare a leaflet to go out at the same time, KH agreed and AS suggested including a YouTube video i.e. like St Andrew's consultation of broad elements.

**DC**

#### Consultation Programme

DC read through the paper kindly prepared by AS. The approach – multi stranded opportunities, target usual and usual suspects with different spatiality's across GBSLEP. Need to discuss the process i.e. different events in each area with reasonable approach across areas and a range of approach of methods. Need to include on the website.

DC advised that he has started working on producing a survey using Survey Monkey. It is quite a long questionnaire, but useful and it might be worth having two surveys one long and one short. DC to circulate the link for everyone to view, test and feedback comments. The exercise used at St Andrew's on ten ways to accommodate growth has been included in the survey.

The GBSLEP newsletter can be used to advertise the consultation and as AS suggested we could have one or two short clips on the website and Twitter can be used to set up a new # for this exercise.

AS commented that a lot of these exercises can be quite boring and he has suggested using a Rufopoly-type game. An idea would be to have a map of the GBSLEP area where people can plan their journey across the whole of the GBSLEP and includes questions that relate to the 'wheel of fortune'. It can be used as a warm up at a consultation event. It has been used with government, DEFRA and school children. You can play with a group and discuss each question as you go around the board. It is inexpensive and costs around £80 to print out.

CJ confirmed that when raising the consultation at a leaders meeting, they were keen to engage with many groups and also with schools.

DC advised that we will be looking to hold events in September and with the holiday period about to start have we got enough time. Should we develop this and does anyone want to be involved? It was agreed that DC, MD, RM, PS to find a rep, and KH to find a rep will progress this as a project group.

AS suggested that prior to meeting, it may be worth sorting out a route which can then be discussed. DC agreed to liaise via email to come up with a route and then share amongst the project group.

Following a discussion it was agreed to hold four consultation events as previously and then to consider holding a larger event to include a question time discussion at which the results from the consultation could be summarised. Due to the holiday period, Officers were asked to start looking at date and venues as this needs to be ironed out over the next two weeks. It was also felt useful for each local authority to have their spatial plan named officer nominated.

It was also agreed that a page should be prepared which could be added to all of the nine LPA websites.

**5. Any Other Business**

JM asked DC if he had any feedback in relation to the technical studies across the wider region. DC advised that following discussions, Sherman Wong from West Midlands Council, is in the process of setting up a meeting in relation to employment land and SHMAs, and he agreed to feedback.

KH advised that UK Central the M42 study which includes strategic economic assets in Solihull of Jaguar Land Rover, Birmingham Airport and the NEC have launched their prospectus which can be found on their website [www.uk-c.com](http://www.uk-c.com). DC asked if it was possible for someone to come and give a presentation on this at a future meeting. KH to arrange.

KH also mentioned that it would be useful to use a future meeting to discuss connectivity work with colleagues in Centro. DC advised that work led by Jon Hockley has been undertaken in liaison with Maria-pilar Machancoses. Also Centro are members of the group and receive all correspondence.

AP asked what the feedback from the Board was in relation to the housing study. CJ advised that the Leaders have got to discuss and advise of way forward, we will then take from this what we will need to do. AP felt that if only stages 1 & 2 went ahead it would be half a job and suggested that options are put in front of the Leaders so they can decide which one to take. KH explained that there is a commitment to do this work within the financial year.

CJ suggested in reference to Sherman Wong and the regional work, the work seems to overlap would it be worthwhile inviting Sherman to this group? DC agreed.

**DC**

**6. Date of Next Meeting**

The next meeting is due to take place at 9:30 am on Thursday 15 August. It was agreed that due to the holiday period and high

volume of apologies that this meeting is cancelled. Therefore the next meeting will take place on **Thursday 12 September at 9:30am, Room G01B, 1 Lancaster Circus.** *Please amend your calendars.*

**Actions**

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 13 June 2013  
Birmingham City Council Offices  
Room 401, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

David Carter, Birmingham City Council (chair)  
Nichola Shandley, Birmingham City Council (notes)  
Craig Jordan, Lichfield District Council  
Emily Barker, Worcestershire County Council  
Dave Simpson, Solihull Metropolitan Borough Council  
Alex Roberts, Tamworth Borough Council  
Jon Hockley, Birmingham Airport  
Robert Mitchell, Richborough Estates

Rod Griffin, Arup  
Philip Somerfield, East Staffordshire Borough Council  
Jim Davis, Environment Agency  
Mike Dunphy, Bromsgrove District Council  
John Acres, Turley Associates  
Alistair Scott, Birmingham City University  
John Morgan, Cannock Chase District Council  
Andrew Donnelly, CEPOG Support Team

### 1. Apologies

Apologies received from the following; -

Anna Rose, Rugby Borough Council  
Emma Baker, Redditch Borough Council  
Rebecca Mayman, Wyre Forest

Dan Boden, Wyre Forest  
Rachel Bell, Centro

### 2. Notes of Last Meeting and Matters Arising

No comments or amendments were received.

### Actions

#### 4. Strategy Development

##### Strategic Framework Strategy Development – Progress

DC explained that the current situation is that both CJ and he will be attending and taking the spatial plan to the leaders meeting this afternoon and then to the place board next Tuesday 18 June and any amendments to the plan will need to be undertaken by next Wednesday 19 June because the papers for the LEP Board are being circulated. We need to have a focussed discussion today on this. He advised that he has produced a write up of what has been done so far for the leaders and this includes the drivers for change. The drivers of change were previously circulated to the theme leads and comments have been received from AS and JD. DC proposes to use a shorter list of drivers of change in the document and include the longer list as an appendix; and circulated a copy of the updated version of these drivers. Some changes were agreed,.

##### Principles and Key Elements

DC circulated a second paper which was a brief summary of approach and listed 14 key elements. These are already included in the spatial plan and any comments could either be given now or as soon as possible following the meeting. CJ advised that comments needed to be short and precise.

DC then circulated a third paper which listed the objectives and policies taken from the 'wheel of fortune'. He explained that this is the most up to date version that was circulated to theme and includes their changes and comments. The first page has been produced by AS and suggests the overarching principles of spatial planning and subject to an addition re monitoring these were agreed. AS explained that he used principles from current research being undertaken to reinterpret to what the LEP is doing. CJ suggested changing the order of the papers so that the third paper sits before the second paper. DC and CJ agreed to sit down and try to fit this together prior to the meeting this afternoon. These papers can be used as a flow from the Strategy for Growth and Spatial Plan. DC requested that any comments be made urgently.

**Actions**

**ALL**

### Further Research Progress

DC confirmed that the brief for the Housing Study and funding has been agreed. The draft had been circulated for comments and comments had been received from RM. DC proposes we should write to adjoining areas i.e. Black Country, Warwickshire and Stratford-upon-Avon to join and/or participate. We will be able to commission the work and also come up with briefs for sustainability appraisal and employment shortly. Also we need to be aware that we may need to create data or an audit trail for the funding.

AS agreed to look at the consultation process for the spatial plan and will circulate a paper with his comments. He has tried to identify ways of moving forward i.e. using survey monkey and including a questionnaire on the web and engaging with more people through a video approach such as YouTube and the Rufopoly game. Could also create links through Twitter, Facebook or LinkedIn. DC advised that Claire Bridges and Mat Danks need to be included in discussions on this.

RG suggested that with the high youth unemployment there needs to be some effort made engaging with young people by looking at and using good practice on youth engagement. Suggestions of engagement included:-

- University students
- Secondary schools i.e. through geography teachers
- Youth clubs
- Special Needs Groups
- Look at network of schools, governing bodies and youth parliament

DC advised that the group would need to look at costs and this can be discussed further following the board meeting and at the GBSLEP Planning Sub Group.

DS requested that the revised papers are circulated to the group.

**Actions**

**AS**

**DC**



**3. Duty to Co-operate**General update on Local PlansTamworth Borough Council's potential housing allocations technical consultation

AR confirmed that he had previously sent an email to CJ and DC advising them of the consultation which is primarily for infrastructure providers. The documents list every site in Tamworth Borough Council which has potential for housing. He advised that he was not sure how the LEP can help, but any assistance on how to help; the process and other difficulties would be appreciated.

Bromsgrove Housing Growth Consultation Update

MD advised that they were still going through the responses and a report will go to their cabinet in November. He is hoping to have a summary document available in approximately 4 weeks.

Other Local Plans

CJ advised that the Lichfield examination will start on 24 June and the Inspector is Bob Yuille.

DC and AR advised that the North Warwickshire hearing was held recently. A letter was published which advised that the Council had until the end of July to decide how to move forward.

JM advised that the Cannock Chase Local Plan will go out to consultation at the end of May. The public examination would follow later in the year. It was noted that the formal revocation of the Regional Spatial Strategy had occurred.

PS suggested that when signing off the Duty to Co-operate a tip would be to ensure that your Chief Executive's and Leaders are well briefed or it can cause an issue.

## Actions

DS advised that Solihull have had their interim conclusions on the RSS and the inspector did a mini consultation on the revocation of the RSS and proposed approach asking if there were more comments.

PS advised that the East Staffordshire submission would be in October.

### 5. EAT Me Demo

AS firstly advised that he had spoken to an environmental lawyer who advised him that a Strategic Environmental Assessment (SEA) was not required for the Spatial Plan. DC advised that he had the opportunity to speak to two QC's, who have advised him that one should be undertaken. It was agreed to discuss this further at the Planning Sub Group.

CJ/DC

AS gave a presentation on EAT Me Toolkit (Ecosystem Approach Toolkit: Mainstreaming Environment). The toolkit can be used to give guidance to work and can start at any stage of the process by using the EAT Me tree to guide you through the process from ideas, surveys, assess, plan, act and evaluate and also access valuation, regulatory, futures, ecosystem services, incentive and engagement tools. There is currently a consultation on this system and if anyone has any feedback let AS know. North Devon has used the toolkit for their plan that they have just finished their consultation. A copy of the presentation and link will be circulated with the notes of this meeting.

username:EATME2  
pass:Toolkit4433  
<http://www.eatme-tree.org.uk/>

### 6. Any Other Business

JH advised that vision for Birmingham Airport has been published, please follow this link for details <http://www.balancedaviationdebate.com/> should you have any information please contact JH.

### **Next Meeting**

The next meeting will be held at 9:30 am on Thursday 18 July, room G01A, 1 Lancaster Circus.

### **Actions**

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 16 May 2013  
Birmingham City Council Offices  
Room GO1A, 1 Lancaster Circus, Queensway, Birmingham

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### **In Attendance:**

Jim Davis, Environment Agency

John Morgan, Cannock Chase District Council

Emily Barker, Worcestershire County Council

Rod Griffin, Arups

Alister Scott, Birmingham City University

Andy Plant, St Francis Group

Rachel Bell, Centro

Mike Dunphy, Bromsgrove District Council

Rebecca Mayman, Wyre Forest DC (Plus representing North Worcestershire)

Dave Simpson, Solihull MBC

Robert Mitchell, Richborough Estates

David Carter, Birmingham City Council (Chair)

Nichola Shandley, Birmingham City Council (notes)

### **1. Apologies**

Apologies received from the following; -

Anna Rose, Rugby Borough Council

Matthew Bowers, Tamworth Borough Council

Emma Baker, Redditch Borough Council

Jon Hockley, Birmingham Airport

Craig Jordan, Lichfield District Council

Andrew Donnelly, CEPOG Support Team

Rachel Macklin, Bouygues Development (Thomas Vale)

Philip Somerfield, East Staffordshire Borough Council

### **2. Notes of Last Meeting and Matters Arising**

DC asked if anyone had any amendments to the notes of the last meeting. The only comments received were from AS who advised that he had a couple of minor amendments and would send them to DC asap. Subject to these changes the notes were agreed.

### **Actions**

**AS**

### 3. Duty to Co-operate

#### General Update on Local Plans

DC asked if colleagues had any updates and mentioned that he and Craig Jordan had received an email from Tamworth BC advising that they will be issuing information on 40 or 50 sites and requesting input from the LEP. This will be circulated by Friday 24 May and the deadline for comments will be Friday 19 July. It was agreed to put this as a future agenda item.

JD advised that the Environment Agency will be looking at each individual site from a flood risk point of view. In relation to other DtC work, they are currently trying to build strategic cross border working.

MD advised that Bromsgrove's Housing Growth Consultation closed yesterday, 15 May 2013. The usual responses have been received. He will be able to give more feedback at the next meeting.

JM advised that Cannock were liaising with the Black Country on office provision.

RMA advised that Wyre Forest had no current issues and were currently working on their corporate plan including priorities for the next three years.

DS advised that Solihull have received the interim conclusions from the Inspector. The big issues were legal compliance and housing provision. They were tested vigorously on DtC and the Inspector is happy that they are complying.

RG advised that Coventry and Warwickshire LEP are currently looking at the land portfolio of major sites – approximately 30 including regional investment sites. If we are doing something similar, we will need to co-operate and connect the work together.

DC advised that he has been asked to co-operate with Coventry Housing Market Assessment Study work which will be good for links.

North Warwickshire's Inspector will be holding a DtC meeting soon. DC confirmed that he has offered to meet Dorothy Barrett to assist with this.

**Actions**

**DC/NS**

**MD**

## Actions

AS asked if it would be useful to have a rep from the Local Nature Partnership sitting at these meetings. DC advised that something similar is happening with the Birmingham and Black Country Local Nature Partnership in relation to the West Midlands Planning Officers Group. This gives scope for LNPs to engage with the work of all LEPs in the region.

AS suggested that some solutions to some of the problems are way, way up thinking about a mechanism to see LEP as a solution to some of these issues. We could pay farmers to catch water prior to it getting down us. A strategic body like the LEP should be championing this work.

JM advised that Cannock Chase have to demonstrate something similar in their work so no harm is caused to the Humber estuary.

### GBSLEP Wide Housing Needs Study Methodology

DS circulated a draft paper. DC advised that the paper has been circulated twice around each local authority and incorporates all comments received. For non local authority partners you may wish to take this paper away and any deficiencies please send back to DC or DS.

**ALL**

Does anyone have any points to raise now?

MD advised that Bromsgrove and Redditch have serious reservations on how robust this work is. It is not what was agreed at the board, it is understood the board agreed a housing study based on job creation targets, this study is more focussed on meeting housing.

EB explained that they will be putting their concerns into a collective response.

AP asked why there would be a problem for Worcestershire?

EB explained that there was a potential conflict in evidence base in relation to emerging local plans and suggested the politicians are not happy.

MD questioned how robust can the study be?

DC, representing Birmingham City Council, advised that it is necessary for the study to take place for Birmingham to have a sound development plan.

Once finalised we would formally approach appropriate adjoining authorities, such as the Black Country, Warwickshire, Stratford-upon-Avon asking if they wish to participate or co-operate in the study.

AS suggested that we are not creating new evidence bases, just looking where the gaps are. It is using evidence bases that you have already got.

MD explained that part one is fine, it is parts two and three they are less happy with.

RM explained that Wyre Forest is in a different position as they have their Core Strategy in place. However she has been attending meetings of the Worcestershire Officers Group and feels it would be useful for someone to attend the meeting and give a presentation. DC agreed to attend such a meeting with the Worcestershire Officers Group.

#### **4 & 5 Strategy Development and Strategic Spatial Framework Plan, Conference Feedback and Next Steps**

DC explained that the event was three weeks ago with one hundred and one people in attendance. Preliminary notes had been drafted; and papers were tabled on: -

- Scenario testing discussion notes
- Drivers of change discussion notes
- SPeAR discussion notes
- Plenary session notes
- Analysis accommodating growth

Please keep these draft notes within this group and if you have any amendments i.e. if you think something is incorrect please let DC know. It is proposed to put all these papers, once finalised, together into one document to keep as a record. The body of material needs taking up with theme leads and then we can take

## Actions

a revised version to the Board. The timescales are tight the first draft report is required by 5 June.

Can the theme leads think about what changes are required? Of the Theme Leads present; RG, AS and JD agreed.

AP mentioned corridors of growth for rail. RG agreed this needs to be flagged up and would be an area of future work and assessment and would need to be looked at amongst all the LEPS. JD suggested that a case study on air quality etc could be undertaken when the Toll road is opened to lorries in July.

DC advised that he had met with Claire Bridges and Craig Jordan on the future programme. Over the next few weeks there is a lot to do on this, but we also need to look beyond this and how we might conduct the consultation.

The theme leads have a lot to do over the next few weeks and we need someone with an interest in this to start thinking about it. Can I leave as a thought with you? AS agreed to draft an Aunt Sally. RG suggested it would be good to have a route map of key decision points etc.

**AS**

### Further Research Progress

DC there are two areas I think for further research, these are: -

- 1) Employment Land
- 2) Implementation of work on SEA directive

DC raised the work on SEA with Birmingham's QC, Tom Hill and Ian Dove also raised this at a RTPI event. Will this work count as a project under the Directive? The suggestion is we need to take a cautionary approach and either undertake this work ourselves or do we get someone else to do this? We should also have a sustainability appraisal which includes SEA and economic work – producing a slim document.

AS I strongly recommend this is joint work within the group rather than using consultants. It would be a valuable learning tool.

AS agreed to encapsulate his idea into a short paper for consultation.

**AS**



**Actions**

**6. Any Other Business**

AS There is a LEP Annual Conference on 25<sup>th</sup>, is the spatial strategy being mentioned at this? DC to speak to Craig Jordan.

**DC**

RG Is there anything coming back from the Heseltine Review? If we can get anything from this i.e. funding, can we have this as a standing item.

**DC/NS**

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 11 April 2013  
Birmingham City Council Offices  
Room GO1A, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

Emma Baker, Redditch Borough Council  
Alex Roberts, Tamworth Borough Council  
Ken Harrison, Solihull Metropolitan Borough Council  
Rebecca Mayman, Wyre Forest DC (Plus representing North  
Worcestershire)  
Anna Rose, Rugby  
Craig Jordan, Lichfield District Council  
Philip Somerfield, East Staffordshire BC  
Alistair Scott, Birmingham City University  
Jon Hockley, Birmingham Airport

Rod Griffin, Arups  
Mike Dunphy, Bromsgrove District Council  
Jim Davis, Environment Agency  
David Carter, Birmingham City Council (Chair)  
Andrew Donnelly, CEPOG Support Team  
Robert Mitchell, Richborough Estates  
Ben Horovitz, Worcestershire County Council  
John Morgan, Cannock Chase District Council  
Nichola Shandley, Birmingham City Council (Notes)

### Actions

#### 1. Apologies

Apologies received from the following; -

Matthew Bowers, Tamworth BC  
Rachel Bell, Centro  
Andy Plant, St Francis Group

John Acres, Turley Associates  
Maria Machancoses, Centro

#### 2. Notes of Last Meeting and Matters Arising

##### Terms of Reference

DC confirmed that the Terms of Reference have been revised and a copy will be circulated with the notes of this meeting.

**DC**

### 3. Duty to Co-operate

DC welcomed Emma Baker from Redditch Borough Council and Mike Dunphy from Bromsgrove and thanked them for attending to give their presentations.

#### Redditch Local Plan Number 4

EB explained that the draft local plan 2011 – 2030 consultation will run from 1 April to 13 May 2013 (6 weeks) and explained that Redditch is both an urban (to the North) and rural area (to the South) with two villages.

The presentation explains the areas of deprivation and migration flows in and out of the local authority area (taken from the [howmanyhomes.org](http://www.howmanyhomes.org) website), housing requirements, affordable housing, and economic growth, and includes a map of the district centre regeneration, proposals map and map showing key strategic sites. EB advised that a SHMA was undertaken across Worcestershire and the 6,380 dwellings was the same as the RSS figure. Affordable Housing was previously 40%; however it is now 30% due to the viability assessment. In relation to economic growth there are plans to regenerate the town centre and the three 1960's/70's style shopping centres, could provide regeneration scope.

#### Housing Growth Consultation

MD explained that the Housing Growth Consultation will run from 1 April to 15 May 2013 and circulated a leaflet that explains about housing growth and shows the options. The leaflet contains brief information and more detailed information can be found in the Housing Growth Development Study (<http://www.redditchbc.gov.uk/KeyDocuments/PDF/HG%20development%20study%20latest%20low%20res%2031-03-13%20%282%29.pdf>) Bromsgrove and Redditch. The presentation showed on slide one the advert that had been shown in the local press relating to the consultation followed by maps. Slide two shows a map of all sites around Redditch and those ruled out, slide two shows areas considered in the housing and growth development study for the 3,400 dwellings. Officers walked every boundary to assess the boundaries of the sites, show options and the green belt. Slide four shows the preferred option; the pink areas in Bromsgrove; both sites will require new

## Actions

schools, local centres etc. Coming out of the consultation so far is the issue of infrastructure and highways. Slide five identifies the highways improvements required and slide six shows where the impact is and where people are likely to travel.

DC thanked EB and MD for the presentations and welcomed comments from the group.

Comments raised were: -

JD asked if Warwickshire was a no go zone? MD advised that it was and there was no scope to cross the A38.

CJ asked if there were any talks with Stratford? EB advised that there were ongoing discussions with the landowner and local authority in relation to employment land and a requirement for more justification on the green belt.

AD asked that as part of the consultation a Strategic Environmental Assessment (S.E.A) has been undertaken on the sites. MD confirmed that this had been undertaken during the previous consultation and referred AD to the Housing Growth Development Study.

AS asked when you walked the field, did you check the boundaries for Bromsgrove? MD will have to do a Green Belt review.

RG asked; you have learnt lessons, what would you do differently? There are the County Council elections going on and because it is cross-boundary people don't want it.

AD Are there any positive comments. MD no, mainly negative comments.

AS suggested that with relation to the index of multiple deprivation that the proposed sites are more within the affluent areas as they themselves were green belts.

## Actions

JD have you got a back up plan? MD; there is a fine balance between sites, this is our preferred option but other sites will have to come back into the equation if required.

ARos advised that the Inspector wanted a fail safe i.e. if Bromsgrove does not meet their five year target, they might have to consider what to use as a fail safe.

DC advised that the group welcomed the progress being made to address the cross-boundary issues between Bromsgrove and Redditch.

### General DtC issues

DC asked if there were any general duty to co-operate issues.

KH advised that the Inspector in the Solihull inquiry determined that we have fulfilled in relation to RSS and recognises our cross-boundary working in relation to GBSLEP and there were no issues. He confirmed that they were still digesting the Inspector's conclusions and wanted to raise awareness to the report which is available on Solihull's website.

JM mentioned that the Cannock Chase Local Plan needs fine tuning and hoping for submission of the plan shortly.

RM advised that South Worcestershire is hoping to submit plans imminently.

### **4 & 5. Strategy Development and Conference Arrangements**

DC advised that CJ and he had met with Chris Webster, Councillor Wilcox and Councillor Hollingworth recently about the Planning Summit and what we want to achieve.

He circulated a copy of the draft agenda, diagrams to stimulate discussions and questionnaire for attendees for the Planning Summit and explained these in detail. He advised that speakers haven't been confirmed and it had not been decided who will do what, but requested that all theme leads were in attendance to facilitate the group discussions. He encouraged the group to ensure that they had booked a place at the event and agreed to re-circulate the details. The approach to the agenda for the event was agreed and if anyone had any comments please let DC have these by no later than lunchtime on Thursday 18 April.

**Actions**

**DC  
ALL**

**6. Any Other Business**

JD asked what the next stage for the Heseltine review is. DC replied to his knowledge the report has been produced and submitted to Government. Government have responded agreeing in whole, or in part to approximately 81 out of 89 recommendations and then we have had the budget. ARos explained that the Strategy for Growth Plan and pot of money tie in together. CJ confirmed that this will be discussed at the GBSLEP Planning Group meeting on Monday 15 April.

**7. Date of Next Meeting**

The next meeting will be held on Thursday 16 May at 9.30 am in Room GO1A, 1 Lancaster Circus.

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 14 March 2013  
Birmingham City Council Offices  
Room 2O1, 1 Lancaster Circus, Queensway, Birmingham

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### In Attendance:

Emma Baker, Redditch Borough Council  
Matthew Bowers, Tamworth BC  
David Carter, Birmingham City Council  
Alister Scott, BCU  
John Acres, Turley Associates  
David Simpson, Solihull MBC  
Rebecca Mayman, Wyre Forest DC (Plus representing North Worcestershire)  
Nichola Shandley, Birmingham City Council

Mike Dunphy, Bromsgrove District Council  
Jim Davis, Environment Agency  
Rod Griffin, Arups  
Craig Jordan, Lichfield District Council  
Andrew Donnelly, CEPOG Support Team  
Robert Mitchell, Richborough Estates  
Ahmed Goga, Worcestershire County Council  
Ben Horovitz, Worcestershire County Council

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### 1. Apologies

Apologies received from the following; -

Philip Somerfield, East Staffordshire BC  
Anna Rose, Rugby  
Jon Hockley, Birmingham Airport  
Antony Lancaster, Cannock Chase DC

### 2. Notes of Last Meeting and Matters Arising

Page 2 – SEA

DC confirmed that he and AS had discussed this further. DC has a meeting with Birmingham's QC in the near future and would use that meeting to obtain a better understanding and stance in relation to SEA.

Page 4 – Strategy for Growth

### Actions

**Actions**

DC advised that a lot of comments had been received and sent through. The final draft version of the report is on the agenda for the GBSLEP Board Meeting this afternoon. There is a diagram in the report that gives a clearer view of how the work fits together. A copy of this will be circulated with the notes of this meeting.

**NS**

Page 5 – Areas of Research

DC advised that he was asked to prepare a strategic spatial framework plan progress report and has included further work for research in this, which includes; housing; economic strategy – employment sites; environmental regulations – SEA.

Page 6 – DtC

We have started encouraging other local authorities to come to this meeting and give presentations to the group who will act as a critical friend.

MD advised that the Redditch Housing Growth Consultation would be going to full Council on 25 March and that they would be able to bring this to the next meeting.

**MD/EB**

**3. Duty to Co-operate**

Presentation on the draft Worcestershire Infrastructure Strategy

DC welcomed Ahmed Goga and Ben Horovitz from Worcestershire County Council to the meeting, who were attending to give a presentation on the draft Worcestershire Infrastructure Strategy.

AG started the presentation by explaining where the work began and advised that the plan was where they are now and work is ongoing. Key items from the presentation are: -

- Flooding and the significant impact it has had on the economy and businesses, and are looking at the infrastructure to get the economy right.
- Building 30,000 homes
- Considering the demographic changes
- Strong interconnectivity and partnership working with the public and private sector



- Is part of the Worcestershire County Council Corporate Refresh bringing this work to the forefront
- Strategic development sites – AG would welcome future discussion around these sites from a GBSLEP point of view and in general
- Consider essential drivers and opportunities
- Expects the drivers to change
- Broadband – although this is not included at present, are looking to get ultra fast broadband across Worcestershire
- Looking ahead have identified four key strategic development sites and six pipeline sites for the future checking that these sites meet all requirements

AG agreed that if anyone has not yet seen the Infrastructure Strategy he would circulate copies and was happy to receive comments to [InfraPlanning@worcestershire.gov.uk](mailto:InfraPlanning@worcestershire.gov.uk). The document can be viewed using the following link: <http://www.worcestershire.gov.uk/cms/strategic-planning/infrastructure-planning.aspx>

#### Questions and observations

JA asked whether the Infrastructure plan included housing development. AG confirmed that some of the sites identified were mixed use and included housing development.

AD advised that a response had been prepared by the Joint Committee and there was a gap in the transport cost. He wondered where the Highways Agency would spend their money. AG explained that the figures were provided by colleagues in transportation and that there would be changes/updates to the document.

AD advised that the new Highways Agency guidance should make it easier for planning, although it is unclear where they would get the funding/money from. Is it worth inviting the Highways Agency to a future meeting? RG suggested that there was a clear connection and it would be useful on a strategic level to invite them. (N.B. The Highways Agency is programmed to give a presentation at the April meeting of the Planning Sub-Group.

DC advised that the Met authorities have made comments on the plan in relation to M5 junction 6 and Worcester BOSCH which has now gone. AG advised that the site would proceed for other uses.

AS asked; you started with the cricket ground and flooding. How much work has been undertaken on the flooding issue? BH advised that an integrated water plan has been produced. AS is the work on a soft or

	<b>Actions</b>
<p>hard approach? BH replied that he was unsure of the approach but confirmed planning officers are working with drainage and agricultural representatives on this.</p>	
<p>DC thanked AG and BH for attending and welcomed them to attend meetings in the future. It was agreed that a copy of the presentation would be circulated with the notes of the meeting.</p>	<b>NS</b>
<p><b>4. <u>Terms of Reference</u></b></p>	
<p>It was agreed at the last meeting to bring the groups terms of reference to this meeting for discussion and revision.</p> <p>JA explained his concerns for how the group is portrayed when discussing plans under Duty to Co-operate. It needs to be clear what role the group is undertaking especially during an inquiry.</p> <p>It was agreed to change the wording of bullet point three to say <b>“To help facilitate the operation of the ‘duty to co-operate’, acting as a critical friend and sounding board, working closely with the County Councils, West Midlands Joint Committee as well as neighbouring local authorities and LEPs.</b></p>	
<p>AS raised concern with the wording of bullet point 4 which starts “To ensure...”. It was agreed to replace the word ensure with <b>encourage</b>. DC to amend.</p> <p><b>5. <u>Strategic Development</u></b></p> <p><u>Strategic Framework Strategy Development – Progress</u></p> <p>DC confirmed that he was continuing discussions with theme leads on how to take this work forward. He thanked all the theme leads for their work and advised that it was still work in progress. He suggested that the next meeting would be used as a trial run for what will be used at the conference on 25 April.</p> <p>The date of the conference has not been released publicly as DC had been waiting for the result of the board meeting being held today. JA confirmed that the date had been put on the front page of Tripwire. MB asked how long the conference would be held for as there was a GBSLEP Transport Board meeting scheduled for the afternoon of 25 April. DC advised it would be the morning.</p>	<b>DC</b>

	<b>Actions</b>
<p>AS suggested that all the work that the theme leads have submitted is shared with the group. DC advised that for consistency he was thinking of extracting what has been submitted by pulling it together into one document if everyone agreed. It was agreed that DC would do this.</p>	<b>DC</b>
<p><u>Areas of Research</u></p>	
<p>DC advised that at the last meeting it was agreed to discuss areas of research. He circulated a draft paper on Strategic Housing Market Assessment and asked for everyone to take it away to read and look at the format and come back with comments by Friday 22 March.</p>	<b>ALL</b>
<p>In relation to employment sites – do we include other LEPS in the work, or do we need to progress this ourselves and would other LEPs agree? MB suggested that we get our work in order prior to inviting other LEP areas. AS explained his concerns in relation to the rural components for research areas and feels it is a priority area. It needs to be included in our work as it will be an asset. If we commission work it was agreed this should cover all areas and this should be clear in the briefs.</p>	
<p><b>6. <u>Conference Arrangements</u></b></p> <p>Mentioned under item 5.</p>	
<p><b>7. <u>Any Other Business</u></b></p> <p>JD advised he had a general question in relation to Enterprise Zones. Was this being held up by strategic agencies and are there any issues anyone is aware of. RG advised that Nottingham have had issues with the Highways Agency but no one was aware of any others. DC said he would check with colleagues.</p>	<b>DC</b>
<p><b>8. <u>Date of Next Meeting</u></b></p> <p>The next meeting will be held on Thursday 11 April at 9.30 am, Room GO1A, 1 Lancaster Circus.</p>	

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 14 February 2013  
Birmingham City Council Offices  
Room GO1A, 1 Lancaster Circus, Queensway, Birmingham

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In attendance: Alister Scott, BCU  
Andrew Donnelly, CEPOG Support Team  
Craig Jordan, Lichfield District Council  
David Carter, Birmingham City Council (Chair)  
Jim Davis, Environment Agency  
Matthew Bowers, Tamworth BC  
Rebecca Mayman, Wyre Forest DC (Plus representing North Worcestershire)

Jon Hockley, Birmingham Airport  
Ken Harrison, Solihull MBC  
Nichola Shandley, Birmingham City Council  
Robert Mitchell, Richborough Estates  
John Acres, Turley Associates

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### 1. Apologies

Apologies received from the following; -

Philip Somerfield, East Staffordshire BC  
Anna Rose, Rugby  
Antony Lancaster, Cannock Chase DC  
Rachel Bell, Centro  
Ben Horovitz, Worcestershire

Rod Griffin, Arups  
Rachel Macklin, Thomas Vale  
Laura Shoaf, Black Country Consortium  
Maria Pilar-Machancoses, Centro  
Andy Plant, St Francis Group

### 2. Notes of meeting and matters arising – 17.01.13

DC went through the minutes of the last meeting for accuracy and matters arising.

Page 3

Presentation of the emerging Cannock Chase Local Plan

JA mentioned that during the debate at the last meeting about Cannock Chase, he asked if we are approving plans and it was agreed we were a sounding board. He feels there are concerns if at a public examination if

### Actions

**Actions**

the group are seen as an approving board.

DC advised that the group are a critical friend and sounding board and nothing more. It was understood that if anyone is acting outside of the group for a developer then they can in their own right make representations on plans.

AS asked whether the wording in the minutes could be changed with the word “only” being added to the end of the sentence.

JA also suggested changing the wording to “acting no more than a critical friend or sounding board”. His concerns are it may be used against the group under duty to co-operate.

DC advised that we could keep as critical friend and sounding board and look again at the Terms of Reference for the group which he would put on the agenda for discussion at the next meeting.

**DC**

KH added that the group is only an information exchange opportunity.

Page 4

Quality of life and environment

For accuracy AS confirmed that a note has been prepared and circulated by JD. DC confirmed he had seen this and advised it was a very good note.

Page 5

SEA

AS proposed that he could consider this by the end of February in relation to SEA. DC suggested that this is discussed when they meet on Friday 15 February.

**DC/AS**

Page 7

Any Other Business

	<b>Actions</b>
<p>Action for AS and DC. AS has circulated a plan showing the information provided by Lichfield which identifies the proposed housing and employment sites. A copy of this was circulated at the meeting. DC advised that the mapping exercise that was undertaken last year is different to this exercise. It would be useful for each district to provide the details of their GIS contact; therefore could everyone please send these details to DC so that they can be forwarded on to Ian Bateman.</p>	<b>ALL</b>
<p>DC suggested something to think about as a separate exercise to this was should this information be collated on a regular basis, as at present only data on a joint base was collated and this was not GIS base.</p>	
<p><b>3. <u>Strategy Development</u></b></p>	
<p><u>Feedback from the Strategic Framework Strategy Development Session – 30 January 2013</u></p>	
<p>DC advised that following the session on 30 January he has drafted and put together the notes from the flipcharts, drivers of change and lessons learned exercises and scoring with a copy of the presentation together in one document. Any feedback would be appreciated from those who attended. The document has been sent to the theme leads requesting comments and feedback. Views are welcomed on whether we wish to make these documents available to the wider public.</p>	<b>ALL</b>
<p>The session on the 30 January went very well and we got a lot out of it. The conceptional and mapping side need to interact together. These can now be brought together and meetings that have been set up with each theme lead to start looking at this. This is work in progress and if anyone has any comments to let DC have them.</p>	<b>ALL</b>
<p>JA commented on the Vision diagram which could apply anywhere so further work will be needed to make it more specific to the GBSLEP.</p>	
<p>DC – agreed with JA and advised that he will have a discussion with AS in relation to the sustainability and SEA approach. Using these elements will progress this work further.</p>	<b>DC</b>
<p>AS suggested that it would be helpful to have further iteration of the list of drivers and lessons learned. It will be difficult to take and use this big list. Need to lepify it.</p>	
<p>DC agreed that a big list is potentially problematic. There are 5 themes with 6 areas, could reduce to 6 in each area. The theme group leads are probably best to do that. DC will pick up as part of individual</p>	<b>DC</b>

meetings with the theme leads.

### Strategy for Growth

DC referred to the latest version of the draft Strategy for Growth that had been circulated to the group. This includes a table of high level targets on page 2 and more detailed KPIs on page 9.

The first bullet point should say the Spatial Strategy published for consultation in June and implemented when?

AD advised that there are already targets in relation to transport in the statutory plan.

DC suggested that the group did need to look carefully at the KPIs to avoid hostages to fortune although it was easy to see the attraction of something short and snappy.

CJ suggested not taking these as set and to make comments and also providing the evidence. It mentions on page 2 Enterprise Zones – work has already been undertaken and need to send a message back to the centre about this. Waheed Nazir and colleagues have put a proposal together and maybe we could add something to this. Need to elaborate on this and not state the obvious.

JA suggested that an audit trail is kept so that if any questions are asked at an EiP we have the background documents as a back up.

JD suggested that the indicators could be shown as short term, medium term and long term targets.

JA asked who has written this document. DC answered it was written by Andrew Holdsworth who had helpfully attended on the 30<sup>th</sup>. There were concerns that targets might be set without really knowing if they are achievable or what the consequences might be. Can we influence this and put forward what we are working on, where we are going, be helpful, what is achievable, our ambitions and targets.

There was a discussion on the housing target and there was a broad consensus on saying something on the lines: -

- Boost the housing supply to satisfy the housing needs within the LEP area.
- The existing plans propose around 100,000 dwellings in the LEP area. Comply with boosting housing

needs and undertaking a joint SHMA.

CJ with this document and the spatial framework, the best thing it will do is get people around the table. On the board you have the private sector plucking figures and public sector reps pulling back to be realistic.

AS mentioned there is an area around sustainability and environment which needs further work.

DC this will be picked up in the strategic framework and will also be mentioned at the GBSLEP Planning Group on Monday 18 February.

AD the fourth bullet point on employment land. We need a strategic employment land review. The fifth bullet we need to think about the mercer index of cities. The seventh bullet on enterprise belt – there is early work on this i.e. M42 Gateway study.

DC asked if anything is missing?

AS – Environment  
 JD – Deprivation

DC agreed that he will reflect on the discussion and circulate suggestions to theme leads for comments. Any further contributions should be sent by email to DC.

Following the 30 January meeting the following areas for further research were identified and supported: -

- SHMA
- Employment Land
- Offices
- Sector Skills – not us
- Supply chain

AD advised that Mott MacDonald have produced data on migration flows for the LEP area by authority and constituency. He agreed to circulate this.

CJ advised that Andy Street had sent an email and is keen to home down on what the spatial framework is

**Actions**

**DC**

**DC**

**AD**



doing and has asked for a report to be taken to the board indicating timescales and framework etc. It looks like he is centring on housing figures being identified and we need to do some work and come back with figures. The report has not been written yet but will go to the board meeting on 14 March and will get a clear steer from Andy Street on what the board wants.

DC need to try and widen the research required from housing alone.

#### **4. Conference Arrangements**

DC advised that he had met with Claire Bridges. The structure of the conference has been agreed and we are looking to hold the conference provisionally on Friday 19 April (NB: This has provisionally changed to Thursday 25 April).

DC advised that for the conference to work we will need all theme leads there; we can liaise on potential dates.

#### **5. Duty to Co-operate**

DC asked if there were any points anyone wished to raise.

##### Solihull

KH advised that there is a paper from the Inspector, Ian Dove on his thoughts and position.

##### Tamworth

MB advised that the Tamworth Inspector's only concerned with the preparation of their plan, as other things have come after.

MB confirmed that the Inspector had been asked to consider the DtC early and is looking at a date 7 or 8 weeks after Solihull so that more work can be done.

##### Other Matters

AS mentioned duty to co-operate in relation to environmental bodies, there is co-operation within the structure

of this group for duty to co-operate, however it does not include these bodies.

DC agreed and advised that when he attended Coventry's inquiry the discussions were all about the DtC and local authorities and not other bodies.

AS felt that he should mention this because in the South East they are using an AONB management structure as a model for duty to co-operate.

DC advised that Worcestershire County Council will be attending the next meeting to give a presentation on their draft infrastructure strategy.

RM advised that North Worcestershire through Wyre Forest is looking to submit comments on this plan.

DC should we pick this up in this group and have they consulted the LEP?

CJ advised that he was not aware of anything through the LEP.

#### **6. Any Other Business**

AD mentioned the Airport and the Davies review and asked if a response had been made on this.

RM advised that Bromsgrove and Redditch are due to go out to consultation early next month on their strategies. DC requested that RM alerts them to communicate with this group.

**RM**

#### **7. Date of Next Meeting**

The next meeting will be held on Thursday 14 March at 9.30 am in room 201, 1 Lancaster Circus.

## GBSLEP – SPATIAL PLANNING GROUP

9.30 hrs, Thursday 17 January 2013  
Birmingham City Council Offices  
Room GO1B, 1 Lancaster Circus, Queensway, Birmingham

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In attendance: David Carter, Birmingham City Council (Chair)  
Nichola Shandley, Birmingham City Council  
Antony Lancaster, Cannock Chase DC  
Craig Jordan, Lichfield District Council  
Jon Hockley, Birmingham Airport  
Rebecca Mayman, Wyre Forest DC (Plus representing North Warwickshire)  
Alistair Scott, BCU  
John Acres, Turley Associates  
Robert Mitchell, Richborough Estates  
John Morgan, Cannock Chase DC  
Philip Somerfield, East Staffordshire BC  
Andrew Donnelly, CEPOG Support Team  
Ken Harrison, Solihull MBC

Apologies: Rod Griffin, Arups  
Jim Davis, Environment Agency  
Andy Plant, St Francis Group  
Laura Shoaf, Black Country Consortium  
Emma Baker, Bromsgrove & Redditch

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### 1. Apologies

Apologies noted as above.

### 2. Notes of Meeting – 20.12.12

No comments were made on the notes from the previous meeting. DC advised – following an exploratory meeting into the Coventry Development Plan that we need to work on the assumption that the notes from this group could end up in the public domain.

### Actions

**3. Presentation of the emerging Cannock Chase Local Plan – Antony Lancaster and John Morgan**

DC welcomed AL from Cannock Chase District Council who is attending to give a presentation on their local plan. This is the second such presentation we have had as authorities reach key stages in plan preparation.

AL started the presentation by explaining that the draft local plan will be undertaken in two parts, the first covering strategy and strategic development and the second to include site allocation and safeguarding; standards etc. The presentation covered areas i.e. local plan strategy; housing requirement; cross boundary housing considerations; housing delivery; sites; employment growth, infrastructure requirements, and Rugeley Town Centre AAP. A report on the local plan will be going to Cannock’s full council meeting on 23 January. A copy of the presentation will be circulated with these notes.

**DC/NS**

A lengthy discussion took place following the presentation including the following comments: -

JA – Has agreement been made with Birmingham to support the supply of Housing?

AL – Birmingham’s solution lies wider and could be a LEP based issue. There is a need to look at the options to deal with this.

DC – Birmingham CC had made representations to a number of emerging plans including Cannock Chase seeking recommendations for work in the long-term such as a joint SHLAA. We need plans already well-advanced in the process to proceed, recognise emerging issues and how these might be best dealt-with. Future joint work would ideally include adjoining LEPs including the Black Country and Coventry and Warwickshire.

KH – Solihull EIP – Housing provision and allocated sites will be looked at next week.

AD – Suggested that the group need to pick up DtC from the Lord Taylor Review.

RMa – Advised that these discussions are important to smaller authorities and enable discussion with their members.

RMa – A couple of things on 1) Employment growth; the 91ha employment land available, do you think you will

come under pressure or have you reviewed? AL – we have the equivalent of SHLAA for employment land that is done yearly and includes consideration of mixed use approaches on some employment sites. 2) It might be quite difficult to deliver that level of affordable housing? AL – The requirement needed is higher than what can be met; it will be kept under review including local authority led provision.

AD – Highways – funding for the trunk road? AL – Through National funding such as via the Pinch Point Programme working with the Highways Agency.

AS – What about the Area of Outstanding Natural Beauty (AONB)? AL – Need to go quite carefully guided by the AONB management plan. The AONB contains a certain amount of commercial use in less sensitive parts.

AS – What about CIL? AL – CIL contributions for the Cannock Chase SAC are being considered through the AONB Partnership.

DC – Regional Logistic Sites – you mentioned the freight facility. Does the existing freight handling site meet the requirements in the RSS? AL – Mid Cannock is an existing container site for road freight, much smaller than that needed for a RLS and is being progressed for road/rail freight transfer.

DC thanked AL and JM from Cannock Chase District Council for attending and giving the presentation. It was a very clear presentation and although there are no issues from the group it has to be recognised there may be issues that individual organisation's have that can be taken up separately. This presentation and discussion should set a standard for our approach from hereon. JA asked what sort of role the group had in relation to the DtC. Following a discussion it was agreed that the group should act as a critical friend or sounding board. If there are controversial issues then it is right they should be raised, discussed and minuted but it should also be recognised that individual organisations could raise specific issues as part of the formal consultation process. There is an onus on group members to be adequately briefed to enable the informed discussions to take. It is also important that the discussion focuses on strategic issues.

DC also suggested that we prepare a draft minute for circulation and the onus is for all those present to check and come back with comments, and the final draft will be circulated for the next meeting.

AL – We will use the draft minute in the DtC Report.

**Actions**

Note: Cannock Chase Local Plan - Local Plan (Part 1) Proposed Submission was agreed by Council on 23 January 2013 for Publication. Consultation will run from 14 February to 28 March.

**4. Theme Groups**

DC explained that there were matters to update from the previous notes.

Quality of Life and Environment

The group met on 19 December 20212 and Jim Davies will be providing a note on the outcome shortly.

**JD**

Urban Structure

RMi advised that the group looked at urban structure and RSS and the group looked initially at the drivers and scenarios.

JA – RMi and Mike Jones, who were chairing, had to leave before the end of the session. JA confirmed that he took over as he felt there were a lot of important attendees and didn't want to miss the opportunity. They looked at the pros and cons of different ways of meeting growth. Jess Munn has made a comprehensive note.

**5. Strategy Development**

DC explained that five meetings have taken place, three of which he has attended. There is a difference in the way they have been run and the brief was just to get the discussion going. There is a meeting to take forward strategy development on 30 January and he will prepare an analysis of points raised from each session to assist with discussions at this meeting. All the groups have discussed the drivers for change and there is therefore a long list of these which needs to be narrowed down. Several of the groups also identified lessons learned.

**DC**

Scenarios

The various meeting notes will provide a good analysis and although they may not have followed the brief we can out draw key ideas to move forward.

## Actions

Items that need to be considered include:

- Spatial implications that directly derive from the Economic Strategy
- Pull out the additional key ideas for the spatial strategy emerging from the Theme Groups
- Add in some important discussions from other meetings – such as the discussion on forestry and sustainable connections from the December meeting of the Planning sub-group.
- Quantification of the scale of future growth requirements – there were several notes on this including one prepared by JA and evidence made available to the Coventry and Solihull Public Examinations.
- Areas where further work might be required including a joint SHMA, work across LEP areas and work on strategic employment sites.

JA showed a spreadsheet that he had showing some of this information and agreed to provide a copy of this. We will have some idea of quantum and shortfall.

**JA**

- Analysis on employment land drawing out what was discussed in the presentation.
- Further work required and broad scope.
  - Joint SHMAA
  - Other LEP LA
  - Strategic Environmental Assessment (SEA) type of work/analysis.

In relation to SEA type work/analysis previous minutes relying on work from other plans and the statutory procedure was going to pick this up AS – suggested some of this work is a SEA by default. DC – We have the meeting on 30 January, the conference in March and then have a draft would it be possible for AS to consider how we could achieve this in a practical way?

DC – We will use the meeting to generate discussion for the presentation to the conference in March. Following the conference report outlining the initial spatial plan will be made to the LEP board. At this point we will then to commission any joint work. The consultation on the draft plan will take place during the summer with the results brought back to the board at the end of the year as the first iteration of an annual review process.

CJ – Will be a spatial plan alongside the economic strategy, if we can aim to have draft around March time and coupled with the Heseltine review will form a neat package which sells the LEP.

## 6. Conference Arrangements

The Economic Strategy is not going to be around until April, so our conference will take place at the end of March. DC invited Andrew Holdsworth to the meeting on 30 January, so he understands the spatial plan and can also give advice on the emerging Economic Strategy.

JA stated that the room being used on the 30 January can only hold 15 people. DC confirmed that he has only invited theme leads and asked if anyone at the meeting who have not been invited would like to attend to please come forward. DC suggested that 15 is a good/ideal number.

He confirmed that he hasn't got a date for the conference at present but it needs to take place by end of March. He will discuss with Claire Bridges. Can this be used to discuss/development of the SEA process?

DC We will take all this as far as we can go, and the meeting on 30<sup>th</sup> will determine how far that is. It was important that we move forward in partnership and not attempt to go too far too fast, but equally we need to be challenging and face up to the issues.

## 7. Duty to Co-operate

DC advised that he felt the item had been covered.

KH wanted to draw the groups attention to the Ian Dove paper being prepared for the Solihull EiP, which he thought might be of wider interest.

DC suggested we take lessons learnt from Coventry and Solihull as a main item for discussion at next meeting.

JA advised that Turley's are trying to do a joint seminar with the RTPi which Ian Dove has been invited to. Can deal with DtC at the event. It will be a free event with No 5 Chambers. Ian Dove has raised DtC with different bars needed to be set against. The legal bar is low and can carry on getting plan assessed. The first test is the legal bit and could be worth following up. If there are any notes anyone has to circulate before hand that would be great prior to next meeting.



**Actions**

**8. Any Other Business**

AS mentioned that he was working on a research project with a colleague in East Anglia who looks at using planning data to get a good decision in terms of the environment. If all the people around the LEP send their information like Gareth from Lichfield has provided, Ian could create a sophisticated model.

AS it would be useful to circulate an email through DC requesting this information and could be used to help with the economic strategy. It links the environmental data to planning. It was agreed to provide data.

DC referred to the consultation on proposed RSS revocation and from previous discussions there is opportunity to respond to the consultation. Does anyone have any views? AD suggested that he could circulate the paper from the WMP&T sub group (regional group) of their response for information. It was agreed there was not a need for a GBSLEP response to this consultation.

DC advised in relation to the Lord Taylor review, and if we want to comment on that the deadline is mid February. CJ we could put this on the agenda for GBSLEP Planning Group on Monday. Agreed.

**AS/DC**

**CJ**

**9. Date of next Meeting**

The next meeting will take place on Thursday 14 February, 9.30 hrs in room GO1A, Lancaster Circus. This is the first year anniversary of the group.

## GBSLEP – SPATIAL PLANNING GROUP

9.30 am, Thursday 20 December 2012  
Birmingham City Council Offices  
Room GO1B, 1 Lancaster Circus, Queensway, Birmingham

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In attendance: David Carter, Birmingham City Council (Chair)  
Craig Jordan, Lichfield DC  
John Acres, Turley Associates  
Andrew Donnelly, CEPOG Support Team  
Philip Somerfield, East Staffordshire BC  
Jon Hockley, Birmingham Airport  
Ken Harrison, Solihull MBC  
Nichola Shandley, Birmingham City Council (Notes)

Apologies: Mark Parkinson, Staffordshire CC  
Rachel Macklin, Thomas Vale  
Rebecca Mayman, Wyre Forest  
Jim Davies, Environment Agency  
Laura Shoaf, Black Country Consortium  
Matthew Bowers, Tamworth MBC  
Anna Rose, Rugby Borough Council  
Richard Campbell-Kelly, NEC Group  
Robert Mitchell, Richborough Estates

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### 1. Apologies

Apologies as above.

### 2. Notes of meeting 21.11.12

#### Item 4&5 Scenario Testing

JA agreed to try and obtain a copy of the presentation given at the RTP1 event. JA to follow this up.

#### Item 6 Duty to Cooperate

Cannock Chase were due to attend to give a presentation on their emerging local Plan, however they have postponed and will be attending the next meeting on 17 January.

**Action**

**JA**

RSS – still outstanding, discussed at recent GBSLEP Planning Group although the general feeling was to get rid of it asap.

### **3. & 4. Theme Groups and Scenario Testing**

DC suggested having a quick summary of the events, how they went and way forward.

#### Homes and Communities Theme Group

JA chaired the Homes and Communities Theme Group which met on Thursday 13 December and gave an overview of their discussion. This theme group was seen as connected to the Urban Structure theme group and therefore followed on from their meeting. There were approximately 13 attendees and it was a good meeting. Attendees included David Thew and Alister Scott who have previous experience of scenario testing which helped.

The discussion looked at the following: -

- Drivers for change – Global or local
- Lessons learned from previous policy framework i.e. RSS
- Axis diagram used to build up scenarios on four quarters, which were: -
  - a) Growth/Business
  - b) Transformation – looking at things creatively – sustainable, eco-towns
  - c) Decline in economy/business as usual
  - d) Decline/innovative approach

The outcomes were gathered into a list.

#### Connectivity Theme Group

JH chaired the Connectivity Theme Group held on Tuesday 18 December and advised that it went well with good participation. The connectivity issues appeared to be the same across the LEP area and it was felt that it was vital to have interaction with other LEP areas.

Key points were: -

- Where are we now? The general feeling was at the bottom left of the axis diagram, this was due to: -
  - because of lack of funding
  
- Where do we want to be? In the top right of the axis – success
  - There seems to be more focus on larger developments and existing services should not be neglected
  - To get there
    - need connectivity across LEP
    - HS2 need a plan B/separate strategy
    - Airport connectivity
    - Metro extension – proper network needed
    - broadband improvements i.e. to rural areas

Quality of Life and the Environment

DC gave a brief update as he attended the group which was held on Wednesday 19 December and chaired by Jim Davies and Alister Scott.

The meeting went well and key outcomes were that sustainability and environment were two themes need to be integral to the other policy areas and not be seen in isolation and promoted in their own right. Alister Scott will be writing the notes up.

Shaping the Economy & Growth

DC attended the group which was held on Tuesday 18 December. It had a similar structure to the Housing group and specifically talked about governance and leadership for the spatial plan. Much of the discussion focused on communities and gaps between them.

All the material from each theme group needs to be written up and pulled together. A half day or whole day session during end of January will be required to look at results. The fixed elements are: -

Economic Strategy - Vision – Spatial plan

**Action**

**DC/NS**

However, there are lots of things around this that need pulling into the plan. The session would be used to thrash out what needs to be brought into the plan. The session will need to take place following the last theme group, which will be held mid January. The group will include approximately ten people from across the theme groups and GBSLEP Spatial Planning Group. Need to look at dates and find a suitable venue, If fifteen or less JA may be able to get the room at Turley's. DC/NS to liaise with JA on this.

**5. Conference Arrangements**

DC advised that a date needs to be agreed for the conference. He will liaise with Claire Bridges and Katie Trout to join the launch of the Economic Strategy; it will possibly be early March.

DC an idea would be to give a presentation on what the strategy would be and invite representatives from the scenario testing group, theme groups and planning groups to the conference and then split into working groups and feedback.

**6. Duty to Cooperate**

DC attended the Coventry Inquiry meeting and advised that the Inspector has written to Coventry and will hold a preliminary session to look at the main issues. DC read out Annex B from the Inspector's letter which listed these issues. He advised that it is important for the group to be aware of this and especially if any lessons can be learned. It was agreed that a copy of the letter was circulated with these notes.

**DC/NS**

JA advised that he was trying to arrange a RTPI event to get a debate going on DtC it was likely to take place in January.

**7. A.O.B**

None

**8. Date of Next Meeting**

Thursday 17 January at 9.30 am in room GO1B, 1 Lancaster Circus.

## GBSLEP – SPATIAL PLANNING GROUP

9.30 am, Wednesday 21 November 2012  
Birmingham City Council Offices  
Room 1O1, 1 Lancaster Circus, Queensway, Birmingham

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In attendance: David Carter, Birmingham City Council (Chair)  
John Acres, Turley Associates  
Andrew Donnelly, CEPOG Support Team  
Mark Parkinson, Staffordshire CC  
James Chadwick, Staffordshire CC  
Rebecca Mayman, Wyre Forest DC  
Rachel Bell, Centro  
Ben Horovitz, Worcestershire CC  
John Hockley, Birmingham Airport  
Jim Davies, Environment Agency  
Laura Shoaf, Black Country Consortium  
Nichola Shandley, Birmingham City Council (Notes)

Apologies: Craig Jordan, Lichfield DC  
Philip Somerfield, East Staffordshire BC  
Rachel Macklin, Thomas Vale  
Andy Plant, St Francis Group  
Maria-Pilar Machancoses

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### 1. Apologies

Apologies as above.

DC welcomed Laura Shoaf from the Black Country Consortium. He advised that it was good to establish cross LEP working to involve other LEP areas and it was the first time we have someone from the Black Country LEP in attendance. LS thanked DC and confirmed she was happy to attend.

Everyone introduced themselves around the table and Rachel Mayman from Wyre Forest District Council advised that she was attending as a replacement for Ken Harrison.

**Action**

**2. Notes of meeting**

Item 3 – Conference Arrangements

To be discussed as an agenda item and will also be discussed at the GBSLEP Planning Group on Monday 26 November.

Item 7 – White Paper Consultation

Hopefully comments on the White Paper have been sent to Craig Jordan who is preparing the response from the GBSLEP Planning Sub Group.

**4. & 5. Theme Groups and Scenario Testing**

DC circulated and advised that the scenario testing group had produced a briefing paper, Strategic Spatial Framework Plan - Visioning Phase. The paper talks about the theme groups, theme Leads, scenario's and format. It tries to show the similarities for all the themes so their findings can be brought together easier.

DC showed the group the format that he had put all the papers and presentations in from the visioning event and four engagement events. He confirmed that he has asked Mat Danks to put these on to the GBSLEP website and they should be available in the near future (<http://centreofenterprise.com>). If anyone would like any of the documents in the meantime please let DC know and he will send the information through. A page will also be put on the web which explains what has happened, what is happening next etc.

DC asked for an update from Theme Leads.

JA – Theme: Housing, advised that a meeting has not been set up, but he was hoping to do this asap. He queried how each group that relates to each other i.e. Urban Infrastructure and Connectivity pick this up in discussions.

DC advised that the material does overlap and as part of the theme group discussions any views are picked up and

recorded. Members can sit on more than one group. There will be conflict of interest but we need to be open with what we are doing.

AD suggested the following: -

- is it worth quoting from the NPPF
- conflict – declare at beginning of first meeting
- in a advisory capacity

JD – Theme: Sustainable Living and Quality of Life – advised that he was due to meet with Alister Scott to discuss in the near future.

DC stated that he had envisaged that the theme groups would be done quite quickly with the conference being held in January. He is mindful not to fix a date for the conference until it is clear the theme groups can do their bit. A further discussion on this will be held at the GBSLEP Planning sub group on Monday 26 November.

### Scenario Testing

DC advised that he had received a call from Corinne Swain of Arups, she has been undertaking some work on monitoring in the West Midlands and he had taken the opportunity to send her the information on scenario testing. Corinne suggested considering drivers of change. He also confirmed that he had attended a RTPI presentation on “Planning Matters: the American Solution” given by Mitchell Silver, President of the American Planning Association. The presentation showed levels of change using long-term monitoring i.e. 100 years. A picture of a couple of slides was shown, and DC advised that although we might not agree with everything on the list, it could act as a good starting point for discussions.

JA – agreed it was a good idea and could help take us further forward.

RM – suggested that the trends could be backed up with monitoring.

DC – agreed to update the briefing paper to include drivers for change and circulate this to the group.

JA agreed to try and obtain a copy of the presentation given at the RTPI event.

**DC****JA**



**Action**

**3. Conference Arrangements**

DC advised that the current timescales are: -

**December** - Theme Groups working by end of December

**January** - Meet first week of January for brainstorm to translate into presentation for the conference

AD asked whether the HCA had been included, as a letter had been sent from the HCA to LEPs regarding housing and advising that it was not just about growth.

JA agreed to invite Lindsay Richards from the HCA and DC agreed to contact Ann-Marie Simpson also.

LS advised that the Black Country LEP have theme leads too and if required she will contact them with details of our meetings.

AD suggested it would be worth contacting Coventry and Warwickshire LEP to identify someone to take part. LS suggested that once the presentation is on the web send out an email inviting the other LEPs to take part.

**JA/DC**

**ALL**

**6. Duty to Cooperate**

DC advised that he is encouraging the GBSLEP and Met areas to give presentations on key stages of the process and ensure minutes/notes are taken to say that we have had discussions and are working collaboratively.

He would therefore like to give a presentation on the Birmingham Development Plan, key things to note: -

- The document has been renamed and was formerly known as the Core Strategy
- Consultation on the level of growth and how it will be accommodated has started and will run until January 2013
- Birmingham is also consulting on the charging levels – CIL which also runs until January 2013
- SHMA has just been completed and indicates 80 to 105,000 population growth
- Discussions have taken place with authorities in the Black Country to help meet the shortfall. A response has been received, but it is unclear as to how much of the shortfall they can meet. LS to look into obtaining a formal

- response indicating the capacity.
- Employment land has been taken into account and core employment areas have been identified and will be protected.
- Economic zones have been earmarked.
- Greenbelt – some areas have been discounted, areas for consideration are in Sutton Coldfield. Asking for feedback on suitability of using land. Maximum 5,000 – 10,000 (includes supporting infrastructure) in Birmingham and shortfall in other LA area.

There was a lengthy discussion around the subject of developers and development of homes.

DC requested any comments on the Community Infrastructure Levy (CIL) to come back to him.

RM advised that Wyre Forest have produced a plan to include DtC within the evidence base.

DC circulated a paper produced by AD that may be of interest called Duty to Cooperate – The emerging picture.

## 7. A.O.B

DC asked LS if it was okay to share the Black Country LEP's response to the Growth White Paper. LS agreed and a copy was circulated.

DC explained that the spatial plan for GBSLEP has to dovetail with the Black Country's strategy for growth and monitoring noting the latter is not due for review until 2016.

The joint monitoring previously used for the RSS needs to be cranked up to improve return dates and sustained, as Districts and LEP level data needs to be built up and we must not let it fade away. AD advised that there was an interesting growth paper produced by PriceWaterhouse and agreed to share the paper. NS to circulate.

**Action  
LS**

**ALL**

**NS**

## GBSLEP – SPATIAL PLANNING GROUP

3:00 pm, Thursday 18 October 2012  
Birmingham City Council Offices  
Room GO1A, 1 Lancaster Circus, Queensway, Birmingham

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In attendance: David Carter, Birmingham City Council (Chair)  
Craig Jordan, Lichfield District Council  
Jim Davies, Environment Agency  
Jon Hockley, Birmingham Airport  
John Acres, Turley Associates  
Rod Griffin, Arup  
Andrew Donnelly, CEPOG  
Dave Simpson, Solihull  
Alex Roberts, Tamworth BC  
Nichola Shandley, Birmingham City Council (Notes)

Apologies: Matthew Bowers, Tamworth Borough Council  
Philip Somerfield, East Staffordshire Borough Council  
Ken Harrison, North Worcester County Council  
Paul Watson, Solihull MBC  
Laura Shoaf, Black Country Consortium  
Andy Plant, St Francis Group

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DC requested an additional item be added to the agenda as item 7, which is the White Paper Consultation.

### 1. Apologies

Apologies as above.

### 2. Notes of Last Meeting – 13.09.12

#### Item 2 Engagement Events

DC stated that the events have now taken place; they were lively with many interesting presentations. The objectives now are to: -

- Get the notes and presentations onto the GBSLEP website
- Continue to work on adding additional invitees
- Scenario testing – no major issues with suggested approach

**Action**

**DC**

### 3. Conference Arrangements

DC advised that he had met with Claire Bridges to look at the arrangements for the conference. The original timescale was to hold the engagement events, then theme groups and undertake other work and then hold the conference in November. It was felt that the timescale to hold the conference in November was too short. The proposal now is: -

- November into December – Theme Groups
- January (early) – pull together the outcome from Theme Groups
- January (mid-late) – hold conference and present draft plan and have discussion around themes

The outcome of the conference will be written into the document to be taken to other LEP Groups.

Feedback: -

- DS - Good idea to have draft plan at the conference
- CJ - To be aware of commitment to the Board to have something by Christmas
- DC - Get theme groups established by end of October
- CJ -Timescale would tie in with economic strategy consultation. DC advised he had discussed bringing the events together with Katie Trout.

JA advised that he was unclear of the product outcome expected by January. DC explained this. AD suggested it might be worth getting a legal view on the LEP process as it is not a statutory process like the RSS, but may be a danger. CJ stated it is more about spatial geography than setting policies in stone, so there is no obligation. AD advised that the NPPF states local plans should take into account what is mentioned in the LEP. As a starting point DC offered to speak to Birmingham’s internal legal officers for their view and will take to wider GBSLEP Planning sub group on 22/10 for their view.

**4. Theme Groups**

At each engagement event attendees were encouraged to sign up to join a theme group. The results of this is: -

<u>Theme</u>	<u>Lead</u>
1. Homes and Communities – <b>19</b> interested	John Acres
2. Sustainable Living and Environment – <b>6</b> interested	Jim Davies
3. Shaping the Economy – <b>9</b> interested	Check/Rod Griffin?
4. Connectivity – <b>14</b> interested	Jon Hockley
5. Urban Structure – <b>17</b> interested	?

Topic leads to be an agenda item at the GBSLEP Planning Sub Group meeting on 22 October to check and confirm who the leads are. The topic leads should deal with those interested and maybe include others who they think would also be interested.

**DC/CJ**

**5. Scenario Testing**

A paper was taken to the last GBSLEP Planning Sub Group and endorsed. DC to write up for theme leads and to include other questions for the groups to consider. DC will circulate a paper for additional questions to be added.

**DC**

The scenario testing group consisted of Dave Carter, Andy Plant, Rod Griffin and Ken Harrison, four meetings were held with a combination of the group attending and three types of scenarios were agreed for each theme group (see attached document which shows a breakdown of each scenario).

**6. Duty to Co-operate**

DC explained that there is a group consisting of seven met districts set up to look at the duty to co-operate. Do we think that this group could be used to make the process simpler by embracing authorities at the same time and is it possible to use the arrangements on planning in the LEP area in the same way?

JA advised that he had previously attended a meeting with No 5 Chambers to discuss a DtC seminar, it could be helpful to link into the event. There is also a road show currently taking place by John Baker of Peter Brett, but it has not been around the West Midlands.

Action

AD mentioned that it is just the starting process that is needed through the Met areas and LEPs cover a lot of ground.

DC confirmed that it was agreed to have DtC as a standing item at the last meeting, he will give a presentation at the next meeting on the Birmingham Development Plan that goes to Cabinet on 29 October. It will show that we are consulting with each other and we will have a paper trail of that.

DC

CJ agreed that it is vital to have a paper trail for the process and at examination.

DS advised that at Solihull's current examination the Inspector asked about DtC and also to be aware that the Inspector may look at it slightly different.

AD read out the following passage, taken from the Inspectors advice to Solihull MBC regarding the DtC and infrastructure requirements.

***19. Topic/Background Papers The inspector understands that the Council wishes to prepare some Background papers. Ideally, these should have been prepared before the plan was formally submitted, to provide further support/explanation for the submitted Local Plan. Can the Council confirm what topics these Background Papers are likely to cover and indicate a timescale for preparation and publication? Background/Topic Papers should be produced well before the hearings commence, but should be authorised by the inspector before preparation. In particular, the inspector will require a background/briefing paper to demonstrate that the Council has fully complied with the Duty to Co-operate (including full details of the process of engagement and co-operation and the bodies involved, along with the outcome of this process, including any agreements secured or areas of non-agreement). The inspector will also require a background paper outlining the Council's approach to undertaking an objective assessment of development and infrastructure requirements (including housing) and how these needs are to be fully met, in accordance with the National Planning Policy Framework (paras 14, 47, 156, 158-159, 178-182).***

RG suggested that it would be useful to share any other requirements. DC advised that the DtC Task and Finish Group had discussed having a schedule showing the latest publication at top and agreed to share any information across the two groups.

DC/AD

7. **White Paper Consultation**

DC wanted to ensure everyone was aware that the White Paper has been published. Katie Trout has advised that the deadline for comments is 16 November and various LEP groups have been invited to consider and respond. The GBSLEP Planning Sub Group is better placed to discuss this and respond. Any comments from this group to DC or CJ who will feed back into the Planning Sub Groups response. There seems to be a lot of actions, but it is a starting point and the spatial plan is in there as high priority.

ALL

8. **Any Other Business**

None.

9. **Next Meeting**

The next meeting will be held on **9.30 am, Wednesday 21 November at Lancaster Circus.**

Future dates are: -

Thursday 20 December 2012	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Thursday 17 January 2013	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Thursday 14 February 2013	9:30 – 11:00 am	Room GO1A, Lancaster Circus
Thursday 14 March 2013	9:30 – 11:00 am	Room 201, Lancaster Circus
Thursday 11 April 2013	9:30 – 11:00 am	Room GO1A, Lancaster Circus
Thursday 16 May 2013	9:30 – 11:00 am	Room GO1A, Lancaster Circus
Thursday 13 June 2013	9:30 – 11:00 am	Room 401, Lancaster Circus
Thursday 18 July 2013	9:30 – 11:00 am	Room GO1A, Lancaster Circus

## GBSLEP – SPATIAL PLANNING GROUP

9.30 AM Thursday 13 September 2012  
Birmingham City Council Offices  
Room GO1B, 1 Lancaster Circus, Queensway, Birmingham

In attendance: David Carter, Birmingham City Council (Chair)  
Craig Jordan, Lichfield District Council  
Jon Hockley, Birmingham Airport  
Dave Simpson, Solihull Borough Council  
Philip Somerfield, East Staffordshire Borough Council  
Jim Davies, Environment Agency  
Andy Plant, St Francis Group  
Ken Harrison, North Worcester County Council  
Claire Bridges, Worcestershire Local Enterprise Partnership

Apologies: Richard Campbell-Kelly, NEC  
Rod Griffin, Arup

	Action
<p>1. <b>Notes of Last Meeting</b></p> <p><b>Terms of Reference and Membership</b> – CJ asked about working with other colleagues across boundary and other LEP areas. It was agreed they would need to play an active role and DC to invite the following to this Group and extend to the Planning Group if necessary:</p> <p>Laura Shoaf – Black Country Andy Donnelly – CEPOG Support Team Anna Rose – Rugby BC Mark Parkinson – Staffordshire CC Dale Brisdale – Worcestershire CC Philip Somerfield to identify - South Derbyshire Maria Pilar Machancoses - CENTRO.</p>	<p>DC</p>
<p>2. <b>Engagement Events</b></p> <p>(a) Updates</p> <p>(i) Worcestershire – Approximately 40 people attended the event went well – Jess is producing a note.</p>	



- (ii) Staffordshire – Held yesterday good presentations by John Acres, Mike Best and Gerald Kells. Approx 30 attended. Note will be prepared by Phil Somerfield.
- (iii) Solihull – to be held next week at NEC there are about 30 attendees so far. Scene setting to be done by DC – to be added to agenda. A LEP Board member should Chair events. There should be prepared questions ready to ask.
- (iv) Birmingham – Similar format to Solihull with five speakers and set questions on agenda for all to consider.

**Action**

**JH**

**DC**

Copies of PowerPoint presentations to be sent to DC for website. Notes to be prepared quickly so can be put on website.

**ALL**

Feedback – agreed this should be in the form of emails to attendees with a copy of the notes of the event attended.

**ALL**

### **3. Scenario Testing**

DC tabled paper and advised it consists of 5 theme groups which people signed up to at the consultation events. At next week's Planning Group need to nominate a Chair for each Theme to organise meetings of Groups to carry out the work.

The paper shows the Strategic Spatial Framework with the following suggested themes:

1. Shaping the economy
2. Houses and communities
3. Urban structure
4. Connectivity
5. Sustainable living and environment.

Five Groups to set up and define what quality of life indicators would be on that x axis.

Once defined, scenarios need to question what current trends are and where existing plans are taking us, where do we want to go and how do we get there and need to prioritise actions.

3 scenarios identified increasing growth/decline.

LEP Wide  
Urban Prospective  
Shire Prospective

Item to be taken to Monday's Planning Group for their comments / reactions.

**DC**

White paper consultation on draft economic strategy November – Group discussed whether to hold Conference during consultation period or afterwards and agreed to proceed with Conference in November.

DC raised the format of the November conference. It was agreed to discuss at Monday's meeting.

Following discussion the following suggestions were made:

- Inviting Minister to Conference.
- Half day rather than full day Conference with key speaker at end.
- Purpose of Conference is to produce document.
- Need to explore funding

#### **4. Duty to Cooperate**

JD – tabled map showing Catchment of Birmingham which shows LEP well and also relationship, together with a map of environmental links. He advised Environment Agency cross boundary issues are trying to be picked up and superimpose issues on different agencies using water resources. This is currently work in progress.

Where action is required LEP can use duty to cooperate to resolve issues.

In relation to Development Plans DC asked if there are key consultation stages should this Group specifically consider them?

Presentations could be brought to this Group and Planning Group for us to see others' issues and possibly use as good practice. Evidence of such discussions would help inform the duty.

It was agreed to keep as standing item for others to bring documents to.

Coventry City Council – DC advised BCC has sent a letter stating it is unsound. The Group discussed the whether or not the LEP should get involved in responses and agreed we are finding our way see how things go.

**5. Any Other Business**

Nil

**6. Next Meeting**

The next meeting will be held at **3pm on Thursday 18 October at Lancaster Circus.**

Future dates are: -

Thursday 22 November	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Thursday 20 December	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Thursday 17 January	9:30 – 11:00 am	Room GO1B, Lancaster Circus

GBSLEP – SPATIAL PLANNING GROUP

2:00 pm, Monday 18 June 2012  
Birmingham City Council Offices  
Room GO1B, 1 Lancaster Circus, Queensway, Birmingham

In attendance: David Carter, Birmingham City Council (Chair)  
Craig Jordan, Lichfield District Council  
Jon Hockley, Birmingham Airport  
Paul Watson, Solihull  
Philip Somerfield, East Staffordshire Borough Council  
Nichola Shandley, Birmingham City Council (Notes)

Apologies: Matthew Bowers, Tamworth Borough Council  
Rachel Macklin, Thomas Vale  
Rod Griffin, Arup  
John Acres, Turley Associates

	<b>Action</b>
<p><b>1. Notes of Last Meeting</b></p> <p>PW asked what other LEP areas are doing in relation to ToR and spatial planning discussions. It was agreed to improve linkages with other LEP areas and invite them to join the group. CJ agreed to raise the question of cross boundary communication at the planning group.</p> <p>Item 6, Mapping paragraph 2 – Request from PW that the mapping work be endorsed by the LEP Board. PW advised that he was uncertain where the LEP was in relation to delivery. A statement from the board to clarify this would be appreciated as there are inconsistent messages across the LEP. DC agreed that this is likely to feature at the events and would be worthwhile to keep an eye on.</p>	<p><b>CJ</b></p>
<p><b>2. Terms of Reference and Membership</b></p> <p>DC confirmed that he had circulated an amended version of the document and welcomed comments back. To date no comments received. The officers in attendance had no further comments to make and the TOR was agreed for endorsement by the Planning Group. DC to report to next Planning Group.</p>	<p><b>DC</b></p>
<p><b>3. NPPF – implications</b></p> <p>Apologies received from JA and the item was therefore deferred to the next meeting. PW requested that</p>	<p><b>JA</b></p>

**Action**

considerations be included to cover the Localism Act and matters raised in the latest CLG Business Plan.

PW advised that he had received a copy of the CLG's Business Plan and agreed to circulate to the group.

**PW/NS**

#### **4. Major Projects**

##### **4.1 Enterprise Zone**

Richard Cowell (BCC) attended, giving a presentation. Copies will be circulated to the group. Key Milestones are, Investment plan to the LEP Board end of June; BCC Cabinet July; prospectus launch July; the EZ fully operational by April 2013. Please note that the graph on slide 11 is only indicative and a more up to date one will be available following the approval of the Investment Plan by LEP Board in June.

DC asked RC, if in producing a spatial plan for the LEP area, what aspects of the EZ should be taken into consideration? RC to come back to DC.

**RC**

##### **M42 Corridor**

PW circulated a briefing paper and gave an overview of the background and proposals with an estimated completion date of end March 2013. A copy of this will be circulated with the notes of the meeting.

**PW/NS**

It was agreed that the Spatial Planning Group acting as a sounding board with responsibility for growth look at the investment plans for both of these projects.

#### **5. Engagement Events – firm up programme and responsibilities**

##### **a) Rachel Macklin Email**

The email referred to the Rufopoly board game developed as a research tool by Professor Scott. It was suggested that the board game was unsuitable; however Professor Scott could be invited to a future GBSLEP Planning Group meeting to give an overview of his work.

**CJ**

##### **b) Updates**

- (i) Worcestershire

- (ii) Staffordshire – St Georges FA Centre booked for 12 September, 9:00 – 13:00 hrs
- (iii) Solihull – No venue, suggestion to involve the LEP Transport Group. JH to chase.
- (iv) Birmingham – Venue booked for Wednesday 26 September, 16:00 – 19:00 hrs

**Action**

**JH**

DC stated that it was most important to get the dates, themes and venues for the events agreed within the next two weeks. Speakers and format can be discussed after.

It was confirmed that the scenario setting meeting for DC, RG, AP and KH has been arranged for Thursday 5 July at 9.30 am.

**6. Implementation Plan**

Nothing to report, regular agenda item.

**7. Mapping**

Nothing to report, regular agenda item.

**8. Duty to co-operate**

DC gave an update that all authorities within the LEP have just completed and returned their matrix. He will start to analyse the information and report back to the next meeting.

**DC**

It was agreed to have a more in-depth discussion at the next meeting on the style of the spatial plan and DtC. DC to consider.

**DC**

**9. Any Other Business**

DC advised that he has recently returned back from the seminar held in Aalborg and would like to report back to the next meeting on the Espon RISE Project.

**DC**

CJ raised the issue of resources for the groups and advised that the Localism Group were taking a paper to the next GBSLEP Planning Group which would make reference to resource implications. It was agreed that if the groups were to do the job properly they would need the resources to fund i.e. two people full time for at least one year followed by

one full time equivalent per annum thereafter; commissioning of specialist work; money for events – operational budget. PS mentioned that City Deal was talking about funds into LEP and DC agreed to speak to Lesley Edwards.

**Action**

**DC**

**10. Next Meeting**

The next meeting will be held on **Thursday 19 July, Room 201, Lancaster Circus.**

Future dates are: -

<b>Thursday 19 July</b>	<b>9:30 – 11:00 am</b>	<b>Room 201, Lancaster Circus</b>
Thursday 16 August	2:00 – 3:30 pm	Room 401, Lancaster Circus
Thursday 13 September	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Monday 15 October	9:30 – 11:00 am	Room 401, Lancaster Circus
Thursday 22 November	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Thursday 20 December	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Thursday 17 January	9:30 – 11:00 am	Room GO1B, Lancaster Circus

GBSLEP – SPATIAL PLANNING GROUP

2:00 pm, 25 May 2012  
Birmingham City Council Offices  
Room GO3, 1 Lancaster Circus, Queensway, Birmingham

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In attendance: David Carter, Birmingham City Council (Chair)  
Craig Jordan, Lichfield District Council  
Janet Kings, Centro  
Jon Hockley, Birmingham Airport  
Rod Griffin, Arup  
Philip Somerfield, East Staffordshire Borough Council  
Andy Plant, St Francis Group  
Ken Harrison, North Worcestershire EDR  
Nichola Shandley, Birmingham City Council (Notes)

Apologies: Matthew Bowers, Tamworth Borough Council  
Rachel Macklin, Thomas Vale  
Richard Campbell-Kelly, NEC Group  
Paul Watson, Solihull  
John Acres, Turley Associates

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**1. Terms of Reference and Membership**

The LEP Planning Group had requested that each sub group establish a terms of reference. DC circulated a draft prior to the meeting and asked if there were any amendments/suggestions. Suggestions were to add investment priorities to paragraph two and include something relating to the group's advisory role which does not in any way affect the powers of each independent local planning authority. Any further comments to [david.r.carter@birmingham.gov.uk](mailto: david.r.carter@birmingham.gov.uk) and he will circulate a revised version by email. The TOC will then be reported for endorsement to the Planning Sub-Committee.

**Action**

**DC**

**2. NPPF – implications**

JA is currently working on a briefing paper, deferred to next meeting.

**DC/NS**

**3. Engagement Events – firm up programme and responsibilities**

In summary it was agreed to hold four further engagement events in Birmingham; Solihull; Worcestershire and



Staffordshire. Worcestershire's event will be a joint event. Themes to be covered are growth and economy; transport; sustainable environment and urban structure issues/settlement. It was agreed that the events will take place in September as follows: -

When in September	Location/Authority	Theme	Lead
1 <sup>st</sup> week	Worcestershire	Sustainable Environment	KH
2 <sup>nd</sup> week	Staffordshire	Urban Structure Issues/Settlement	PS
3 <sup>rd</sup> week	Solihull	Transport	JH
4 <sup>th</sup> week	Birmingham	Growth & Economy	DC

**KH, PS,  
JH & DC**

In the next two weeks need to agree speakers, format, and ensure the events are marketed at the same time. Two possible speakers are Chris Crean (Sustainable Environment) and David Bailey (Economy).

#### **4. Spatial Plan – Next Steps, input to work programme**

DC referred to the earlier board report where the following future work was envisaged: -

Continuing the engagement programme – May/June – agreed to defer to September

Stage 1 – establish small groups to consider scenarios - July

Stage 2 – identify task groups to test scenarios (1) Shaping the Economy; (2) Homes and Communities; (3) Urban Structures; (4) Connectivity and (5) Sustainable Living and Equality of Life – August/September

Stage 3 – major conference, task group findings – October

Stage 4 – this group taking outputs and coming up with draft strategic plan - December

Are these still appropriate? The group agreed the stages were, but the dates needed revising.

Stage 1 – Scenarios. Timescale June/July - it was agreed that DC, RG, KH and AP look at this topic. Stage 2 scenario testing task groups use the consultation events be used to obtain volunteers to test these in October.

**DC, RG,  
KH, AP**

Stage 3 – Conference, defer to November. Task groups to present findings at this major conference.

Report progress to board in December with draft SSFP in February 2013. This leaves time for drafting and consulting on the draft.

<p>DC to write up into work programme.</p>	<p><b>DC</b></p>
<p><b>5. Implementation Plan</b></p>	
<p>Nothing to undertake at this stage, keep as a regular item on agenda.</p>	<p><b>DC/NS</b></p>
<p><b>6. Mapping</b></p>	
<p>Matthew Bowers will be providing some adjustments for Tamworth. DC asked that he is kept up to date with changes so he can take on board any amendments. A new leaflet will not be produced for the consultation events; however a more up to date map could be displayed at each event. DC will ask his GIS team to co-ordinate the update.</p>	<p><b>DC</b></p>
<p>DC referred to a request from Paul Watson that the mapping work be endorsed by the LEP Board. It was felt that this was probably not appropriate and may fall beyond the scope of the LEP's responsibilities.</p>	
<p><b>7. Duty to co-operate</b></p>	
<p>It was agreed to finalise the matrix, confirm if there are any inconsistencies and keep an audit trail. KH to co-ordinate the Worcestershire information.</p>	<p><b>KH</b></p>
<p><b>8. Major Projects – highlight matters for further discussion such as:</b></p>	
<ul style="list-style-type: none"> <li>• <b>Enterprise Zone</b> It was agreed to invite someone involved to next meeting.</li> <li>• <b>M42 Corridor</b> Solihull had issued an OJEU notice. Need to keep an eye on this. Agreed a discussion required on how this links to the enterprise belt.</li> <li>• <b>Enterprise Belt</b></li> </ul>	
<p>Agreed DC to invite someone to next meeting to talk about Enterprise Zone and M42 corridor.</p>	<p><b>DC</b></p>
<p><b>9. Creating successful local economies – LEP Network report</b></p>	
<p>RG gave an overview of the study. It was agreed to use/store the document for future evidence. Any other documents please send to DC who will create an electronic storage library.</p>	<p><b>DC</b></p>

**10. Evidence Base Paper for Economic Strategy**

DC advised that the paper was produced by Hamish Wilson (BCC) to help form the basis of LEP economic strategy. The purpose of bringing it to the meeting was to give the group the opportunity to take it away and come back with comments by Wednesday 30 May. It was important that the group should contribute to and own this work.

**ALL**

**11. A.O.B**

None

**12. Next Meeting**

It was agreed to meet on a monthly basis prior to the LEP Planning Group.

Future dates are: -

Monday 18 June	2:00 – 3:30 pm	Room GO1B, Lancaster Circus
Thursday 19 July	9:30 – 11:00 am	Room 201, Lancaster Circus
Thursday 16 August	2:00 – 3:30 pm	Room 401, Lancaster Circus
Thursday 13 September	9:30 – 11:00 am	Room GO1B, Lancaster Circus
Monday 15 October	9:30 – 11:00 am	Room 401, Lancaster Circus
Thursday 22 November	9:30 – 11:00 am	Room GO1B, Lancaster Circus
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Thursday 17 January	9:30 – 11:00 am	Room GO1B, Lancaster Circus

**Birmingham Development Plan**  
**DUTY TO CO-OPERATE STATEMENT**

**APPENDIX 26**

**Package of reports and related papers relating to the Duty to Co-operate considered by the West Midlands Joint Committee arrangements**

**Contents**

Documents are reproduced in the order set out below. There is no page numbering of this appendix.

- Report to West Midlands Joint Committee, Duty to Cooperate – Coordination of Strategic Planning, 23/10/13
- Minutes of Joint Committee Meeting, 12/06/13
- West Midlands Joint Committee Constitution following decisions taken on 12/06/13
- Report to West Midlands Joint Committee – Transport Governance Future Arrangements including role of the Planning and Transportation Sub-Committee, 12/06/13
- Report to West Midlands Planning and Transportation Sub-Committee – Duty to Cooperate – Progress and Implications, 3/05/13
- Report to West Midlands Planning and Transportation Sub-Committee – SEA of the Revocation of the West Midlands Regional Spatial Strategy, 6/01/13 (NB: the year shown on the report is incorrect)
- Report to West Midlands Planning and Transportation Sub-Committee – Duty to Cooperate and Adjoining Planning Authorities, 14/09/12
- Report to West Midlands Planning and Transportation Sub-Committee – The Duty to Cooperate, A Proposed Way Forward, 3/08/12
- Report to West Midlands Planning and Transportation Sub-Committee, National Planning Policy Framework and the Duty to Cooperate, 15/06/12
- Report to West Midlands Joint Committee, National Planning Policy Framework and Duty to Cooperate, 13/06/12
- Report to West Midlands Planning and Transportation Sub-Committee - Strategic Policy Framework for the West Midlands Metropolitan Area, 2/03/12
- Report to West Midlands Planning and Transportation Sub-Committee – The Duty to Cooperate, 4/11/11

**Birmingham Development Plan**  
**DUTY TO CO-OPERATE STATEMENT**

- Report to West Midlands Joint Committee – Position Statement: Strategic Spatial Planning in the West Midlands Metropolitan Area, 26/01/11
- Report to West Midlands Planning and Transportation Sub Committee – Position Statement: Strategic Spatial Planning in the West Midlands Metropolitan Area, 21/01/11

**WEST MIDLANDS JOINT COMMITTEE**

**23rd October 2013**

**Report of Duty to Cooperate Group**

**DUTY TO CO-OPERATE – CO-ORDINATION OF STRATEGIC PLANNING**

**1. PURPOSE OF REPORT**

- 1.1. To seek endorsement of an approach for coordination of strategic planning activity that assists individual local authorities discharge their Duty to Cooperate responsibilities.

**2. RECOMMENDATIONS**

- 2.1. That Joint Committee:
- (i) Agrees the proposed way forward as set out in paragraphs 4.8 and 4.9

**3. BACKGROUND**

- 3.1. Following the abolition of the West Midlands Regional Strategy (WMRS) in May 2013, strategic planning and cross boundary infrastructure matters must now be dealt with via the Duty to Cooperate ('the duty') as set out in the Localism Act 2011.
- 3.2. Following the abolition of Planning and Transportation Sub Committee (P&TSC), responsibility for the coordination of strategic planning activity at Metropolitan level has been included within West Midlands Joint Committee's (WMJC) Terms of Reference.

**4. REPORT DETAILS**

- 4.1. In anticipation of the WMRS being abolished, WMJC endorsed an updated Strategic Policy Framework for the West Midlands Metropolitan Area (June 2012). This reiterated support for the established urban renaissance strategy and has thus far proved useful demonstrating compliance with 'the duty' to the Planning Inspectorate. In process terms it is also consistent with Government policy as contained within the National Planning Policy Framework, which identifies Joint Committees as a possible body for taking relevant matters forward.
- 4.2. Whilst Local Plans are sovereign, Government is clear that certain issues can only be addressed through cross boundary cooperation; for example housing market and travel to work areas, river catchments and ecological networks. There is no 'one size fits all' approach and recent Government advice states that *local planning authorities may well work in different groupings for different strategic matters*.
- 4.3. There remains, however, a clear Metropolitan Area dimension to many of the issues, in terms of overlapping housing markets, a relatively young and fast growing population, a lack of jobs, the West Midlands Green Belt and a predominance of brownfield sites.
- 4.4. The GBSLEP has recently published consultation draft Spatial Plan for Recovery and Growth and is in the process of commissioning a housing study inform its future development. The Black Country authorities have expressed a desire to participate in

this study to provide evidence for future review of the Joint Core Strategy. The Coventry and Warwickshire authorities (Stratford upon Avon excepted) are undertaking a similar exercise. The findings of these studies cannot be viewed in isolation when developing policy as housing markets overlap,

- 4.5. LEPS are not directly party to the 'the duty' but local authorities are required to have regard to their activities. Other public bodies, including ITAs are subject to it (see appendix), and it is the responsibility of local planning authorities to engage them.
- 4.6. There are clear economies of scale and added value in working jointly, particularly where there is a commonality of interest. This has been apparent in making representations on neighbouring Local Plans such as Lichfield, South Worcestershire and North Warwickshire and also in collectively supporting the Solihull Local Plan proposed modifications.
- 4.7. A failure to effectively discharge 'the duty' will mean that a local authority cannot adopt its plan leading to abortive work and associated costs, a loss of control over where development is located and lost investment due to uncertainty. Having an adopted plan does not exempt local authorities from 'the duty'; Government is clear that plans need to be kept up to date and responsive to changing circumstances beyond their boundaries.

## **Going Forward**

- 4.8. Previously P&TSC delegated authority to officers to deal with matters that support extant policy as set out in the Strategic Policy Framework for the West Midlands Metropolitan Area.
- 4.9. In order to embed arrangements and to ensure that they will stand up to scrutiny by Government Inspector's and examination and appeal it is proposed that:
  - Support for officer delegations as set out in para 4.8 is reiterated. Responsibility for the briefing of Members on these matters in individual authorities lies with their officers.
  - Any major review of policy, position changes or responses to Government or other consultations of strategic importance are reported via Chief Executives to WMJC for decision
  - Any grey areas are referred to Chief Executives as a 'gatekeeper' prior to further action being taken
  - Matters also continue to be addressed bilaterally or at other geographic levels as dictated by evidence.

## **5. FINANCIAL IMPLICATIONS**

- 5.1. Local authorities are continuing to support this crucial area of work through their existing agreed resources. See paragraphs 4.6 to 4.7 also.

## **6. CONTACT**

David Carter, Chairman of the Duty to Cooperate Task Group: 0121 303 4041  
e-mail: [david.r.carter@birmingham.gov.uk](mailto:david.r.carter@birmingham.gov.uk)

## **Background Paper(s)**

Report to West Midlands Joint Committee, 13<sup>th</sup> June 2012 – National Planning Policy Framework and the Duty to Cooperate (inc. Strategic Spatial Planning Framework for the West Midlands Metropolitan Area)

## Appendix

### Other Public Bodies subject to the Duty to Cooperate

Other public bodies, in addition to local planning authorities, are subject to the duty to cooperate under the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) as amended by [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013](#)

These bodies are:

- the Environment Agency
- the Historic Buildings and Monuments Commission for England (known as English Heritage)
- Natural England
- the Mayor of London
- the Civil Aviation Authority
- the Homes and Communities Agency
- each clinical commissioning group established under section 14D of the National Health Service Act 2006
- the National Health Service Commissioning Board
- the Office of Rail Regulation
- Transport for London
- each Integrated Transport Authority
- each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
- the Marine Management Organisation.

These organisations are expected to cooperate with local planning authorities, county councils that are not local planning authorities and the other prescribed bodies to make local plans as effective as possible on strategic cross boundary matters. They should be proportionate in how they do this and tailor the degree of cooperation according to where they can maximise the effectiveness of plans.



**AT THE ANNUAL MEETING OF THE  
WEST MIDLANDS JOINT COMMITTEE HELD AT  
THE COUNCIL HOUSE, BIRMINGHAM ON  
WEDNESDAY, 12 JUNE 2013 AT 12.30PM**

**PRESENT:-**

**Birmingham**

Councillor Sir Albert Bore (Voting Member)

**Coventry**

Councillor A Lucas (Voting Member)  
Councillor J Blundell

**Dudley**

Councillor D Sparks (Voting Member)  
Councillor P Lowe

**Sandwell**

Councillor S Eling (Voting Member)  
Councillor M Hughes

**Solihull**

Councillor R Sleight (Substitute Voting Member)

**Walsall**

Councillors A J A Andrew (Substitute Voting Member)  
Councillor T Oliver

**Wolverhampton**

Councillor R Lawrence (Voting Member)

**West Midlands Integrated Transport Authority**

Councillor J McNicholas (Chairman)

**West Midlands Fire and Rescue Authority**

Councillor John Edwards (Chairman)

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**1. ELECTION OF CHAIRMAN**

Nominations were invited by Stephen Hughes (Secretary) for the position of Chairman of the Committee.

It was moved, seconded and

1941

**RESOLVED:-**

That Councillor R Lawrence be appointed Chairman of the West Midlands Joint Committee for the period ending with the Annual Meeting of the Committee in June 2014.

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**2. ELECTION OF VICE-CHAIRMAN**

The Chairman invited nominations for the position of Vice-Chairman of the Committee. It was moved, seconded and

1942

**RESOLVED:-**

That Councillor Sir A Bore be appointed Vice-Chairman of the West Midlands Joint Committee for the period ending with the Annual Meeting of the Committee in June 2014.

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**3. APOLOGIES**

1943

Apologies were submitted on behalf of the following: -

Councillor I Ward - Birmingham  
Councillor M Whitby - Birmingham  
Councillor P Townshend – Coventry  
Councillor P Harley - Dudley  
Councillor D Cooper – Sandwell  
Councillor K Meeson (Councillor R Sleight as Voting Member)  
Councillor I Hedley - Solihull  
Councillor M Bird – Walsall (Councillor A Andrew as Voting Substitute)  
Councillor P Bilson – Wolverhampton  
Councillor N Patten - Wolverhampton

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**A MINUTES SILENCE TO PAY TRIBUTE TO COUNCILLOR TOM ANSELL**

The Chairman sought a minutes silence to reflect on the life and contribution that Cllr Ansell had made to the work of the Committee, the P&T Sub and in public life.

Noted arrangements for the funeral to be held on 21<sup>st</sup> June at 10.30am at St Matthew's Church, Walsall.

**4. MINUTES**

1944 The "public" section of the Minutes of the meeting held on 29<sup>th</sup> April 2013, having been previously circulated, were confirmed as a correct record.

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**5. CONSTITUTIONAL/GOVERNANCE REPORTS OF SECRETARY/MET. CEX'S**

The following report of the Secretary and Chief Executive, Birmingham CC was submitted:-

**A. Nomination of Members to serve on West Midlands Joint Committee 2013/2014**

1945 **RESOLVED:-**

That the nominations received from the West Midlands District Councils for service on the West Midlands Joint Committee for the Municipal Year 2013/14 as set out below, be received and noted: -

Birmingham City Council

Councillor Sir Albert Bore	(Labour) (Voting Member)
Councillor I Ward	(Labour)
Councillor M Whitby	(Conservative)

Coventry City Council

Councillor A Lucas	(Labour) (Voting Member)
Councillor P Townshend	(Labour)
Councillor J Blundell	(Conservative)

Dudley MBC

Councillor D Sparks	(Labour) (Voting Member)
Councillor P Lowe	(Labour)
Councillor P Harley	(Conservative)

Sandwell MBC

Councillor S Eling	(Labour) (Voting Member)
Councillor D C Cooper	(Labour)
Councillor M Hughes	(Conservative)

Solihull MBC

Councillor K Meeson	(Conservative) (Voting Member)
Councillor R Sleigh	(Conservative)
Councillor I Hedley	(Liberal Democrat)

Walsall MBC

Councillor M Bird	(Conservative) (Voting Member)
Councillor A J A Andrew	(Conservative)
Councillor T Oliver	(Labour)

Wolverhampton City Council

Councillor R C Lawrence	(Labour) (Voting Member)
Councillor P Bilson	(Labour)
Councillor N Patten	(Conservative)

**B. West Midlands Police and Crime Panel Membership 2013/14**

The following report of the Chief Executive, Dudley MBC was submitted: -

1946

**RESOLVED:-**

That the West Midlands Joint Committee confirm the appointment to the 5 additional members of the Panel (with named substitutes) to achieve the balanced objectives, as shown in paragraph 8 of the report as set out below.

<b>LA/Political Party</b>	<b>Appointee</b>	<b>Substitute</b>
<b>Black Country Councils (2) - Labour</b>	Cllr S Coughlan (Walsall)	TBA – (Wolverhampton)
	Cllr S Arshad (Dudley)	Cllr D Hosell (Sandwell)
<b>Coventry CC /Solihull MBC (1) - Labour</b> to be nominated on an annual rotation basis – (Solihull to nominate 2013/14)	Cllr D Jamieson	Cllr Dr S Slater
<b>Conservative (1) – Birmingham CC</b>	Cllr Mike Whitby	Cllr D Alden
<b>Liberal Democrat - (1) Birmingham CC</b>	Cllr P Smith	Cllr R Hassall

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**C. Transport Governance – Future Arrangements Inc. Planning &Transportation Sub-Committee**

The following report of the Chief Executive, Wolverhampton City Council was submitted: -

1947

**RESOLVED:-**

- (i) That the Draft Terms of Reference of the Shadow ITA and Membership outlined at paragraph 2 and Appendix A were approved- Subject to amendment at 2(iv) deletion of “have regard to the duty to cooperate, as appropriate” and 2 (v) reword to “ensure alignment in decision making on transport supports other areas of policy”. Delete the

reference to “decisions on other areas of policy such as “land use, economic development and wider re-generation”

- (ii) That the West Midlands Planning & Transportation Sub-Committee is formally dissolved
- (iii) That that Road Safety, UTCMS and the Canal Partnership will be considered by the existing WMITA going forward
- (iv) That the recommendation at paragraph 1.1(iv) is deleted in relation to the establishment of a new Strategic Planning and Regeneration Board and the Joint Committee continue its obligations to carry out the “duty to cooperate” as noted in changes to its Constitution as described in the report at 5D below. Further that the Met. CEX’s Group be charged with seeking legal advice and come forward with any proposal as necessary to fulfil the “duty to cooperate” if an alternative mechanism is required.
- (v) That the forward plan (as outlined in paragraph 5 of the report and future meeting dates (with an amendment to 22 January 2014 changed to 29 January 2014) is approved.
- (vi) To note the update briefing (to be circulated following the meeting) on the progress being made on the Transport Act 2008 – WMITA Governance Review
- (vii) To note that an amendment required to the report at paragraph 4.2 in relation to legal compliance of Solihull MBC’s Local Plan in demonstrating the “duty to cooperate”. Clarified that the Inspector’s conclusion was that Solihull MBC was compliant in this respect.

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**D. Terms of Reference, Constitution and Standing Orders of the West Midlands Joint Committee**

The following report of the Secretary and Chief Executive, Birmingham CC was submitted:-

1948

**RESOLVED:-**

- (i) That approval be given to the changes to the Constitution and the Terms of Reference of the West Midlands Joint Committee as set out in Appendix A and B of the report, subject to amendments outlined in the resolution 1947 (i) and (iv) above.
- (ii) That a revised copy of the Constitution and the Terms of Reference of the West Midlands Joint Committee are circulated to all Directors of Law of the Met. Districts following on from this meeting

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**E. WMJC Nominations and Subscriptions to Other Bodies 2013/14**

The following report of the Secretary and Chief Executive, Birmingham CC was submitted:-

**West Coast Rail 250 Campaign**

1949

**RESOLVED:-**

- (i) That approval be given to continued membership of the West Coast Rail 250 Campaign for the financial year 2013/14 at a cost of £1450;
- (ii) That Councillor R Lawrence (Wolverhampton) be re-appointed to serve on the West Coast Rail 250 Campaign General Council and that Councillor Tahir Ali (Birmingham) be notified and appointed as substitute Member for the period ending with the Annual Meeting of this Committee in 2014

**Strategic Aviation Special Interest Group of the Local Government Association**

1950

**RESOLVED:-**

- (i) That approval be given to continued membership of the Strategic Aviation Special Interest Group for the Municipal Year 2013/14 at an annual subscription of £4,740.00;
- (ii) That Councillor D Cooper (Sandwell) be re-appointed as a voting member on the Special Interest Group for the period ending with the Annual Meeting of this Committee in 2014;
- (iii) That Councillor D Caunt (Dudley) be re-appointed as an observer member on the Special Interest Group for the period ending with the Annual Meeting of this Committee in 2014.

**West Midlands Arts Trust - Nomination of Representatives**

1951

**RESOLVED:-**

That Councillor I Ward (Birmingham) and Councillor S Trow (Sandwell) be appointed to serve as the representatives of this Committee on the Council of West Midlands Arts Trust for the period ending with this Committee's Annual Meeting in June 2014.

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**F. Birmingham Airport Holdings Limited: Action Taken Under Districts' Side Agreement**

The following report of the Secretary and Birmingham CC and Dudley MBC District Advisers was submitted:-

1952

**RESOLVED:-**

That the action taken under section 5.4 of the Districts Side Agreement in respect of the approval been given to the appointment of Councillor Hilary Bills from Dudley MBC to serve on the Board of Birmingham Airport Holdings Limited for the remainder of the period expiring in June 2014 in place of Councillor P. Lowe as set out in paragraph 3 of the report, be noted.

**6. WEST MIDLANDS JOINT COMMITTEE 2012/13 OUTTURN AND ANNUAL RETURN**

The following report of the Secretary and the Head of City Finance, Birmingham City Council was submitted: -

1953

**RESOLVED:-**

- (i) That the 2012/13 budget outturn for the West Midlands Joint Committee, as set out in section 3 of the report and in Appendix A, be noted;
- (ii) That approval be given to Sections 1 and 2 of the Annual return as set out in Appendix B to the report, together with the accompanying Appendix C;

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**7. WEST MIDLANDS POLICE – CHANGES TO PUBLIC PROTECTION ARRANGEMENTS (INCLUDING CHILD SEXUAL EXPLOITATION)**

The following report of the Chief Executive, Solihull MBC was submitted:

1954

**RESOLVED:-**

- (i) That the roll out of a West Midlands Police Central Referral Unit (CRU) to manage all child protection and vulnerable adult contacts and referrals be noted;
  - (ii) That the establishment of a task & finish group (led by the Chair of Birmingham CC Local Safeguarding Board) to agree (between Local Children Safeguarding Boards, Councils and West Midlands Police) an “attendance protocol” in relation to child protection meetings be noted;
  - (iii) That a review by West Midlands Police of its Public Protection Unit (PPU) be noted and that this Committee’s support for the proposed engagement in this review (by the Director of Children’s Services Solihull MBC who will sit on the Programme Board and an Officer Seconded from Birmingham CC who will sit on the Project Review Team) of the affected councils be noted;
  - (iv) That proposals outlined in the report to improve the multi-agency response to child sexual exploitation be noted.
  - (v) That the Police & Crime Commissioner be invited to attend the next meeting of this Committee with a Senior Police Officer representative to provide an updates on issues, implications and progress.
  - (vi) That the Committee will receive regular updates going forward.
-

**8. REPORTS OF CHIEF EXECUTIVE CENTRO**

The following reports were submitted:-

**A. Transport Matters Update**

1955

**RESOLVED:-**

- (i) That the update and actions being taken in the report in respect of HS2, M6 Toll, Local Pinch Point Fund successes, West Coast Main Line Franchise, New Stations and Rail Investment in Industry Control Period 5 (2014-19) be noted.
- 

**B. West Midlands Rail Devolution**

1956

**RESOLVED:-**

- (i) That approval be given to the proposed process to agree the submission of a proposal for a devolved West Midlands Rail Contract to the DfT in the Autumn
  - (ii) That any agreement to enter into a West Midlands Rail Contract would be subject to the right financial agreement being reached with the DfT be noted.
- 

**9. MINUTES OF MEETINGS/MATTERS OF INTEREST**

**A. West Midlands Fire and Rescue Authority**

The following report from the Chairman of the Authority was submitted: -

Councillor John Edwards, Chairman of the West Midlands Fire and Rescue Authority attended the meeting, along with Assistant Chief Fire Officer Phil Loach.

Councillor Edwards presented the report and drew particular attention to the financial settlement announced for 2013/14 and 2014/15 and the constraints facing the Authority. Also noted the opportunity in taking advantage of the additional flexibility conceded as part of the settlement, in raising the Council Tax precept by £5 which has been utilised in the provision of front line services. Further updated on continued efficiencies to meet financial challenges going forward as well as highlighted the importance of the work of the Road Safety Partnership.

1957

**RESOLVED:-**

That the update report from the Chairman of West Midlands Fire and Rescue Authority be received and noted.

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**B. West Midlands Planning and Transportation Sub-Committee**

The following Minutes of the meeting of the West Midlands Planning and Transportation Sub-Committee held on 1 March and 3 May 2013 were submitted:

1958

**RESOLVED:-**

- (i) That the Minutes of the meeting of the West Midlands Planning and Transportation Sub-Committee held on 1 March and 3 May 2013 be received and noted.
  - (ii) The Chair of the West Midlands Planning and Transportation Sub-Committee paid tribute to the good work and valued contribution made by Cllr Tom Ansell as the previous Chair of P&T Sub-Committee as well as to other members of the P&T Sub-Committee.
- 

**10. DATES OF MEETINGS IN 2013/2014**

1959

**RESOLVED:-**

That the Joint Committee meet on the following dates (time to be confirmed) at the Council House, Birmingham: -

- Late July/Early August 2013 – TBA
  - Wednesday, 23<sup>rd</sup> October 2013
  - Friday, 13<sup>th</sup> December 2013
  - Wednesday, 29 January 2014
  - Wednesday, 19<sup>th</sup> March 2014
  - Wednesday, 25<sup>th</sup> June 2014 - Annual Meeting
- 

**11. EXCLUSION OF THE PUBLIC**

1960

**RESOLVED:-**

That in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting: -

**1. MINUTES**

"Private" Minutes of the meeting held on 29 April 2013

Paragraph 3 (Part 1, Schedule 12A of the Local Government Act, 1972)

**2. BIRMINGHAM AIRPORT – ACTION TAKEN BETWEEN MEETINGS**

Report of the District Advisers

Paragraph 3 (Part 1, Schedule 12A of the Local Government Act, 1972)

**3. BIRMINGHAM AIRPORT (FINANCE PLC)**

Report of the District Advisers

Paragraph 3 (Part 1, Schedule 12A of the Local Government Act, 1972)



**WEST MIDLANDS JOINT COMMITTEE**  
**CONSTITUTION**

[ 2013]

1. (i) The District Councils of the County of West Midlands established on 24 July 1985 a Joint Committee known as the West Midlands Joint Committee ("the Committee") for the purpose of discharging the functions mentioned in the Annex. The Committee was a joint committee for the purposes of Part VI of the Local Government Act 1972 and the provisions of that part applicable to joint committees shall apply to the Committee.
- (ii) This Revised Constitution has been updated to reflect changes as set out in the Localism Act 2011 in relation to strategic planning and cross boundary infrastructure matters which must now be dealt with via the Duty to Cooperate ("the duty"). Further takes account of the establishment of a Shadow Integrated Transport Authority Board, its membership and role and functions as outlined in the attached annex.
2. (i) The Committee shall comprise seven voting members, each District Council being entitled to appoint one voting member who shall be a member of the District Council making the appointment. In the event of any voting member of the Committee ceasing to be a member of the District Council which appointed him/her, the District Council shall forthwith appoint another voting member in his/her place. Only a voting member is entitled to be elected as Chair or Vice-Chair of the Committee.
- (ii) Each District Council may appoint two of its members to attend the meeting of the Committee as observer members in addition to the voting member appointed under (i) above. Such observer members may speak at meetings of the Committee but not vote.
- (iii) Each District Council may appoint members of its Council as substitute for the voting members or observer members appointed under (i) or (ii) above to attend meetings of the Committee and its sub-committees in the absence for any reason of the voting members or observer members appointed under (i) or (ii) above and in attending meetings of the Committee and its sub-committees the substitute voting members or observer members shall be treated in all respects as if they were appointed under (i) or (ii) above as the case may be. The Secretary for the Committee shall be informed prior to the commencement of the meeting of the names of substitute members.
- (iv) The Chairman of each Joint Authority appointed in the West Midlands shall be an ex officio member of the Committee. Such ex officio members may speak at meetings of the Committee but not vote.
- (v) The Chairman (or their delegated representative) of each of the Local Enterprise Partnership's covering the Met. Area geography (GBS LEP, Black Country LEP and Coventry & Warwickshire LEP) shall be an ex officio member of the Committee for Shadow Board items. Such ex officio members may speak at meetings of the Committee but not vote.
- (vi) The Committee shall, at its Annual Meeting, elect a Chair and Vice-Chair from amongst its voting members. In the event of both being absent from the meeting, the Chair and the Vice-Chair for whatever reason, the Committee shall elect a Chair from amongst the voting members present for that meeting.
- (vii) Four voting members of the Committee shall constitute a quorum. Except as otherwise provided by statute, all questions shall be decided by a majority of the votes of the voting members present, the Chair having the casting vote in addition to his/her vote as a Member of the Committee.

- (viii) The Committee will meet as agreed at AGM but in any event at least quarterly. However, a meeting of the Committee may be convened at any time by the Secretary in consultation with the Chair. A meeting of the Committee must also be convened by the Chair within 28 days of the receipt of a requisition of any two voting members of the Committee addressed to the Secretary to the Committee. All requisitions shall be in writing and no business other than that specified in the requisition shall be transacted at such a meeting.
  - (ix) The Committee shall from time to time make such standing orders for the carrying on of the business of the Committee as the Committee shall deem necessary or desirable.
  - (x) For the avoidance of doubt and subject to there being no changes to the law on this issue, where a District Council is operating executive arrangements pursuant to the Local Government Act 2000 (and any regulations made under it), it will be a matter for the Executive of the District Council to appoint any voting member, observer member or substitute member to the Committee.
3. The Committee shall from time to time appoint such sub-committees to consider and deal with any of the functions of the Committee as may be thought desirable.
  4. The Committee shall employ a Secretary and such other officers as may be deemed necessary for the due conduct of the business of the Committee at such remuneration (if any) and upon such terms as the Committee shall decide. The appointment of Secretary shall be for a term of three years and shall be made at the annual meeting of the Committee in the appropriate year.
  5. (i) The Secretary shall keep proper accounts of the money received and expended by the Committee.  
  
(ii) The Secretary shall apportion the expenses of the Committee between the District Councils in proportion to the population of each district in the County.
  6. This Revised Constitution and, subject as hereinafter mentioned, the functions of the Committee may be amended at any time by the unanimous agreement of the District Councils.
  7. That the relevant Standing Orders for West Midlands Joint Committee are those of Birmingham City Council.
  8. Decision making between meetings is delegated to the Chair, but those decisions are only to be implemented if supported in writing by the signatures of all of the Chief Executives of each of the 7 Districts.

## The Annex

### (Functions of the Joint Committee)

1. To make nominations or appointments as the case may be:-
  - (i) to the 5 balancing places of the West Midlands Police and Crime Panel
2. In relation to Birmingham Airport, to:-
  - 2.1 (i) determine the exercise of the Districts' powers and rights as shareholders of the Company including the manner in which the Districts' block shareholder vote is to be exercised;
  - (ii) determine the manner in which the block vote is to be cast by any of the Districts' Directors.
  - (iii) determine the exercise of rights and performance of obligations, warranties, indemnities and covenants contained in the Investment Agreement and Taxation Deed relating to the restructuring of the Airport;
  - (iv) appoint and remove the Districts' Directors on the Board and appoint appropriate officers as Districts' Observers to attend Board meetings and support the District Directors.
  - 2.2 The delegation of powers by the Districts to the Joint Committee in clause 2.1 shall be subject to a condition that all resolutions of the Joint Committee or any Sub-Committee appointed by the Joint Committee shall be passed by a majority of the members present who between them represent Districts who hold at least 51% of the Districts' total shareholding.
  - 2.3 The Joint Committee may arrange for the discharge of their functions by a Sub-Committee subject to the same condition set out in clause 2.2.
  - 2.4 The Joint Committee may arrange for the discharge of their functions subject to the condition set out in clause 2.2 by each of the Districts' Chief Executives or anyone authorized by any District to act in the Chief Executive's absence acting in consultation with the Chair or Vice Chair of the Joint Committee.
- 3.. To co-ordinate actions on important issues affecting the Districts and to provide a vehicle for communicating these actions, and the needs of Districts, to Government and other influential bodies.
4. To consult and co-operate as respects matters affecting the District Councils (including the Duty to Cooperate and as appropriate with each District Council and the Joint Authorities.
5. To consider, in consultation with and, if appropriate, in partnership with the Joint Authorities, whether they could make better value arrangements for the provision of any services, supplies or works required in connection with the discharge of the functions of the District Councils.
6. To co-ordinate the exercise by the District Councils of the enforcement functions conferred on them by the Weights and Measures Act 1985 (as amended) with a view to securing uniformity in the exercise of those functions throughout the West Midlands and the employment provision or use by those Councils for the purposes of those functions of staff, property and facilities.
7. To oversee the work of and payment of the Joint Data Team contract with Mott Macdonald Ltd dated 27 March 2008.8. To receive reports from any partnership

9. To exercise the functions delegated to it by the Agreement between the District Council relating to landfill brokerage dated 9 September 1994.
10. In relation to the Shadow Integrated Transport Authority Board
  - 10.1 To act as a strategic advisory body; setting and reviewing objectives for strategic investment in transport economic infrastructure across the conurbation, including:
    - a. Providing a coherent single position on the major strategic transportation issues
    - b. Setting the annual transport budget
    - c. Setting major transport priorities
    - d. Advising the existing ITA in respect of developing and monitoring the Local Transport Plan and its expenditure
  - 10.2 Consider the formal review and identify a preferred option for transport governance which is fit for purpose;
  - 10.3 Influence and align government investment in transport in order to boost economic growth;
  - 10.4 To ensure alignment in decision making on transport supports other areas of policy;
  - 10.5 Co-ordinate and align decision making on transport with the LEPs (through direct LEP representation) ensuring that business views are taken on board and that LEP growth plans are reflected in strategic priorities;
  - 10.6 Advising on capital expenditure programmes and ensuring policy and programmes are delivered effectively through partners including Local Authorities, Centro, Network Rail and the Highways Agency;
  - 10.7 Recommend appropriate steps to reorganise the ITA to make its functions more efficient; and
  - 10.8 Engaging and Co-ordinating with the wider travel to work area.

**WEST MIDLANDS JOINT COMMITTEE – 12<sup>TH</sup> JUNE 2013****TRANSPORT GOVERNANCE****FUTURE ARRANGEMENTS INCLUDING ROLE OF THE PLANNING  
& TRANSPORTATION SUB-COMMITTEE****1. RECOMMENDATIONS**

1.1 The Joint Committee are recommended to:

- (i) Agree the Draft Terms of Reference and Membership of the Shadow ITA Board as outlined in paragraph 2 and in Appendix A;
- (ii) Agree to formally dissolve the West Midlands Planning and Transportation Sub Committee as outlined in paragraph 3;
- (iii) Agree that Road Safety, UTCMS and the Canal Partnership will be considered by the existing ITA going forward;
- (iv) Agree to the establishment of a new Strategic Planning and Regeneration board and draft Terms of Reference as set out in Appendix B.
- (v) Agree a forward plan and future meeting dates for the Joint Committee and Shadow ITA Board as outlined in paragraph 5; and
- (vi) To note the progress being made on the Transport Act 2008 – ITA Governance Review. Members will receive a verbal update at today's meeting.

**2. DRAFT TERMS OF REFERENCE AND MEMBERSHIP OF THE SHADOW ITA BOARD****2.1 Proposed Membership**

The membership of the (interim) Shadow ITA Board will consist of the 7 leaders of the Metropolitan Authorities, the Chairs of the GBS, Black Country and Coventry and Warwickshire LEPs, and invitations will be extended to delivery agencies and the DfT as required by the agenda.

**2.2 Draft Terms of Reference for the Shadow ITA Board**

It is proposed that the following draft Terms of Reference be embedded in the Constitution of the Joint Committee:

1. To act as a strategic advisory body; setting and reviewing objectives for strategic investment in transport and economic infrastructure across the conurbation, including:
  - (i) Providing a coherent single position on the major strategic transportation issues
  - (ii) Setting the annual transport budget
  - (iii) Setting major transport priorities
  - (iv) Advising the existing ITA in respect of developing and monitoring the Local Transport Plan and its expenditure
2. Consider the formal review and identify a preferred option for transport governance which is fit for purpose;

3. Influence and align government investment in transport in order to boost economic growth;
4. Have regard to the duty to cooperate, as appropriate;
5. To ensure alignment between decision making on transport and decisions on other areas of policy such as land use, economic development and wider regeneration;
6. Co-Ordinate and align decision making on transport with the LEPs (through direct LEP representation) ensuring that business views are taken on board and that LEP growth plans are reflected in strategic priorities;
7. Advising on capital expenditure programmes and ensuring policy and programmes are delivered effectively through partners including Local Authorities, Centro, Network Rail and the Highways Agency;
8. Recommend appropriate steps to reorganise the ITA to make its functions more efficient; and
9. Engaging and Coordinating with the wider travel to work area.

The proposed Shadow ITA board functional arrangements are attached as Appendix A.

### 2.3 Supporting Structures

Recognising the need to rationalise the number of existing groups and supporting structures in line with the agreed direction of travel in strengthening transport governance in the West Midlands, consideration has been given to the form and function of future arrangements by Metropolitan Chief Executives. It is recognised that the transitional arrangements will continue to develop as work progresses towards the implementation of the structures over the next six months, and officers have been tasked with drafting terms of reference and moving towards the full implementation in line with the review of governance, by the end of 2013.

Detailed structure charts of proposed arrangements can be made available on request.

## 3. WEST MIDLANDS PLANNING AND TRANSPORTATION SUBCOMMITTEE

### 3.1 Background

At its final meeting of the Municipal Year on 3rd May, the Sub-Committee was informed that the WMJC was minded to dissolve it.

Since the 2008 Transport Act transferred responsibility for the Local Transport Plan from the Sub-Committee to the ITA, the Sub-Committee has had a reduced workload and progressively fewer matters relating to transport requiring decision.

The Sub-Committee members have been briefed on the changes to the governance of transport in the West Midlands as agreed at by the Leaders Group and Joint Committee at their meetings in January, March and April this year.

The Sub-Committee proposed that UTCMS, Road Safety and Canals Partnership be considered by the ITA Shadow Executive Board and recommended that a separate Sub Committee or other body be established to address Duty to Cooperate matters and other strategic planning and land use matters (see paragraph 4).



Following recent consideration by the Chief Executives, it is proposed that UTCMS, Road Safety and Canals Partnership be considered by the existing ITA, rather than the Shadow Executive Board, and that consideration of how these groups fit into the supporting structures as set out in paragraph 2 above.

#### 4. **ESTABLISHMENT OF A NEW STRATEGIC PLANNING AND REGENERATION BOARD**

##### 4.1 **Background**

In June 2012 the Joint Committee endorsed a Strategic Policy Framework for the West Midlands Metropolitan Area. This reiterated support for the established urban renaissance strategy and reaffirmed the role of P&TSC in assisting planning authorities in meeting their legal obligations. An Officer Duty to Cooperate Task Group has been established also with delegated authority to respond to neighbouring plans in order to ensure that agreed policy is not prejudiced

The West Midlands Regional Strategy was formally abolished on 20<sup>th</sup> May 2013. Strategic planning and cross boundary infrastructure matters must now be dealt with via the Duty to Cooperate ('the duty') as set out in the Localism Act 2011.

Following the proposal to abolish the Planning and Transportation Sub Committee (P&TSC), responsibility for the co-ordination of strategic planning and regeneration matters reverts back to Joint Committee as the parent body. This was confirmed in a communiqué sent to Joint Committee Members and Chief Executives on the 14 May 2013.

Given the importance of this issue endorsement of this report has been sought by all Chief Planning Officers.

##### 4.2 **Emerging Issues**

The bar has been set very high in terms of demonstrating legal compliance with 'the duty'. Coventry City Council was encouraged to withdraw its Plan as it could not demonstrate legal compliance and the Solihull Local Plan is currently subject to challenge along similar lines.

Notwithstanding the above, the Solihull Inspector's interim conclusions support the Council's approach and he welcomed joint working within the Metropolitan Area and accorded the aforementioned Policy Framework significant weight.

The sanctions for not complying with 'the duty' are severe. Abortive work will be undertaken if Plans cannot be adopted, investment will be lost and abortive costs and work incurred. If an up to date Local Plan is not in place then local authorities will be vulnerable to planning by appeal and costly legal challenge. The development industry has already shown a great willingness to challenge local authorities on this matter.

There is no single contained geography for dealing with strategic matters arising from 'the duty' and it bites at several levels. Guidance from Government is limited although the National Planning Policy Framework does state that:

*Local planning authorities will be expected to demonstrate evidence of having effectively co-operated to plan for issues with cross boundary impacts.....This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is prepared as evidence of an agreed position*

## Item 5C

The Metropolitan Area has collaborated successfully on strategic planning and regeneration matters for the last 25 years. Common issues include overlapping housing market and travel to work areas, brownfield regeneration, strategic infrastructure and the Green Belt.

LEP's have no statutory planning powers but must be consulted on strategic planning and regeneration policy matters. The Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP) is preparing a spatial planning framework but this needs to be co-ordinated with other LEP and local authority areas.

Key future work areas are likely to include a refresh of the Policy Framework, commissioning of work to inform policy review and development, responding to neighbouring authorities' Local Plans and Government consultations on key strategic planning and regeneration matters.

### 4.3 Next Steps

At its final meeting on 3rd May 2013 the West Midlands Planning and Transportation Sub-Committee recommended that new a Sub-Committee, or other such body, comprised of the cabinet member with responsibility for strategic planning and/or the Chair of Planning Committee of each of the constituent authorities, be established to consider duty to co-operate responsibilities and other strategic planning and land use matters.

Consistent with this recommendation it is suggested that each of the seven planning authorities would identify an appropriate elected member, who has responsibility for strategic planning and regeneration matters to sit on the new Board which would be established with delegated authority from WMJC to take action on its behalf.

This Board will need to be appropriately constituted and a suggested Terms of Reference can be found at Appendix B. Major changes or reviews of policy would need to be referred up to WMJC for ratification and appropriate Officer delegations established by the Board would need to be put in place. It is suggested that the new Board should meet quarterly.

### 4.4 Financial Implications

Local authorities will need to continue to support this crucial area of work through their own resources. Funding has been secured to resource one post from the former CEPOG Support Team to coordinate this work for a further two years. The costs of abortive work conducted in connection with rejected Local Plans and those associated with Planning Appeals needs to be acknowledged

## 5. FORWARD PLAN FOR THE JOINT COMMITTEE AND SHADOW ITA BOARD

Early consideration has been given to the forward plan and future meeting dates for the Joint Committee and Shadow ITA Board and these are set out below for consideration.

Date of Meeting	Items for Consideration
(late) July 2013	Agree Preferred Governance Option
TBA	Formal Establishment of Shadow ITA Board

	<p><b>LTBs</b> –consider the emerging picture on prioritisation with regard to forming an overarching policy statement for the Metropolitan region.</p> <p><b>HS 2 Decision</b> - Respond to Environmental Statement to ensure links to the Local Connectivity Delivery Programme.</p>
	<p><b>European Funding</b> - ‘Structural and Investment Fund Growth Programme’</p> <p>Decision – Ensuring that Growth Plan for EU Fund Strategies are consistent across the Journey to Work Area and link to future WM Transport Strategy.</p> <p><b>Control Period 5</b> -Decision – ORR consultation on future 2014/19 rail schemes. This is to ensure the West Midland’s gets the best deal for rail during CP5.</p>
<b>23 October 2013</b>	<p>Early Consideration of <b>Levy</b></p> <p>Consideration of formal establishment of <b>supporting structures</b></p>
	<p><b>Rail Devolution</b> -Decision – Submit Devolution proposal to Government to help shape the future Governance of WM Rail Franchise.</p> <p><b>Aviation Policy</b> - Decision - Respond to calls for evidence from the Davies Commission, which will help to set out the future role of Birmingham Airport.</p>
	<p><b>WM Transport Strategy</b> - Decision – Produce economic case for sustainable transport / improving urban mobility and developing a co-ordinated approach to funding.</p> <p><b>Strategic Highways</b> -Decision – Anticipated green paper on highways from Government on future roads policy and funding.</p>
	<p><b>Communications Plan</b> - Decision – Ensuring a single voice is provided through strong links to future WM Transport Strategy.</p>
<b>13 December 2013</b>	<p><b>Agree Levy</b></p>
<b>22 January 2014</b>	<p>WMJC Budget meeting</p>
<b>19 March 2014</b>	
<b>25 June 2014</b>	<p>WMJC AGM</p>

6. **VERBAL UPDATE ON THE TRANSPORT ACT 2008 – ITA GOVERNANCE REVIEW**

Members of the Committee will receive a verbal progress report at today’s meeting

**Simon Warren**  
**Chief Executive, Wolverhampton City Council**

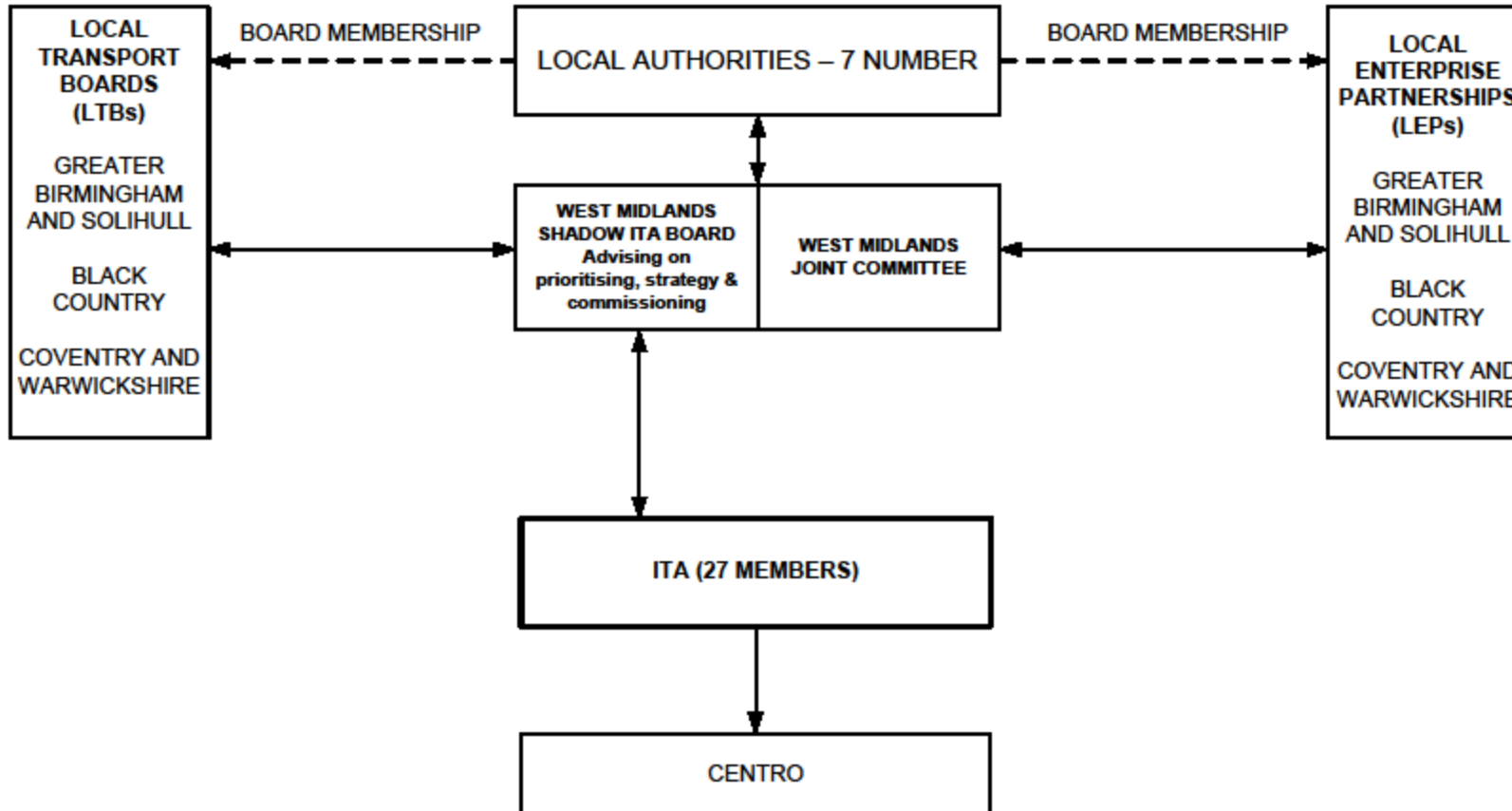
**STRATEGIC PLANNING & REGENERATION BOARD**

**TERMS OF REFERENCE**

- 1 Acting on behalf of the West Midlands Joint Committee to co-ordinate and keep under review where appropriate the requirements for District Authorities to co-operate, pursuant to the duty to co-operate provisions of the Localism Act 2011, in relation to the review development and completion of local plans affecting the West Midlands.
- 2 To co-ordinate and, where appropriate, present the mutual views of the District Councils on the strategic planning issues affecting the West Midlands, particularly in relation to specific changes to planning and highways transportation law, in the preparation, monitoring, implementation and review of spatial strategies and related sub-regional strategies for the Metropolitan Area and adjoining areas within the Region.
3. To present, in conjunction with the Integrated Transport Authority where appropriate, the views of the West Midlands on planning and regeneration issues of a strategic nature to Government Departments, local, regional and national agencies (including the Local Government Association) and local authorities.
4. To act as a forum to seek to resolve any conflicts of interest which might arise among the Districts on matters within these Terms of Reference.
5. To consider any matter within these Terms of Reference referred to it by the West Midlands Joint Committee, by any constituent District Council, the West Midlands Integrated Transport Authority, or any agency including Government Departments.
6. To receive reports and technical advice on strategic planning and regeneration matters and any other matter for which the Board is responsible.
7. To promote best practice in all matters within these Terms of Reference.

Appendix A . Shadow ITA board Functional Arrangements

**PROPOSED SHADOW TRANSPORT FUNCTIONAL ARRANGEMENTS  
FOR THE WEST MIDLANDS METROPOLITAN AREA**



**WEST MIDLANDS PLANNING & TRANSPORTATION SUB-COMMITTEE**

3 May 2013

**Report of Duty to Cooperate Group****DUTY TO COOPERATE – PROGRESS AND IMPLICATIONS****1. PURPOSE OF REPORT**

- 1.1. To advise the Sub Committee as to progress made on Local Plans and the implications that have arisen regarding the Duty to Cooperate.

**2. RECOMMENDATIONS**

- 2.1. That Sub Committee
- (i) Note the contents of this report and the implications for future joint working on strategic planning matters

**3. BACKGROUND**

- 3.1. As Members will be aware, the Duty to Cooperate replaces Regional Strategies as the basis for strategic cross boundary planning. If local authorities do not have up to date plans, decisions must be made in accordance with the National Planning Policy Framework (NPPF).
- 3.2. To date Solihull and Coventry submitted plans to the Planning Inspectorate for examination and both have subsequently received advice. Birmingham City Council has recently finished consulting on options for Planning for Birmingham's Population Growth in January. The Black Country Core Strategy was adopted in February 2011 and the Black Country authorities are satisfied that it is consistent with the NPPF.
- 3.3. On 24 April 2013 the Secretary of State laid in Parliament a statutory instrument to revoke the Regional Strategy for the West Midlands, which will come into force on 20 May 2013.
- 3.4. The remainder of this report summarises this activity in the Metropolitan Area and also relevant activity in neighbouring authorities and then proceeds to set out the implications for future joint working.

**4. REPORT DETAILS****Solihull**

- 4.1. In early April the Inspector published the Solihull Local Plan interim conclusions following the completion of the public examination at the end of February 2013. These were broadly supportive of the approach that the Council had taken and requested that it makes further modifications that must be subject to further consultation. Upon considering these and any representations the Inspector will be in a position to determine whether the plan can be adopted.
- 4.2. The Inspector complemented the Council on its '*established record of commitment to joint working with neighbouring authorities*'. He also explicitly acknowledged and welcomed work that was ongoing through the WMJC and its sub committees and the GBSLEP.

- 4.3. The West Midlands Metropolitan Area's Strategic Policy Framework, which was endorsed by P&TSC and WMJC last year, was referred to. This sets out the established urban renaissance strategy and was explicitly supported.
- 4.4. Whilst broadly supporting the Council's approach, the Inspector made it clear that the evidence upon which the housing requirement was based is becoming dated and that there needs to be a firm commitment in the plan to review it. This should take account of needs within the wider housing market area, including the needs of Birmingham and draw on more up to date demographic information. The Inspector does not prejudge that the outcome of this work will automatically imply that Solihull will need to substantially increase its housing requirement.
- 4.5. Whilst the level of housing provision dominated the hearing in terms of cross boundary matters, the Duty to Cooperate is not confined to this. The Inspector considered such matters as regeneration, economic development, employment, transport, climate change, environment, heritage, minerals and waste.

### **Coventry**

- 4.6. In December 2012 the Planning Inspector held a hearing to determine whether the Local Plan had met the legal Duty to Cooperate requirements. By means of context, the City Council withdrew a Plan that was found sound in 2010 and submitted a new one. This specified a lower level of housing provision following the collapse of a sub regional agreement with Nuneaton and Bedworth and Warwick, whereby they would accommodate higher levels of growth.
- 4.7. The Inspector expressed concern that there had not been a significantly robust assessment of housing requirements across the wider housing market area and that those studies that had been undertaken did not apply consistent methodologies. Whilst cross boundary housing matters had been identified as a strategic matter, the Inspector was not satisfied that a mechanism was in place to resolve it and advised that the Plan did not meet the requisite legal requirements.
- 4.8. Whilst it was noted that Coventry had tried to engage its Warwickshire neighbours in joint working but the fact that they had not been prepared to participate, Coventry was unable to demonstrate that it had discharged the duty to cooperate. He advised that the appropriate housing market area comprised Coventry, Nuneaton and Bedworth, Rugby and Warwick

### **Birmingham**

- 4.9. The City Council recently finished consulting on Options for planning to meet Birmingham's growing population. This document suggests that when taking account of available land within the urban area and through release of Green Belt within the City's boundaries, there will still be in the region of 20 - 25,000 dwellings that need to be accommodated. The results of the consultation will assist the Council in preparing a draft plan. The Council has also invited adjoining local authorities within the Metropolitan Area, LEP and beyond to participate in a joint strategic housing market assessment to establish likely requirements across the wider housing market area.

### **Other Local Plans**

- 4.10. Elsewhere discussions are ongoing with **South Worcestershire** authorities, particularly with regard to their proposed employment land supply.
- 4.11. **Bromsgrove** and **Redditch** have also published a consultation document seeking views on accommodating growth that cannot be accommodated in Redditch within Bromsgrove. Whilst this is welcomed, when the draft plans emerge, they need to

make reference Birmingham's unmet housing requirement and the regeneration aspirations of the Black Country.

- 4.12. **Lichfield** and **North Warwickshire** Councils have submitted plans for examination and representations have been made by Metropolitan Authorities as appropriate.

### **Implications**

- The Planning Inspectorate has set the bar very high in terms of demonstrating compliance with the Duty to Cooperate both on legal and policy grounds.
- The Duty to Cooperate is the most challenging aspect of the new planning system and guidance is limited. Opponents are willing to take legal action in order to prevent plans been taken forward leading to opportunities for planning by appeal
- Strategic Planning at the Metropolitan and LEP level is necessary. However, housing market areas are not coterminous with either geography resulting in a need for wider cooperation.
- If a local authority cannot accommodate its objectively assessed needs, then it needs to negotiate with neighbours to accommodate the residual and demonstrate that this has been *constructive* and *effective*; otherwise it will not comply with legal requirements. Merely liaising with neighbours is insufficient.
- A robust evidence base is crucial and planning authorities should use common methodologies to demonstrate that requirements have been objectively assessed so that the Duty to Cooperate can be complied with.
- The Duty to Cooperate is continuous process of engagement and not a one off event. Plans or discrete areas of them are likely to be under continual review as new evidence arises which indicates that a strategic matter has arisen.
- Whilst housing requirements have dominated Duty to Cooperate discussions thus far, policy areas that it applies to include regeneration, economic development, employment, climate change, transport, environment, heritage, minerals and waste.

## 5. **FINANCIAL IMPLICATIONS**

- 5.1. A failure to comply with the statutory Duty to Cooperate will lead to abortive work as plans cannot be adopted and investment may be lost. If an up to date plan is not in place, local authorities will be vulnerable to planning by appeal and legal challenge, both of which will have adverse financial implications.
- 5.2. Local authorities need to continue to support this work through their own resources. Funding has been identified to fund one post from the former Core Support Team to coordinate this work at Metropolitan level for a further two years [JJ/25042013/K]

## 6. **CONTACT**

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**WEST MIDLANDS PLANNING AND TRANSPORTATION SUB COMMITTEE**

**6 January 2012**

**SEA OF THE REVOCATION OF THE WEST MIDLANDS REGIONAL SPATIAL STRATEGY**

**1. PURPOSE OF REPORT**

- 1.1. To advise of the contents of the above and propose a response accordingly.

**2. RECOMMENDATIONS**

2.1. That Members

- (i) Note the contents of this report
- (ii) Agree that the response to Government as set out in paragraphs 4.6 – 4.10 and 5.1.

**3. BACKGROUND**

- 3.1. Strategic Environmental Assessment is a policy tool used to assess the likely environmental impacts of plans, policies and programmes and their magnitude. It is prescribed via an EU Directive and has been transposed into English Law through regulations.
- 3.2. Following the Government's decision to abolish the RSSs and the subsequent Cala Homes legal challenges, the Coalition Government announced that it would be undertaking SEAs of all RSSs. Comments are required by 20<sup>th</sup> January. The Government is of the view that it is not legally obliged to undertake these assessments and is doing so on a voluntary basis.

**4. REPORT DETAILS**

**Summary of Findings**

- 4.1. Government is of the view that revocation of RSS will decentralise planning powers to local authorities allowing them to work with their local communities to deliver sustainable development. In order to deliver for local communities and to address cross boundary strategic issues, the Government is prescribing the duty to cooperate on planning concerns that cross administrative boundaries.
- 4.2. The SEA acknowledges that the environmental effects of revoking RSS cannot be predicted in detail but the revocation of top down targets will provide opportunities for securing environmental benefits. Government anticipates that decisions taken locally will look to maximise environmental benefits and, if this is not the case, then the National Planning Policy Framework (NPPF) and other national and European policy will be in place to provide appropriate and adequate safeguards.

- 4.3. The SEA report considers the impacts of revoking the RSS in terms of specific effects on the environment<sup>1</sup> and concludes that there will not be any significant adverse effects. It is, however, notable that the duty to cooperate is cited in several instances as means whereby environmental issues will be addressed.
- 4.4. Similarly, the impact on the environment of the revocation of individual policies is also assessed and the duty to cooperate and cross boundary working are cited as mechanisms for ensuring that environmental considerations are taken into account.

### **Comments**

- 4.5. Although the Localism Act enables the Secretary of State to abolish RSSs, this cannot be implemented until these assessments have been completed. It is estimated, therefore, that the RSS will remain part of the statutory development plan until April 2012. The Government's approach, however, may be subject to legal challenge, which could delay this further.
- 4.6. This application of SEA methodology in this context is unusual in that it is normally used as a means of assessing alternative policies and strategies and to fine tune them as they evolve. In this instance, Government is comparing an existing strategy, i.e. the RSS, with an untried and untested approach as set out in the Localism Act, the draft National Planning Policy Framework (NPPF) and the duty to cooperate. This makes objective appraisal somewhat difficult.
- 4.7. It is apparent, however, that great stock is put in the duty to cooperate. In particular, it suggests that Urban Renaissance, which lies at the heart of the RSS and underpins adopted and emerging Metropolitan Area local authority plans, could be maintained via the duty to cooperate.

*Revocation of the Strategy would mean that it is for local authorities to address more spatial / strategic issues locally, working with neighbouring authorities and other bodies as needed. The proposed duty to cooperate could assist with this.*

- 4.8. WM P&T Sub Committee has reiterated its support for the Urban Renaissance strategy through the Interim Position Statement agreed in January 2011 and has acknowledged that it cannot be delivered by Metropolitan Authorities alone and is dependent on the activities of neighbouring authorities.
- 4.9. Analysis of emerging development plans in neighbouring authorities suggests housing requirements to accommodate predominantly local needs and large portfolios of employment land. This approach may fail to accommodate a reasonable level of out migration from the Metropolitan Area, thus leading to premature or unnecessary release of land in the urban fringe and divert job creating investment, which could undermine the Urban Renaissance and increase carbon emissions through longer commuting journeys.

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<sup>1</sup> Air quality, biodiversity, climatic factors, heritage, human health, landscape and townscape, material assets, soil and water

4.10. WM P&T Sub-Committee has agreed that representations be made in respect of such plans but there is no formal mechanism to resolve these issues outside of Examination in Public of individual plans. For the SEA to put such faith in an untried and disjointed mechanism is a matter of real concern and suggests that the Government's analysis in the SEA is flawed.

4.11. It is also a matter of concern that the SEA analysis puts such faith in the NPPF as a means of safeguarding the environment. Sub Committee's response to the consultation draft expressed concern that the economic aspects of sustainable development were placed above environmental and social concerns and that the proposed presumption in favour of sustainable development was not adequately defined. Again these concerns undermine the SEA's dependence on untried, untested and disjointed strategic planning mechanisms and processes.

5. **FINANCIAL IMPLICATIONS**

5.1. The abolition of WM RSS and the complications & tensions created for strategic planning could result in additional costs for local planning authorities both individually and collectively.

6. **CONTACT**

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**WEST MIDLANDS PLANNING & TRANSPORTATION SUB-COMMITTEE**

**14 September 2012**

**Report of Duty to Cooperate Task Group**

**DUTY TO COOPERATE AND ADJOINING PLANNING AUTHORITIES**

**1. PURPOSE OF REPORT**

- 1.1. To provide an update on the above.

**2. RECOMMENDATIONS**

That the report be received and noted.

**3. BACKGROUND**

- 3.1. At its meeting on 4 November 2011 P&TSC agreed:

*That the officers be authorised to make representations to Warwick District Council in relation to the Warwick Development Plan and similarly with other neighbouring Authorities in respect of their Plans in order that the urban renaissance be not compromised.*

- 3.2. At the meeting of West Midlands Joint Committee on 13 June 2012, the Strategic Policy Framework for the West Midlands Metropolitan Area, as previously agreed by P&TSC on Policy Statement, was endorsed and in terms of the Duty to Cooperate it was agreed that:

- 3.3. *The role of the WMP&TSC in taking forward this crucial area of work be supported*

- 3.4. At its meeting on 3 August P&TSC received a further report and agreed:

- *the guiding principles as the basis for managing the Duty to Cooperate*
- *the working arrangements for compliance with the Duty to Cooperate*
- *arrangements for initial engagement with Shire members*
- *that these arrangements are subjected to a review after 12 months of operation*

**4. REPORT DETAILS**

- 4.1. The attached schedule indicates what representations have been made on adjoining plans to date and will assist in subsequent discussions with adjoining Shire Districts. It is proposed that Shire District Member planning representatives are invited to a discussion with P&TSC at its next meeting on 9 November 2012 to discuss matters relating to cross boundary / Duty to Cooperate matters.

**5. FINANCIAL IMPLICATIONS**

- 5.1. A failure to comply with the statutory Duty to Cooperate will lead to difficulties in adopting plans with investment potentially being lost. If an up to date plan is not in place, local authorities will be vulnerable to planning by appeal and legal challenge, both of which will have adverse financial implications.

5.2. Strategic planning was led by Regional Assemblies prior to their abolition. Regional Assemblies had significant budgets for staff and to commission the preparation of evidence, this statutory responsibility now falls to local authorities via the Duty to Cooperate. [ES/06092012/Q]

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Local Authority	Plan status	Summary of responses made
<b>Warwickshire</b>		
North Warwickshire	Pre Submission Draft June 2011 (closing date 23/08/12)	<b>P&amp;TSC response</b> on previous draft supported as in accordance with tested RSS2 housing requirements.  <b>Birmingham</b> as P&TSC on previous draft. Birmingham response on pre submission draft drew attention new work establishing scale of Birmingham's demand and supported subject to recognition that further work required to address this in future.
Nuneaton & Bedworth		None.
Rugby	Plan Adopted	
Stratford upon Avon	Draft Core strategy Pre Regulation 19, Feb 2012	<b>Solihull:</b> Supported as housing growth requirement aligned with RSS levels and on Gypsy and Traveller provision
Warwick	Preferred Option (closing date for comments 3 <sup>rd</sup> August 2012)	<b>Solihull:</b> Noted that Warwick assumed scale of out migration from the conurbation has been reduced. However, places no reliance on Solihull to meet any of Warwick's assessed need and so supported.  <b>Coventry:</b> Preferred option supported in general terms but suggested that two Green Belt sites near Coventry should remain undeveloped.
<b>Worcestershire</b>		
Bromsgrove	Draft Core Strategy 2, February 2011	<b>P&amp;TSC</b> response broadly supportive as coincided with RSS2 Panel growth levels which were deemed to support urban renaissance. Any consideration of adjustment to Green belt boundaries should engage Metropolitan Authorities. Consistent with <b>Birmingham</b> response  <i>Subsequent letters published on Bromsgrove and Redditch websites committing both to address cross boundary issues.</i>
South West Worcestershire	Significant proposed changes closing date 14/09/12	<b>P&amp;TSC</b> response queried rationale for reducing housing requirement relative to projections / RSS and whether this would place additional pressures on the Metropolitan Area. <b>Birmingham</b> response raised similar points
Wyre Forest	Plan Adopted	
<b>Staffordshire</b>		
Cannock	Draft Local Plan 1. Closing date for submissions 17 <sup>th</sup> September 2012	

Lichfield	Proposed Submission, regulation 19. Closing date for representations <b>10<sup>th</sup> September 2012</b>	
South Staffordshire	Public examination completed	<p>P&amp;TSC response supporting approach at public examination as level and distribution of growth does not undermine urban renaissance strategy, particularly in Black Country.</p> <p>Wolverhampton / Black Country supported strategy and has sought engagements with Southern Staffordshire Districts to identify Regional Logistics Site.</p> <p>Wolverhampton subsequently responded to post examination changes to align with NPPF and was broadly supportive</p>
Tamworth	Pre Submission Publication June 2012, <b>consultation closed 20<sup>th</sup> July 2012</b>	No major concerns identified.
East Staffordshire	Preferred Options consultation document closing date <b>21<sup>st</sup> September 2012</b>	
Telford and Wrekin	Plan adopted covering 2006 – 2016. Review to commence shortly.	
Shropshire	Plan adopted January 2011	

**WEST MIDLANDS PLANNING & TRANSPORTATION SUB-COMMITTEE**

**Report of Duty to Cooperate Task Group**

**3 AUGUST 2012**

**THE DUTY TO COOPERATE – A PROPOSED WAY FORWARD**

**1. PURPOSE OF REPORT**

- 1.1. To advise Members of progress to date and to suggest a way forward in terms of dealing with the recently introduced Duty to Cooperate.

**2. RECOMMENDATIONS**

- 2.1. That Members agree:
- (i) the guiding principles as the basis for managing the Duty to Cooperate (paras 4.9 to 4.11)
  - (ii) the working arrangements for compliance with the Duty to Cooperate as set out in 4.13
  - (iii) Agree the arrangements for initial engagement with Shire members Para (4.15)
  - (iv) That these arrangements are subjected to a review after 12 months of operation

**3. BACKGROUND**

- 3.1. The Duty to Cooperate was introduced via the Localism Act and its policy application is contained with the National Planning Policy Framework published on 27 March 2011. The Government sees it as the basis for strategic and infrastructure planning between local planning authorities and other stakeholders. At its meeting on 13<sup>th</sup> June, West Midlands Joint Committee confirmed support for P&TSC to assist in discharging the Duty to Cooperate on behalf of Districts.

**4. REPORT DETAILS**

**Legal and Policy Requirements**

- 4.1. Although Local Plans are sovereign under the Localism Act, strategic planning via the Duty to Cooperate is an integral part of the plan and decision making process. The Duty to Cooperate acts on two levels:
- **Legal test:** Section 110 of the Localism Act
  - **Framework test:** Paragraphs 178 to 182 of the NPPF
- 4.2. To comply with the legal test, local planning authorities will need to demonstrate to the Planning Inspectorate (PINS) that partners have had adequate opportunity to engage in the preparation of their Local Plan, if not the plan will not proceed to examination. At this stage the requirement is to demonstrate that there has been adequate engagement and cooperation,



recognising that, agreement on key policy issues will not necessarily be reached.

- 4.3. PINS has made it very clear that it will be taking its responsibilities seriously, particularly in terms of plan delivery. By means of example, the York Local Plan examination was suspended for six months whilst the Council sought further evidence and has subsequently been withdrawn, a public hearing on the validity of the North London Waste Plan was adjourned on the basis of non compliance and the Bath and North East Somerset Local Plan examination has been suspended.
- 4.4. The second 'framework' test will be conducted via the independent examination to ensure that the plan is 'positively prepared' and 'effective' and considers the policy areas set out in the NPPF. Positively prepared plans need to meet '*objectively assessed development and infrastructure requirements, including unmet needs from adjoining authorities where it is reasonable to do so*'. To be effective, plans must be deliverable and based on '*effective joint working on cross boundary priorities*'.
- 4.5. The NPPF encourages '*producing joint planning policies on strategic policy matters and informal strategies such as joint infrastructure and investment plans*'. It also suggests '*the preparation of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position*'.
- 4.6. A seminar took place on 29 June with barristers from No 5 Chambers and Metropolitan Area representatives; this reiterated the importance of the Duty to Cooperate particularly in terms of clear written evidence of compliance and a robust evidence basis upon which to base decisions. Clearly the more evidence based consensus that can be reached prior to public examination, the greater the likelihood of the plan being found sound.

### **Progress to date**

- 4.7. Initial scoping work has taken place whereby local authorities have been requested to identify the magnitude of any relationships that they have with their neighbours. This has been progressed through the Metropolitan Authorities' joint working arrangements and the three Local Enterprise Partnerships in which they are represented; other authorities beyond these groupings have been invited to do likewise through the West Midlands Planning Officers Group. This is set out in the presentation that will be given at this meeting.
- 4.8. The NPPF identifies the core areas (para 156) where the Duty to Cooperate applies and further work is being undertaken to scope out the document in its entirety to identify other work areas where collaborative working is required including that applicable across the Metropolitan Area
  - Homes, jobs, leisure, commercial and retail uses
  - Infrastructure for transport, telecommunications, waste, water, flood risk, minerals and energy
  - Health, security and culture
  - Climate change and built / natural environment

## **Guiding Principles**

- 4.9. **Metropolitan Area focus** – there is common agenda in terms of continued support for urban renaissance, as reflected in the recently endorsed Strategic Policy Framework. This regeneration led approach seeks to ensure that the Metropolitan Area continues to meet a greater proportion of its own development requirements. In doing so, however, there continues to be a need for some development to be accommodated in adjoining Shire Districts; whilst the aim is to tackle decentralisation the trends are deep rooted and cannot be changed overnight.
- 4.10. **Subsidiarity** – Decisions regarding the Duty to Cooperate need to be taken at the most appropriate level, some may best be dealt with bilaterally (including between Metropolitan and Shire Districts), with others more appropriately dealt with at Metropolitan or LEP level. The P&TSC arrangements are particularly helpful in this context as they enable dialogue across three LEP areas.
- 4.11. **Decentralisation and Coordination** – Within the overarching framework of the urban renaissance, individual planning authorities will lead on identifying detailed matters in neighbouring Shire Authorities in close liaison with Metropolitan colleagues. A consistent interpretation of policy is required amongst Metropolitan Authorities if the urban renaissance is not to be prejudiced.

## **A Proposed way of working**

- 4.12. The Duty to Cooperate needs to be undertaken diligently and in an open and transparent manner, otherwise plans will be subject to challenge by third parties. At its meeting on 13 June 2012, West Midlands Joint Committee agreed that P&T Sub Committee take forward this crucial area of work.
- 4.13. Officers have set up a Duty to Cooperate Task Group to deal with day to day and technical matters to assist each other in Local Plan preparation. Key matters such as agreeing to any major strategic policy reviews, joint policy statements, endorsing memoranda of understanding that have implications for the Metropolitan Area as a whole will need to be considered by P&T Sub Committee. Consistent with the subsidiarity guiding principle, similar arrangements may appear elsewhere for example within LEPs or bilaterally.
- 4.14. Work is ongoing as to determine precisely what further evidence is required and further details will be brought to subsequent meetings of this Committee.
- 4.15. At the June meeting Members requested that officers investigate possibilities for engagement between Metropolitan and Shire Members on Duty to Cooperate matters. It is suggested that Shire District Members with planning responsibilities from the Greater Birmingham and Solihull and Coventry and Warwickshire LEPs be invited to a discussion after the September meeting of this Committee.

## **Resource requirements**

- 4.16. Since 2002, strategic planning in the Metropolitan Area has been undertaken at officer level through the Chief Engineers and Planning Officers Group (CEPOG) / Executive Officer Group with support and coordination provided

by the CEPOG Support Team (CST) and using data provided through the Mott MacDonald contract.

- 4.17. The scale of the task in hand is potentially more onerous than in the past and a continued deployment of resources is integral to helping ensure compliance with the Duty to Cooperate, particularly in terms of the provision and preparation of evidence.
- 4.18. A robust and objective evidence base is crucial in developing policies and collaborating in its preparation is critical in understanding strategic issues, for example commuting and migration patterns. 2011 Census data is also beginning to emerge and will warrant thorough analysis. Also, with limited resources there are considerable economies of scale to be reaped in joint commissioning of work, especially as engagement must be continuous.

## 5. **FINANCIAL IMPLICATIONS**

- 5.1. Failure to comply with the Duty to Cooperate will lead to Local Plans not being adopted resulting in planning by appeal and costly legal fees; moreover, without the certainty of a plan investment may be lost. Furthermore, the average cost of preparing a Local Plan runs into hundreds of thousands of pounds and this expenditure would be forgone should the plan be withdrawn or found unsound.
- 5.2. Strategic planning was led by Regional Assemblies prior to their abolition. Regional Assemblies had significant budgets for staff and to commission the preparation of evidence, this responsibility now falls to local authorities via the Duty to Cooperate. Clearly there are benefits in joint commissioning of work, as set out in para 4.18, and it also demonstrates legal compliance.
- 5.3. In the Metropolitan Area strategic planning work has been undertaken since 2002 through the Chief Engineers & Planning Officers Group / Executive Officer Group and coordinated by the CEPOG Support Team (CST). The Mott MacDonald contract continues to provide crucial data which forms part of the evidence base. The Mott MacDonald contract is in place until 2014 and at this point can be rolled forward for two years, re-tendered or not renewed. Funding for CST is available until March 2013, a more detailed report setting out future joint working / funding arrangements, including CST, will be brought to your next meeting.

## 6. **CONTACT**

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**WEST MIDLANDS PLANNING & TRANSPORTATION SUB-COMMITTEE**

**REPORT OF EXECUTIVE OFFICER GROUP**

**NATIONAL PLANNING POLICY FRAMEWORK AND DUTY TO COOPERATE**

1. **PURPOSE OF REPORT**

- 1.1. To advise Members of the implications of the new Duty to Cooperate as it relates to strategic planning and infrastructure within the Metropolitan Area.

2. **RECOMMENDATIONS**

- 2.1. That Members:

- (i) Receive any feedback on this item from the West Midlands Joint Committee meeting on 13<sup>th</sup> June
- (ii) Note the contents of this report and agrees to receive a more detailed work programme at their next meeting

3. **REPORT DETAILS**

- 3.1. The Localism Act 2011 provides for the abolition of Regional Strategies, which Government considered imposed 'top down' development requirements on communities contrary to the principles of Localism. The Act, however, imposes a legal 'Duty to Cooperate' on local planning authorities and specified stakeholders in order to maximise the effectiveness of strategic and infrastructure planning. The National Planning Policy Framework advises on policy matters that need to be considered as part of this process.
- 3.2. The attached report was considered by West Midlands Joint Committee (WMJC) at its meeting on 13<sup>th</sup> June 2012 and advises of the implications of the Duty to Cooperate and of work in hand to discharge them. This specifies an important role for P&T Sub Committee and any feedback from this meeting will be given verbally.

4. **FINANCIAL IMPLICATIONS**

- 4.1. See Section 5 of attached WMJC Report, 13<sup>th</sup> June 2012.

5. **CONTACT**

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**WEST MIDLANDS JOINT COMMITTEE**

**Date: 13<sup>th</sup> June 2012**

**Report of West Midlands Planning and Transportation Sub Committee Officer  
Executive Group**

**NATIONAL PLANNING POLICY FRAMEWORK AND THE DUTY TO COOPERATE**

**1. PURPOSE OF REPORT**

- 1.1. To advise Joint Committee of the implications of the new 'Duty to Cooperate' as set out in the Localism Act and National Planning Policy Framework (NPPF) and of work in hand to address its implications for Metropolitan Districts and other stakeholders.

**2. RECOMMENDATIONS**

- 2.1. That Joint Committee:
- (i) Endorses the attached Strategic Planning Framework for the West Midlands Metropolitan Area
  - (ii) Supports the role of West Midlands Planning & Transportation Sub Committee in taking forward this crucial area of work

**3. BACKGROUND**

- 3.1. The Localism Act 2011 provides for the abolition of Regional Strategies, which the Coalition Government considered imposed 'top down' development requirements on local communities. However, the Act imposes on local authorities and other stakeholders (see Appendix) a Duty to Cooperate to maximise the effectiveness of strategic and infrastructure planning. It will be noted that Local Enterprise Partnerships (LEPs) are not themselves subject to the Duty to Cooperate but nonetheless are seen by Government as having an important role to play in its processes.
- 3.2. The NPPF published on 27<sup>th</sup> March 2012 sets out policy on how the Duty to Cooperate should be discharged. It makes clear that Local Plans remain the starting point for the consideration of development proposals and provides local planning authorities with a 12 month period to have in place plans that are consistent with its policies.
- 3.3. Since 2002 the coordination of strategic planning work across the Metropolitan Area has been undertaken jointly by the Metropolitan Authorities / Centro via the West Midlands Chief Engineers and Planning Officers Group (CEPOG), with technical assistance and coordination provided by the CEPOG Support Team.

**4. REPORT DETAILS**

**Duty to Cooperate**

- 4.1. The Localism Act 2011 requires local authorities and others "*to engage constructively, actively and on an ongoing basis*" in discharging the Duty to Cooperate.
- 4.2. NPPF policy "*expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities...*" and local planning

authorities to “*work together to meet development requirements which cannot be wholly met within their own areas – for instance because of a lack of physical capacity*”

- 4.3. Specific issues identified where the Duty to Cooperate applies include:
- Homes and jobs - housing markets, migration and travel patterns
  - Retail, leisure and commercial development
  - Infrastructure – transport, waste, water, flood risk minerals and energy
  - Health, security, community and cultural infrastructure
  - Environment – climate change, conservation and enhancement of assets
- 4.4. If a local authority cannot demonstrate it has met the legal and policy tests through engaging with stakeholders and aligning their plans, their plans will not be adopted.
- 4.5. If a local authority does not have an up to date plan in place then it will be prone to ‘planning by appeal’ and so to an inappropriate scale and location of development contrary to local and wider strategic objectives, such as the urban renaissance of the West Midlands.
- 4.6. Effective discharge of the Duty to Cooperate will require local authorities and other stakeholders to work closely on matters of more than local significance.

### **First Steps**

- 4.7. In anticipation of these legal and policy changes, WM P&T Sub-Committee approved a ‘Strategic Planning Position Statement’ in January 2011, which was subsequently endorsed by Joint Committee. This effectively reiterated key support for the urban renaissance policy agenda contained in the Regional Strategy.
- 4.8. The attached Statement was refreshed and further detail added in a ‘Strategic Policy Framework for the West Midlands Metropolitan Area’, which was approved by WM P&T Sub-Committee in March 2012. It was also resolved that the Framework be commended to individual Metropolitan Authorities and the Joint Committee, and that it be also circulated to other stakeholders for information.
- 4.9. The Framework will help ensure a smooth transition between the ‘old’ and ‘new’ strategic planning processes and act as a basis for shaping future policy.

### **Next Steps**

- 4.10. The NPPF states that “*cooperation could be by the way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position*”.
- 4.11. Considerably more work needs to be undertaken to ensure that the Duty to Cooperate is discharged effectively, including the need for a robust and shared evidence base and the development of aligned policies and this should be a core element of WM P&T Sub Committee’s future work programme.
- 4.12. This work programme will need to cover:
- Helping the Districts meet their legal requirements in terms of need, scope, transparency, stakeholder engagement and political accountability
  - Addressing shared policy issues and developing aligned policy across administrative boundaries

- Practical issues, such as capacity requirements and commissioning options, especially where it is clear that joint working is desirable as well as being more effective and efficient.

4.13. It should also be recognised that the Duty to Cooperate extends to where Metropolitan Authorities have direct relationships with Shire districts and Counties, and that the LEP geographies are being used as a basis for discussing these matters and ensuring compliance with the legislation and guidance. The Joint Committee arrangements are helpful in this context since they enable coordination and dialogue across three LEP areas.

## 5. **FINANCIAL IMPLICATIONS**

5.1. A failure to effectively comply with the Duty to Cooperate will lead to local authorities' plans not being adopted. This will have substantial cost implications in terms of having to reinitiate the process and also in terms of potentially having to 'plan by appeal', which in itself can be both costly and damaging to local objectives. If the Districts were to organise this work on an individual basis then it is likely the outcome would not only be less effective but it would also be more resource intensive.

## 6. **CONTACT**

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## **Appendix**

### **Duty to Cooperate Bodies**

The '**duty to co-operate**' also covers a number of public bodies in addition to councils. These bodies are set out in Part 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012 and comprise:

- Environment Agency
- English Heritage
- Natural England
- Mayor of London
- Civil Aviation Authority
- Homes and Communities Agency
- Primary Care Trusts
- Office of the Rail Regulator
- Highways Agency
- Transport for London
- Integrated Transport Authorities
- Highway Authorities
- Marine Management Organisation

These bodies are required to co-operate with councils on issues of common concern to develop sound local plans.



**WEST MIDLANDS PLANNING & TRANSPORTATION SUB-COMMITTEE**2<sup>nd</sup> March 2012**STRATEGIC POLICY FRAMEWORK FOR WEST MIDLANDS METROPLITAN AREA****1. PURPOSE OF REPORT**

- 1.1. To seek support for and endorsement of the attached Strategic Policy Framework

**2. RECOMMENDATIONS**

## 2.1. That Members

- (i) Approve the attached Strategic Policy Framework for the West Midlands Metropolitan Area and commend it to the Joint Committee and individual Metropolitan Authorities
- (ii) Circulate to neighbouring Shire Districts / County Councils and also to other bodies identified as being party to the duty to cooperate (see appendix to this report)
- (iii) Circulate to Local Enterprise Partnership Chairs and other stakeholders such as environmental groups
- (iv) Authorise the Chair of the Executive Officer Group to make any factual corrections and presentational changes as required

**3. BACKGROUND**

- 3.1. The Coalition Agreement pledged to *'rapidly abolish Regional Spatial Strategies (RSS) and return decision-making powers on housing and planning to local councils'*. Strategic and cross boundary planning would be dealt with by a new *'duty to cooperate'*, which would be set out in the Localism Bill.
- 3.2. In response to this, Sub Committee agreed an Interim Strategic Planning Statement at its meeting on 21<sup>st</sup> January 2011, which continued to support the urban renaissance as set out in the West Midlands RSS. This was subsequently endorsed by West Midlands Joint Committee (WMJC) at its meeting on 26<sup>th</sup> January 2011.
- 3.3. The Localism Act attained Royal Assent in November 2011, Section 110 sets out the *'duty to cooperate'*. This applies to all local planning authorities, national park authorities and county councils in England – and to a number of other public bodies (see appendix to this report). The new duty:
- relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council;
  - requires that councils set out planning policies to address such issues;
  - requires that councils and public bodies to *'engage constructively, actively and on an ongoing basis'* to develop strategic policies; and
  - requires councils to consider joint approaches to plan making

- 3.4. Section 109 gives the Secretary of State powers to abolish the eight RSSs outside of London once environmental assessments have been completed; consultation on these has recently closed. The Government has also pledged to publish a final National Planning Policy Framework (NPPF) by April 2012; this will replace the existing raft of planning policy guidance. The draft NPPF states that if plans are not in place, silent or out of date once the NPPF is published, then decisions will be made in accordance with the NPPF and its *'presumption in favour of sustainable development'*.
- 3.5. As a consequence, there is a need to ensure a smooth transition until local plans are in place and effective *'duty to cooperate'* arrangements established. This Strategic Policy Framework seeks to manage this process, which will be critical to the implementation and adoption of Local Plans, whilst not undermining their sovereignty.

#### 4. **REPORT DETAILS**

- 4.1. There is a strong track record of joint working on cross boundary matters in the Metropolitan Area, in terms of strategic planning these include:
- Cross boundary housing market areas
  - Cross boundary labour markets and commuting patterns
  - Promoting urban regeneration through the reuse of previously developed land
  - The provision of major infrastructure, particularly transport and green infrastructure
  - Major retail and leisure facilities with cross boundary catchments
  - The need to retain and enhance environmental quality and prevent environmental sprawl through strategically important designations such as the Meriden Gap
  - Measures to address the causes and consequences of climate change and the need to improve air quality
- 4.2. In the context of these issues, the purpose of this Strategic Framework is to:
- Enable a smooth transition between abolition of RSS, and up to date Local Plans and effective wider Duty to Cooperate mechanisms being in place
  - demonstrate commitment to ongoing collaboration in order to meet Duty to Cooperate responsibilities within the Metropolitan Area
  - Advise those bodies subject to the Duty to Cooperate and other stakeholders, including Local Enterprise Partnerships, that Metropolitan Authorities remain committed to urban renaissance and are responding to the Government's growth agenda
  - Act as a material consideration in plan making and development management decisions; and
  - Provide a strategic spatial context for the implementation of the third West Midlands Local Transport Plan

4.3. Elsewhere the Strategic Framework:

- Sets urban renaissance in the context of the Localism Act and wider Government policy, such as the Local Growth White Paper and Treasury Plan for Growth;
- identifies urban renaissance guiding principles,
- identifies shared policy priorities relating to key areas such as housing and employment land; and
- identifies current and emerging spatial priorities in each core strategy / local plan area, and explains that effective implementation of urban renaissance relies on a redistribution of growth within the Metropolitan Area, as well as the need for some Shire Districts to accommodate a reasonable level of out migration

4.4. A short appendix is currently being finalised, this seeks bring statistical evidence up to date to support the policy case for urban renaissance.

5. **FINANCIAL IMPLICATIONS**

5.1. None directly as a consequence of this report. Failure to effectively discharge 'duty to cooperate' responsibilities, however, could lead to legal challenge and an inability to adopt local plans, which could prove very expensive.

6. **CONTACT**

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## Appendix: Other *Duty to Cooperate* Bodies

The ***duty to co-operate*** also covers a number of public bodies in addition to councils. These bodies are currently set out in the draft changes to the Local Planning Regulations required to implement the Localism Act:

- Environment Agency
- Historic Buildings & Monuments Commission for England
- Natural England
- Mayor of London
- Civil Aviation Authority
- Homes & Communities Agency
- Primary Care Trusts
- Office of the Rail Regulator
- Highways Agency
- Transport for London
- Integrated Transport Authorities
- Highway Authorities
- Marine Management Organisations

These bodies are required to co-operate with councils on issues of common concern to develop sound local plans. This list of bodies covered may change when the final regulations are published.

As LEPs are not defined by statute, they are **not** covered by the ***duty to cooperate***. However, LEPs have been identified in the draft regulations as bodies that those covered by duty 'should have regard to' when preparing local plans and other related activities:

- Advise partners and stakeholders that all Metropolitan Authorities remain committed to the Urban Renaissance principles and are responding to Government's growth agenda
- Be a material consideration in plan preparation and development management decisions
- Continue to provide a coherent strategic spatial context for the third West Midlands Local Transport Plan (LTP3), which covers the administrative areas of the seven Metropolitan Authorities

## STRATEGIC POLICY FRAMEWORK FOR THE WEST MIDLANDS METROPOLITAN AREA

### Purpose of the Strategic Policy Framework

1. A long term Urban Renaissance strategy was put in place through the West Midlands Regional Spatial Strategy (RSS), 2004 and updated in 2008. In short this sought to develop urban areas in such a way that they can increasingly meet their own economic and social needs in order to counter the unsustainable movement of people and jobs facilitated by previous strategies. These previous development patterns were also leading to greater car reliance and longer journeys resulting in congestion, air pollution and limiting the scope to reduce carbon emissions.
2. This approach has been independently examined on three separate occasions, most recently via the RSS Phase II Revision Examination in Public in 2009, and was reaffirmed as the most appropriate way forward. This, however, predated the current economic downturn.
3. As these unsustainable trends had evolved over time, it follows that this approach requires time to bed down and as such the strategy was considered to be a long term one. Monitoring thus far suggests that the strategy is beginning to take effect; further information will be set out in **an appendix to be attached**.
4. In the light of the Government's early commitment to revoke Regional Spatial Strategies (RSSs), the West Midlands Planning and Transportation Sub Committee (WMP&TSC) <sup>1</sup>approved a Strategic Planning Position Statement its meeting on 21<sup>st</sup> January 2011, which continued to support the broad Urban Renaissance principles set out in the RSS. This was subsequently endorsed by the West Midlands Joint Committee (WMJC) at its meeting on 26<sup>th</sup> January 2011.
5. In November 2011, the Localism Act attained Royal Assent. Section 110 sets out the 'duty to cooperate', which Government intends will replace RSS as a basis for strategic / cross boundary planning. Section 109 gives Government the powers to revoke the eight RSS's outside London following completion of an 'environmental assessment' for each; until this time RSS remains part of the statutory development plan. Consequently, WMP&TSC took the opportunity to refresh the statement at its meeting on 2nd March 2012.

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<sup>1</sup> The West Midlands Joint Committee (WMJC) was established by the District Councils of the County of West Midlands on 24 July 1985. The Constitution of the WMJC has been updated to reflect changes in law brought about, primarily, by the Local Government Act 2000. All seven Metropolitan leaders sit on WMJC. In terms of its functions; the WMJC is responsible for co-ordination and joint action on issues of mutual interest. The WMJC may appoint such sub-committees to consider and deal with its functions of the Committee as may be thought desirable. A long-established example is the West Midlands Planning and Transportation Sub Committee (WMP&TSC), which is made up of senior elected members from the seven Metropolitan Authorities and the Integrated Transport Authority / Centro. WMP&TSC considers strategic planning and transportation matters as they affect the area as a whole.

6. Strategic planning issues in the West Midlands Metropolitan Area include, inter alia:
  - Cross boundary housing market areas;
  - Cross boundary labour markets and commuting patterns;
  - Promoting urban regeneration through the reuse of previously developed land;
  - The provision of major infrastructure, particularly transport and green infrastructure;
  - Major retail and leisure facilities with cross boundary catchments;
  - The need to retain and enhance environmental quality and prevent urban sprawl through strategically important designations such as the Meriden Gap;
  - Measures to address the causes and consequences of climate change and the need to improve air quality.
7. Once the RSS has been abolished Local Plans<sup>2</sup> will be sovereign. If, however, Local Plans are not in place then the draft National Planning Policy Framework (NPPF) suggests that there is a 'presumption in favour of sustainable development'; a final NPPF is due to be published by April 2012.
8. Due to the procedures that must to be followed and the need for independent examination, it is not possible for all local plans to be in place before the proposed abolition of the RSS and publication of the NPPF. Moreover, the Localism Act is now in place and it is a statutory requirement to comply with the Duty to Cooperate.
9. The purpose of this Framework, therefore, is to:
  - Enable a smooth transition between abolition of RSS, and up to date local plans and effective wider Duty to Cooperate mechanisms being in place;
  - Demonstrate commitment to ongoing collaboration in order to meet Duty to Cooperate responsibilities within the Metropolitan Area;
  - Advise those bodies subject to the Duty to cooperate and other key stakeholders including Local Enterprise partnerships that metropolitan Authorities remain committed to urban renaissance and are responding to Government's growth agenda;
  - Be a material consideration in plan preparation and development management decisions; and
  - Continue to provide a coherent strategic spatial context for the third West Midlands Local Transport Plan (LTP3), which covers the administrative areas of the seven Metropolitan Authorities.

### **Urban Renaissance and Government Policy**

10. Since taking office, Government has issued several plans, strategies and statements seeking to foster local economic growth to support the national economy and reduce the budget deficit. A summary and chronology of the most salient issues that impact on cities and urban areas, and by inference support Urban Renaissance, is set out below.

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<sup>2</sup> Including saved UDP policies and Local Development Frameworks.

## **White Paper for Growth – Realising every place’s potential**

11. The White Paper Local Growth sets out Government’s ambition to foster prosperity in all parts of the country, harnessing the potential across the range of industries. Previously growth has been concentrated in some areas of the country but not others, and within a limited number of sectors, notably financial services. Instead, the economy must be rebalanced ensuring that growth is spread and prosperity shared.
12. Cities and urban areas have a key role to play in this as there can often be a mutually beneficial economic relationship between larger cities and surrounding urban areas, which the Government wishes to support, for example in the eight core city-regions outside London: Birmingham, Bristol, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield.
13. Through the Growth White Paper, Government offered Council Leaders and prominent members of the business community to form Local Enterprise Partnerships (LEPs). The White Paper sets out the diverse roles the LEPs can play depending on their local priorities. These could include ensuring that planning and infrastructure investment support business needs, and working with Government to support enterprise, innovation, global trade and inward investment. A combination of strong business leadership with groups of local authorities whose planning, regulatory and public realm roles are critical to growth will help achieve this. The West Midlands Metropolitan Area straddles three LEP areas:
  - Black Country
  - Coventry and Warwickshire
  - Greater Birmingham and Solihull

## **The Budget Statement and Plan for Growth**

14. *The Plan for Growth* that accompanied the Budget in March 2011 reiterated this and seeks an increase in private sector employment, especially in regions outside London and the South East. It cites increases in investment and exports as a route to a more balanced economy.
15. The West Midlands Metropolitan Area is well placed to benefit from this agenda, with its manufacturing base contributing to export led growth. The region performs strongly in terms of exports to EU and non EU countries, especially when compared to areas other than London and the South East. The West Midlands is at the heart of the automotive industry, which is one of the largest in terms of the value of its exports.
16. The Plan for Growth also announced that Enterprise Zones would be created, including in Greater Birmingham / Solihull and the Black Country LEP areas. Businesses within these zones would benefit from business rate discounts and a simplified regulatory framework, whilst the LEP would be able to retain business rate growth. These zones are based around Birmingham City Centre,

the i54 site to the north of Wolverhampton and the Darlaston Strategic Development Area in Walsall. The i54 site has subsequently attracted a £335 million investment in the form of Jaguar Land Rover's Advanced Engineering facility

17. The Plan for Growth also signaled the need to reform the planning system to make it simpler, easier to navigate and consequently a tool to enable growth. In doing so, however, it stated that:

*This policy change does not affect the Government's commitment to maintain the greenbelt, Sites of Special Scientific Interest, Areas of Outstanding Natural Beauty and other environmental designations.*

18. On 23<sup>rd</sup> March, the Secretary of State for Communities and Local Government issued a complementary Ministerial Statement which advised that:

*Councils will be able to identify the most suitable locations for growth in their areas, having regard to the coalition commitment to protecting the environment, including maintaining the Green Belt and other environmental designations*

### **National Infrastructure Plan**

19. A revised National Infrastructure Plan was published in November 2011 to accompany the Autumn Budget Statement, this made further commitments to growth in the West Midlands Metropolitan Area through announcing the below investment:

- M6 managed motorway scheme between Birmingham and Manchester
- A45 Westbound Bridge (Solihull) – Replacement bridge over the West Coast Main Line close from Birmingham Airport on the A45 strategic corridor into Birmingham
- A45/46 Tollbar End improvement scheme
- A45 Corridor (Damson Parkway to M42 junction 6) diversion

20. The document also pledged to submit a hybrid Bill to Parliament for the first Phase of High Speed Two (London-West Midlands rail line) in late 2013 subject to the Secretary of State for Transport's announcement. Following consultation, the Secretary of State announced her support for High Speed Two in January 2012.

### **Department for Transport Major Scheme Announcements**

21. Following the Autumn Statement, Government also announced support for further local transport schemes in December 2011, including the following within the Metropolitan Area:
  - **Coventry-Nuneaton Rail Upgrade (formerly known as NUCKLE).** Enhanced rail service and two new stations on the Coventry to Nuneaton railway line; total cost of £18.8m).



- **Darlaston (Walsall)**. Various road improvements including new bridges over the canal and railway, junction improvements, modifications to existing roads to open up development area; total cost of £25.9m.
  - **Chester Road (Birmingham)**. Widening of Chester Road to a three lane dual carriageway from M6 Jct 5 with bus priority and pedestrian improvements; total cost of £10.5m.
22. These schemes are now in a position to proceed to seek statutory powers and formal tender prices prior to final approval. In February 2012, the Local Transport Minister gave final approval for the £128m extension of the Midland Metro to Birmingham New Street.

### **Government Response to the Communities and Local Government Committee's report on Regeneration**

23. The Communities and Local Government Committee's report on Regeneration was published in November 2011; the Government published its response on 13th January 2012. In short, it deemed that regeneration is about addressing problems faced by a community, widening opportunities and growing the local economy. It is not a matter for Government to define regeneration beyond this; consequently, there is no requirement for a national regeneration strategy.
24. The response, however, states that Government and the Homes and Communities Agency, however, continue to support housing and regeneration in places that have previously experienced housing market challenges. Its response also expects local plans to identify areas for economic regeneration, supports town centre first and prioritising development of sites of lower environmental quality. It also anticipates that local authorities will want development on previously developed land and, in order to support this, draws attention to retention of Land Remediation Relief for developers.

### **Urban Renaissance Guiding Principles**

25. The guiding principles supporting Urban Renaissance can be summarised as follows:
- Stemming the uncontrolled decentralisation of people, jobs and other activities away from the Metropolitan Area by improving the quality of the urban environment as a whole.
  - Making the best use of existing urban capacity
  - Improving, or where necessary replacing existing infrastructure
  - Ensuring that development is directed sequentially with priority given to promoting brownfield development in sustainable locations

## **Refreshed Shared Policy Priorities**

26. Government has powers to abolish RSSs through the Localism Act once environmental assessments have been undertaken, until that time RSS remains part of the statutory development plan.
27. Once RSS has been abolished and the NPPF is published, it is necessary to ensure a smooth transition until up to date local plans are in place and effective Duty to Cooperate arrangements established. The below shared policy priorities which support Urban Renaissance guiding principles, continue to be collectively supported

### **Employment Land Supply**

- Provision for a rolling five year supply of employment land in each plan area sufficient to meet development needs of the plan period
- Protecting the employment land portfolio to meet the identified range of needs in each plan area
- Promoting development within the Black Country LEP and Greater Birmingham and Solihull LEP Enterprise Zones
- Support for the development at key nodes in the identified High Technology Corridors<sup>3</sup> to counter structural changes in the manufacturing sector and to fully exploit agglomeration effects. These are:
  - \* The Central Technology Belt (Birmingham City Centre – Worcestershire A38 Corridor)
  - \* Coventry, Solihull and Warwickshire
  - \* Wolverhampton to Telford
- Regional Investment Sites<sup>4</sup> and Major Investment Sites are large, high quality sites with good access to the strategic highway network and have been identified to support growth and diversification of the local economy; their benefits in terms of job creation transgress local authority boundaries. Their retention, implementation, appropriate expansion is supported as is the identification of further sites to meet identified shortfalls
- Support ongoing work to make adequate provision to meet the needs of the logistics industry, including the need for an Regional Logistics Site to support the economic growth and diversification of the Black Country

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<sup>3</sup> These are shown diagrammatically and do not denote corridor based ribbon development or Green Belt land release for development. It is nodes within these corridors such as research and educational institutions and key sites that will be identified for development

<sup>4</sup> Ansty, Birmingham Business Park, Blythe Valley Park, Hilton Cross, Wolverhampton Business Park, i54 Wobaston Road, Longbridge, East Aston

## **Housing**

- Within the context of Urban Renaissance, enable housing needs to be met, including the full range of market and affordable housing to be provided
- Priority for the reuse of brownfield land and, where appropriate, re-use of existing buildings
- Application of the following criteria at a local level to govern the identification and release of land:
  - \* The need to maintain and accelerate Urban Renaissance
  - \* Bring forward previously developed land in sustainable locations prior to the phasing of greenfield sites
  - \* Prioritise sites where development would support regeneration through opening up further opportunities for mixed use sustainable development

## **Growth and Regeneration**

- Regeneration led growth and investment focussed on bringing forward previously developed land and making the best use of existing infrastructure and resources within the identified Regeneration Zones.<sup>5</sup>

## **Strategic Centres**

- The strategic centres of Birmingham, Brierley Hill, Coventry, Solihull, Sutton Coldfield, Walsall, West Bromwich and Wolverhampton should be the focus for new major comparison retail development and large scale leisure and office developments. Their roles as the most accessible locations to serve large catchments should be maintained and enhanced.
- Other important centres should be the subject of local policies to meet more local needs.

## **Transport**

- Implementation of a Rapid Transit Network and the public transport and highway schemes as identified in the LTP3 to support the Urban Renaissance.
- Support for the runway extension of Birmingham Airport and improved access to the Airport and the National Exhibition Centre from all parts of the Metropolitan Area.

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<sup>5</sup> East Birmingham / North Solihull, North Black Country / South Staffordshire, West Birmingham / South Black Country

- Support for strategic Park and Ride provision at appropriate locations to relieve congestion in the Metropolitan Area subject to impacts on the strategic highway network and other environmental impacts.

### **Green Belt and Infrastructure**

- Strategic adjustments to Green Belt boundaries are not supported where they would encourage selective out migration of population from urban areas and run counter to regeneration objectives.
- Support for cross boundary identification and co-ordination of Green Infrastructure Networks

### **Current and Emerging Priorities for Spatial Development**

28. All of the authorities have saved UDP policies that support the urban renaissance, all have or are working on Core Strategies to update and develop the strategy for the regeneration of their areas and all are working on other development plan documents to plan for growth and regeneration within this framework. Together these plans should deliver at the local level the Urban Renaissance strategy for the wider area.
29. The current status of the main strategic elements of the authorities' local plans and their spatial priorities are set out in summary below:

#### **Birmingham**

30. Consultation on the Birmingham draft Core Strategy ended in March 2011, it is anticipated that a publication version will be approved by the Council in October 2012.
31. The draft Core Strategy is focuses growth within the Eastern Corridor, the City Centre, identified Sustainable Urban Neighbourhoods<sup>6</sup> (including Longbridge) and the Aston, Newtown and Lozells area. This coincides with growth proposals in the Black Country to the west and Solihull to the east. The Big City Plan outlines specific areas in the City Centre where resources will be focussed along with details of individual projects, schemes and infrastructure; sites within the City Centre have been designated as the Greater Birmingham and Solihull LEP Enterprise Zone.

#### **Black Country**

32. The Black Country Joint Core Strategy, covering the administrative areas of Dudley, Sandwell, Walsall and Wolverhampton, was adopted in February 2011. The majority of growth is directed towards an identified Growth Network, which comprises the strategic centres of Brierley Hill, Walsall, West Bromwich, Wolverhampton and 16 Regeneration Corridors. The Growth Network

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<sup>6</sup> Greater Icknield, Southern Gateway / Highgate, Bordesley Park, Stechford, Meadway, Shard End, Druids Heath, Kings Norton 3 Estates, Longbridge

coincides with growth proposals in Birmingham to the south east. Land to the north of Wolverhampton (i54) and at Darlaston in Walsall comprises the Black Country LEP Regeneration Zone.

### **Coventry**

33. Consultation on a proposed Core Strategy ended in October 2011.
34. This proposes employment led growth focussed in the City Centre and the Strategic Regeneration Areas of Canley, Swanswell and the Wood End, Henley Green and Manor Farm New Deal for Communities Area. Unless already committed Green Belt and Greenfield sites to be protected from development.

### **Solihull**

35. Following consultation on Issues & Options and on an Emerging Core Strategy, the pre-submission draft Local Plan was published in January 2012.
36. It focuses housing growth and new employment opportunities in or near North Solihull including Green Belt adjustments to facilitate local regeneration and growth ambitions with additional development in the urban west and its town centres, especially in areas well served by public transport, and small scale development to meet local needs in rural settlements. The Meriden Gap will be maintained and economic assets such as Birmingham Airport, the National Exhibition Centre and the two Regional Investment Sites in the M42 Gateway will be sustained and further developed to drive the growth of the sub regional economy.

### **Cross Boundary Issues**









37. These plan making areas cannot be considered in isolation, there are cross boundary relationships and opportunities to be exploited. The successful implementation of the Urban Renaissance Strategy, therefore, requires an element of redistribution to direct growth and investment to the most sustainable locations within the Metropolitan Area.
38. Within the conurbation, Birmingham and Solihull cannot meet all of the development needs that are generated. The neighbouring Black Country, however, can meet more than its own needs and a bold growth led Core Strategy is in place which can accommodate some of this growth in a manner consistent with the BCJCS's objectives. There is considerable evidence that show population movement to the Black Country from other parts of conurbation is an established pattern and this needs to be accelerated. This supports Urban Renaissance through stemming out migration from the Metropolitan Area, encouraging physical regeneration and investment, whilst relieving pressure on more environmentally sensitive areas.
39. Coventry is physically separated from the rest of the conurbation by the strategically important Meriden Gap, encroachment into it is inappropriate as it would undermine urban regeneration and the longstanding commitment to

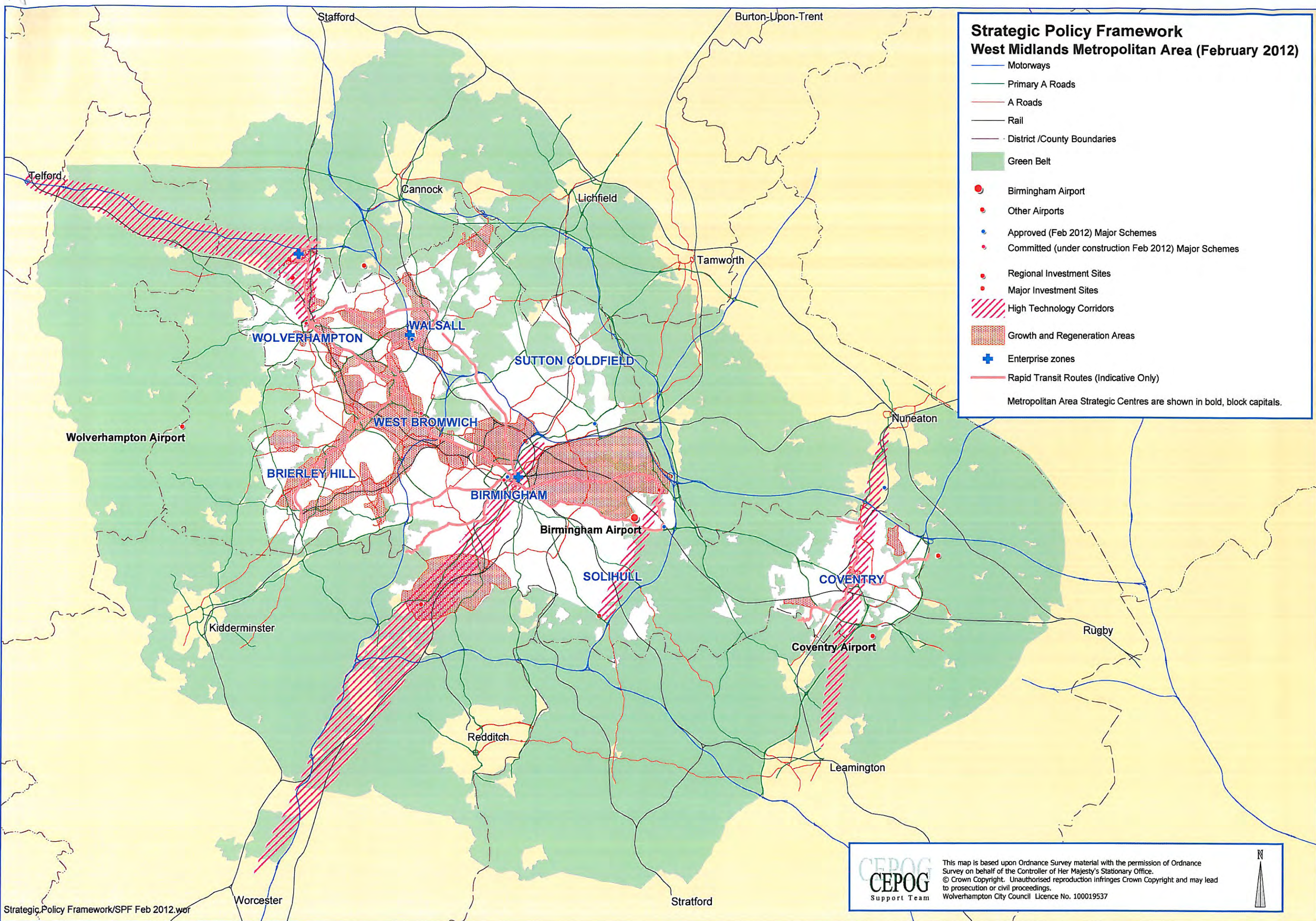
retaining its openness. Coventry's economic geography is closely related to Warwickshire, and the Council is working with Shire districts to refresh the Coventry and Warwickshire Strategy,

40. Not all needs, particularly from Birmingham, Coventry and Solihull, can be met in their entirety with the collective boundaries of the Metropolitan Area, and there will an ongoing requirement for a reasonable level of migration to some Shire Districts to be accommodated whilst not undermining regeneration of the Black Country. A failure to address this could have adverse implications on housing affordability and the actual provision of affordable housing and on the local economy, especially as migrants from elsewhere may outbid local people.



# Strategic Policy Framework West Midlands Metropolitan Area (February 2012)

-  Motorways
  -  Primary A Roads
  -  A Roads
  -  Rail
  -  District /County Boundaries
  -  Green Belt
  -  Birmingham Airport
  -  Other Airports
  -  Approved (Feb 2012) Major Schemes
  -  Committed (under construction Feb 2012) Major Schemes
  -  Regional Investment Sites
  -  Major Investment Sites
  -  High Technology Corridors
  -  Growth and Regeneration Areas
  -  Enterprise zones
  -  Rapid Transit Routes (Indicative Only)
- Metropolitan Area Strategic Centres are shown in bold, block capitals.



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**WEST MIDLANDS PLANNING & TRANSPORTATION SUB-COMMITTEE**

**4<sup>th</sup> November 2011**

**THE DUTY TO COOPERATE**

**1. PURPOSE OF REPORT**

- 1.1. To advise Members of the likely requirements and implications of the Duty to Cooperate as it emerges through the Localism Bill, and to outline an initial way forward.

**2. RECOMMENDATIONS**

- 2.1. That Members:

- (i) Note the contents of this report
- (ii) Agree that paras 4.6 – 4.8 and 4.13 to 4.16 are taken forward as a preliminary basis for discharging to the Duty to Cooperate

**3. BACKGROUND**

- 3.1. The Localism Bill proposes the abolition of Regional Spatial Strategies, instead strategic and cross boundary planning issues will be dealt with by a new Duty to Cooperate (the duty). Part 5, Clause 90 of the Bill requires that

‘local planning authorities and public bodies (to be defined in Regulations) to engage constructively, actively and on an ongoing basis in relation to planning of sustainable development’

- 3.2. This clause has been the subject of much debate as the Bill progresses through its Parliamentary stages.

- 3.3. The public bodies that Government proposes are subject to the duty are set out in draft Regulations and are listed in Appendix 1. LEPs are not formally party to the duty, but the draft National Planning Policy Framework (NPPF) states that:

*Local planning authorities should work collaboratively on strategic planning priorities to enable the delivery of sustainable economic growth in consultation with LEPs*

**4. REPORT DETAILS**

**DCLG’s view**

- 4.1. DCLG is of the view that the duty will promote a culture change and spirit of partnership working on strategic cross boundary issues between local authorities and public bodies. This, along with incentives such as the New Homes Bonus, will act as a strong driver to change the behaviour of local authorities and foster growth.

- 4.2. DCLG is deliberately not being too prescriptive and sees it is a matter for local authorities to decide when and how to work together and what outcomes they are seeking. Rather than setting rules and structures, Government will provide a range of tools to address strategic planning issues so that it is undertaken in the context of localism.



- 4.3. The draft NPPF is not too precise as to what policy areas should be subject to the duty, in its response to the consultation your Committee identified areas such as migration, infrastructure, employment land and retail and town centres.
- 4.4. Local planning authorities are also to work together to meet development requirements which cannot wholly be met within their own areas, for example, through lack of capacity. They should also consider joint planning policies and informal strategies such as joint infrastructure and investment plans.
- 4.5. If local authorities cannot demonstrate that plans have been prepared in accordance with the duty, the sanction is that they will not be able to adopt the plan and that proposals will be determined in accordance with the NPPF, although it is understood that DCLG is now receptive to transitional arrangements.

#### **Further issues for the Metropolitan Area**

- 4.6. In response to the proposed abolition on RSS, and prior to it being suggested in the draft NPPF, Sub Committee adopted a shared Interim Position Statement at its January 2011 meeting; this was subsequently endorsed by Joint Committee. Whilst this has no formal status, it is a material consideration and it has been agreed that this be reviewed and updated as appropriate in the light of new evidence and policy announcements.
- 4.7. In order to take this forward, it is imperative that a more detailed shared evidence base is updated and further developed. This will help provide a common narrative to support the implementation of those plans that have been adopted and to help enable plans in preparation to be adopted.
- 4.8. The further challenge, however, is how the urban renaissance strategy can continue to be supported in the light of potential position changes in neighbouring authorities as the urban renaissance cannot be delivered by the Metropolitan Authorities alone. For this reason, it is a necessary to be vigilant in considering the likely implications of plans beyond the Metropolitan Area for the delivery of urban renaissance.

#### **Cooperating beyond the Metropolitan Area**

- 4.9. A report on behalf of the West Midlands Planning Officers Groups was considered by the Chief Executives Task Force at its meeting on 5<sup>th</sup> October. This set out four options for responding to the duty.
- 4.10. **Option A – Ad hoc** operation of the new duty between Districts with timing most likely driven by progress on the preparation of Core Strategies/ Local Plans.
- 4.11. **Option B – Operation of the new duty through existing strategic/ joint authority arrangements** including the shire counties /districts in two tier areas and through the existing West Midlands Joint Committee arrangements in the Metropolitan Area.
- 4.12. **Option C – In recognition of the standing of the new LEPs to look to the new LEP geographies as the basis within which the new duty would be principally operated.** Discussions between LEP areas would be through co-ordination at that level.
- 4.13. **Option D – A hybrid option** of the new duty, informed by existing arrangements but recognising that LEPs have a key role to play. In effect strategic decision-making would require, for example, that consideration of the broad level and distribution of growth in the wider West Midlands would need to be considered through both existing strategic planning arrangements as well by the LEPs. A modus operandi would need to be established in the event that full consensus could not be achieved.
- 4.14. The Task Force supported further development of Option D as most appropriate and requested that officers develop thinking around this further.

- 4.15. It will be preferable to all parties if agreement on key issues can be reached prior to plans being formally submitted for examination, clearly this will be very challenging when determining the scale and distribution of growth. If local authorities cannot demonstrate that they have cooperated with their neighbours, then they will not be able to adopt their plans and will be required to determine proposals in accordance with the streamlined NPPF.

5. **FINANCIAL IMPLICATIONS**

- 5.1. CST can coordinate this work area but a resource commitment will be required from other authorities if the duty is to be discharged effectively.

6. **CONTACT**

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## **Appendix - Duty to co-operate – List of Bodies covered under the consultation draft of the Local Planning Regulations July 2011**

“The Localism Bill introduces a new duty to co-operate, which will require councils and other public bodies to work together on planning issues. Therefore we propose to use the revised local plan regulations to set out the proposed list of bodies that the duty will apply to.”

“6.—(1) The bodies prescribed for the purposes of section ? of the Localism Act 2011 (duty to co-operate) are—

- (a) the Environment Agency;
- (b) the Historic Buildings and Monuments Commission for England;
- (c) Natural England;
- (d) the Mayor of London;
- (e) the Civil Aviation Authority;
- (f) the Homes and Communities Agency;
- (g) Primary Care Trusts;
- (h) Office of Rail Regulation
- (i) the Highways Agency;
- (j) Transport for London;
- (k) Integrated Transport Authorities;
- (l) Highway authorities; and
- (m) the Marine Management Organisation.

**WEST MIDLANDS JOINT COMMITTEE**

26<sup>th</sup> January 2011

**Report of Planning and Transportation Sub Committee**

**POSITION STATEMENT: STRATEGIC SPATIAL PLANNING IN THE WEST MIDLANDS METROPOLITAN AREA**

1. **PURPOSE OF REPORT**

- 1.1. To seek Joint Committee's endorsement of the attached Position Statement.

2. **RECOMMENDATIONS**

- 2.1. That Joint Committee

- (i) Endorse the attached Position Statement: Strategic Spatial Planning in the West Midlands Metropolitan Area.
- (ii) Subject to the above endorsement, agree that it be made available to key stakeholders, such as adjoining authorities, environmental and business stakeholders and Local Enterprise Partnerships.

3. **REPORT DETAILS**

- 3.1. The Coalition Government has pledged to abolish Regional Spatial Strategies (RSS) through the draft Localism Bill that was published in December 2010. This has led to uncertainty regarding strategic spatial planning above the local level. Whilst there are unlikely to be formal arrangements for strategic planning above the local level, the draft Bill includes a 'duty to cooperate'. Whether Local Enterprise Partnerships will have a statutory role in the planning system remains unclear.
- 3.2. In response to this, P&T Sub Committee considered the attached Position Statement at its meeting on 21<sup>st</sup> January. Subject to this statement being agreed, subsequent endorsement by Joint Committee is sought and it is suggested that it is made available to stakeholders and partners.
- 3.3. **This statement has no formal status. It is a summary position of current policy and is subject to change to reflect any new priorities that emerge at the local level or when new legislation is enacted or Government guidance or policy is published.**

4. **FINANCIAL IMPLICATIONS**

- 4.1. None directly.

5. **CONTACT**

Andy Donnelly, CEPOG Support Team 0121 214 7338  
e-mail: andrewdonnelly@centro.org.uk

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**WEST MIDLANDS JOINT COMMITTEE**

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Andy Donnelly, CEPOG Support Team 0121 214 7338  
e-mail: andrewdonnelly@centro.org.uk

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**Birmingham Development Plan  
DUTY TO CO-OPERATE STATEMENT**

**APPENDIX 27**

**Package of minutes from the West Midlands Metropolitan Area Duty to Co-operate Group and its predecessor Planning Assistants Group (PAG) from January 2011 until March 2014**

## West Midlands Duty to Cooperate Group

**Notes of Meeting: 10<sup>th</sup> February @14:00, Room 303 , One Lancaster Circus**

**In attendance:** *Dave Carter (Birmingham - Chair), Philippa Smith (Sandwell), Martin Dando (Dudley), Mike Smith (Walsall), Helen Davies (Centro), Maurice Barlow (Solihull), Andy Donnelly (WMJC), Jim Newton (Coventry), Dave Barber (Warwick – up to Item 5 inclusive).*

	<b>Agenda item</b>	
<b>1</b>	<b>Apologies</b>	
1.1	Ian Culley (Wolverhampton)	
<b>2</b>	<b>Notes of last meeting 16<sup>th</sup> December</b>	
2.1	Agreed.	
<b>3</b>	<b>Matters arising</b>	
3.1	Items covered on agenda.	
<b>4</b>	<b>Feedback from Chief Executives Meeting</b>	
4.1	Agreed that collective WMJC response not required to GBSLEP SPRG. Individual authorities / other LEPs to respond as appropriate. Noted that ABCA intending to respond. CX are interested in the outcomes of the housing studies.	
<b>5</b>	<b>Coventry and Warwickshire LEP Area</b>	
5.1	GL Hearn has prepared a SHMA for Coventry and Warwickshire (including North Warwickshire and Stratford on Avon), which was published in December 2013. DB circulated a short summary document.	
5.2	Commissioning Districts pleased with work and consider it consistent with national guidance as it looks at demographic / economic trends, market signals and affordability. Also includes uplift to ONS data as necessary to account for concealed households.	
5.3	Document does not consider redistribution between commissioning districts or any unmet need from elsewhere. DC advised that GBSLEP consultants (PBA) have indicated that there were linkages between Stratford on Avon and North Warwickshire and its HMA.	
5.4	DB advised that Warwick DC was intending to produce a Pre Submission Draft plan in April, with a view to submission in July	

	based on the SHMA findings. Stratford on Avon is also consulting discretely on SHMA derived housing figure (10,800) and strategic options for growth; the plan period has also been extended.	
5.5	JN advised that the Coventry Gateway hearings would commence 8 <sup>th</sup> April and it anticipated that they would last for 16 days.	
6	<b>Adjoining Areas</b>	
6.1	<b>South Worcestershire</b> Hearings reopening on 13th March with additional submissions required in advance. Birmingham and Black Country had previously made submissions. Further analysis of SWDC evidence required.	AD
6.2	<b>Lichfield</b> Consultation on land release to accommodate a further 900 dwellings as requested by Inspector. Walsall, Birmingham and WMJC have previously commented and need to consider whether further representations are necessary	
7	<b>GBSLEP / Black Country matters</b>	
7.1	<b>Birmingham Development Plan (BDP)</b> DC advised that he is in the process of arranging meetings with neighbouring authorities to discuss cross boundary DtC matters. BCC has identified what it considers are the issues in a proforma, which is intended as a basis for discussion prior to the meetings. Ultimately it is proposed for these to be completed and signed by both parties. A meeting to be arranged with BC collectively in next couple of weeks	DC/ BC authorities
7.2	HD drew attention to inconsistencies between BDP, Birmingham Mobility Plan and Centro's Public Transport Prospectus.	
7.3	<b>Solihull Local Plan legal challenge</b> Gallagher's and Lioncourt Homes have both mounted a High Court Challenge to the adopted Local Plan, principally on the objectively assessed housing need and justification for returning previously safeguarded sites to the Green Belt. No dates were available as of yet.	
7.4	<b>UK Central</b> No further update available	
7.5	<b>Solihull Gypsy and Traveller allocations DPD</b> Hearings took place December 2013, Inspector has subsequently responded querying why sites have not been removed from Green Belt and also the capacity of one of the sites.	



7.6	<b>GBSLEP /BCLEP Housing Study</b> GBSLEP had received their initial baseline report for checking / comment. BC study adhering to same process so will complement.	
7.7	<b>GBSLEP SPRG</b> Over 100 responses had been received on the draft document published in late 2013 for consultation and these are currently being analysed.	
8	<b>Specialist Planning Services Baseline Assessment</b>	
8.1	Composite table discussed. Errors to be rectified and footnotes inserted for clarification, e.g. some authorities have included services outside of their immediate service area. Agreed that next step is to identify consultancy spend against items where in house provision not available / insufficient capacity. AD to recirculate.	AD
8.2	DC queried whether shared Mott MacDonald and strategic planning services should be included in schedule.	
9	<b>Mott MacDonald SLS</b>	
9.1	AD to recirculate list of possible work areas for use of funds remaining over and above core monitoring responsibilities. To be sent to Les Johnson subject to further comments.	AD
10	<b>CLGWM updates and briefs</b>	
10.1	DC to contact Sherman Wong /Steve Winterflood regarding Very Large Employment Sites Study progress.	DC
11	<b>Local Aggregate Assessment</b>	
11.1	No further update, work progressing. Dawn Harris thanked for scoping task out thoroughly	
12	<b>Draft National Statement Road and Rail</b>	
12.1	AD advised that relevant planning matters had been included in a response (considered by STOG this morning) and that it was envisaged that it be sent as a joint planning / transportation representation	
13	<b>Any other business</b>	
13.1	None	
	<b>Date of next meeting</b>	
	All meetings in Lancaster Circus and commence at 14:00	

	Monday 31 <sup>st</sup> March Room 209 Monday 2 <sup>nd</sup> June – Room 209 Monday 7 <sup>th</sup> July – Room 209	
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## West Midlands Duty to Cooperate Group

Notes of Meeting: 31<sup>st</sup> March @14:00, Room 209 , One Lancaster Circus

In attendance: Dave Carter (Birmingham - Chair), Philippa Smith (Sandwell), Martin Dando (Dudley), Mike Smith (Walsall), Maurice Barlow (Solihull), Andy Donnelly (WMJC), Mark Andrews (Coventry)

	Agenda item	
<b>1</b>	<b>Apologies</b>	
1.1	Ian Culley (Wolverhampton), Helen Davies (Centro),	
<b>2</b>	<b>Notes of last meeting 10<sup>th</sup> February 2014</b>	
2.1	Agreed.	
<b>3</b>	<b>Matters arising</b>	
3.1	Items covered on agenda.	
<b>4</b>	<b>National Planning Policy Guidance</b>	
4.1	Noted and welcomed its publication on 6 <sup>th</sup> March 2014 as it offers some clarification.	
<b>5</b>	<b>Strategic Housing Studies Update / Progress</b>	
5.1	<b>GBSLEP and Black Country</b> Recent meeting with consultants (Peter Brett Associates) concluded that LPAs had been presenting their SHLAA (land supply) findings differently. Further information has been requested to progress.	
5.2	Phases 1 & 2 due to report at a seminar on 16 <sup>th</sup> April. Meetings to be arranged with CSWAPO, and Telford and South Staffordshire after this event.	
5.3	The <b>Coventry and Warwickshire</b> Joint Committee has endorsed the overall level of housing in the GL Hearn Report and has been advised that there may be unmet need from the Birmingham HMA.	
5.4	AD advised that as CLGWM had been wound up, Vicki Popplewell was transferring to Sandwell and would continue to coordinate housing research programme using legacy funding. The West Midlands baseline was the earliest project on the horizon but brief would not be let in advance of considering outputs from BGS/BC Phase 1 & 2. Requested that latest version of brief is circulated again.	AD

5.5	It was acknowledged that there were potentially overlapping HMA boundaries, this seems to be playing out in Worcestershire. The north and south of the county are considered to be in different HMAs according to DCLG research, but there are interactions between the two. (See 8.2 also)	
5.6	MS drew attention to invitation from CLGWM to contribute to Lyons Review consultation but the closing date had now passed.	
	AD advised of work being undertaken by CURS students in mapping Local Plan activity. Suggested that Mott MacDonald be asked if had Green Belt GIS data set; if not approach Districts direct. Action AD	AD
<b>6</b>	<b>Strategic Employment Sites</b>	
6.1	Given abolition of CLGWM, AD was to take on role of coordinating this study. The Metropolitan Area is represented through Birmingham, Coventry, Walsall and Wolverhampton. Documentation could be circulated to wider DtC Group for information.	AD
<b>7</b>	<b>Metropolitan Duty to Cooperate / Local Plan issues</b>	
7.1	<b>Birmingham Development Plan (BDP)</b> - Black Country to provide pro forma response to Birmingham following BDP DtC meeting	BC authorities
7.2	<b>HS2</b> – Noted publication of Higgins Review. MS referred to alternative proposals referred to by Lichfield MP.	
7.3	<b>Solihull Local Plan legal challenge</b> - Hearing dates now 14 <sup>th</sup> & 15 <sup>th</sup> April, brought forward from July.	
7.4	<b>UK Central</b> – Area for DPD in the process of being defined.	
7.5	<b>GBSLEP SPRG</b> – Results of consultation now been presented to Board. Noted that BC would not be making a collective response.	
7.6	<b>Area Action Plans</b> – Dudley (town) Issues and Options consultaion until 25 April.	
7.7	<b>CIL</b> – Sandwell consulting on second draft charging schedule. Dudley consulting on draft charging schedule.	
<b>8</b>	<b>Adjoining Areas Consultations / Examinations</b>	
8.1	<b>South Worcestershire</b> Inspector's report into Stage 1 reconvened hearings to be published early April.	
8.2	<b>Bromsgrove and Redditch</b> have submitted Local Plans for Examination. Inspector has queried housing requirement given joint	

	work with South Worcestershire (see 5.5 also).	
8.3	<b>Cannock Chase</b> Local Plan has been found sound, including 15km cordon for SAC contributions from Housing. Walsall has responded to Lichfield Proposed Modifications supporting an 8km cordon based on new evidence. Birmingham has supported Lichfield proposed modifications on basis that they commit to a review if necessary as a consequence of SPRG work.	
8.4	<b>Tamworth</b> Draft Local Plan consultation from Monday 31st March to Monday 12th May.	
<b>9</b>	<b>Specialist Planning Services</b>	
9.1	Agreed that this needs to be progressed. All requested to respond with consultancy expenditure (including legal costs incurred) under topic headings within a fortnight.	All
9.2	Funding for Strategic Planning Advisor post (currently held by AD) runs out in March 2015. Given the need to consider voluntary redundancy options, DC requested if all authorities could give an indicative commitment to fund beyond then within next fortnight. Under a worst case scenario, this would be £10K per authority pa. This had previously been agreed in principle for earlier years but it had not been necessary to draw it down.	
<b>10</b>	<b>Terms of Reference</b>	
10.1	Draft tabled, comments included: <ul style="list-style-type: none"> <li>• If consensus not reached refer to CX</li> <li>• Membership to be Head of Service or equivalent, with authority to commit their LPA to a position</li> <li>• Chair rotate after 2 to 3 years.</li> </ul> To be amended and circulated again for further refinement.	AD
<b>11</b>	<b>Mott MacDonald SLS</b>	
11.1	List of tasks given to Les Johnson noted. DC advised that it had been agreed by those in attendance at March WMPOG meeting that as of 2014, completing monitoring returns would be seen as being part of complying with DtC.	All to note
<b>12</b>	<b>Local Aggregate Assessment</b>	
12.1	Ongoing but timetable slipped. June 2014 a realistic target for CX	
<b>13</b>	<b>Any other business</b>	
13.1	None	

	<b>Date of next meeting</b>	
	All meetings in Lancaster Circus and commence at 14:00 Monday 2 <sup>nd</sup> June – Room 209 Monday 7 <sup>th</sup> July – Room 209	

## West Midlands Duty to Cooperate Group

**Notes of Meeting: 16<sup>th</sup> December @14:00, Room G03 , One Lancaster Circus**

**In attendance:** *Dave Carter (Birmingham - Chair), Philippa Smith (Sandwell), Martin Dando (Dudley), Mike Smith (Walsall), Helen Davies (Centro), Martin Fletcher (Solihull), Andy Donnelly (WMJC).*

	<b>Agenda item</b>	
<b>1</b>	<b>Apologies</b>	
	Jim Newton (Coventry), Andy Middleton (PEG Chair), Ian Culley (Wolverhampton)	
<b>2</b>	<b>Notes of last meeting 14<sup>th</sup> November</b>	
2.1	Agreed as an accurate record.	
<b>3</b>	<b>Matters arising</b>	
3.1	Items covered on agenda.	
<b>4</b>	<b>Centro - corridors and centres mapping</b>	
4.1	HD gave presentation of Centro mapping transport network / interventions within the three LEP areas against major investment proposals / designations.	
4.2	Presentation welcomed. MS asked as to how information would be kept up to date and DC made point that transport investment should help deliver major growth coming forward in Local Plans.	
4.3	AD referred to the Local Plan mapping work that Birmingham University interns were to undertake on behalf of CLGWM and that this information may be of assistance to them. Agreed that data to be made available to interns.	HD / AD
<b>5</b>	<b>Consultation on draft Road and Rail National Policy Statement</b>	
5.1	Neil Ross (Centro) is coordinating a response to this (closing date 26 <sup>th</sup> February). Agreed that AD/DC meet with Neil to provide any planning input. Draft version could be tabled at next meeting.	AD/DC
<b>6</b>	<b>PEG Update</b>	
6.1	Transport matters are now dealt with through the Strategic Transport Officers Group (STOG) Understood that there are proposals for sub-groups to feed into this.	

7	<b>WMJC Matters</b>	
7.1	<b>Local Aggregate Assessment</b> Report agreed by CX on 27 <sup>th</sup> November 2014. CX to advise as to whether draft requires WMJC sign off or not.	
7.2	<b>GBSLEP Spatial Framework for Recovery and Growth</b> Agreed that previously drafted report to be taken to CX 15 <sup>th</sup> January, with a view to it proceeding to WMJC on 29 <sup>th</sup> January. Report to be circulated for final comment early January.	AD/DC
7.3	Also need to formalise items for inclusion in CX /WMJC Forward Plan. Potential items include: Strategic Housing Needs Study outputs, CLGWM Strategic Employment sites study, further iterations of GBSLEP SPRG.	
8	<b>CLGWM / WMPOG issues</b>	
8.1	Strategic Employment Sites brief to be circulated again for final comments by next week. AD to collate.	AD
9	<b>Autumn Statement</b>	
9.1	Contents noted. Clear that Chancellor sees house building as a key driver of economic recovery. Proposals floated to financially compensate homeowners near proposed development directly – concern if this to be done via CIL /S106 monies.	
10	<b>Mott MacDonald SLS</b>	
10.1	Schedule of potential areas of analysis over and above core monitoring to be circulated again.	AD
10.2	There was a more general discussion regarding specialist planning services and it was noted that some local authorities share these with neighbours or procure externally as required. It was agreed that it would be useful to undertake a baseline audit as to what existing capacity there is and what had recently been lost.	
10.3	Initial areas include demography, archaeology, economic / retail impact assessment, ecology, minerals and waste, GIS development, Highways development control, trees, water / flood risk and SEA. Agreed to circulate template for completion with findings considered at next meeting.	AD
11	<b>District / LEP updates</b>	
	<b>Birmingham</b>	
11.1	Birmingham Development Plan: Pre-Submission draft to be published 6 <sup>th</sup> January for consultation until 3 <sup>rd</sup> March. Agreed that a	DC



	presentation be given at next meeting	
11.2	GBSLEP SPRG – four consultation events on latest version undertaken at various locations around the LEP area.	
	<b>Black Country</b>	
11.3	Strategic Economic Plan being prepared for LEP.	
11.4	<p>Walsall Site Allocations Document Preferred Option – Summer 2014 along with Town Centre AAP. Noted that no Metropolitan Authorities had made representations on these – requested that they consider at Preferred Option stage. Notable that no sites for mineral excavation had come forward through this process.</p> <p>MS asked if the fact there had been no metropolitan representations could be recorded as meaning that the metropolitan authorities acknowledged that there were no issues and / or option that had been omitted or not properly addressed in the consultations. Also, bearing in mind the intention to deliver the BC Core Strategy and that there are further stages of consultation to come, it is accepted that the Duty to Cooperate has been fulfilled at this stage. Agreed</p>	
	<b>Sandwell</b>	
11.5	Further analysis has suggested that may have overestimated contribution from superstores and improved viability may support a residential levy.	
	<b>Dudley</b>	
11.6	<ul style="list-style-type: none"> <li>• CIL Charging Schedule final consultation – February 2014</li> <li>• Site Allocations Document Preferred Option – Summer 2014</li> <li>• Dudley Town Centre issues and Options March / April 2014</li> </ul>	
	<b>Solihull</b>	
11,7	Final Inspectors Report received on 21 <sup>st</sup> November declaring Local Plan sound. Formally adopted by Council on 3 <sup>rd</sup> December.	
11.8	Gypsy and Travellers Site Allocation DPD hearing to take place 17/18th December.	
11.9	Wolverhampton and Coventry no updates available.	
12	<b>Neighbouring Areas Local Plans</b>	
12.1	Cannock Chase and Lichfield nothing new to note. MS advised that Walsall had made some detailed comments on Cannock Chase Proposed Modifications and offered to circulate	MS

12.2	The second stage of consultation on the Worcestershire Minerals Local Plan begins on 11th November 2013 and runs until 31st January 2014	
13	<b>Any other business</b>	
13.1	None	
14	<b>Date of next meeting</b>	
14.1	Agreed that Monday afternoon is an appropriate time and that meetings should be arranged to feed into CX meetings. Dates to be circulated.	AD

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Group</b>
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Date: Thursday 14<sup>th</sup> November 2013 @ 14:00, One Lancaster Circus, Birmingham

Present: Jim Newton (Coventry), Martin Dando (Dudley), Andy Donnelly (WMJC), Dave Carter (Birmingham – Chair), Mike Smith (Walsall), Martin Fletcher (Solihull), Ian Culley (Wolverhampton), Philippa Smith (Sandwell), Steve Alexander (Wolverhampton)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
- 1.1. Helen Davies (Centro), Andy Middleton (PEG Chair)
2. **Notes of last meeting 12<sup>th</sup> September**
- 2.1. Attention drawn to an omission that group had considered Stratford upon Avon New Proposals consultation but deemed that a collective response not appropriate until full plan supported by SHMA evidence published. Notes to be amended and circulated again. AD
3. **Matters arising**
- 3.1. Items covered on agenda
4. **PEG Update**
- 4.1. DC advised that the major issue was a potential Quick Wins funding bid
5. **Centro Update**
- 5.1. HD to be asked to give presentation at next meeting on Centro's centres and corridors mapping.
6. **Local Aggregate Assessments**
- 6.1. Report considered and agreed that a further report be taken to CX on 27<sup>th</sup> November recommending that a Metropolitan Area LAA be prepared. AD to draft. Coventry as yet to decide whether joining Warwickshire or Metropolitan Area but include in the report to CX. Considered that this may be a thorny issue should Counties determine that not extracting as many minerals as in the past. AD
- 6.2. Agreed that Maurice Barlow and Dawn Harris to lead on technical work as only authorities with viable mineral workings – further support to be provided by AD.
7. **Regional Technical Advisory Body ToR** AD
- 7.1. Draft terms of reference considered and agreed that they be supported. Individual authorities to respond. ALL
8. **Canals and Rivers Trust Strategic Waterways Plan**
- 8.1. Canals considered an important tool in delivering urban renaissance strategy but some concern that momentum may be lost. Document considered to be somewhat thin and focus mainly on communities and transport. As valid as these issues are it was considered that other matters are important such as built heritage, need to identify potential new links and role of waterways as wildlife habitats.

Item:	Summary of Discussion	Action:
8.2.	MS agreed to circulate Walsall's comments with a view to a Metropolitan response being prepared. AD to draft.	<b>MS / AD</b>
9.	<b>Mott MacDonald SLS</b>	
9.1.	AD / DC had met with Les Johnson and one of the issues discussed was prioritising tasks that could be undertaken with resources not used for core monitoring. AD to circulate draft schedule.	<b>AD</b>
10.	<b>CLGWM commissions</b>	
10.1.	Draft brief has been circulated by Sherman Wong. Agreed to forward any comments to AD by middle of next week so that they can be coordinated and sent.	<b>AD/ALL</b>
10.2.	West Midlands Housing brief is prepared looking at providing a baseline position.	
11.	<b>Feedback from CX / WMJC</b>	<b>AD</b>
11.1.	Recommendations of report setting out DtC arrangements agreed by WMJC on 24 <sup>th</sup> October.	
12.	<b>Shelter WM Report</b>	
12.1.	There was some concern as to the apparent discrepancy between figures quoted from DCLG sources and local authority records. MS advised that a possible reason may be that the DCLG figures quoted are based on 'sign off' by building inspectors. MS agreed to circulate Walsall comments with a view to query being raised with Shelter.	<b>MS / AD</b>
13.	<b>District Updates</b>	<b>Black Country</b>
13.1.	<b>Birmingham</b>	<b>MS</b>
13.2.	Birmingham Development Plan – Agreed by Cabinet on 21 <sup>st</sup> October to be considered by Full Council on 3 <sup>rd</sup> December.	
13.3.	GBSLEP Housing Needs Study commissioned from Peter Brett Associates with an inception meeting next week. Black Country advised that it wishes to participate as have some other authorities. Procurement issues will need to be considered if the agreed commission is to be extended. An alternative is to procure a further study working to same brief but procurement processes may not lead to appointment of same consultant.	
13.4.	GBSLEP Strategic Plan for Recovery and Growth consultation open. DC advised of four consultation events and invited all to register. Closing date for comments 20 <sup>th</sup> December. Agreed that short report to go to CX on 27 <sup>th</sup> November. AD to draft.	<b>AD</b>
	<b>Coventry</b>	
13.5.	Coventry & Warwickshire SHMA to be made available on North Warwickshire's website tomorrow. It does not identify any shortfall from the GBSLEP area that needs to be accommodated.	
13.6.	Coventry Gateway Public Inquiry scheduled for April 2014.	
	<b>Solihull</b>	
13.7.	Inspector's Local Plan Report expected imminently for fact checking.	

Item:	Summary of Discussion	Action:
13.8.	UK Central proposal seen as a means of implementing Local Plan and a funding vehicle is currently being sought.	
13.9.	Gypsy and Traveller Site Allocations DPD Hearing to take place 17 <sup>th</sup> and 18 <sup>th</sup> December	
13.10.	CIL Charging Schedule currently published for consultation	
	<b>Black Country</b>	
13.11.	No new updates.	
14.	<b>Neighbouring Areas</b>	
14.1.	<b>South Worcestershire</b> – Inspector’s Phase 1 findings confirm that legal DtC test passed. Further housing assessment work required, however, to align with economic growth aspirations. Specific Worcester Science Park issues to be considered through Phase 2.	
14.2.	<b>Bromsgrove</b> - Comments sent on behalf of WMJC drawing attention to the emerging matter of capacity constraints in Birmingham and potential need for review.	
14.3.	<b>North Warwickshire</b> – Public Examination to reopen 7 <sup>th</sup> January 2014	
14.4.	<b>Cannock Chase</b> – Modifications proposed do not have a direct impact on Metropolitan Area. There may, however, be some outstanding issues surrounding the Cannock Case SAC.	
15.	<b>Any Other Business</b>	
15.1.	Agreed that now group formally recognised by WMJC it requires ToR	<b>AD / DC</b>
16.	<b>Date of next meeting</b>	
16.1.	Monday 16 <sup>th</sup> December @ 14:00, Room , One Lancaster Circus	

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Group</b>
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Date: Thursday 12th September 2013 @ 14:00, One Lancaster Circus, Birmingham

Present: Jim Newton (Coventry), Martin Dando (Dudley), Andy Donnelly (CST), Dave Carter (Birmingham – Chair), Mike Smith (Walsall), Maurice Barlow (Solihull), Ian Culley (Wolverhampton), Helen Davies (Centro), Andy Middleton (PEG Chair)

Item:	Items for Discussion:	Action:
1.	<b>Apologies.</b>	
1.1.	Philippa Smith (Sandwell)	
2.	<b>Notes of last meeting 8<sup>th</sup> August</b>	
2.1.	With regard to the Low Emission Towns and Cities item, the note should be amended to state that the most appropriate way of dealing with the matter is through the feasibility work rather than the best practice guide.	<b>AD</b>
3.	<b>Matters arising</b>	
3.1.	Agreed that Centro to give example of ongoing work which draws on development proposals in corridors and centres as an evidence base for improved public transport planning.	<b>HD</b>
4.	<b>JDT SLS update / survey returns</b>	
4.1.	Some 2012 returns are still outstanding, issue to be raised at WMPOG	<b>DC</b>
4.2.	Agreed at partnership Board that the 500 hours for monitoring beyond Metropolitan Area would continue but due to under spend last year further funding would not be drawn down from CLGWM. Noted that WM Chief Executives' Task Force had agreed that the former 'legacy' funding could be used to support planning research.	
4.3.	Given reduced hours in contract there is a need to ensure that time available beyond commitments to core monitoring is used effectively. Agreed to ask Les Johnson to attend next meeting to discuss priorities	<b>AD</b>
5.	<b>Major Investment Sites Update</b>	
5.1.	Discussions have taken place with a view to preparing a brief to be considered by the wider reference group. Key matters for consideration include: <ul style="list-style-type: none"> <li>• Stock take of current position</li> <li>• Are the three former RSS designations still relevant?</li> <li>• What are market requirements?</li> </ul>	
6.	<b>Feedback from OEG / PEG</b>	<b>AD</b>
6.1.	Noted. In future transport matters will be dealt with via the Strategic Transport Officers Group.	
7.	<b>District Updates</b>	<b>ALL</b>
	<b>Solihull</b>	

Item:	Summary of Discussion	Action:
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7.1. Hearings are to reconvene on 10<sup>th</sup> and 11<sup>th</sup> October. AD has been providing assistance as appropriate.

**Birmingham**

7.2. Pre Submission Birmingham Development Plan to be considered by Cabinet in October and Council in December.

**Coventry**

7.3. Frontloaded housing numbers from SHMA to be published shortly to assist North Warwickshire DC. Representatives from the development industry and other stakeholders will be invited to discuss the SHMA's findings.

7.4. Revised Coventry Plan to be published early 2014 with an accompanying CIL schedule.

**Wolverhampton**

7.5. Bilston Area Action Plan progressing to submission stage. It was reiterated that this raised no strategic cross boundary matters. Neighbourhood Plans are also progressing in Heath Town and Tettenhall.

**Walsall**

7.6. Consultation on Site Allocations Issues and Options Document recently completed.

8. **Other Examinations**

**South Worcestershire**

8.1. Statements have been submitted to the Programme Officer. A joint Birmingham / Black Country representation was made on the employment land matter. A meeting between participants is required beforehand.

**DC/AD/IC**

**Lichfield**

8.2. Encouraging that the Inspector concluded that the Duty to Cooperate arrangements to be dealt with via GBSLEP Spatial framework were a pragmatic way forward. Whilst Lichfield has to identify some additional land this was due to a misinterpretation of SHMA findings and not a DTC issue.

8.3. Attention was also drawn to the fact that the Inspector had taken account of past delivery rates in terms of establishing what level of housing growth was deliverable.

**Cannock Chase**

8.4. Hearings to commence 24<sup>th</sup> to 27<sup>th</sup> September. Birmingham has been requested to attend the Duty to Cooperate session and is supporting Cannock's position.

8.5. Walsall is attending on the Cannock Chase SAC issue, which is still being pursued by Natural England.

**Stratford upon Avon**

Item:	Summary of Discussion	Action:
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- 8.6. Consultation document on New proposals, include Canalside Regeneration Area and New Settlement. As this was not a statutory consultation exercise it was decided that a collective response was not appropriate. A more considered response could be made when a Local Plan was formally published for consultation taking account of the findings of the Coventry and Warwickshire SHMA.
9. **Duty to Cooperate Report to CX and WMJC**
- 9.1. DC/AD met with Stephen Hughes (Secretary to WMJC) and it was agreed that a light touch approach be adopted with authority delegated to officers if in line with existing policy. Any major policy shifts to be reported to WMJC via CX. AD to draft and circulate report. **AD**
10. **Implications of National Planning Policy Practice Guidance**
- 10.1. Unsure whether this was a formal consultation as just 'comment' is sought (by 14<sup>th</sup> October) as seems quite informal. MS to establish position and AD to draft brief comments. **AD/MS**
11. **Any other business**
- 11.1. DC invited Black Country representative to GBSLEP Spatial Planning Group. BC authorities to advise. **Black Country**
- 11.2. Noted that National Waste Planning Policy available for consultation. MS advised that Dawn Harris had considered the implications of this and had been working with RTAB. MS to liaise with Dawn with a view to sharing comments. **MS**
- 11.3. Agreed that minerals and waste issues need to be considered as future agenda items. **AD**
12. **Date of next meeting**
- 12.1. 10<sup>th</sup> October @ 14:00. Subsequently cancelled as coincides with Solihull reopened hearings.
- 12.2. Next meeting 14<sup>th</sup> November 14:00 room 209 One Lancaster Circus



# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Thursday 8<sup>th</sup> August 2012 @ 14:00, Room 209, One Lancaster Circus, Birmingham

Present: Jim Newton (Coventry), Martin Dando (Dudley), Philippa Smith (Sandwell) Andy Donnelly (CST), Dave Carter (Birmingham – Chair), Neville Ball (Walsall), Maurice Barlow Simpson (Solihull), Ian Culley (Wolverhampton), Helen Davies (Centro)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Andy Middleton (PEG Chair)
2. **Notes of last meeting 12<sup>th</sup> July and matters arising**
  - 2.1. Agreed as an accurate record
3. **Matters arising**
  - 3.1. Matters arising included on agenda.
4. **Feedback from Strategic Employment Sites meeting 26<sup>th</sup> July**
  - 4.1. Meeting was well attended and chaired by Steve Winterflood (South Staffordshire). A light touch approach was agreed and a sub group with representation from each LEP would be convened. An initial stock take would take place as would a model brief/s be developed.
5. **Duty to Cooperate arrangements in WMMA**
  - 5.1. It was recalled that following the abolition of P&TSC, WMJC resumed responsibility for coordinating strategic planning matters and its terms of reference have been amended accordingly.
  - 5.2. The approach to be taken is that officers have delegated authority to act within the confines of existing policy and that any new policy / major changes would need to be considered by WMJC. Any 'grey areas' would need to be reported to CX for consideration. A report needs to be drafted for the next CX meeting to formalise this. **AD**
  - 5.3. The Telford and Wrekin response is a 'test' for this approach as there is no change in policy on the matter. Stephen Hughes (BCC CX and Secretary to WMJC) had authorised the response subject to all Districts being in agreement and that their Members were briefed.
  - 5.4. It was agreed that it was the responsibility of each District to ensure that its Members are adequately briefed as to seek endorsement centrally within limited timeframes would be too cumbersome. **ALL**
6. **Mott MacDonald SLS planning hours / Shire monitoring**
  - 6.1. DC feedback from JDT Partnership Board meeting (15<sup>th</sup> July) whereby the planning element of the SLS was discussed and in particular the 500 hours funded by WMRA legacy funding to continue Shire monitoring.

Item:	Summary of Discussion	Action:
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6.2. It was queried at the Partnership Board as to why if there was a shortage of resources had the planning element been specifically identified for scrutiny rather than other areas? LTP monitoring was the largest component of the budget and it was understood that work previously undertaken by CST was now been done on behalf of Centro through the SLS.

7. **National Infrastructure proposals**

7.1. DC referred to letters that had been received for proposals such as DIRFT. It needs to be established as to whether there are any implications arising from future proposals. Consequently, need to establish what proposals are forthcoming.

**AD**

8. **District Updates**

8.1. **Solihull MBC Local Plan** - Proposed modifications published in response to Inspector's Interim conclusions. Closing date 27<sup>th</sup> August.

8.2. It was agreed that a response be sent on behalf of WMJC in support of the modifications making specific reference to the Government's WMRSS SEA revocation report, given that this maintained that the urban renaissance was still an appropriate approach either with or without the RS.

8.3. Individual authorities would also need to consider whether it was appropriate for them to respond.

8.4. **GBSLEP Housing Study** – Study due to be commissioned shortly with the brief to be sent to the Black Country and other adjoining non – LEP authorities. Black Country authorities yet to determine whether it is appropriate for them to commence work.

8.5. **Coventry** – Anticipated that a front loaded preliminary report would be available some time in September. One of the emerging issues is the affordable housing backlog.

8.6. **Black Country** – Continuing to provide advice in support of City Deal

9. **Neighbouring Plans**

9.1. **Telford** – Response has been sent supporting relatively high levels of growth but further investigation required as to what would be a realistic amount.

9.2. **South Worcestershire** – Hearings to commence early October with Birmingham and Black Country Authorities invited to attend. Consideration to be given as to whether joint representations on employment land issues to be submitted.

9.3. **Warwick** – Noted that a Revised Development Strategy had been published with an interim housing requirement; the closing date for consultation was 29<sup>th</sup> July. Coventry CC had responded but no other Metropolitan Authority had. Agreed to contact Dave barber stating that it would be more appropriate to comment in the round once the CWLEP SHMA had reported.

**AD**

9.4. **Stratford** – Noted that Members were due to consider a draft plan imminently.

10. **Low Emission Towns and Cities**

Item:	Summary of Discussion	Action:
10.1.	Noted that thus far Walsall had responded with reservations regarding the planning guidance and that Dudley was less concerned. Agreed that NB to discuss with Vicki Popplewell to discuss matters further including what the next steps are as both based in Walsall	<b>NB</b>
11.	<b>Any other business</b>	
11.1.	Noted that a further change of use consultation had been published but issues more local than strategic.	
11.2.	HD advised that Centro has met with some authorities to examine what proposals are coming forward in corridors and centres with a view to using this information to better plan public transport services. Agreed that this liaison work be continued and that an example of a corridor be presented to a subsequent meeting.	<b>HD</b>
11.3.	<b>Date of next meeting</b>	
11.4.	Thursday 12 <sup>th</sup> September (pm), Lancaster Circus	

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: 10<sup>th</sup> July 2013 @ 14:00, Suite 14, Molineux Stadium, Wolverhampton

Present: Jim Newton (Coventry), Martin Dando (Dudley), Kaliegh Lowe (Sandwell) Andy Donnelly (CST), Dave Carter (Birmingham – Chair), Sandy Urquhart (Walsall), Andy Middleton (PEG Chair / Centro), Dave Simpson (Solihull), Ian Culley (Wolverhampton), Matt Wedderburn (Telford), Darren Oakley (Telford)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Helen Davies (Centro)
2. **Shaping Places – Telford and Wrekin Local Plan**
  - 2.1. Telford has published the above document for consultation and is seeking views by 25<sup>th</sup> July. The Council continues to support growth over and above locally generated needs as set out in the RSS, which identified Telford as a sub regional foci. In support of this, recent rates of completion remain strong; there is supply of commitments and land availability. Infrastructure too is in place to serve a larger population than currently exists. Three options are set out for comment.
  - 2.2. Telford is engaging neighbouring authorities / statutory agencies as the plan evolves and as a means of complying with the Duty to Cooperate requirements.
  - 2.3. Noted that Birmingham has a shortfall in capacity for some 30,000 dwellings and is considering releasing land from Green Belt to help address this. However, there still remains a shortfall in terms of what can be met within its boundaries. Work is shortly to be commissioned via the GBSLEP to offer further clarification as to the amount and options for distribution of LEP wide housing requirements; Telford's capacity needs to be considered in this context.
  - 2.4. Agreed that a response be sent on behalf of WMJC which is supportive of higher levels of growth in Telford as it has implications for the wider conurbation, although as yet it is not possible to quantify this. Other local authorities may wish to make representations in their own right. **AD**
  - 2.5. Other issues such as retail and employment levels will need to be considered in the context of overall growth levels.
3. **Minutes of last meeting 10<sup>th</sup> June**
  - 3.1. Agreed as an accurate record.
4. **Matters arising**
  - 4.1. Covered on agenda **AD**
5. **Feedback from WMPOG 20<sup>th</sup> June**

Item:	Summary of Discussion	Action:
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5.1. Concern expressed that responses from Shire Districts to annual land use monitoring requests are significantly lower than previous years. Reasons for this may be lack of resources or requests directed to the wrong person. Sherman Wong (Local Government West Midlands), who fund data collection from the Shires agreed to write to all Chief Executives drawing attention to this.

5.2. Issue was raised as to whether Les Johnson (Mott MacDonald) ever received any enquiries from Shire districts for data.

**AD**

5.3. To note also that a meeting to take place on 26<sup>th</sup> July to be chaired by Steve Winterflood (South Staffordshire) regarding appetite for coordination of future strategic employment land studies / assessments.

6. **Feedback from OEG 4<sup>th</sup> July**

6.1. Papers noted

7. **Duty to Cooperate arrangements in WMMA**

7.1. A short paper required to future CX meeting setting out proposed arrangements. This would need to embrace:

- WMJC (i.e. Leaders) directly responsible for strategic planning coordination / DtC as reflected in revised ToR
- Continue with established officer delegations to deal with matters consistent with agreed policy
- Major policy reviews / new policy to be approved by WMJC
- Any grey areas to be reviewed by CX for decision on most appropriate above course of action.
- Importance of continuing to support implementation of urban renaissance
- Approach is an efficient use of resources, including through reduced number of officer meetings, and strengthens collective position

**AD/DC**

It was also suggested that this group may be able to meet less often.

7.2. Suggested that if this was the case then AD as a shared resource could visit / attend other meetings in Districts if necessary. The issue of funding joint working beyond the period that funding is currently available for was raised. DC suggested that the £10k per District contribution that was previously committed but then subsequently not required by Finance Officers was potentially revisited as a source of future funding.

8. **District Updates**

**Solihull**

8.1. Consultation on proposed modifications to commence on 15<sup>th</sup> July closing on August 27<sup>th</sup>. Should a hearing be required, this is likely to commence some time mid October.

8.2. Gypsy and Traveller Site Allocations Document to be submitted for examination at the end of July. This largely suggests extensions to existing sites.

8.3. M42 Gateway proposals branded as 'UK Central' and available on website.

Item:	Summary of Discussion	Action:
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### **Coventry**

- 8.4. The joint housing requirements study has commenced.

### **Black Country**

- 8.5. Planning officers are contributing to the LEP growth plan / City Deal proposal. **Dudley** has received favourable Inspector's Reports on the Stourbridge and Halesowen AAPs and is due to publish a Site Allocations Document Preferred Option in Autumn. **Sandwell** proposes consulting on a draft CIL charging schedule in September.

### **Birmingham**

- 8.6. Birmingham Development Plan 'Submission' Document scheduled to be considered by cabinet in October 2013. GBSLEP board has agreed Strategic Spatial Plan for Recovery and Growth consultation document, which looks at requirements beyond current round of plans. Other neighbouring local authorities to be asked as to whether they want to participate / cooperate.

### **9. Low Emission Towns and Cities**

- 9.1. Acknowledged that no collective response has been submitted yet although Walsall has prepared some detailed comments from a planning perspective. This considers that the document gives a 'generous' interpretation of the NPPF requirements regarded AQMAs and may sterilise some key sites for development.

### **10. Neighbouring Plans / Consultations**

#### **South Worcestershire**

- 10.1. The plan has been formally submitted for examination and the Inspector will determine which matters warrant further investigation in due course.

#### **Lichfield**

- 10.2. AD, DC and Mike Smith were in attendance for some of the early sessions. The main issue appears to be whether the southern Staffordshire SHMA has been correctly interpreted in terms identifying objectively assessed need.

#### **Nuneaton and Bedworth**

- 10.3. Considered a bilateral matter with Coventry

#### **Warwick**

- 10.4. Warwick is consulting on a revised development strategy which provides an interim housing requirement and is subject to change as a result of the recently commissioned work. It is also consulting on Gypsy and Traveller Site Options and CIL preliminary draft charging schedule - closing date 27<sup>th</sup> July.

#### **Cannock Chase**

- 10.5. Hearing to commence in September with no outstanding issues w with metropolitan Authorities. It is understood that there may still be issues relating to the SAC and Natural England.

### **11. Other Joint Studies**

Item:	Summary of Discussion	Action:
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- 11.1. Nothing additional to matters considered elsewhere on the agenda.
- 12. **Any other business**
- 12.1. The Group collectively thanked Dave Simpson for all his contributions and work over the last decade or more and wished him all the best for the future. Reminder that leaving drinks etc at Solihull MBC offices from 14:00 tomorrow (Friday 12<sup>th</sup> July)
- 13. **Date of next meeting**
- 13.1. Thursday 8<sup>th</sup> August, Room 209, Lancaster Circus

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Wednesday 10<sup>th</sup> June 2013 @ 14:00, Council House, Birmingham

Present: Jim Newton (Coventry), Annette Roberts (Dudley), Kaliegh Lowe (Sandwell) Andy Donnelly (CST), Dave Carter (Birmingham – Chair), Sandy Urquhart (Walsall), Andy Middleton (PEG Chair / Centro), Les Johnson (Mott MacDonald) items 2 and 3, Vicki Popplewell Walsall item 2, Andrew Whittles (LETC consultant) item 2, Lynda Fawthrop (Dudley MBC) item 2, Dave Simpson (Solihull)

Item:	Items for Discussion:	Action:
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1. **Apologies.**

1.1. Ian Culley (Wolverhampton), Mike Smith (Walsall)

2. **Low Emission Towns and Cities Programme**

2.1. Presentation given by AW,LF and VP, key elements of which are:

- Draft Overarching Low Emissions Strategy
- LEZ Technical Feasibility Study
- Draft Good Practice Procurement guidance
- Draft Good Practice Planning guidance

Main objective is to tackle poor air quality from road transport (NO<sub>2</sub>) but in many instances measures will also have positive impacts on reducing particulates and carbon emissions.

2.2. Comments had been sought on the Draft LES and Good Practice Planning and Procurement Guidance by 10<sup>th</sup> June. The document seeks to fill in the gaps now that the PPS has gone and notwithstanding the NPPF, there remains a policy vacuum. Mitigation and cumulative effects are given particular consideration and what is proposed seeks to move away from the adversarial approach. Three layers of mitigation have been identified dependent on the scale of development. Paragraph 124 of the NPPF requires that planning policies take account of Air Quality Management Areas.

2.3. Confirmed that LETCP project led by John Roseblade (Walsall MBC) overseen by a Chief Environmental Health Officers Group chaired by Sue Holmyard (Dudley MBC). It is proposed that the documents are presented to CX and then WMJC in due course.



Item:	Summary of Discussion	Action:
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- 2.4.           **Summary of issues discussed:**
- Concern that guidance may sterilise development sites.
  - Extent of areas where air quality very poor limit and directive only applies to residential areas.
  - Planning officers can seek map layers from their air quality colleagues, which show levels of exceedence. These can be plotted against land allocation plans.
  - In drawing up guidance, advice has been taken from Development Management, Planning Policy and Air Quality Officers through a number of workshops.
  - Issue of infraction and who would be liable
  - Low Emission Zone(s) are one option and these are being considered nationally. The Feasibility work will need to consider their potential economic impact.

2.5.           Confirmed that further comments to be provided from PAG / DTC group.

3.           **Joint Monitoring**

3.1.           2013 forms have been despatched with information requested by October 2013. Some analysis has been of the 2012 returns has been completed but the response rate has fallen considerably since the formal decision to abolish RSS monitoring.

3.2.           The fall off in returns predominantly in the Shire Districts. Concern that the 500 additional hours paid for by WMRA 'legacy' monies was intended to collect this data. Agreed that data assists hugely in discharging DTC responsibilities / policy development.

3.3.           Business Improvement Group (BIG) requested a paper from MM on the additional 500 hours at its May 16<sup>th</sup> meeting. Next BIG meeting 5<sup>th</sup> September.

3.4.           Some data can be extracted from Annual Monitoring Reports but the format may differ and they may be completed and published less frequently than previously

3.5.           Agreed to raise issue with Sherman Wong at WMPOG meeting on 20<sup>th</sup> June to establish whether there was a continued willingness to provide the data and what could be done to improve the response rate. LJ invited to this meeting.

4.           **Minutes of meeting 8<sup>th</sup> May 2013**

4.1.           Provisionally agreed as an accurate record. To be circulated again for any final comment.

**AD**

5.           **Matters arising.**

5.1.           Covered by items on the agenda.

6.           **Feedback from WMJC / CX**

Item:	Summary of Discussion	Action:
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6.1. DC advised that at meeting earlier today that WMJC had not approved the recommendation to set up a Planning and Regeneration Board and instead matters would be referred directly to WMJC. WMJC's Terms of Reference and Constitution to be amended accordingly. Planning matters would not be reporting through the shadow ITA Board.

7. **District Updates**

7.1. **Solihull** Local Plan – Responses have been received to the Inspector's previous questions relating to the abolition of the RSS and the 2011 Interim Household projections.

7.2. M42 study proposals / conclusions to be formally launched in July, work being led by Economic Development colleagues.

7.3. Discussions are ongoing to complete the brief for the **GBSLEP** housing study. Once finalised likely to extend invitation to North Warwickshire, **Black Country** and Stratford to establish whether they wish to participate / cooperate.

**AD / DC**

7.4. The **Coventry** / Warwickshire SHMA is on schedule and the Commissioning Group is scheduled to meet 11<sup>th</sup> June

8. **Neighbouring authorities plans / consultations**

**North Warwickshire**

8.1. Exploratory Meeting and Preliminary Hearing took place on 5<sup>th</sup> June. DC, JN and AD in attendance. Inspector has subsequently responded stating that NWDC has complied with the legal DtC requirements and that he will make further recommendations upon receipt of further information (to be received by September), including preliminary SHMA findings.

**South Worcestershire**

8.2. Plan has now been submitted for examination. View required as to whether any further action required on level of employment land provision.

**Lichfield**

8.3. Walsall and Birmingham both invited to early sessions on DtC / level of housing provision. Hearing commences 24<sup>th</sup> June.

**Cannock**

8.4. Noted that Local Plan submitted.

**Nuneaton and Bedworth**

8.5. Local Plan Preferred Option submitted for consultation. Agreed that a good opportunity to establish whether this was a local issue or of greater significance. Action AD/JN

**AD / JN**

**Tamworth**

8.6. Site Allocations Document noted. Due to be considered at GBSLEP meeting on 11<sup>th</sup> June. Feedback to be given to this group if necessary.

**DC**

9. **Any other business**

Item:	Summary of Discussion	Action:
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9.1.

For information:

- DIRFT III examination to commence shortly to be dealt with by Nationally Significant Infrastructure Projects (NSIP) route.
- Warwick DC to consider Coventry Gateway planning application this evening
- Councillor Ann Lucas is the new Leader of Coventry CC

10.

**Date of next meeting**

10.1.

Changed to Thursday 11<sup>th</sup> July @ Molineux Stadium 14:00

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Wednesday 8<sup>th</sup> May 2013 @ 14:00, Room G13, 10 Woodcock Street, Birmingham

Present: Jim Newton (Coventry), Martin Dando (Dudley), Philippa Smith (Sandwell) Andy Donnelly (CST), Dave Carter (Birmingham – Chair), Mike Smith (Walsall), Ian Culley (Wolverhampton), Rachel Bell (Centro), Andy Middleton (PEG Chair / Centro)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Dave Simpson (Solihull)
2. **Minutes of meeting 8<sup>th</sup> May 2013**
  - 2.1. Agreed as an accurate record
3. **Matters arising.**
  - 3.1. Covered by items on the agenda.
4. **Future Joint Working Implications of WMJC / P&TSC decisions**
  - 4.1. DC advised that the recommendations of a report submitted to WMJC on 29<sup>th</sup> April had not been agreed but it was acknowledged that there was a continued need to coordinate strategic planning activity at the Metropolitan level.
  - 4.2. On the basis that P&TSC will be abolished it was understood that its outstanding responsibilities not absorbed into the Shadow ITA, including coordination of strategic planning activity, would revert to WMJC as its parent body. P&TSC had met on 3<sup>rd</sup> May and indicated a preference for a senior member board / panel, with all seven planning authorities represented, to deal with strategic planning matters and ensure continuity.
  - 4.3. A clear report to this effect needs to be drafted for consideration by the next WMJC meeting in June and CX leading up to it. Agreed that given the importance of the issues and the value that had been placed on joint Metropolitan working by the Solihull Inspector that buy in was required from Chief Planning Officers / Heads of Service. AD / DC to draft report in good time and it should be agreed by members of this group prior to it being circulated elsewhere for comment but that legal views would be sought to ensure compliance.
  - 4.4. It was also considered that there was little need for planning representatives to attend future OEG meetings as this group could report directly to the proposed Member Panel or Joint Committee.
5. **Local Plan / other DPD updates and implications**

**AD / DC**

Item:	Summary of Discussion	Action:
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- 5.1. **Solihull (via AD)** – The time period for further representations on the formal revocation of the RS had now elapsed. Representations had been made by Pegasus on behalf of several clients requesting that the plan be found unsound largely on the basis that it is reliant on RSS2 evidence. Deloitte, on behalf of Prudential Property Managers, has suggested that following RSS revocation Blythe Valley and Birmingham Business Park should become part of the local employment land portfolio as there is no longer policy support for identifying them as Regional Investment Sites
- 5.2. The Council was in the process of responding to these issues and also seeking to publish proposed modifications, as advised by the Inspector.
- 5.3. **Coventry** – GL Hearn has been commissioned to complete an NPPF compliant SHMA and will provide an interim report in July. The SHMA will cover areas outside of the core Coventry housing market area
- 5.4. Coventry CC also has a new Leader, Councillor Ann Lucas
- 5.5. **Black Country – Walsall** has published its Site allocations Document Issues and Options report for consultation.
- 5.6. **Wolverhampton** – Consultation on Stafford Road Preferred Option now completed. Consultation would commence on the City Centre AAP shortly.
- 5.7. **Dudley** – Halesowen and Stourbridge APPs, the former to be considered by written representations and the latter to be subject to a hearing later this month.
- Birmingham** – GBSLEP Planning Summit took place on 25<sup>th</sup> April and was well attended by a variety of stakeholders. Analysis of the findings is continuing as is work towards commissioning a joint housing market study covering the LEP with invitations extending beyond its boundaries.
- 5.8. **North Warwickshire**
- 5.9. Inspector suggested that Council withdraw the plan on the basis that the evidence base, particularly the SHMA was not up to date. Council due to post response on website next week.
6. **Outstanding issues with neighbouring plans / consultations**
- Bromsgrove and Redditch**
- 6.1. Proposals currently being consulted on to accommodate overspill Redditch needs in Bromsgrove as prescribed in RSS2. Agreed that a joint response submitted welcoming this but drawing attention to other matters that need to be considered in the Bromsgrove Local Plan. These include acknowledging the housing market study that is being commissioned via the GBSLEP and taking account of the regeneration aspirations of the Black Country in terms of the distribution of development.
- South Worcestershire**

Item:	Summary of Discussion	Action:
6.2.	Paul Bayliss's note agreed as an accurate record of the meeting, response to be sent along the below lines.	
	<p>(1) The first phase of the development should stay as it is, i.e. bound by the existing planning consent limiting development to large-scale relocations from within the local economy and,</p> <p>(2) The second phase should be regarded as a long-term proposal, with release being phased beyond the first review of the plan, i.e. post-2019</p>	<b>DC</b>
	<b>Lichfield</b>	
6.3.	Birmingham and Walsall had been invited to the hearing with submissions required latter this month. Birmingham was preparing a statement of common ground. MS confirmed that Walsall content with the plan's housing and employment land allocations issue was some of the accompanying wording about aspirations to reduce commuting.	
7.	<b>Joint Studies</b>	
7.1.	Agreed to request an update on the M42 study from Solihull	<b>AD / DS</b>
8.	<b>Low Emission Towns and Cities</b>	
8.1.	Agreed to invite Vicki Popplewell to next meeting of this group	<b>AD</b>
9.	<b>Meeting with Mott MacDonald</b>	
9.1.	To be arranged	<b>AD /DC</b>
10.	<b>Any other business</b>	
10.1.	RB announced that this was her last meeting as she was taking maternity leave and that Maria Machoncoses would be attending future meetings.	
11.	<b>Date of Next Meeting</b>	
11.1.	Wednesday 12 <sup>th</sup> June @ 14:00	

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Wednesday 10<sup>th</sup> April 2013 @ 13:30, 1 Lancaster Circus, Birmingham City Council

Present: Jim Newton (Coventry), Maurice Barlow, (Solihull), Martin Dando (Dudley), Kayleigh Lowe (Sandwell) Andy Donnelly (CST), Dave Carter (Birmingham – Chair), Mike Smith (Walsall)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Andy Middleton (Centro/PEG Chair), Rachel Bell (Centro), Ian Culley (Wolverhampton), Dave Simpson (Solihull)
2. **Minutes of meeting 10 March 2013**
  - 2.1. Amended to reflect fact that Coventry Local Plan is in the process of being withdrawn.
3. **Matters arising.**
  - 3.1. Covered by items on the agenda.
4. **Future Duty to Cooperate in WMMA**
  - 4.1. **Duty to Cooperate Group and PAG respective roles**  
 Agreed that as there was substantial overlap, the two groups would merge. Agreed that for the immediate future DC would chair the group given JN's Local Plan commitments.
  - 4.2. **Relationship with PEG**  
 Agreed that a sensible way forward would be for PAG / PEG Chairs (or their nominees) to attend each others' meetings. To be raised with PEG Chair for consideration.
  - 4.3. **Member engagement**  
 Report discussed that had been considered by OEG /on 24<sup>th</sup> April. In the light of future transport governance arrangements, whereby the Joint Committee will assume the ITA's responsibilities, a P&TSC in its current form is unlikely to be required.
  - 4.4. Acknowledged that ongoing cooperation on strategic planning matters across the Metropolitan Area is essential due to common issues and there needs to be continued member engagement. There was a preference for any arrangements to be properly constituted and served by a Committee Clerk and that portfolio holders / committee chairs be invited. An annual meeting followed by prearranged quarterly meetings was considered appropriate with intervening meetings if required. Considerable delegations would be necessary given the need to be responsive. As with the emerging transport governance structures, the Joint Committee geography offers opportunities for coordination across the three LEPs

**AD**

Item:	Summary of Discussion	Action:
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4.5. Agreed that two papers to be prepared for P&TSC on 3<sup>rd</sup> May. The first needs to provide an update and set out the implications of PINS decisions and conclusions. The second needs to set out coordination arrangements as outlined above. These are required as a matter of urgency in order to ensure widespread circulation for comment within local authorities.

**AD**

4.6. **Identifying matters for cooperation**

See 5.3 to 5.6 for discussion on SHMAs, which are the main priority

4.7. The Metropolitan Strategic Policy Framework to be refreshed once information from SHMAs is available. Also identified need for further work on strategic employment sites.

5. **Local Plan and other DPD updates**

**Solihull**

5.1. Inspector's interim conclusions published last week and were broadly supportive of Council's approach. The Inspector identified areas where modifications are required and the Council is instructed to draft these and consult for a further six weeks. The Inspector was fully supportive of joint working arrangements within the Metropolitan Area and the LEP and cited these as being essential for taking matters forward.

5.2. Solihull MBC is also consulting on a Gypsies and Travellers Site Allocation Document for a six week period.

**Coventry**

5.3. A SHMA covering Coventry, Warwick, Nuneaton and Bedworth, Rugby and potentially North Warwickshire is soon to be commissioned. Stratford upon Avon has declined an invitation to participate.

5.4. In the light of the Inspector's criticism of the previous approach taken in Coventry / Warwickshire, it was agreed that there needs to be alignment of SHMA's where HMA's overlap e.g. North Warwickshire and Stratford upon Avon.

5.5. Key issues were agreement reached:

- Latest population / household projections are the starting point
- Acknowledgement of cross HMA relationships to be identified
- Consistent methodologies, briefs to look at consistencies / consistencies with neighbouring areas
- Share interim findings with other local authorities / partners at a suitable juncture in the process, for example via a workshop
- Take full account of migration patterns.

5.6. Black Country authorities to respond to invitation to participate in GBSLEP SHMA.

**Birmingham**

5.7. GBSLEP Spatial Framework event to take place at St Andrews on 25<sup>th</sup> April am. All adjoining LEPs / local authorities should have been invited. Invitation to be circulated again.

**AD**

5.8. Replies still awaited from CLG regarding how students and their accommodation should be treated in terms of households / dwellings.

**Black Country**



Item:	Summary of Discussion	Action:
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- 5.9. Black Country representatives confirmed that they did not consider that the revocation of the RS would weaken the adopted Joint Core Strategy.
- 5.10. **Sandwell**  
Publishing draft CIL charging schedule for consultation April / May
- 5.11. **Walsall**  
Issues and Options Site allocations document to be published for consultation 22<sup>nd</sup> April
- 5.12. **Dudley**  
Site Allocations Document preferred Options to be published in October
6. **Issues in neighbouring authorities plans**
- 6.1. DC, AD, Annette Roberts and Ian Culley met with representatives from the South Worcestershire authorities on 9<sup>th</sup> April. Discussion centred around balance of employment / housing land and what the implications may be for the Metropolitan Area and specifically the Regional Investment Site that was identified at M5 Junction 6. Initially this site was to permit relocation of Worcester Bosch, but that investment is no longer being taken forward. It needs to be established whether any further representations are necessary.
- 6.2. Redditch and Bromsgrove Council's had prepared a consultation document looking at further options for accommodating growth that cannot be contained within Redditch. Whilst this is welcomed, when Local Plans emerge they will need to make reference to Birmingham's requirements that cannot be met and the Black Country's regeneration aspirations. Closing date for representations is 15<sup>th</sup> May.
- 6.3. Ongoing liaisons between Walsall and Cannock and Lichfield. Discussions with Cannock had been productive in terms of offices and regeneration and had been amicable with Lichfield.
7. **Any Other Business**
- 7.1. None
8. **Date of Next Meeting**
- 8.1. Wednesday 8<sup>th</sup> May @ 14:00

## NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Wednesday 13<sup>th</sup> March 2013 @ 14:00, 9<sup>th</sup> Floor, Centro House

Present: Jim Newton (Coventry), Dave Simpson, (Solihull), Annette Roberts (Dudley), Patricia McCullagh (Sandwell) Andy Donnelly (CST), Rachel Bell (Centro), Dave Carter (Birmingham – Chair), Ian Culley (Wolverhampton)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Mike Smith (Walsall), Laura Shoaf (Black Country Consortium), Andy Middleton (PEG Chair)
2. **Minutes of meeting 28<sup>th</sup> January 2013**
  - 2.1. Agreed as an accurate record.
3. **Matters arising.**
  - 3.1. Cross boundary LEP issues to be raised at WMPOG **DC**
  - 3.2. Worcestershire Infrastructure Plan response submitted
  - 3.3. Invitation to Dave Barber, Warwick DC, postponed until a later date in the light of Inspectors response to Coventry CC.
  - 3.4. Bordesley Green AAP timetable:
    - Preferred Option consultation April 2013
    - Publication version September 2013
    - Submission to SoS February 2014
    - Examination June 2014
    - Inspector's Report September 2014
4. **Future Duty to Cooperate in WMMA**
  - 4.1. OEG had agreed to fund a strategic planning post for a further two years, AD to be seconded to BCC. The £10,000 contribution per authority was now not been sought. Agreed that needed to make maximum use of this resource and the MM SLS in terms of information provision.
  - 4.2. P&TSC (1st March) requested a report on future strategic planning arrangements to its next meeting 3rd May. This needs to take account of changing transport governance arrangements and the likely abolition of P&TSC. Need to ensure that reports feed into CX and Leaders meetings as necessary.
5. **Update on Development Plans**

**Coventry**

  - 5.1. Plan in process of being withdrawn following Inspector's advice. The issues raised are in the process of being framed in a formal agreement. Progress is being made towards commissioning a joint SHMA, as a minimum this will include Coventry, Warwick, Nuneaton and Bedworth and Rugby.

Item:	Summary of Discussion	Action:
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5.2. Agreed that there needs to be coordination in terms of methodology between this and proposed GBSLEP SHMA as Inspector critical of differing methodologies. There are also some Districts that would appear to sit in overlapping HMA's e.g. North Warwickshire and Stratford upon Avon.

5.3. Key conclusion that onus on submitting authority to seek agreement with neighbours.

### **Solihull**

5.4. Hearing finished at end of February, main issues were Duty to Cooperate, housing provision target, omission sites, exceptional circumstances for returning sites to Green Belt and delivery in North Solihull. Ian Dove QC had prepared a rebuttal of Pegasus's Duty to Cooperate critique, to be circulated.

**AD/DS**

### **Birmingham**

5.5. Options Consultation – Planning for Birmingham's growing population, closed on 14<sup>th</sup> January 2013. Some 1600 responses have been received. Letters to be sent to neighbouring authorities inviting participation in joint SHMA.

5.6. Response still awaited from ONS as to whether student bed spaces / students in HMO's comprise an individual household for the purpose of projections.

### **Black Country and Southern Staffordshire Regional Logistics Site Study**

5.7. Study concluded that need for a RLS but that this was not specifically to meet needs of Black Country and that net needs to be cast wider.

### **6. LEPs Update**

#### **GBSLEP**

6.1. Spatial Framework event to take place on 25<sup>th</sup> April 2013.

#### **C&WLEP**

6.2. An Interim Growth Plan is being prepared. Work has also been undertaken to customise training provision with skills gaps.

### **Issues in Neighbouring Authorities**

6.3. Bromsgrove and Redditch understood to be preparing a joint consultation on growth requirements for consultation shortly.

6.4. North Warwickshire has submitted its plan for examination.

### **7. Any Other Business**

7.1. None

### **8. Date of Next Meeting**

8.1. Wednesday 10<sup>th</sup> April @ 14:00, 1 Lancaster Circus, Birmingham City Council. Agreed to rotate meeting venues in future.

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Monday 28<sup>th</sup> January 2013 @ 09:30, 9<sup>th</sup> Floor, Centro House

Present: Jim Newton (Coventry), Dave Simpson, (Solihull), Annette Roberts (Dudley), Andy Middleton (PEG Chair), Andy Donnelly (CST), Philippa Smith (Sandwell), Stephen Leigh (Sandwell), Rachel Bell (Centro), Dave Carter (Birmingham – Chair)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Mike Smith (Walsall), Ian Culley (Wolverhampton), Laura Shoaf (Black Country Consortium)
2. **Minutes of meeting 11th December 2012**
  - 2.1. Agreed as an accurate record.
3. **Matters arising.**
  - 3.1. Items covered on agenda.
4. **Future Duty to Cooperate in WMMA**
  - 4.1. Conclusion of discussion that DC to write to OEG Chair explaining urgency of resolving matter of CST support for DtC coordination within WMMA. **AD was not in attendance for this item.** **DC**
5. **Update on Development Plans**

**Solihull**

  - 5.1. Formal hearing commenced 10<sup>th</sup> January and Duty to Cooperate, Housing Market Areas and housing requirements have been key issues thus far, with several participants pressing for a requirement at least in accordance with the 2008 based household projections. The hearing is longer than others due to the need to consider omission sites.
  - 5.2. Solihull MBC has found legal representation to be essential and Counsel has repeatedly made the point that the Duty to Cooperate is a continuous process.

**Coventry**

  - 5.3. Inspector called for a special meeting (1<sup>st</sup> February) to establish whether the plan complies with the legal requirements of the Duty to Cooperate and has asked some very detailed questions. There were still outstanding concerns from neighbouring authorities.
  - 5.4. JN advised that necessary to stick to arguments (economic as opposed to CLG demographic projection) also append as much evidence as possible to demonstrate working with neighbours. The Taylor Report, which recommended that urgent guidance is required on Duty to Cooperate, is also drawn upon.

**Birmingham**

Item:	Summary of Discussion	Action:
5.5.	Options Consultation – Planning for Birmingham’s growing population, closed on 14 <sup>th</sup> January 1013. Some 1300 responses have been received but many may be standard letters.	
5.6.	A second letter has been sent to Metropolitan and GBSLEP authorities and North Warwickshire seeking explicit acknowledgment of the fact that Birmingham cannot accommodate its own needs. Solihull and Coventry have been approached separately given the stage that their plans are at. Birmingham CC will also be approaching other authorities with a view to undertaking a joint SHMA.	
5.7.	Queried as to when the Bordesley Green AAP to be published for consultation, DC to seek clarification.	<b>DC</b>
5.8.	Ian Culley to be requested to give an update on the Regional Logistics Site Study in Black Country / Southern Staffordshire at next meeting	<b>AD / IC</b>
6.	<b>LEPs Update</b>	
	<b>GBSLEP</b>	
6.1.	Consultation has recently closed on the Strategy for Growth White Paper, which it is envisaged that this will be finalised in spring. A Spatial Framework is being proposed to support this, with a strategy development session to be held on 30 <sup>th</sup> January at Turley’s. This is leading up to a stakeholder conference in spring with work potentially commissioned during summer.	
6.2.	Outstanding minute 5.2 from last meeting: ‘..... inter LEP working on spatial planning matters, DC to liaise with GBSLEP Secretariat, which also serves the Cross LEP Chairs Group’. Agreed instead that DC to raise this through WMPOG.	<b>DC</b>
	<b>C&amp;WLEP</b>	
6.3.	CW-LEP is settling into its new leadership and structures. It has rationalised its sub groups from 13 to 8, and reviewed the membership of those groups. The LEP is currently working up an Interim Growth Strategy, to cover the period to CSR 2015. This is to be in place by the end of February, and will be used to bid for money to progress a longer-term growth plan (in accordance with the recommendations of the Heseltine Review) which should be in place by December to cover the next CSR (2015-18).	
	<b>BCLEP</b>	
6.4.	BCLEP has expressed interest in City Deal. Cabinet report to be circulated.	<b>AD</b>
	<b>Issues in Neighbouring Authorities</b>	
	<b>Warwick</b>	
6.5.	Attention drawn to invitation from Dave Barber to comment on Warwick’s Housing Requirements Report. Agreed to invite Dave to next meeting of this group.	<b>AD</b>
	<b>Worcestershire Infrastructure Plan</b>	

Item:	Summary of Discussion	Action:
6.6.	<p>Consultation document published by County Council. General view that if plans are not in place, then on what basis is infrastructure assessed? Closing date for comments 11<sup>th</sup> March. Dudley to lead on identifying whether any implications for WMMA / Black Country.</p> <p>GBSLEP may also consider this given that it includes North Worcestershire Authorities. Centro to establish whether it has been consulted.</p> <p><b>Tamworth</b></p>	<b>AR</b>
6.7.	<p>Attention drawn to Inspector's letter seeking further advice on what assurances were in place to delivery housing requirements across boundaries. Watching brief required.</p> <p><b>South West Worcestershire</b></p>	
6.8.	<p>Closing date for representations 22<sup>nd</sup> February, need to establish rapidly whether previous concerns regarding employment land requirements were justified.</p>	<b>AR/DC/AD</b>
7.	<p><b>PINS and Duty to Cooperate elsewhere</b></p>	
7.1.	<p>Attention drawn to note prepared by CST setting out how PINS had interpreted DtC elsewhere. Agreed that this schedule to be kept up to date.</p>	<b>AD</b>
7.2.	<p>Also agreed that schedule of plan progress in West Midlands to be kept up to date.</p>	<b>AD</b>
8.	<p><b>SEA of RSS Revocation</b></p>	
8.1.	<p>P&amp;TSC cancelled on due to inclement weather. Response agreed via chairs urgent action and sent in accordance with the deadline.</p>	
9.	<p><b>Any Other Business</b></p>	
9.1.	<p>Meeting required with Les Johnson (Mott MacDonald) to discuss making best use of SLS hours. Also need to discuss respective responsibilities of PAG and DtC Task Group.</p>	<b>AD</b>
10.	<p><b>Date of Next Meeting</b></p>	
10.1.	<p>Wednesday 13<sup>th</sup> March @ 14:00, 9<sup>th</sup> Floor meeting room, Centro House</p>	

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Tuesday 11<sup>th</sup> December 2012 @14:00, Centro House

Present: Jim Newton (Coventry), Paul Watson, (Solihull), , Martin Dando (Dudley), Andy Middleton (PEG Chair), Andy Donnelly (CST), Ian Culley (Wolverhampton), Laura Shoaf (Black Country Consortium), Lol Jackson (Sandwell)

Item:	Items for Discussion:	Action:
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1. **Apologies.**

1.1. Mike Smith (Walsall), Philippa Smith (Sandwell), Rachel Bell (Centro), Dave Carter (Birmingham).

1.2. In Dave Carter's absence due to illness, the meeting was chaired by Paul Watson, as a member of the Officer Executive Group.

2. **Minutes of meeting 12 November 2013**

2.1. Agreed as an accurate record.

3. **Matters arising.**

3.1. Attention was drawn to the ITA's Freight Strategy, HS2 Connectivity Package and Integrated Transport Prospectus and that these demonstrate joint working. Also OEG is to convene a session at the rise of its 4th January meeting to consider future work priorities.

4. **Update on Development Plans**

**Coventry**

4.1. Three background papers have been prepared and are available on the website:

- Reasonable alternatives considered
- Housing requirements
- Duty to Cooperate mechanisms

**JN/AD**

Exploratory meeting with Inspector on Thursday 13<sup>th</sup> December 2012. Agreed that note of this meeting to be made available upon receipt.

**Solihull**

4.2. Pre Hearing meeting held on 29<sup>th</sup> November 2012 covering largely process matters; hearing to formally commence 10<sup>th</sup> January 2013. A Duty to Cooperate background paper has been prepared and is available on website. Link to be circulated.

**PW/AD**

**Birmingham**

4.3. Ongoing consultation on the Options Consultation – Planning for Birmingham's growing population, until 14<sup>th</sup> January 2013. LS confirmed that the Association of Black Country Authorities would be responding to this collectively.

Item:	Summary of Discussion	Action:
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- 4.4. This response will also seek to clarify what capacity there is in the Black Country to accommodate Birmingham migrants. The adopted Black Country JCS and WM Joint Committee Policy Statement seek to grow population in urban area through reducing out migration from the metropolitan area into the adjoining Shire Districts; this too needs to be factored in to any estimate.

The GBSLEP Strategic Framework approach offers a way forward in terms of considering longer term growth requirements but options beyond the GBS LEP area need to be considered inc Black Country, all shire districts and Telford, a historic "release valve" for conurbation pressures.

**LS**

Noted that the immediate priority however is to progress Local Plans to adoption during the transition period to facilitate planned growth and provide certainty for investment.

#### **Wolverhampton**

- 4.5. Bilston AAP Preferred Option currently out for consultation and Stafford Road AAP Publication Document to be published early 2013. Both are consistent with JCS and agreed that they do not raise any strategic cross boundary matters.
- 4.6. Brief discussion around when are plan reviews triggered and whether any guidance in NPPF? Considered that NPPF advice somewhat limited but does require planning authorities to keep plans up to date and consider review. Considered that monitoring crucial to determining when reviews may be appropriate; agreed joint monitoring and annually updating the Metropolitan Area Strategic Policy Framework important in this.
- 4.7. Update given on the Black Country / Southern Staffordshire Regional Logistics Site Study. Emerging conclusion is that a site would benefit the Black Country but it does not have physical capacity to accommodate and Southern Staffordshire authorities have reservations about identifying one. Queried as to how the Centro Freight Strategy (currently out for consultation) dealt with this matter and suggested that a case could be made for the RLS via representations to it.

**IC**

#### **Neighbouring Authorities**

##### **Tamworth**

- 4.8. Submission Plan published, understood that remains same as earlier document upon which no collective representations were made.

##### **South Worcestershire**

- 4.9. Understood that joint plan now back on track following resolution by Malvern Hills District Council.

##### **Dudley Template**

- 4.10. Template used to record Duty to Cooperate activity at various stages during preparation of Stourbridge AAP. Considered a clear document, which could be adapted by others.

##### **Telford and Wrekin**



Item:	Summary of Discussion	Action:
4.11.	Noted that a revised plan in early stages of preparation and that there may be substantial capacity over and above locally generated needs to potentially accommodate unmet need from conurbation – see paragraph 4.4 also.	
5.	<b>LEPs</b> <b>Greater Birmingham and Solihull</b>	
5.1.	Work commencing on Spatial Framework with a view to stakeholders conference being convened around February 2013. LS confirmed that now attending GBSLEP planning group representing Black Country.	
5.2.	Following action from last meeting to raise inter LEP working on spatial planning matters, DC to liaise with GBSLEP Secretariat, which also serves the Cross LEP Chairs Group.	<b>DC</b>
5.3.	No change to report from previous meeting regarding C&WLEP and BCLEP.	
6.	<b>Black Country Capacity</b>	
6.1.	See paragraph 4.4	
7.	<b>SEA into WMRSS Revocation</b>	
7.1.	Report published and closing date for comments 24 <sup>th</sup> January 2013. Report required for OEG 4 <sup>th</sup> January and P&TSC on 18 <sup>th</sup> January.	<b>AD</b>
8.	<b>PINS Duty to Cooperate Elsewhere</b>	
8.1.	<b>Rushcliffe</b> – Inspector queried deviation from the RSS housing requirement and its distribution.	<b>AD</b>
8.2.	<b>East Hampshire</b> - Shortcomings in terms of Duty to Cooperate and meeting neighbours needs – need an up to date SHMA as basis for discussion with neighbours. Also lack of evidence regarding environmental constraints to development.	
9.	<b>Any Other Business</b>	
9.1.	None	
10.	<b>Date of Next Meeting</b>	
10.1.	Thursday 10 <sup>th</sup> January @14:00, 9 <sup>th</sup> Floor Meeting Room Centro House	

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: Tuesday 13<sup>th</sup> November 2102 @14:00, Centro House

Present: Dave Carter (Birmingham – Chair), Jim Newton (Coventry), Paul Watson, Ken Harrison, Dave Simpson (All Solihull), Philippa Smith (Sandwell), Martin Dando (Dudley), Andy Middleton (PEG Chair), Rachel Bell (Centro), Andy Donnelly (CST)

Item:	Items for Discussion:	Action:
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1. **Apologies.**

1.1. Ian Culley (Wolverhampton), Mike Smith (Walsall)

2. **Minutes of meeting 22<sup>nd</sup> August**

2.1. Amended to reflect the fact that WMP&TSC's Terms of Reference give it a role in assisting in the coordination of Duty to Cooperate matters to help the District Councils discharge their responsibilities.

3. **Matters arising.**

3.1. PW advised that he would be retiring from Solihull MBC at the end of January 2013 and that KH would be leading on strategic planning matters.

4. **Update on development Plans**

**Coventry**

4.1. Two reports recently submitted to full council on and it was agreed to:

- Submit 2012 Coventry Development Plan Core Strategy for examination
- Withdraw the 2009 Core Strategy

Metropolitan Area Strategic Policy framework and Statement of Common Ground with Warwickshire Districts submitted as background documents

4.2. The Inspector has asked some specific questions regarding the Duty to Cooperate background paper. Agreed that these be circulated. **JN**

4.3. Inspector had also requested that notes from this meeting be made available for examination. This was agreed; set of notes to be forwarded to JN. **AD**

**Solihull**

4.4. Local Plan recently submitted for examination. Pre Hearing meeting on 29<sup>th</sup> November @ Solihull Library with Hearing to commence 10<sup>th</sup> January 2013. Further details can be found on the examination web page.

4.5. Inspector specifically requested details as to how the housing requirement has been determined, including discussions with neighbouring authorities and how the latest Census information has been taken into account.

4.6. Birmingham CC and Solihull MBC are in the process of exchanging letters identifying areas of common ground. **DC/PW**

**Birmingham**

Item:	Summary of Discussion	Action:
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4.7. Presentation received on the Options Consultation – Planning for Birmingham’s growing population, which was agreed for consultation by Cabinet on 29<sup>th</sup> October. The SHMA and SHLAA have been updated and indicate an excess of need / demand above capacity within exiting built up area. Consequently, views on options for potential Green Belt release to the north east of the City are set out. Notwithstanding this, there still remains a shortfall. Consultation closes on 14<sup>th</sup> January 1013.

**Dudley**

- 4.8. Black Country authorities are currently only preparing AAPs, SADs and Neighbourhood Plans; these still need to comply with Duty To Cooperate requirements.
- 4.9. Halesowen Area Action Plan, consultation closes December 2012
- 4.10. Stourbridge Area Action Plan, consultation closed 12<sup>th</sup> November 2012
- 4.11. Dudley MBC has been liaising with adjoining local authorities within and outside of the Metropolitan area with regard to Duty to Cooperate matters

**Sandwell**

- 4.12. West Bromwich AAP and SAD have been found sound and adopted via Cabinet
- 4.13. Also noted that for the time being, there is no scope for CIL contributions to support Metropolitan wide / cross boundary infrastructure.

**Implications arising from above**

- 4.14. **Information requests from PINS** – See para 3.6
- 4.15. **Birmingham’s overspill** – See 4.7 also. Paper considered following meeting between Birmingham CC and Black Country Districts, which sought to identify how much capacity there was, if any, within the Black Country to accommodate growth that could not be met within Birmingham’s own boundaries. Considered that further clarification required to estimate what capacity was available. Neville Ball (Walsall MBC) to be contacted.

**AD**

**Inter Authority MoUs / Statements of Common Ground**

- 4.16. See paras 4.6 and 4.11. Discussions also ongoing between Birmingham and Coventry regarding outstanding issues
- 4.17. **LEP activity** - GBSLEP is progressing a spatial framework to consider where future growth may best be accommodated to meet LEP aspirations. The BC LEP is focused on implementation of the adopted Core Strategy and the C&W LEPs working arrangements are currently being reviewed. Agreed that a presentation to be given to next meeting of this group on GBSLEP approach.
- 4.18. Agreed that there are functional relationships between LEPs and that these should be considered given the cross LEP working associated with the Transport Summit that took place today. Agreed that this be brought to attention of other West Midland LEP Chairs at a future joint meeting; the Secretariat for this is provided by Birmingham CC. Suggested writing to LEP Chairs in advance of meeting. Also consider bringing to Simon Warren’s attention as Secretary to WMP&TSC.

**DC**

**DC**

Item:	Summary of Discussion	Action:
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4.19. **PINS response to Duty to Cooperate elsewhere** - Noted that PINS had thus far taken a pragmatic approach given uncertainty of RSS and that plans often at different stages of preparation and bearing in mind that Government is seeking to accelerate Local Plan coverage. Bristol and Oxford cited as examples where constrained cities had brokered agreements with partners to address outstanding issues via early reviews / subsequent joint work.

5. **Future Work**

5.1. **Memorandum of Understanding** – An ongoing process drawing together work done / agreements made thus far and considering how matters can be best dealt with in the future to maximise the effectiveness of strategic planning. The audit of NPPF joint working requirements requires completion as do the relationship matrices.

**AD /DC**

5.2. **Evidence base** – See above (para 5.1) also. Local Authority representatives met with Mott MacDonald. A key action point was to maximise the availability of data / present it in an appropriate format to support Duty to Cooperate work.

6. **Member engagement - P&TSC minute**

6.1. Outstanding minute for meetings between P&TSC / Metropolitan and Shire District representatives to be arranged on an ad hoc basis. Agreed that circumstances had not yet arisen whereby this was yet required. Need to remain aware that this is an outstanding action which could be brought to Chairman's attention at pre-meeting briefings

7. **New Duty to Cooperate Bodies – Local Nature Partnerships (LNPs)**

7.1. Noted that LNPs were now to be statutory bodies. AD has made contact with Chris Parry of the Birmingham & Black Country LNP and has requested contact details of other LNPs and details as to their activity.

7.2. Agreed that consideration be given to inviting other Duty to Cooperate partners to future meetings to discuss specific issues as required

8. **Any other business.**

8.1. Noted that Environmental Reports into revocation of RSSs are emerging, although to date the West Midlands one hasn't been published. Noted that in common was the earlier versions that lacked detail, these reports identify uncertainty going forward as it is not known how the Duty to Cooperate will work in practice.

9. **Date of next meeting.**

9.1. Tuesday 11<sup>th</sup> December, 9<sup>th</sup> Floor meeting Room centro House. Start time to be confirmed 13:30 or 14:00 – to be confirmed

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: 11<sup>th</sup> October 2012, 9<sup>th</sup> Floor, Centro House

Present: Dave Carter (Chair), Ian Culley, Jim Newton, Annette Roberts, Andy Donnelly, Trina Price

Item:	Items for Discussion:	Action:
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1. **Apologies.**

1.1. Philippa Smith, Paul Watson, Martin Dando, Mike Smith, Rachel Bell, Dave Simpson, Andrew Middleton

2. **Minutes of meeting & Matters arising**

2.1. Agreed as an accurate record.

2.2. Birmingham has responded on the North Warwickshire and South Worcestershire Plans identifying an imbalance between housing and employment land in the case of the latter - the upward revision of the housing requirement is welcome.

Collective responses sent also by CST to above plans and Lichfield and Cannock Chase drawing attention to the Metropolitan Area's Strategic Policy Framework.

Recalled that South Worcestershire officers had suggested a further meeting to discuss their emerging evidence following an earlier meeting. This has not taken place, although evidence is available on the website.

Wolverhampton responded to the South Staffordshire Local Plan in July on modifications made in light of the NPPF and was broadly supportive. Inspector's Report due shortly IC feed back to colleagues when it is available.

IC

3. **Feedback from P&T Sub-Committee**

3.1. Report on adjoining Plans and representations made by Metropolitan Area presented to and noted by P&TSC on 14th September. Earlier recommendation for 'set piece' meeting with between Shire and Metropolitan Members replaced with ad hoc meetings between relevant authorities.

3.2. Agreed that P&TSC's role in coordinating Duty to Cooperate activity within the metropolitan Area in order to assist Districts, whose responsibility it is to discharge the Duty to Cooperate, is consistent with its agreed Terms of reference.

3.3. DC suggested that need to start preparing a template indicating what the common issues are (policy), how they had been discharged and by whom (process). Whilst this would not necessarily resolve all issues it would assist in flushing them out and identify what may need to be subjected to examination.

Item:	Summary of Discussion	Action:
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3.4. Such a template could also be adapted for bi-lateral or multi-lateral liaison and has the potential to save time. For example, it would be useful be presented to P&TSC / JC and LEPs thus enabling collective endorsement of issues rather than having to contact each authority individually.

3.5. Noted that the matrices prepared by DC and the schedule of issues that require joint working (in progress by CST) from NPPF are a good starting point and that the template draw on both pieces of work. **AD**

4. **Local Plans Updates**

4.1. **Wolverhampton** – Stafford Road AAP out to consultation and Bilston AAP due out in a few weeks.

4.2. **Solihull** – In Dave Simpson’s (DS) absence AD reported that the PINS has requested a Duty to Co-operate Statement from Solihull explaining what has been done, with whom and what the outcome was. AD to request copy of the Inspector’s request to share with others. Maurice Barlow is writing the paper which DS suggested can be shared informally with other Metropolitan colleagues.

4.3. **Dudley** – Allocation Strategy document due in Spring 2013. Stourbridge AAP out to consultation. Halesowen AAP due for publication shortly.  
In December 2012 a report will be submitted to Cabinet for approval to consult on the CIL Draft Charging Schedule.

4.4. **Coventry** – Plan to be submitted to Secretary of State within a fortnight.

4.5. **Birmingham** – Two reports being taken to Cabinet on 29<sup>th</sup> October.  
The first is a consultation on the Birmingham Development Plan focusing on changes to the previous consultation document in terms of housing provision and employment land together with options for dealing with the level of development required. Letters to authorities requesting meetings have been despatched and some meetings held.

As a result of meeting with Sandwell, further analysis required as to the level of (if any) growth from Birmingham that the JCS is accommodating. AD to commence, also need to bear in mind that JCS seeking to stem migration to Staffordshire. **AD**

The second report is CIL consultation on the Draft Charging Schedule.

4.6. It was agreed that CIL matters would be brought to the PAG meeting in future rather than Duty to Co-operate Task Group.

4.7. Agreed that as means of going forward, representatives of this group to provide a concise summary of strategic issues in emerging plans to future meetings. This needs to be done in good time so that any issues can be identified and addressed and recorded as evidence of compliance with DtC. This includes AAPs and Neighbourhood Plans as they too are subject to the DtC. **ALL**

4.8. Noted that only four districts were represented at this meeting. If certain Duty to Co-operate issues are to be signed off in future there needs to be appropriate representation.

5. **Spatial Planning Activity in LEPs**

Item:	Summary of Discussion	Action:
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5.1. **Black Country** – LEP Network met on 15<sup>th</sup> October. Nothing further to report at this time. They have signed up to the Core Strategy and want to get on with delivery.

5.2. **Coventry** – Re-shaping of the Planning and Property Group has taken place. The group has been reduced in number and a new Chair has been confirmed. Work currently taking place on getting income streams and ToR in order, so as to be properly constituted.

5.3. **GBS** – Four consultation events held. Theme groups to be set up to undertake scenario testing and then have a conference and devise a draft Spatial Framework for the LEP. Good feedback received so far. AD and other non LEP representatives are invited to attend future meetings.

6. **PINS approach to Duty to Cooperate**

6.1. AD has started to look at the plans that have gone through thus far. Emerging patterns seem to be:

- Pragmatic approach, plan found sound if evidence of joint working even if all growth requirements not met provided commitment to early review including Green Belt e.g. Woking
- Provide further evidence that cooperated and what outcomes are e.g. Reigate and Banstead
- Duty to cooperate outcome not deliverable despite meeting statutory requirement e.g. Hull

Schedule to be worked up in chronological order and commentary provided.

**AD**

7. **Options for complying with Duty to Co-operate**

7.1. See section 3 also. Agreed that a paper be prepared for next meeting along lines of what discussed under item 3. Will need to cover legal and policy requirements and could extend to other Duty to Cooperate partners. Suggested that this could take the form of a Memorandum of Understanding (MoU) and would need to be accompanied by Terms of Reference (ToR) for this Group. Likely to need member endorsement.

7.2. Agreed to produce a draft document for the next meeting and consider subsequently inviting PINS / PAS. AR has contact at PINS as discussing conformity of BCJCS with NPPF.

**AD**

7.3. Whilst any approach needs to be fit for purpose, it must not be a simple tick box exercise. Also need to be aware as to need to be flexible as cannot foresee all issues that will come forward.

8. **Shire District Engagement**

8.1. There are no meetings scheduled at this time. Member meetings could be informed by aforementioned ToR and MoU.

8.2. Shire Districts could also be invited to meetings of this Group to discuss matters of mutual interest.

9. **Appropriate Evidence Base**

9.1. DC referred to what appeared to be interim population projections to 2021 likely to be used to inform Government grant allocations. Appear to be increasing at a slightly lower rate in short term but reach 2010 based projection levels by 2021.

Item:	Summary of Discussion	Action:
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10. **Any other business.**

10.1. None

11. **Date of next meeting.**

11.1. 8<sup>th</sup> November 2012 @13:30 – CST Conference Room **To be rescheduled for following week.**



## NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task Group</b>
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Date: 22<sup>nd</sup> August 2012, 9<sup>th</sup> Floor, Centro House

Present: Dave Carter (Chair), Ian Culley, Mike Smith, Jim Newton, Rachel Bell, Dave Simpson, Mike Smith, Andy Donnelly

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Philippa Smith, Paul Watson, Martin Dando / Annette Roberts
2. **Minutes of meeting & Matters arising**
  - 2.1. Agreed as an accurate record. Noted that report entitled 'Duty to Cooperate a Proposed Way Forward', which sought initial buy in was well received and recommendations agreed by P&TSC on 3<sup>rd</sup> August. This was accompanied by a presentation setting out main issues.
3. **Metropolitan Local Plan Progress**
  - 3.1. **Solihull** – Propose submitting to Secretary of state mid September. Have had a 'without prejudice' meeting with PINS. Main change to plan has been strengthening Duty to Cooperate references. Respondents have sought changes to those development sites proposed and also questioned housing requirement
  - 3.2. **Coventry** – Closing date for comments on plan 10<sup>th</sup> September. Proposes 11,400 new dwellings. Informal meeting with PINS scheduled for 11th September
  - 3.3. **Birmingham** – Mismatch between new SHMA and SHLAA evidence suggesting further capacity is required. Letter sent to adjoining LEP and Metropolitan partner authorities reiterating that still seeking to accommodate as much growth within City is possible, but will need to look beyond its boundaries to accommodate requirements in full. Meetings requested with Chief Planning Officers in neighbouring authorities.
  - 3.4. **Wolverhampton** – Stafford Road AAP to July Cabinet for consideration and Bilston Corridor scheduled for November Cabinet.
  - 3.5. **Walsall** – Site Allocations document, was scheduled for September but subsequently delayed.
  - 3.6. Understood that AAPs also subject to duty to cooperate should any strategic issues arise.
4. **Shire District Local Plans and Implications for Metropolitan Area**
  - 4.1. Schedule of Metropolitan responses to adjoining plans tabled. Noted that in some instances timing of plan consultation relative to that of neighbouring authorities had not had not enabled full consideration of implications.

Item:	Summary of Discussion	Action:
4.2.	Paper tabled looking at housing growth levels in areas adjoining Birmingham and what the implications of this were likely to be. Considered that this could be extended to cover entire Metropolitan Area and also look at employment land.	
4.3.	<b>North Warwickshire</b> – Previously supported as broadly in line with RSS / ONS projections. Birmingham to respond not raising objections but drawing attention to fact that higher growth requirements may need to be considered in the future.	<b>DC</b>
4.4.	<b>Cannock Chase and Lichfield</b> – to be considered at future meeting, understood that assumptions regarding commuting needed to be considered.	
4.5.	<b>Tamworth</b> – Missed deadline but Birmingham / CST view that little of concern.	
4.6.	<b>South Staffordshire</b> – Wolverhampton has agreed a Cabinet response supporting thrust of proposed NPPF changes.	<b>IC</b>
4.7.	<b>South Worcestershire</b> – Previously drew attention to significant reduction in housing numbers relative to RSS Revision and earlier consultation document and large increase in employment land – implications for reverse commuting and . Understood that now amended to increase level of housing provision but warrants further scrutiny.	<b>AD/DC</b>
4.8.	<b>Warwick &amp; Stratford upon Avon</b> – Comments made by individual authorities but not collectively. Concern remains that collectively substantial reduction in housing requirement relative to the levels previously envisaged / ONS projections.	
4.9.	Agreed by P&TSC on 3 <sup>rd</sup> August that <i>individual planning authorities will lead on identifying detailed matters in neighbouring Shire Authorities in close liaison with Metropolitan colleagues. A consistent interpretation of policy is required amongst Metropolitan Authorities if the urban renaissance is not to be prejudiced.</i>	
4.10.	Schedule of lead authorities to be circulated again. Agreed (at this officer meeting) that useful if CST could continue to offer initial summaries of main issues in adjoining plans to ensure consistency.	<b>AD</b>
4.11.	Noted that Centro comments on adjoining plans with regard to public transport implications. This could be built into the Duty to Cooperate process as it evolves.	
5.	<b>Shire District Engagement</b>	
5.1.	New evidence and the Duty to Cooperate process thus far has exposed the future challenge in terms of the scale and distribution of growth. This makes it inappropriate to convene a meeting with Shire District members in September as was agreed by P&TSC on 3 <sup>rd</sup> August.	

Item:	Summary of Discussion	Action:
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5.2. Also agreed that was insufficient information to warrant a detailed report to P&TSC in September instead a more substantial report should go to the following meeting, this should consider:

- Current state of play i.e. plan progress and representations
- Response to Birmingham future growth requirements letter
- Spatial planning activity in LEPs
- Shared transport priorities (Simon Warren initiative)
- Propose a broad approach and detailed way of working.
- Develop proposals for Member engagement

6. **Evidence base requirements and work programme**

6.1. Needs to be considered as a substantive item on a future agenda.

7. **Any other business.**

7.1. Agreed that regular monthly meetings to be scheduled

**AD/DC**

8. **Date of next meeting.**

8.1. Thursday 11<sup>th</sup> October 13:30, 9<sup>th</sup> floor meeting room, Centro House

# NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task and Finish Group Meeting</b>
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Date: Monday 2<sup>nd</sup> July @10am, 9<sup>th</sup> Floor meeting Room, Centro House

Present: Dave Carter (Chair, Birmingham), Dave Simpson (Solihull), Paul Watson (Solihull), Philippa Smith (Sandwell), Annette Roberts (Dudley), Martin Dando (Dudley), Mike Smith (Walsall), Jim Newton (Coventry) Rachel Bell (Centro), Andy Donnelly (CST)

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Ian Culley (Wolverhampton), Laura Shoaf (Black Country Consortium)
2. **Minutes and matters arising from 1<sup>st</sup> June meeting**
  - 2.1. Minutes agreed as an accurate record. Noted that this agenda was issued prior to the seminar with No 5 Chambers.
3. **Feedback from WMJC 13<sup>th</sup> June, P&TSC 15<sup>th</sup> June and WMPOG 21<sup>st</sup> June**
  - 3.1. Noted that WMJC supported P&TSC in taking Duty to Cooperate work forward and endorsed the Strategic Policy Framework for the Metropolitan Area.
  - 3.2. Governance arrangements currently in a state of flux with role of LEPS / ITA being considered and understood that WMJC is in process of reviewing its remit.
  - 3.3. Noted that Birmingham CC has rejoined West Midlands Councils and there is a possibility that a short report on the Duty to Cooperate is tabled at a future member meeting.
  - 3.4. WMJC response reported to WMP&TSC and noted. Members also requested that officers investigate ways by which Metropolitan members could engage with their Shire counterparts. A further report is to be tabled at the next P&TSC meeting on 20th July.
  - 3.5. Also agreed that Shire District members be invited via LEP networks to discuss Duty to Cooperate matters after September P&TSC meeting.
  - 3.6. Good progress on completing the relationship matrix within LEPs where Metropolitan Authorities are members, request to complete met with less success elsewhere. Other Districts invited to complete matrix at WMPOG.
4. **Issues arising from No5 Chambers Seminar 29<sup>th</sup> June.**
  - 4.1. Agreed that this was a useful event and CST thanked for organising it. Agreed to write to No5 Chambers conveying our thanks. Issues arising at the seminar informed discussion of future items
5. **Terms of Reference.**
  - 5.1. See discussion under item 6.
6. **Work Programme**
  - 6.1. Agreed that Metropolitan Area needs to take agenda to the shire districts through WMP&TSC and LEPs

**AD**

Item:	Summary of Discussion	Action:
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- 6.2. Agreed three guiding principles for taking forward work:  
**Metropolitan Focus** – Supporting agreed urban renaissance  
**Subsidiarity** – Discussions undertaken at most appropriate level, for example some issues may be bilateral whereas others are best dealt with at Metropolitan or LEP level.  
 Agreed on need to draw up a schedule of issues based on NPPF identify at which geographical level they are best dealt with. Also need to compare contents of paragraph 6 in metropolitan area Framework with NPPF contents.
- Decentralisation and Coordination** – Local Authorities to consider detailed matters in neighbouring authorities within the overarching context of urban renaissance. Noted that in some instances, approach towards development in Shires would differ.
- 6.3. Importance of evidence base crucial and Mott MacDonald SLS in place until March 2014 when three options are available.
- Roll forward for two years
  - Retender
  - Do not renew
- 6.4. Essential that planning resource is maintained at least at its current level as it is vital to complying with the Duty to Cooperate. Also the planning element has seen the largest reduction pro rata recently.
- 6.5. The legacy money from the Regional Assembly should last until the expiry of the current contract.
- 6.6. Local authority representatives agreed that responsibility for day to day management and administration of the MM contract should be seen as a significant element of the CST working on behalf of the clients, and should be managed by a local authority with planning responsibilities on behalf of P&TSC. Agreed that a more detailed briefing note be circulated to members of this group so that they can brief EOG members in advance of next week's meeting.
- 6.7. Noted that the transport elements of the contract are dependent upon the provision of planning data for the purposes of modelling etc.
- 6.8. The principle of funding joint planning work and CST has been established through previous transfer of Planning Delivery Grant monies from the Regional Assembly.
- 6.9. Need to make effective use of resources as with numerous relationships the task may be more onerous than in the past. The possibility of setting up an officer level Duty to Cooperate Board was raised to deal with day to day matters but with oversight from P&TSC. Any major or intractable issues would need to be referred for political consideration through P&TSC.
- 6.10. Noted that there are economies of scale in joint commissioning of evidence. Implications of soon to be released 2011 Census data and implications for population / household projections a case in point. Possibility of commissioning an 'in house' research team.

AD

DC

Item:	Summary of Discussion	Action:
6.11.	Noted that any deliberations of a Board (or other body) would need to be recorded accurately and would potentially be subject to request from third parties.	
6.12.	Engagement with non-local authority (ITA excepted) Duty to Cooperate bodies discussed. It was suggested that they be invited to future meetings to discuss relevant Duty to Cooperate matters. Noted that Natural England had responded to the Strategic Framework despite fact that none were directly sought – response to be circulated	<b>AD</b>
6.13.	Issue also raised with regard to other stakeholders, including the development industry, and possibility of a quarterly / biannual conference is considered.	
6.14.	Agreed that a report be drafted for P&TSC to encapsulate the above, the Chair’s agenda meeting is on Thursday 5 <sup>th</sup> July @15:00. Officer level sign off required by EOG on 12 <sup>th</sup> July	<b>AD/DC</b>
7.	<b>Implications of adjoining Local Plans</b>	
7.1.	In the light of the agreed delegation principle, detailed matters on neighbouring plans to be considered by a nearby authority, responses should make it clear that in some instances, Shire districts will be required to accommodate some of the Metropolitan Area’s needs. Agreed to retrieve earlier schedule of responsibilities and circulate.	<b>AD</b>
7.2.	<p>Documents currently published for consultation:</p> <p><b>Tamworth</b> – Birmingham lead</p> <p><b>Warwick</b>- Coventry lead (in liaison with Solihull)</p> <p><b>Stafford</b> – Wolverhampton lead</p> <p><b>South Worcestershire</b> – Birmingham lead</p> <p><b>South Staffordshire</b> – Dudley lead, although Wolverhampton is taking a report to its July Cabinet. Considered that issues are relatively minor as Plan being updated to reflect NPPF.</p>	
7.3.	Also agreed that metropolitan Authorities need to liaise closely with others when there are shared relationships, Warwick being a case in point as illustrated above.	
8.	<b>Any other business</b>	
8.1.	Attention drawn to fact that local authorities may wish to draw attention to Duty to Cooperate / other aspects of Localism Act in their constitutions.	
9.	<b>Dates of future meetings</b>	
9.1.	<p>3<sup>rd</sup> September 13:30</p> <p>11<sup>th</sup> October 14:00</p> <p>9<sup>th</sup> Floor meeting room Centro House</p>	

## NOTES OF MEETING

Subject:	<b>Duty to Cooperate Task and Finish Group</b>
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Date: Friday 1<sup>st</sup> June 2012

Present: Dave Carter (BCC ), Paul Watson (SoMBC); Philippa Smith (SaMBC); Martin Dando (DMBC); Jim Newton (CCC); Janet Kings (Centro); Dave Simpson (SoMBC); Mike Smith (WMBC); Andy Donnelly (CST)

Item:	Items for Discussion:	Action:
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1. **Apologies**

1.1. Ian Culley (WCC); Laura Shoaf (BCConsortium); Andy Middleton (Centro); Lydia Barnstable (WCC)

2. **Purpose and Expectations**

2.1. The purpose of the group is to consider the implications of and implement a work programme to discharge the Duty to Co-operate, as agreed by OEG at May meeting. As delegated authority, those attending must be able to commit resources/their authority to a position.

2.2. Agreed that Dave Carter would chair the group on the basis of his leading on this matter at former regional level.

2.3. Noted that Lydia Barnstable has expressed an interest in representing District transport interests but was unable to attend this meeting.

3. **Recap**

3.1. Noted that guidance from Government limited although some legal interpretations filtering through.

3.2. SoMBC shared some advice from Counsel, Duty to Co-operate is not a one size fits all approach and should be issues driven, a prime example being Birmingham Airport.

3.3. There is a need to consider process v outcomes, NPPF says 'maximise effectiveness'. Cannot just pay lip service to process.

3.4. Duty to Co-operate could also impact on S78 appeals, as illustrated by recent use of Strategic Framework.

4. **Work So Far/LEP Arrangements**

4.1. Review of engagement thus far, noted that although a statutory duty, local authorities could not be compelled to co-operate on terms set out by others.

4.2. Relationship matrix has been completed in Met Area and BGSLEP/BC LEP. JN to progress completion in CW LEP area, would then have majority of Met relationships identified. Some disappointment that although the matrix had been discussed and circulated at WMPOG, no further completed matrices had been forthcoming.

**JN**

Item:	Summary of Discussion	Action:
4.3.	Future matters to be considered include, what happens when authorities disagree in terms of whether there is a relationship and its extent. Also further exploration required as to what the key issues for co-operation are.	
4.4.	It was not clear how things were being taken forward via West Midlands Council's following recent presentations to Chief Executives' Task Force. A short half page briefing to be prepared to include an example where a plan fallen foul of Duty to Cooperate..	<b>DC/ AD</b>
4.5.	Agreed that relevant matters from NPPF with cross boundary issues need to be identified and tabulated. Needs to have completed any specific local issues identified.	<b>AD</b>
4.6.	GBSLEP has prepared a plan identifying key land use designations/features etc and list of housing and employment land figures.	
5.	<b>Development Plans</b>	
5.1.	Solihull – consultation on pre-submission Local Plan closed March 2012, taking an amended publication version plan forward to Cabinet later this month.	
5.2.	Coventry – one issue is promotion of Coventry Gateway Scheme; LEP initiated and involves Warwick DC. Possible identified previously developed land housing shortfall relative to ONS projections, but locally derived evidence is considered to be more realistic.	
5.3.	Black Country – Plan adopted 2011 and working towards being one of the frontrunners in terms of seeking conformity with NPPF and do not foresee any major pitfalls.	
5.4.	Birmingham – SHLAA indicates capacity for 42,000 dwellings (revised downwards due to market conditions for city centre dwelling), SHMA indicates between 81,500 – 105,000 requirement, dependent on the extent to which the 2010 based projections are taken into account. Challenging international migration assumptions could potentially reduce this by circa 15,000. Consultation on limited options in autumn.	
6.	<b>Duty to Co-operate Options</b>	
6.1.	Whilst need to be thorough and legally compliant, process needs to be simplified. Eastbourne BC cited as a good example. AD to recirculate.	<b>AD</b>
6.2.	Considered whether CST/colleagues could act as a 'critical friend' of emerging plans. Some concern that this may replicate conformity process but otherwise considered may be useful in airing key issues pre-examination.	
6.3.	Merit in a centralised audit trail for holding of evidence/correspondence/agreement etc, this, however will not be resource intensive.	
7.	<b>Joint Working</b>	
7.1.	Some of evidence may be out of date as used for RSS2. Need's review to consider what can usefully be updated. Economies of scale and cost efficiencies in terms of joint commissioning.	<b>AD</b>
8.	<b>Report to WMP&amp;TSC</b>	



Item:	Summary of Discussion	Action:
8.1.	Use WMJC report (13 <sup>th</sup> June) with a covering note. Leaders and Chief Executives need to be fully aware of the consequences of not complying with DtC.	<b>AD</b>
9.	<b>Terms of Reference</b>	
9.1.	DC/AD to draft on basis of this meeting and EOG minute and outcome of this meeting	<b>DC/AD</b>
10.	<b>No 5 Seminar</b>	
10.1.	Provisional date to be confirmed 29 <sup>th</sup> June am. Verification from No5 awaited ( <b>subsequently received</b> ). Authorities requested three representatives per authority, opportunity to invite senior officers.	
11.	<b>AOB</b>	
11.1.	None.	
12.	<b>Date of next meeting.</b>	
12.1.	<p>To be confirmed but sometime in early July in order that Work Programme can be presented to 20<sup>th</sup> July P&amp;TSC meeting.</p> <p>Subsequently confirmed as:</p> <p>Monday 2nd July @10:00</p> <p>Monday 3<sup>rd</sup> September @13:30</p> <p>Thursday 11<sup>th</sup> October @14:00</p> <p>All to take place at 9<sup>th</sup> Floor meeting room.</p>	

# NOTES OF MEETING

Subject:	<b>PAG</b>
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Date: 3<sup>rd</sup> September 2012 @14:00, Centro House

Present: Mike Smith (Chair), Dave Carter, Dave Simpson, Philippa Smith, Rachel Bell, Martin Dando, Andy Donnelly

Item:	Items for Discussion:	Action:
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1. **Apologies.**
  - 1.1. Jin Newton, Ian Culley
2. **Minutes of meeting 2<sup>nd</sup> July**
  - 2.1. Agreed as an accurate record.
3. **Matters arising.**
  - 3.1. Noted that agenda for this meeting had incorrect date. To be amended. **AD**
  - 3.2. Planning representatives (Dave Carter / Jim Newton) to be invited to HS2 Connectivity Group, led by Centro. Need to check that this has been auctioned. **RB**
  - 3.3. Noted that Terms of Reference need to be revisited.
4. **Freight Strategy**
  - 4.1. Neil Ross from Centro introduced. Following recent PEG / PAG workshops document in process of being signed off internally.
  - 4.2. Agreed to meet individually with PEG / PAG representatives at each local authority, and then return to parent groups. **NR**
  - 4.3. Substantial focussed consultation with various stakeholder groups taken place, as such now proposed sign off through Member mechanisms. Queried whether further consultation advisable. **NR**
  - 4.4. Need to ensure that in promoting multi modal interchange at Bescot and wider Black Country / southern Staffordshire RLS study are mutually supportive. Initial report of RLS study to steering group on 12<sup>th</sup> September. Also, does Bescot fit requirements of RLS? Although this was discounted at RSS2 EiP; also understood that RLS more for road based distribution. Bescot Brief also needs to consider impact on other facilities, e.g. Landor St
5. **Low Emission Towns and Cities**
  - 5.1. Vicki Popplewell's update given via Chair. Informal comments had been made on draft planning best practice by Walsall and CST. Agreed that unless PAG representatives stated otherwise by 17<sup>th</sup> September, that the comments be formalised as a PAG response. **ALL**
  - 5.2. Comments made regarding charging point requirements being too specific, need to ensure that guidance only. However, car parks (inc. park and Ride) and hotels should be considered as they accommodate 'long stay' parking.
  - 5.3. Also need to consider ownership of document. Does it require any political sign off? To be raised at OEG by Chair. **MS**

Item:	Summary of Discussion	Action:
5.4.	Would also welcome further guidance on wider LETC 'strategy'. Chair to discuss with Vicki Popplewell.	<b>MS</b>
6.	<b>Future Joint Working</b>	
6.1.	<p>Considered that main priorities for joint working were as follows:</p> <ul style="list-style-type: none"> <li>• Strategic coordination of transport investment and spatial planning</li> <li>• Duty to Cooperate / cross boundary planning</li> <li>• Common evidence base and economies of scale</li> <li>• Interpreting national policy and responding to consultations, although need to be selective in terms of later</li> </ul>	
7.	<b>Transport Priorities including Local Transport Bodies</b>	
7.1.	Update given on shared Transport priorities work initiated by Simon Warren. This is seeking agreement on key priorities with other transport authorities to illustrate to DfT that West Midlands is working together.	
7.2.	PAG of view that Duty to Cooperate and agreed Strategic Framework should be referenced as part of this exercise. Issue to be raised at OEG.	<b>MS/AD</b>
8.	<b>Reports to OEG / WMP&amp;TSC</b>	
8.1.	<p>Overview of representations on adjoining development plans</p> <p>Duty to Cooperate Task Group had previously considered that such a report was premature, although Paul Watson had subsequently requested a report with a view to it going to WMP&amp;TSC. Schedule to be sent to OEG.</p>	<b>AD</b>
8.2.	<p><b>Census briefing</b></p> <p>Headline information report showing change since 2001</p>	<b>AD</b>
8.3.	<p><b>CLG Consultations</b></p> <p>Briefings had been circulated but some discussion as to whether these were appropriate for consideration by P&amp;TSC.</p> <p>Reuse of buildings considered to be important, particularly in terms of possible scale of some of the changes to permitted development rights and also problems that could be created by temporary consents.</p> <p>Other area of concern in terms of changes to information to be submitted to support planning applications no longer advocates advising local authority of scale of development making it difficult to assess the implications of the proposal.</p>	
8.4.	<p><b>Sustainable Framework for Aviation</b></p> <p>Consultation avoids big issue regarding capacity in south east; very technical consolation and no response proposed at this juncture.</p>	
8.5.	<b>Renegotiation of S106 agreements</b>	
8.6.	Considered that local authorities are already authorised to do this, therefore no response appropriate.	
8.7.	Chair to raise these issues at OEG Wednesday 5 <sup>th</sup> September. Noted that P&TSC Chairman's agenda meeting on 5th September also @16:30.	<b>MS</b>
9.	<b>Implementing LTP through planning system and other Centro matters</b>	

Item:	Summary of Discussion	Action:
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- 9.1. Following on from previous meetings discussion, Centro to prepare presentation for a subsequent meeting to enable a discussion as to how best to take this forward. Noted that policy delivery sheets, which identified where other partners were necessary for LTP delivery, are available. **RB**
- 10. **Mott MacDonald contract**
- 10.1. Noted that contract expires March 2014 options to roll forward or to retender (or not). Requires further discussion at a future meeting.
- 10.2. Noted that at recent Partnership Board meeting, issue raised as to completeness of land use monitoring outside of Metropolitan area.
- 11. **Any other business.**
- 12. None
- 13. **Date of next meeting.**
- 13.1. To be determined

# NOTES OF MEETING

Subject:	<b>PAG</b>
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Date: Monday 2<sup>nd</sup> July, 9<sup>th</sup> Floor Centro House @11:30

Present: Jim Newton (Chair), Dave Carter, Dave Simpson, Rachel Bell, Philippa Smith, Mike Smith, Martin Dando, Andy Donnelly

Item:	Items for Discussion:	Action:
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1. **Apologies.**

1.1. Ian Culley

2. **Minutes of meeting and matters arising**

2.1. Agreed as an accurate record and matters arising covered on agenda

3. **Feedback from Officer Executive Group**

3.1. Main items covered at preceding Duty to Cooperate Task Group.

4. **Terms of Reference**

4.1. Agree on need for Terms of Reference and use those of PEG as a template. Not straightforward given uncertain external environment. Noted that EOG does not have ToR.

**JN  
/AD**

4.2. DC to look to see if he has previous ToR, MS to ask Dawn Harris too if she can locate from when she provided secretariat service.

**DC/M  
S**

5. **Development Plans (except Local Plans)**

5.1. Wolverhampton is taking a Stafford Road Area Action Plan Options Report to its July Cabinet.

5.2. **Centro Update**

5.3. Liaising with highways agency regarding information for planning applications etc. Queried whether local authorities needed to be engaged as highways authorities.

5.4. Local authority PAG members sought more information and engagement on HS2 and local connectivity working being led by centro, particularly as it is understood that a component of this work is Local Plan screening.

**RB**

5.5. See Item 9 also

6. **PEG Update**

6.1. Paper circulated and noted.

7. **Mott MacDonald issues**

7.1. Reiterated views of Duty to Cooperate Task and Finish Group on contract management matters in that contract should be held by an authority with planning responsibilities with day to day management an integral part of CST role.

7.2. Also need to scrutinise operational side of the contract in terms of information requirements, which are potentially more onerous than previously and ensure that the resource is maintained as contract review progresses.

Item:	Summary of Discussion	Action:
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7.3. Further information sought as to when latest land use monitoring information will be available, possibility that Shire districts no longer see this as a matter of urgency? **AD**

7.4. Noted Partnership Board meeting on 16<sup>th</sup> July AD and JN attending on behalf of PAG, DC is unavailable.

8. **Community Infrastructure Levy**

8.1. Wolverhampton CC is presenting a report to its July Cabinet Meeting. Understood that this proposes suspending further progress on CIL for 12 months on viability grounds.

8.2. Whilst this effectively suspends any progression of CIL at a metropolitan level for the immediate future, the group that was set up is useful for exchange of best practice / progress by email. Offer remains for CST to host a meeting of CIL representatives should it be required **All**

8.3. DS confirmed that in Solihull it was labour intensive exercise and required cross departmental working.

9. **Implementing LTP Policies through Local Plans**

9.1. Centro agreed to undertake audit of LTP policies which rely on Local Plans / planning authorities for implementation and progress this work programme item further. Agreed that focussing on Implementation / Infrastructure and Investment Plans to accompany Local Plans was most appropriate way forward as policy areas should already have been picked up via representations previously made by Centro, although there may be some tweaking in the light of the publication of the National Planning Policy Framework (NPPF). **RB**

9.2. Centro's input into Solihull's Infrastructure Delivery Plan [http://www.solihull.gov.uk/Attachments/IDP\\_baseline\\_draft\\_v\\_24\\_Jan\\_2012\\_ALL.pdf](http://www.solihull.gov.uk/Attachments/IDP_baseline_draft_v_24_Jan_2012_ALL.pdf) considered a good example of effective working focussing on infrastructure requirements for nodes and corridors. Attention drawn to value of this work in terms of complying with Duty to Cooperate requirements but need to be mindful of more stringent viability tests in NPPF.

10. **Any other business.**

10.1. None

11. **Date of next meeting.**

11.1. Monday 3<sup>rd</sup> September @ approximately 15:00 after Duty to Cooperate Task Group

# NOTES OF MEETING

Subject:	<b>PAG</b>
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Date: Friday 1<sup>st</sup> June, 2012 @13:30, 9<sup>th</sup> floor Centro House

Present: Dave Carter (BCC ), Philippa Smith (SaMBC); Martin Dando (DMBC); Jim Newton (CCC); Janet Kings (Centro); Dave Simpson (SoMBC); Mike Smith (WMBC); Andy Donnelly (CST)

Item:	Items for Discussion:	Action:
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|------|---|------------|
| 1.   | <b>Apologies.</b>   |            |
| 1.1. | Ian Culley (WCC)  |            |
| 2.   | <b>Minutes and matters arising from 25<sup>th</sup> April meeting</b>   |            |
| 2.1. | Minutes agreed as accurate record of meeting  |            |
| 2.2. | Clarified that population projections minute related to raising the issue at WMPOG  | <b>DC</b>  |
| 3.   | <b>Local development Framework Updates (exc metropolitan Area)</b>  |            |
| 3.1. | Warwick Local Plan –Preferred Option closing date 27 <sup>th</sup> July   |            |
| 3.2. | Tamworth Local Plan – Pre submission document closing date 20 <sup>th</sup> July  |            |
| 4.   | <b>Centro Update</b>  |            |
| 4.1. | Noted that Centro working with CIHT via PTEG looking at best practise guidance on transport assessments, travel plans, planning and strategic highways to support NPPF.                     |            |
| 4.2. | Considered that this may be an opportunity to influence Government advice and agreed that liaison takes place with District planning / transport officers in order to utilise expertise.    | <b>JK</b>  |
| 4.3. | Local authorities to advise centro of any documents that they considered should be on the circulated <i>schedule</i> .  | <b>ALL</b> |
| 4.4. | Following on from PEG / PAG stakeholder meeting on Freight Strategy on 15 <sup>th</sup> May, similar meetings have taken place with other stakeholder groups.                               |            |
| 4.5. | Queried as to whether what was proposed was actually a ‘strategy’, in its own right or whether it was a process for identifying key priorities that could be supported by all stakeholders. |            |
| 4.6. | Noted that interviews for consultants to undertake Black Country / Southern Staffordshire were conducted earlier this week.   |            |
| 5.   | <b>PEG Update</b>   |            |
| 5.1. | Circulated paper noted  |            |
| 6.   | <b>Mott Mac Donald SLS</b>  |            |
| 6.1. | Noted that a review of contract specification being undertaken via Partnership Board and that PAG was represented.  |            |

Item:	Summary of Discussion	Action:
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6.2. Solihull MBC wishes to relinquish management of the contract and is seeking alternative arrangements. Local authority PAG representatives support retention of the contract with a District Council on the basis that the maintaining the planning data is an integral part of the statutory Duty to Cooperate.

7. **Community Infrastructure levy**

7.1. Reminded that CST had sent an invitation offering to host a future meeting to discuss common issues but there had been no response to this. PAG representatives to contact their appropriate officers and remind.

**All**

7.2. Wolverhampton CC taking a report to cabinet in July to seek endorsement of a way forward.

7.3. In Solihull, CBRE, are continuing with the viability work, and the Viability Study should be completed in September 2012. Dependent on the findings of the report, anticipate a consultation on a Preliminary Draft Charging Schedule towards the end of this year

8. **Implementing LTP policies through Local Plans**

8.1. Noted that this was an underdeveloped work area from agreed work programme.

8.2. Policy monitoring sheets were circulated with papers. Although not complete give some indication as to where planning policies can help implement LTP policies. Further analysis required.

**JK / AD**

9. **Planning Act 2008: Consultation on proposed changes to the suite of guidance documents for the major infrastructure planning regime**

9.1. Not considered that changes were likely to impact substantially on Metropolitan area from current arrangements

10. **TCPA Study - How to Reunite Health with Planning**

10.1. Attention drawn to the above and request for engagement from planners; understood that a workshop had taken place and a seminar to be held shortly.

10.2. Angela Hands, a public health practitioner, working with Coventry CC, is a principal point of contact as she has been engaged to date.

11. **Any other business.**

11.1. None

12. **Date of next meeting.**

12.1. Requested that future PAG meetings follow on from Duty to Cooperate T&F Group meetings

Monday 2nd July @10:00

Monday 3<sup>rd</sup> September @13:30

Thursday 11<sup>th</sup> October @14:00

All to take place at 9<sup>th</sup> Floor meeting room.



## NOTES OF MEETING

Subject: **PAG Meeting**

Date: Wednesday 25<sup>th</sup> April @ 10:00 – 9<sup>th</sup> Floor, Centro House

Present: **Jim Newton** (Coventry - Chair), **Martin Dando** (Dudley), **Philippa Smith** (Sandwell), **Janet Kings** (Centro), **Mike Smith** (Walsall), **Dave Simpson** (Solihull), **Les Johnson** (Mott MacDonald), **Andy Donnelly** (CST)

Item: Items for Discussion:

1. **Apologies**
  - 1.1. **Laura Shoaf** (BC Consortium), **Dave Carter** (Birmingham), **Ian Culley** (Wolverhampton)
2. **Minutes of meeting 21<sup>st</sup> March 2012**
  - 2.1. Agreed as an accurate record.
  - 2.2. Response sent to CLG changes to statistics consultation.
  - 2.3. IC has circulated Neighbourhood Planning weblink.
  - 2.4. JK forwarded information on Leeds City Region, information on how CIL treated in other Metropolitan LTP areas would be useful.
  - 2.5. A meeting of PTEG Planning Representatives to take place soon. JK also to provided further information on the PT x 2 initiative (upgrading Public Transport Prospectus). **JK**
  - 2.6. Understood that Dave Carter has completed relationship matrices from the PAG/GBSLEP. JN to progress in CW LEP. **JN**
  - 2.7. DS to circulate Solihull cabinet report and Stratford representation via CST. **DS**
  - 2.8. Red Lion Norton Canes letter outstanding – MS to progress with Laura Shoaf. **MS**
  - 2.9. BC authorities considering commissioning joint SHMA in line with NPPF. Agreed to liaise with Dave Carter regarding compatibility with Birmingham approach. **PS/MS/MD**
  - 2.10. Other matters arising covered elsewhere on the Agenda.
  - 2.11. Agreed that Terms of Reference need to be drafted focusing specifically on Duty to Co-operate, to be included on the next Agenda. In the meantime, PEG ToR to be circulated for information. **CST**
3. **Update Items**
  - 3.1. **Mott MacDonald Update**  
 The final return for the 2011 joint monitoring surveys was 74%. Met Area = 95% and Shires = 67%. Housing return = 90%; RELS = 87%; Centres = 81%; and Environment = 57%. Major omissions were Herefordshire, Telford & Wrekin, Worcester City, and Malvern Hills. Last year (2010) the overall response was 79%. No one got back to us after the 'final final' deadline of 9th March 2012 (except Worcester - the 2011 surveys resent but nothing back so far).

Item:	Summary of Discussion	Action:
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- 3.2. The 2012 joint monitoring surveys are being rolled out this week, starting with RELS and Offices. The return deadline is set for 1st October 2012.
- 3.3. ONS 2010-based sub national population projections methodology paper circulated. This suggests that international migrants are distributed in a different way to the 2008-based methodology.
- 3.4. ONS appears to be concentrating on their application programming interface (API) as the main access point to 2011 Census results. Most local authority users are likely to opt for bulk delivery (disc or downloading or SASPAC). ONS, however, hasn't committed itself to providing a unique cell referencing system to link data and tables, which they did for 2001. This is essential for users preparing census data for their own in-house systems whether they involve setting up tables for presentation on websites or for bespoke queries. As a result, there may be a lot of time and effort duplicated by users doing something ONS may already have.

#### 4. **LEPs Update**

- 4.1. Birmingham/Solihull – no change from last meeting.
- 4.2. Coventry/Warwickshire – promoting Coventry Gateway proposals. Coventry/Warwick now sharing lead officer, Tracy Darke.
- 4.3. Black Country – validation checklist still available for comment and Darlaston LDO approved.

#### 5. **Local Development Framework Updates**

- 5.1. Coventry – housing number options consultation until 10<sup>th</sup> May. No collective Metropolitan response but Solihull may comment.
- 5.2. Walsall – site allocations documents as previously reported.
- 5.3. Solihull – circa 700 responses to Core Strategy, many surrounding a single proposal in North Solihull. Counsel's Opinion being sought as to whether further consultation required prior to submission, reporting to cabinet in June and also regarding Gypsies and Travellers DPD.

#### 6. **Centro Update**

- 6.1. Consultation closed on Freight Strategy Issues & Options and Public Transport Prospectus under review. No change regarding LSTF, agreed to provide further details/timetable regarding Rail Strategy.

**JK**

#### 7. **PEG Update**

- 7.1. Noted – also note that PAG/PEG Chairs intend to meet with CST prior to future PAG meetings.

#### **Discussion Items**

#### 8. **National Planning Policy Framework**

- 8.1. Improvement from draft, but where previous policy 'summarised', as implied by PINS, will people not need to refer to source PPS/PPG documents? Also not clear what companion guides remain.
- 8.2. Acknowledged that transport is one of the areas where change from current policy. There is a clear push towards CIL as a means of funding.
- 8.3. Some loosely defined terms eg 'objectively assessed needs'.
- 8.4. Issue of a non-statutory document being used as the basis for preparing statutory Local Plans
- 8.5. A report to be prepared to OEG/P&TSC identifying headline issues and

Item:	Summary of Discussion	Action:
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particularly Duty to Co-operate

- 8.6. Also need to go through each section looking at where policy gaps have appeared. Whilst this may flag up areas where joint policy development is required, it may also help individual authorities through sharing expertise. Considered that these could be rolled together in form of a short manual using transport analysis prepared so far by CST as a template.
- 8.7. PAS has prepared a guide to assisting in ensuring that existing plans are in conformity with NPPF. Black Country considering working with PAS on this.
- 8.8. Main changes in process eg Duty to Co-operate.
- 8.9. Noted that response to Select Committee report useful. CST to circulate link. **CST**
9. **2010 Population Projections**
- 9.1. Methodology note circulated. LJ has subsequently clarified that the change is due in the main to assumptions/methodology regarding international migration. Noted that may be further discussion following release of 2011 preliminary census data. Some concern on rebasing of 2010 figure, in Coventry for example, what evidence was there of a further 10,000 people since 2008? Also of course this size of correction calls the ONS projections as a whole into question
- 9.2. Noted the upward trend and implications, for example, when translated into household projections then how much less capacity would the Black Country have to accommodate overspill from elsewhere?
- 9.3. Noted that there was a gap in terms of demographic skills base since winding down of regional structures. POPGROUP software no seems to have replaced Chelmer as the population forecasting tool.
- 9.4. Agreed to raise at next WMPOG meeting. If any work to be commissioned then better done at a larger than single authority level. **CST to speak to Dave Carter**
10. **Strategic Policy Framework**
- 10.1. Urgency in despatching this noted. Agreed not to include NPPF tracked changes especially as Solihull had formally endorsed document as drafted, but instead to draw attention to this in the covering letter.
- 10.2. **Community Infrastructure Levy**
- 10.3. Viability a major concern in Black Country, particularly in Regeneration Corridors where most development focused.
- 10.4. Agreed that PAG members would approach their CIL/S106 Officers to establish whether they would benefit from a further meeting. CST happy to convene.
- 10.5. **Matters in adjoining Authorities**
- 10.6. No new plans available for consultation. Need to establish whether a meeting with Stratford upon Avon necessary. **CST**
- 10.7. **Changes to guidance for major infrastructure planning** **All**
- 10.8. Retrieve previous comments on this and establish whether there are any implications.
11. **Any Other Business**
- 11.1 None

Item:	Summary of Discussion	Action:
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**Date of Next Meeting**

**All**

- 12. To be determined

## NOTES OF MEETING

- Subject: **PAG Meeting**
- Date: Wednesday 21<sup>st</sup> March @ 14:00 – 9<sup>th</sup> Floor, Centro House
- Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Janet Kings** (Centro), **Jim Newton** (Coventry), **Ian Culley** (Wolverhampton), **Mike Smith** (Walsall), **Dave Carter** (Birmingham), **Dave Simpson** (Solihull) **Les Johnson** (Mott MacDonald ), **Simon Rowberry** (CST), **Keith Rogers** (CST- Item 8 only)
- Item: Items for Discussion:
1. **Apologies**
    - 1.1. **Laura Shoaf** (BC Consortium), **Andy Donnelly** (CST)
  2. **Minutes of meeting 26<sup>th</sup> January 2012**
    - 2.1. PS was not present on 26<sup>th</sup> January. Otherwise all minutes of last meeting agreed as an accurate record.
  3. **Update Items**
  4. **Mott MacDonald Update (and Consultation on collection of CLG Statistics)**
    - 4.1. Outstanding monitoring returns schedule was circulated following last meeting. 95% response rate from the Mets, 73% across the region.
    - 4.2. Quarterly SLS monitoring was reported to OEG. MM and Keith Rogers developing a more streamlined report to give headline figures.
    - 4.3. P&TSC have delegated PAG to prepare a response to the CLG's proposed changes to land use data collection particularly at a Regional level. A brief response is to be prepared by AD and submitted prior to deadline on 2<sup>nd</sup> April 2012. **AD**
  5. **LDF Update**
    - 5.1. Coventry - now consulting on Options for Housing Numbers.  
3 options
      - Past trends (under 10,000)
      - Economic Growth (14,400)
      - ONS household projections (20,000).At present the SHLAA evidence supports Option 2.
    - 5.2. Birmingham – Aston/Newtown/Lozells Area Action Plan has received the Inspectors report – no issues of soundness – can proceed to Adoption.
    - 5.3. Sandwell – Site Allocations Document EiP took place in February. Inspector delaying report until after NPPF published and advised Sandwell to publish all proposed amendments to ensure no objections to soundness.
    - 5.4. Walsall – Issues and Options consultation for Site Allocations Document and Walsall Town Centre AAP delayed until after local elections in May.

Item:	Summary of Discussion	Action:
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- 5.5 Dudley – Stourbridge AAP published. Expecting to submit in June 2012.
- 5.6 Neighbourhood Plans – discussion on whether any had progressed in Met Area. DS enquired as to whether there was any guidance available. Wolverhampton (as a pilot authority) has compiled some information – IC to circulate **IC**
6. **LEPs Updates**
- 6.1. BC LEP is publishing a Black Country Validations Checklist on Monday 26<sup>th</sup> March for an 8 week consultation.
- 6.2. GBS LEP – The LEP Planning Group have launched their Planning Charter and Strategic Spatial Framework. It can be downloaded on the GBSLEP website.
- 6.3. Coventry and Warwickshire LEP – Planning and Property Group meets regularly but yet to finalise an agreed planning charter/protocol.
7. **Centro Update**
- 7.1. JK to forward links of how LEPs and ITA's are working together in other Regions in England. **JK**
- 7.2. Report has gone to PEG on the next phase of Freight Strategy which will be followed up by a joint PAG / PEG workshop in April. (Now scheduled for May 19<sup>th</sup>)
- 7.3. Centro's Integrated Transport Prospectus is being reviewed. The PTx2 initiative is to be included. JK to circulate link to the relevant website page. **JK**
- 7.4. Latest report on Transport Governance has also gone to West Midlands Joint Committee as well as to Chief Execs meeting.
8. **PEG Update**
- 8.1. CIL – AD has asked for PEG reps to sit on the CIL Group.
- 8.2. PRISM Refresh - Funding agreed by PEG and OEG for refresh to take place.
- Discussion Items**
9. **Duty to Co-operate**
- 9.1. DC circulated Duty to Co-operate matrix for individuals to map functional relationships for their Authorities. DC to also circulate to WMPOG later in the month for Shire Districts to do the same. Graded according to Primary and Secondary relationships.
- 9.2. DC also circulated a Duty to Co-operate checklist to ensure requirements are met at different stages of a DPD. DC invited any views on additions or improvements to the checklist. **All**
10. **Matters Arising from P & T SC 2<sup>nd</sup> March and OEG 14<sup>th</sup> March**
- 10.1. Policy Framework Refresh – discussion on approval route for individual Authorities. DS has taken a report to Solihull Cabinet and will circulate. **DS**
- 10.2. CIL – agreed that there is no appetite for a joint CIL at present. CIL Group will continue as means of sharing best practice and any potential opportunities. **CST**
11. **Terms of Reference**

Item:	Summary of Discussion	Action:
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- 11.1 To be discussed at next PAG meeting
- 12. **Matters in adjoining Authorities**
- 12.1 Stratford Core Strategy – Further draft published for consultation. Brief Officer response to be put together in time for deadline of April 2<sup>nd</sup>.
- 12.2 Red Lion Lane Norton Canes – Walsall have responded to a planning application for a large housing site in the Green Belt. No appetite for a Met response but the Black Country Authorities will sign off a joint response with the BC Consortium **MS/MD/PS/IC/LS**
- 13. **Future Work Areas**
- 13.1. Population projections – Population projections were released today. To be discussed at next PAG meeting
- 13.2. Joint SHMA – Raised previously by DC. Birmingham now proceeding on their own SHMA. Black Country planning leads to discuss whether a BC SHMA is desirable. **MS/PS/IC/MD**
- 14. **Future Metropolitan Working Arrangements**
- 14.1 CST move to Birmingham CC offices progressing but unlikely before 31<sup>st</sup> March.
- 14.2 SR contract comes to an end on March 31<sup>st</sup>. Peter Francis to take over management responsibilities for the CST. Chair thanked SR on behalf of PAG for all his support and assistance over the last few years and wished him well for the future.
- 15. **Implementing LTP policies.**
- 15.1 To be discussed at the next meeting
- 16. **Any Other Business**
- 16.1 Vicki Popplewell of the Low Emissions Towns and Cities Programme and Tracey Evans as Chair of FOG are responding to the Government consultation on the possibility of local authorities becoming culpable for EU fines on Air Quality amongst other things. If you have comments or issues you want raising, please contact them. **All**
- 16.2 MD finishing stint as Chair. Thanked everyone for help and support and wished JN well who is taking over as Chair from April.
- 17. **Date of Next Meeting**
- 17.1 Not yet determined. AD to circulate dates in due course **AD**

## NOTES OF MEETING

- Subject: **PAG Meeting**
- Date: Thursday 26<sup>th</sup> January @ 14:00 – Room 144, Centro House
- Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Janet Kings** (Centro), **Rob Haigh** (Coventry), **Ian Culley** (Wolverhampton), **Laura Shoaf** (BC Consortium), **Les Johnson** (Mott MacDonald), **Simon Rowberry** (CST - part), **Lol Jackson** (Sandwell), **Andy Donnelly** (CST),
- Item: Items for Discussion:
1. **Apologies**
    - 1.1. Mike Smith (Walsall), Dave Carter (Birmingham),
  2. **Minutes of meeting 21<sup>st</sup> December 2011**
    - 2.1. Minutes of last meeting agreed as an accurate record.  
Strategic Housing Market Assessments to be considered under AOB.
  3. **Update Items**
  4. **Mott MacDonald Update (including Item 14 Consultation on proposed change to CLG stats)**
    - 4.1. PRISM land use updates outstanding, Tom Van Vuren to complete. **TVV**
    - 4.2. Outstanding monitoring returns schedule circulated, to be provided by email and circulated. **LJ/CST**
    - 4.3. Quarterly SLS monitoring report to be put on OEG agenda.  
CST advised that Leaders had agreed SLS funding for 2012/14 at 25<sup>th</sup> January WMJC meeting. **AD**
    - 4.4. MM confirmed that they made very little use of CLG's national land use change statistics, neither do the Black Country Observatory.
    - 4.5. Whether proposed changes to housing statistics are a matter of concern requires advice of housing officers. All to seek Housing Officers' advice **All**
    - 4.6. Abandoning data collection at regional level may be a concern if it is required to support EU bids, otherwise regional comparators could easily be recreated. Concern, however, that time series data may be lost as series goes back to 1930s. Considered that this was a CLG initiative, DfT publish regional statistics and BIS operates at regional level. Agreed to prepare response for P&TSC, should time permit and dependent on level of concern. **CST**
  5. **LEP Update**
    - 5.1. Birmingham – publication of Core Strategy scheduled for October 2012.
    - 5.2. Solihull – Draft Local Plan consultation January to early March.
    - 5.3. Coventry – Public consultation on level of housing growth, March 2012.  
Consultation on proposed submission plan – July/August 2012.



Item:	Summary of Discussion	Action:
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- 5.4. Understood that the Greater Birmingham Solihull LEP preparing a 'Spatial Framework' need to establish what the nature of this document is. **CST**
- 5.5. Black Country authorities have agreed to work southern Staffordshire counterparts with a view to reviewing the RLS evidence base with a view to identifying preferred site by end of 2012.
6. **LEPs Updates**
- 6.1. BC LEP had not endorsed LSTF bid, further discussions ongoing with Centro regarding engagement.
- 6.2. BC LEP also concerned about changes to use of M6 Toll Road and its impact on motorway congestion. CST advised that this matter had been raised at P&TSC on 6<sup>th</sup> January. P&TSC had agreed that the views of the Highways Agency be sought in terms of public costs of M6 Toll being underutilised.
- 6.3. Noted that a consultation on charging HGVs published recently by DfT. PEG likely to co-ordinate response, link to be provided to PAG reps. **CST**
7. **Centro Update**
- 7.1. Current engagement in development proposals:
- \* Selly Oak Hospital site
  - \* Coseley Eco Park
  - \* Sainbsurys Erdington
  - \* Lichfield Park and Ride
- 7.2. Discussions regarding future LA liaison now complete and a procedure to be set out.
- 7.3. Developer Contributions guidance has been updated, to be discussed informally with PEG/PAG/OEG prior to any wider/formal consultation. PAG also requested an update on the PTX2 initiative, which seeks to double public use by 2025 given the potential land-use implications. **JK**
8. **PEG Update**
- 8.1. Received.
- 8.2. Feedback from P&TSC 6<sup>th</sup> January.
- 8.3. Updates provided on Localism Act and CLG NPPF report. Members agreed response to Environmental Report of RSS revocation, which has been submitted to DCLG.
- Discussion Items**
9. **Duty to Co-operate**
- 9.1. Agreed to refresh statement along the following lines:
- \* Factually update inc reference to Localism Act
  - \* Indicate that Urban Renaissance still valid, working and supported by Government policy.
  - \* Seek P&TSC endorsement and circulate to neighbouring authorities/LEPs/Duty to Co-operate bodies as set out in draft regulations
- 9.2. Report setting out the case for refresh to be prepared for 8<sup>th</sup> February OEG. **CST**
- 9.3. Jim Newton's note considered and welcome. Needs to be made clear, however, that the arrangements cannot be prescriptive and must be voluntary.
- 9.4. Need to commence mapping functional relationships between Metropolitan Authorities and Shire districts/counties as set out in Dave Carter's presentation

Item:	Summary of Discussion	Action:
	to last meeting. Need to consider issues such as migration commuting, strategic transport links etc. CST to re-circulate presentation.	<b>CST</b>
10.	<b>Community Infrastructure Levy</b>	
10.1.	Urgent need to progress issue of strategic/x-boundary infrastructure. Initial list of LTP schemes drawn up. CST to re-circulate schedule and prepare update report for OEG – 8 <sup>th</sup> February.	<b>CST</b>
10.2.	Need to confirm further CIL meeting to discuss outcome of OEG meeting and to exchange best practise	<b>CST</b>
11.	<b>LETC</b>	
11.1.	PAG advised that project brief had now been revised to reflect previous concerns. Has been suggested that a presentation be given to OEG.	
12.	<b>Sustainable Aviation Framework</b>	
12.1.	Noted that Government consulting on aviation policy Spring 2012.	
13.	<b>Any Other Business</b>	
13.1.	Further discussion required between Birmingham and Black Country regarding SHMA refreshes, especially in terms of migration assumptions.	<b>MD</b>
14.	<b>Date of Next Meetings</b>	
14.1.	Wednesday February 22 <sup>nd</sup> , 10:00, 9th floor meeting room (changed to Friday 17 <sup>th</sup> February 14:00) Wednesday March 21 <sup>st</sup> , 14:00, 9 <sup>th</sup> floor meeting room	

## NOTES OF MEETING

Subject: **PAG Meeting**

Date: Wednesday 21st December 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House

Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Janet Kings** (Centro), **Jim Newton** (Coventry), **Mike Smith** (Walsall), **Dave Simpson** (Solihull), **Simon Rowberry** (CST - part), **Andy Donnelly** (CST)

Item: Items for Discussion:

1. **Apologies**

1.1. Ian Culley (Wolverhampton), Dave Carter (Birmingham), Laura Shoaf (BC Consortium)

2. **Minutes of meeting 12<sup>th</sup> October 2011**

2.1. Minutes of last meeting agreed as an accurate record.

**Update Items**

3. **Mott MacDonald Update**

3.1. None available.

4. **LEP Update**

4.1. None available

5. **Local Development Framework Updates**

5.1. Coventry – Pre-Submission version Local Plan to full Council in March, with formal submission in June, unless there is still a need to return to Council. Whether RSS still 'live' at time of proposed submission a matter of concern.

5.2. Solihull – Scrutiny Board and Cabinet agreed Pre-Submission document for publication earlier in December, consultation end of January to March.

5.3. Solihull adopted a more bottom up approach in line with localism agenda. RSS Panel Housing Report figures adhered to. Other key content:

- \* Greater focus on M42 Corridor – housing on Blythe Valley
- \* Main focus of development elsewhere Solihull town centre, north Solihull with local needs and rural exceptions in other areas
- \* Phased approach to release of sites – three phases, brownfield led where appropriate
- \* HS2 referred to but no details awaiting Government announcement.

5.4. Sandwell – Site Allocations Document inquiry commences week commencing 27<sup>th</sup> February.

5.5. Birmingham – Understood that some internal work being done examining implications of Government's immigration policy on population/household projections.

5.6. Centro Update – LSTF bid now submitted, decision expected June 2012.

**Discussion Items**

Item:	Summary of Discussion	Action:
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6. **Joint Working Arrangements**

- 6.1. OEG had considered a report earlier today and accepted principles, except recommendation bullet 4, in respect of TUPE and a new team being set up running concurrently. Understood that £350k for 2012-13 in place. Further discussions to take place via Task Group on the TUPE issue. MD to feedback. **MD**

7. **Reports to P&T Sub-Committee – 6<sup>th</sup> January 2012**

- 7.1. Agreed that factual information items to be presented on Localism Act and CLG committee response to NPPF. The latter supported most of the representations/evidence submitted by P&T Sub-Committee.
- 7.2. This leads into SEA Revocation report, which demonstrates flaws in Government analysis by being overtly reliant on Duty to Co-operate and NPPF.
- 7.3. Dave Carter’s presentation given to WMPOG and OEG, particularly well received at the latter. Discussion at OEG as to whether the presentation ought to be given to Members – to be resolved outside of the meeting. CST to liaise. **CST**

8. **Feedback/Progress on adjoining Core Strategies/Local Plans**

- 8.1. South Worcestershire – Annette Roberts’ note circulated.
- 8.2. Warwick – AD and JN met with Sally Jones and Dave Barber on 13<sup>th</sup> December. Unclear as to how Warwick had determined their migration figure, suggested it was based on past trends. SHMA not as yet available but will need examination. Planned provision approximately 50% of household projections.
- The Coventry ‘overspill’ continues to be an issue; technically it is Warwickshire’s trend based growth.
- CST to draft note. **CST**

- 8.3. North Warwickshire – Closing date 12<sup>th</sup> January, suspect reduction in housing numbers. Short response required. CST to liaise with Birmingham CC. **CST**

- 8.4. South Staffordshire – Ian Culley has advised that Wolverhampton CC attended examination and that a revised form of words had been agreed regarding the RLS feasibility work, with a meeting to be arranged for early January. Also understood via WMPOG, that the Gypsy and Traveller pitches approach had been queried as based on WMRA Interim Policy Statement.

9. **Evidence based Review/Refresh of Interim Statement**

- 9.1. Urgency of this task noted especially given emergence of Local Plans and uncertainty as to what will ultimately appear in NPPF.
- 9.2. With regards to shared SHMA, PS to liaise with a Sandwell Housing Strategy Officer and make contact with Dave Carter. **PS**

10. **Community Infrastructure Levy**

- 10.1. Black Country has commissioned some preliminary work by Roger Tyms.
- 10.2. Noted that Solihull had also made some progress and that a catch up meeting is required in the New Year, particularly involving Birmingham. **CST**

11. **Any Other Business**

- 11.1. Agreed that a short PEG update item should be included on future agendas and suggest vice versa. **CST**

12. **Date of Next Meetings**

Item:	Summary of Discussion	Action:
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- 12.1. Thursday January 26<sup>th</sup>, 10:00, Room 144
- Wednesday February 22<sup>nd</sup>, 10:00, 9th floor meeting room
- Wednesday March 21<sup>st</sup>, 14:00, 9<sup>th</sup> floor meeting room

## NOTES OF MEETING

Subject: **PAG Meeting**

Date: Wednesday 23<sup>rd</sup> November 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House

Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Mike Smith** (Walsall), **Dave Carter** (Birmingham), **Tom Van Vuren** (Mott MacDonald - part), **Janet Kings** (Centro), **Jim Newton** (Coventry), **Neil Ross** (Centro - part), **Simon Rowberry** (CST - part),

Item: Items for Discussion: Action:

1. **Apologies**

1.1. **Dave Simpson** (Solihull), **Ian Culley** (Wolverhampton),

2. **Minutes of meeting 12<sup>th</sup> October 2011**

2.1. Minutes of last meeting agreed as an accurate record.

3. **Matters Arising from Minutes, not covered elsewhere on the Agenda**

3.1. Memorandum of Understanding between Centro and the Local Authorities may not be in place yet – but 5 out of 7 meetings have taken place between Centro and the various Planning Departments.

3.2. Staffordshire Waste Plan – some email responses have been sent.

4. **PRISM Refresh and LUTI add-on**

4.1. Following on from the last meeting TVV attended the meeting in order to advise of progress and answer any questions. TVV advised that the LUTI paper has been updated to include PEG's comments. The paper is currently with PMG before proceeding through the system. TVV was seeking affirmation that the LUTI add-on was required.

4.2. Question asked as to what LUTI would give us that we have not had before. TVV advised LUTI is not a DfT requirement but would be a useful tool for assessing the strengths/weakness between land use and transport infrastructures but it is a high level tool rather than for use on minor projects. A motorway junction would be the smallest type of project.

4.3. LUTI has been used with success by some Scottish councils and Manchester has a similar tool.

4.4. Costs discussed at £40k for LUTI approximately. Costs for each PRISM run are dependent on the amount of input required; £3k would be a 'loose' figure. Additional data from districts would be required possibly further employment data/land use data. Demolition data of commercial properties is not captured by local authorities and would not be included. LUTI is an option within PRISM to be considered by PMG but if Planners do not see the benefit at this time LUTI may be taken out.

4.5. Colleagues considered that PRISM may require too much effort to be used for the type of analysis that is currently needed by districts, particularly those who have already undertaken their Core Strategy work.

Item:	Summary of Discussion	Action:
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- 4.6. TVV will be engaging with each district to discuss data changes and to ensure that data held by MM is as up to date as possible. In respect of the LUTI element PAG colleagues will discuss this with their PEG counterparts to understand what value will be added.

**TVV**  
**ALL**

5. **Freight Strategy**

- 5.1. NR circulated an updated version of the Freight Strategy – copy embedded here. The document will out for consultation from around 5<sup>th</sup> December 2011



Vision and Key  
Issues Consultation.c

- 5.2. NR advised that the Freight Strategy follows on from the RSS revocation and will be looking at the Metropolitan Area – although the geography will spread. NR outlined the stages which the Strategy will follow:

- Vision and Key Issues Statement
- Stakeholders to agree and give feedback on issues to be addressed (Summer 2012)
- Implementation Document which will be looking to 2020.

The Strategy will be focusing on more efficient and reliable freight and how this would benefit the economy, carbon reduction and quality of life.

- 5.3. Attention was drawn to Chapter 4 of the Vision and Key Issues document Section B – Rail Freight and in particular why business doesn't use rail freight. Noted that Birmingham, Solihull and Coventry have good access to 3 Birmingham Freight Terminals but acknowledged that access is not as good within the Black Country as the Walsall to Stourbridge rail freight line is not open at present, but this line would be promoted within the Freight Strategy.
- 5.4. NR advised that the Freight Strategy indicates there is a strong strategic case to investigate the potential for an intermodal rail freight terminal at Bescot Yard. This was a point of some concern as this may have an impact on South Staffordshire's Core Strategy. Discussion ensued around this and other regional logistic sites, including the option of moving the Landor Street freight terminal to Bescot Yard which would remove heavy traffic from the City Centre.
- 5.5. There was some concern that PAG had not seen this document much earlier which would have given time to comment on the detail. The paper is to be presented the ITA Transport Committee to be discussed with Members on Monday 28<sup>th</sup> November (a public arena). It was felt that members of PAG would like to have briefed and or been briefed by transport colleagues prior to the ITA meeting on the content and possible consequences in order that they are fully able to iron out difficulties, request any changes and be happy with the wording.
- 5.6. Some discussion around the Four Ashes Development which is looking to be taken forward as a national infrastructure project and would therefore be taken outside the scope of this document.

NR emphasised that this was the first stage in the development of the Strategy and that this could be presented as such.

6. **Mott MacDonald Update**

Item:	Summary of Discussion	Action:
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6.1. No report given.

7. **Local Development Framework Updates**

7.1. Sandwell – Examination will commence on 23<sup>rd</sup> January 2012 for 4 days. Not much of a response so far and nothing major.

7.2. Birmingham – Examination on Aston/Lozells later this year.

7.3. Coventry – Core Strategy consultation closed – received some 98 responses.

8. **LEPs Update**

8.1. No report from the Black Country LEP.

8.2. Birmingham/Solihull LEP – making progress

8.3. LEP priorities discussed.

9. **Centro Update**

9.1. Growing Places Growth Fund – Bromsgrove Station bid being made. JK to circulate further details. Maria Machancoses is the contact. **JK**

9.2. Number of pre-application housing site discussions taking place - former Caparo site in Walsall.

9.3. Centro has made application for a cycling hub at Selly Oak Station. This is an upgrade to the number of bikes (40-50) able to park on several levels. Access will be via a swipe card and will have CCTV coverage.

10. **Duty to Co-operate**

10.1. Report presented to a well attended P&T Sub-Committee on 4<sup>th</sup> November. Cllr McNicholas requested further report to be taken to next meeting on 6<sup>th</sup> January which was supported. Report will then go on to Leaders in January.

10.2. It was considered that the timescale was not appropriate as Shire counterparts need to be consulted.

10.3. The need for an overarching mechanism on how to undertake the Duty to Co-operate was discussed. A logical sequence should be created which would be difficult for an Inspector to argue. Various scenarios were discussed:

Ad Hoc option – do nothing – the districts can talk to whosoever they wish.

West Midlands Councils option – An enclosed ring of the WM councils who would co-operate with each other.

LEPs option – the LEPs would have a focus and would liaise with neighbours.

Agreed that AD would speak to DC on return from leave to discuss the holding report to go P&T on 6<sup>th</sup> January – in order that a collective stance (ie including Shire colleagues) can be agreed. **AD**

11. **Joint Working Arrangements**

11.1. SR outlined the report which will be discussed at P&T OEG on 23<sup>rd</sup> November. There is no perfect option and trade-offs will be required. Timescales are tight and there a need to determine who will be paid and how they will be paid for. An 'invest to save' approach is essential as a short term view would be more costly.

11.2. Suggestion was made that the planning element could be funded through the New Homes Bonus, top sliced pro rata across districts to fulfil the Duty to Co-operate function, which may in turn help to maintain an increase in housing numbers and thereby an increase in the NHB. General consensus between



Item:	Summary of Discussion	Action:
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colleagues.

12. **Responding to Joint Core Strategies/Local Plans**

12.1. Warwickshire Development Plan

SR attended a presentation (copy to be circulated once received) the Core Strategy is to be produced in two stages. By 5<sup>th</sup> December 2011 the growth level is to be approved and by March 2012, a third option is to be produced. Objective issues are to be separated from strategic issues. There is no issue with employment land but insufficient housing numbers may lead to 'appeal based' planning. There may be an implication under the Localism Bill that the level of housing would be lower than RSS2 figures.

12.2. North Warwickshire

In the early stages and may be under more pressure with housing number issues than first thought.

12.3. South Worcestershire

Letter has been sent – meeting with South Worcestershire to be organised.

**CST**

12.4. South Staffordshire

Core Strategy EiP commencing 29th November. IC will be at the table and will be able to raise issues on behalf of the Met Area too.

**IC**

IC to be asked to circulate statements to PAG for comment.

13. **Evidence Base**

13.1. AD has prepared a PAG update for P&T OEG covering:

**CST**

- Duty to Co-operate
- Analysis of adjoining Plans
- SEA of RSS Revocation
- CIL
- Evidence base refresh - Birmingham – analysis of migration statistics – do individually or do once? Strategic Housing market Assessment refresh – may be an issue and may spend more by doing individually. DC will send brief to PS and PS will speak to housing colleagues to discuss to see if basic survey work can be undertaken jointly. Evidence base needs to support urban renaissance.

**DC**

14. **Environmental Report on Revocation of RSS**

14.1. Deferred to next meeting. MD will discuss with AD.

Discussed whether the revocation would happen regardless. Other people with other interests may prolong the timescale by making challenges/representations. There is a need to ensure that the Duty to Co-operate is in place.

14.2. Centro, through PTEG, has been invited to a meeting with IHT to discuss concessions in NPPF. To be watched closely. JK to report back to PAG members

**JK**

15. **Community Infrastructure Levy**

15.1. Successful meeting held with a further meeting to be scheduled for the New Year once the Birmingham study has been completed. Further work is required on table circulated to identify gaps/funding streams. There is a need to put schemes that can't be funded elsewhere. Evidence from elsewhere (including Shrewsbury) suggests that the preparation of schemes to be funded

**JK**

Item:	Summary of Discussion	Action:
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from possible CIL funds, and the governance, prioritisation and review methodology, should be considered at an early stage. PTEG members in South Yorkshire have some experience of prioritising schemes for possible funding which will be circulated when available.

15.2. No agreement yet on whether money could be spent cross-boundary.

16. **Implementing LTP policies via the planning system**

16.1. To be a standing item – AD working on templates.

**AD**

17. **Growing Places Fund**

17.1. Noted that £500m has been agreed between all the LEPs – Black Country to get £9m and Birmingham to get £14m.

18. **Any Other Business**

18.1. None.

19. **Date of Next Meeting**

19.1. Tuesday 21<sup>st</sup> December at 14:00 - CST

## NOTES OF MEETING

- Subject: **PAG Meeting**
- Date: Wednesday 12<sup>th</sup> October 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House
- Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Mike Smith** (Walsall), **Dave Carter** (Birmingham), **Dave Simpson** (Solihull), **Ian Culley** (Wolverhampton), **Janet Kings** (Centro), **Les Johnson** (Mott MacDonald), **Laura Shoaf** (Black Country Consortium), **Simon Rowberry** (CST),
- Item: Items for Discussion: Action:
1. **Apologies**
  - 1.1. None.
  2. **Minutes of meeting 14<sup>th</sup> September 2011**
  - 2.1. Minutes of last meeting agreed as an accurate record.
  3. **Mott MacDonald Update**
  - 3.1. Update provided on outstanding 2010/11 monitoring returns. To be passed to DC for circulation to WMPOG members. **LJ/DC**
  - 3.2. CST asked whether new migration data to be made available in easier to use format via SLS. **LJ**
  - 3.3. Considerable discussion on the late circulated PRISM report prepared by MM for PAG and Prism management Group It was queried as to what was to be delivered for what with the minimum level of investment required and by what means was the work to be funded and what was the opportunity cost?
  - 3.4. CST confirmed that the work, if approved, would be funded from the LTP Integrated Transport Block settlement, a further £25k pa maintenance was paid via the SLS contract. PRISM's main purpose was to support major scheme business cases as DfT require evaluation using accredited models.
  - 3.5. It was agreed that further information be requested from MM. **CST/MM**
  - 3.6. Further clarification was sought as to what the LUTI options were and what benefits these would provide. Details of PRISM Management Group members to be circulated. **CST**
- NB: MM has subsequently offered to attend a future PAG meeting to discuss.
4. **Local Development Frameworks**
  - 4.1. No change from last meeting.
  5. **LEPs Update**
  - 5.1. Black Country  
 BCJCS launched on 29<sup>th</sup> September 2011. Work progressing on developing a business friendly planning service.
  - 5.2. Greater Birmingham & Solihull

Item:	Summary of Discussion	Action:
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Business friendly planning service also being developed. Also preparing a Spatial Framework Plan, effectively on expression of development proposals in emerging plans.

6. **Centro Update**

6.1. Centro has prepared a response to the NPPF as well as contributing towards a PTEG response. Agreed to circulate these. **JK/CST**

6.2. Inception meeting already been held with Sandwell MBC with planning/transport officers to introduce new team arrangements and develop more effective ways of working. At present Centro was relying on weekly lists to identify planning applications upon which it may wish to comment. Ideally a referral system is required. A key issue is that Centro needs to be engaged at the pre-application discussion stage on major proposals, otherwise it may be too late for any contributions that it may wish to make to be effective.

6.3. Agreed to include a Standing Item on future agendas to draw attention to future major development proposals. **CST**

6.4. Clarification sought as to what Centro wished to comment on – public transport or all transport issues. Planners consult with their own transport officers so need to avoid duplication. Suggested that a common memorandum may be useful. **JK**

7. **Future Work Programme**

7.1. Noted that invitations and background papers had been circulated in advance of 17<sup>th</sup> October future Workshop. Particular attention drawn to the CX Task Force Duty to Co-operate Report and the Joint Working Risks and Opportunities paper.

7.2. Also suggested that liaise with PEG representatives in advance – details to be provided. **CST**

7.3. Feedback given that Regional CX Task Force supported further investigation of the 'hybrid' Option 4 regarding Duty to Co-operate, which involved co-operation across established networks and LEP geographies. A key point to note was that Districts appeared keen to be contacted in their own right rather than via Counties.

7.4. Other work programme areas to be aired at Monday 17<sup>th</sup> meeting

8. **National Planning Policy Framework Response**

8.1. P&T response to be sent to senior Members for sign off this evening. Two further issues raised:

- Town centres should also be focus for cultural and community uses
- Green Belt boundaries may be challenged as plans reviewed. This matter had been addressed in response to the housing questions/non prioritisation of brownfield land
- Draft covering letter circulated and agreed
- Birmingham, Solihull, Coventry and Walsall were sending authority wide responses as well as supporting P&T response. Wolverhampton had yet to decide whether to respond as an authority

8.2. Agreed that those responses which CST had not seen to be circulated so that they could be distributed collectively to other PAG representatives. **DS/MS/IC?**

8.3. Agreed that thanks be conveyed to Dawn Harris (Walsall) for detailed consideration of implications of minerals and waste proposals. **CST**

Item:	Summary of Discussion	Action:
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9. **Community Infrastructure Levy**

9.1. Black Country/Wolverhampton has commissioned Roger Tym to do some preliminary work; there are some concerns over viability following work done on JCS.

9.2. Agreed that a meeting to be arranged next month for CIL/PAG reps to:

- Review progress
- Share intelligence
- Define/identify cross boundary infrastructure (Regulation 123 list)
- Prioritise infrastructure

9.3. All to advise CST of appropriate contacts and give a paragraph summary as to current position; CST to arrange a meeting. Need to engage PEG also, although not necessarily at first meeting. **CST/All**

9.4. Those authorities who have not provided a CIL contact/summary – to do so asap. **Co/Wo/  
Wa/Sa**

10. **Implications of RSS Abolition**

10.1. SEA of revocation not yet available. Further discussion required as to what areas of the evidence base need updating.

11. **Horizon Scanning**

11.1. Warwickshire Waste Plan – Solihull is looking at this and will respond as appropriate. CST to forward previous comments/representations. **CST**

11.2. Worcestershire Waste Plan – no issues.

11.3. Staffordshire Waste Plan, Walsall/Black Country authorities looking at it from their perspective.

11.4. Need to consider implications of South Worcestershire Local Plan, closing date mid-November **CST**

12. **Any Other Business**

12.1. None.

13. **Date of Next Meeting**

13.1. Tuesday 22<sup>nd</sup> November at 14:00 - CST

## NOTES OF MEETING

- Subject: **PAG Meeting**
- Date: Wednesday 14<sup>th</sup> September 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House
- Present: **Martin Dando** (Dudley) Chair, **Lol Jackson** (Sandwell), **Ian Macleod** (Birmingham), **Chris Berry** (Coventry), **Janet Kings** (Centro), **Dave Simpson** (Solihull), **Paresh Shingadia** (Mott MacDonald - until item 7), **Mike Smith** (Walsall), **Simon Rowberry** (CST),
- Item: Items for Discussion: Action:
1. **Apologies**
    - 1.1. **Ian Culley** (Wolverhampton), **Laura Shoaf** (Black Country Consortium)
  2. **Minutes of meeting 17<sup>th</sup> August 2011**
    - 2.1. Welcome and introductions made to CB and JK. Email re Viability Workshop to be resent. **CST**
    - 2.2. Outstanding action to circulate information on accessibility planning. **MD**
    - 2.3. Minutes agreed as an accurate record.
  3. **Mott MacDonald Update**
    - 3.1. Reminder that Tom Van Vuren would be making contact with each authority regarding verifying land use change information for PRISM updates.
    - 3.2. Schedule of monitoring returns circulated. CB advised that some of Coventry's information had been sent but was not included within the schedule. Advised to contact Neil Hurst/Les Johnson at MM. **CB**
  4. **Local Development Frameworks**
    - 4.1. Solihull Core Strategy– Draft Plan for Members by Christmas, propose submission document in Spring.
    - 4.2. Birmingham Core Strategy – Proposed submission document to Members in March.
    - 4.3. Coventry – Issues and Options Paper agreed by Full Council, consultation commences 19<sup>th</sup> September.
    - 4.4. Black Country – LEP led launch of JCS on 29<sup>th</sup> September.
    - 4.5. Walsall – Progressing site allocations and town centre DPDs.
  5. **LEPs Update**
    - 5.1. MM to circulate available briefing notes **PS**
  6. **Centro Update**
    - 6.1. LSTF proposal shortlisted for further development but too many corridors. Advice from non-transport colleagues would be useful in identifying 'quick win' locations as economic benefits paramount. Letter and contact details to be circulated **CST**

Item:	Summary of Discussion	Action:
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6.2.	Centro updating its Public Transport Prospectus to reflect the PTx2 (double public transport use by 2025) International Association of Public Transport initiative. Draft available Jan/Feb 2012.	
6.3.	Governance arrangements remain inconclusive. Understood that DfT may seek to direct funding for major investment via LEP consortia.	
6.4.	Centro is co-ordinating a PTEG response to NPPF.	
6.5.	Developer contributions guide not yet amended, likely to be more an advisory note.	
6.6.	Following internal re-organisation, Centro is arranging to meet district colleagues to see how to improve engagement, especially from a development management perspective. Email to be distributed to PAG	<b>CST via JK</b>
7.	<b>Feedback from P&amp;T Sub</b>	
7.1.	Workshop on NPPF held, Members agreed Select Committee response and delegated authority to officers to respond to questions with sign off via Chair, Vice-Chair and Lead Opposition Spokesperson.	
7.2.	Agreed Aviation Framework response subject to a few minor amendments.	
7.3.	Requested that a report setting out Duty to Co-operate issues be taken to next meeting. Also agreed to receive a work programme.	<b>CST</b>
7.4.	Wolverhampton CC, as P&T Secretariat has requested that James Russell be appointed to hold a Workshop looking at future joint working opportunities. To be held 17 <sup>th</sup> October, PAG local authority representatives to be invited.	<b>All to note</b>
8.	<b>National Planning Policy Framework</b>	
8.1.	MS agreed to provide a short briefing note giving feedback from CLG event. Time had not permitted response to draft regulations or planning guarantee – latter more a DM matter.	<b>MS</b>
9.	<b>Community Infrastructure Levy</b>	
9.1.	Noted 'light touch' PINS response which found both Newark and Shropshire responses sound, even though tackled it from different angles.	
9.2.	PAS event on 29 <sup>th</sup> September. Agreed that issues at Metropolitan level need to be addressed as a matter of urgency, eg identifying strategic infrastructure that CIL could contribute towards.	
9.3.	All to advise CST of appropriate contacts and give a paragraph summary as to current position; CST to arrange a meeting. Need to engage PEG also, although not necessarily at first meeting.	<b>CST/All</b>
10.	<b>Implications of RSS Abolition</b>	
10.1.	Noted urgent need to commence updating evidence base, especially with Birmingham and Solihull Core Strategies progressing and general uncertainty.	<b>CST</b>
10.2.	No further information regarding SEA of RSS abolition.	
11.	<b>Horizon Scanning</b>	
11.1.	Noted that South Worcestershire Development Plan Preferred Options available for consultation 26 <sup>th</sup> September to 18 <sup>th</sup> November. Need to establish whether a response is appropriate.	
12.	<b>Implementing LTP Policies via the Planning System</b>	
12.1.	Policy templates are nearly complete for circulation.	<b>CST</b>

Item:	Summary of Discussion	Action:
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13. **Any Other Business**

13.1. SEA Monitoring raised, to be discussed at a future meeting.

14. **Date of Next Meeting**

14.1. Wednesday 12<sup>th</sup> October 2011 @ 1400, 9<sup>th</sup> Floor, Centro House.



## NOTES OF MEETING

Subject: **PAG Meeting**

Date: Wednesday 17<sup>th</sup> August 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House

Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Ian Culley** (Wolverhampton), **Les Johnson** (Mott MacDonald), **Ian Macleod** (Birmingham), **Hayley Anderson** (Birmingham), **Helen Davies** (Centro), **Simon Rowberry** (CST), **George Parsons** (CST),

Item: Items for Discussion: Action:

1. **Apologies**

1.1. **Dave Carter** (Birmingham), **Dave Simpson** (Solihull), **Jim Newton** (Coventry)  
**Mike Smith** (Walsall), Laura Shoaf (Black country Consortium), **Andy Donnelly** (CST)

2. **Minutes of meeting 20<sup>th</sup> July 2011**

2.1. Minutes agreed as an accurate record. Matters arising not covered on the agenda:

Item 2.2 - MD awaiting for Ric Bravery to send outstanding information on accessibility planning

Item 3 – Following some final tweaks the joint monitoring tables had been circulated.

Item 4 – IC queried whether the requirements of the Localism Bill encouraging local planning authorities to consider a single development plan warranted a change of approach by authorities. It was generally agreed that most local authorities would continue with their current programme.

Item 10 – Agreed that the implications of the RSS abolition would be looked at after the current items on the SEA, NPPF etc.

3. **Mott MacDonald Update**

3.1. 2010 Joint Monitoring Tables (final version)

Final tweaks made to account for Walsall amendments.

Tables sent to Dave Carter 26th July 2011.

3.2. 2011 Joint Monitoring Survey Returns

**All**

Deadline is 3rd October 2011.

Returns 'trickling in'.

Motts to provide breakdown at next meeting.

**LJ**

3.3. 2011 Census Update

ONS will announce in **March 2012** the official delivery dates for Census outputs including a prospectus of table layouts and licensing arrangements (data & boundaries). Otherwise, population counts by gender by five year bands at the local authority level are expected to be available in **July 2012**.

Item:	Summary of Discussion	Action:
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The bulk of the census output will be released in phases during **Summer 2013**.

**Unofficially** (Not to be quoted) ONS has the following **targets** for the release of Census outputs

Late 2012	Univariate tables by output area, LSOA, MSOA, local authority, region.
	Also Key Statistics tables.
Spring 2013	Census Area Statistics tables.
Summer 2013	Standard Tables (wards & areas above)
Unknown	Origin-Destination datasets (workplace & migration)

*N.B. Ward outputs will be based on best-fit.*

From September 2011, ONS will be consulting on the Origin-Destination datasets.

4. **Local Development Frameworks**

- 4.1. IM reported that Birmingham are to submit the Aston/Newtown/Lozells AAP. Birmingham and Wolverhampton had 'vanguard' status for the preparation of neighbourhood plans.

5. **LEPs Update**

- 5.1. PS reported that the Black Country Enterprise Zone comprises two high quality employment areas connected by a motorway network. With good motorway access and good accessibility to international, national and regional markets, these sites are supported by an extensive, large skilled workforce and a large available supply chain.

The areas cover a cluster of sites in Darlaston and Wolverhampton North which includes i54, Wolverhampton Business Park, Wobaston Road, Lupus and the Gateway Site.

These sites cover 120 hectares of land available for development and have the potential to generate 3,843 net jobs by 2015. They comprise total developable floor space of over 500,000 square metres.

The focus for the BCC Enterprise Zones will be on our priority transformation sectors – Advanced Manufacturing including aerospace, automotive and engineering, and Environmental Technologies.

The zones will attract new business by providing a range of incentives including saving business money in foregone business rates; a simplified planning regime to provide certainty for business wanting to build and superfast broadband.

Dudley and Sandwell sites which were part of the the original bid for EZ status had not been accepted. The Birmingham EZ had been endorsed by the Chancellor.

6. **Centro Update**

- 6.1. HD commented that she was temporally covering for Rachel Bell who had recently given birth to a little girl and would be off on maternity leave for 12 months. In future Janet King would be attending.

Recent work included the Local Sustainable Transport bid (reduced bid being worked on), HS2 (Centro had responded to DfT consultation), Governance

Item:	Summary of Discussion	Action:
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Review,(preferred structure to CX's early September, could lose planning & transport synergy) Developer Guide (being rewritten, further consultation including developers and RTPi)

HD explained that Centro had been re-structured and that the Strategy Team would be responsible for:

- Economic Development
- Policy
- Research & Intelligence
- Sustainability and Programmes
- Transport Strategy

Current priorities are the role of the LEPs and major planning applications.

7. **LTP Update**

7.1. Addendum to LTP3, containing targets, approved by 25<sup>th</sup> July 2011ITA Monitoring Committee.

Two work areas agreed:

- i. Define PAG's role in relation to LTP3 policies (item 14) – future PAG agenda item AD
- ii. Identify and support the need for continued joint working. As a first step James Russell is being appointed to facilitate a September, workshop including PAG, PEG, TDG, CST. Results to be forwarded to OEG. Items could include shared intelligence, duty to co-operate, strategic approach. SR

8. **HS2 Update** - HD to circulate Centro's response HD

9. **Feedback from P&T Sub** - No meeting since previous PAG.

10. **National Planning Policy Framework**

10.1. *Consultation Draft* – The 9<sup>th</sup> September P&T Sub meeting is to be used to discuss the draft NPPF and help formulate a response to the consultation which closes on the 17<sup>th</sup> October. Approval of the final response would therefore need to be via the chair, vice chair and opposition lead. Guidance is being sought on the extent this would be via a paper to the public session rather than discussed in a private workshop. Decided not to allocate topics to individual authorities; each to send comments by the end of August to AD to coordinate them. All, AD

(Note DCLG are to hold a planning reform event in Birmingham on Tuesday 13 September 2011 covering the National Planning Policy Framework along with other key elements of their planning reforms, such as Neighbourhood Planning. Contact alan.scott@communities.gsi.gov.uk to register an interest in attending.)

10.2. *Select Committee* -The House of Commons Communities and Local Government Committee are to examine the draft National Planning Policy Framework (NPPF), and intend to hold oral evidence sessions on the Framework in October and November. Evidence is invited on specific questions by 9<sup>th</sup> September. Comments to AD by the end of August to AD to draft a response if time permits. All, AD

10.3. Draft Regulations – These had been prepared on the assumption that the Bill would go through. The main changes relate to the preparation of neighbourhood plans. AD to prepare a Met. submission for agreement and send off by the 7th October. AD

10.4. *Planning Guarantee* This is principally a development control issue. DC

Item:	Summary of Discussion	Action:
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**officers**

11. **Community Infrastructure Levy**
- 11.1. AD had sent round information on the Shropshire and Newark & Sherwood CILs. The Inspector's report had been produced in late August but DCLG was considering the CILS to try to get some consistency. A decision is expected in September.
- The alternative approaches to CILs were discussed – Shropshire had firstly identified what its requirements were and then the levy required to fund them. (90% of the fund to be used locally, 10% for strategic proposals). N&S had started by estimating the likely level of funding and tailored their proposals accordingly.
- In the Met. Area it is expected that funding from housing would be less than expected and that most funding would arise from retail or city centre offices. As the CIL would be fixed it is likely that any negotiations would squeeze the affordable housing provision. Little could be expected from 106's post 2014.
- IM commented that Birmingham were to undertake a strategic housing market assessment and offered the opportunity for other authorities to take part as this should lead to overall savings. MD commented that Dudley were about to commission housing need and market study and this could be dovetailed in with the Birmingham initiative.
- 11.2. PAS have organized a 'Community infrastructure levy: preparing a charging schedule and setting a charge' event in Birmingham on the 20<sup>th</sup> September. It was agreed that AD organize a session with CIL reps.
12. **Horizon Scanning**
- 12.1. Copies of the Solihull report and AD draft metropolitan response had been circulated on Developing a Sustainable Framework for UK Aviation. It was agreed that a potential role for Coventry airport did not have to be raised at this stage. Comments to AD by the end of the month.
- MD to speak to JN to obtain Coventry's view.
13. **Implications of RSS Abolition**
- 13.1. AD to look at refreshing the evidence base once latest rounds of consultations had been cleared.
14. **Implementing LTP Policies via the Planning System**
- 14.1. Referred to in item 7 – to be higher up the agenda at the next meeting
15. **Any Other Business - None**
16. **Date of Next Meeting**
- 16.1. Wednesday 14<sup>th</sup> September @ 1400, 9<sup>th</sup> Floor, Centro House.

**All**

**AD**

**All**

**MD**

**AD**

**AD, SR**

## NOTES OF MEETING

Subject: **PAG Meeting**

Date: Wednesday 20<sup>th</sup> July 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House

Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Ian Culley** (Wolverhampton), **Mike Smith** (Walsall), **Les Johnson** (Mott MacDonald), **Laura Shoaf** (Black Country Consortium), **Simon Rowberry** (CST), **Andy Donnelly** (CST),

Item: Items for Discussion: Action:

1. **Apologies**
  - 1.1. **Dave Carter** (Birmingham), **Dave Simpson** (Solihull), **Jim Newton** (Coventry)
2. **Minutes of meeting 13<sup>th</sup> June 2011**
  - 2.1. Minutes have been amended to reflect the fact that Neil Hurst was in attendance. Otherwise agreed as an accurate record and matters arising covered on substantive part of the Agenda.
  - 2.2. MD received Accessibility Planning note from Ric Bravery and agreed to circulate. **MD**
  - 2.3. Noted the need for representation from each district when Duty to Co-operate takes effect. **All**
3. **Mott MacDonald Update**
  - 3.1. 2009-10 data had been referred to Dave Carter on 12<sup>th</sup> July for subsequent check/distribution.
  - 3.2. Data is continuing to be sent to MM for the 2010-11 period, with deadline set for October. Noted that DC's efforts in driving this forward in the current climate via WMPG were very welcome. Main outcome at recent meeting between MM and PEG/PAG on monitoring requirements was to ensure that the former WMRA monies were maintained for continuation of regional monitoring.
4. **Local Development Frameworks**
  - 4.1. Stourbridge AAP Preferred Options Report AAP published (July) for 6 weeks consultation.
  - 4.2. Sandwell is due to publish its Site Allocations and West Bromwich AAP Preferred Options shortly.
  - 4.3. Solihull has made a call for sites for its proposed Gypsy and Traveller DPD.
  - 4.4. Noted that South West Worcestershire's respective cabinets have agreed JCS for consultation in September. Initial CST analysis (sent by email) suggested a fall in RSS housing figures but an increase in employment land allocations. MS referred to recent CALA homes case and agreed to provide a link to Bailey website. Noted that household projections now **MS/CST**

Item:	Summary of Discussion	Action:
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likely to have fallen which will have a bearing on the evidence base.  
Needs to be considered in the context of the urban renaissance  
Metropolitan Area policy

5. **LEPs Update**

- 5.1. Birmingham Post article on City Centre EZ noted. Black Country proposals still being scrutinised by Treasury.
- 5.2. BC LEP does not propose getting involved in specific planning applications but supports Core Strategy implementation. BC LEP had also invited adjoining LEP representatives to key Board meetings.
- 5.3. Noted that Greg Clarke will be visiting Birmingham/ Solihull and Black Country LEPs collectively.

6. **Centro Update**

- 6.1. Understood that the developer guide was in the process of being revised following PAG/PEG comments.

7. **LTP Update**

- 7.1. Addendum to LTP3, containing targets, to be approved by ITA Monitoring Committee – 25<sup>th</sup> July 2011
- 7.2. Noted that over half of LTP3 policies were not down to ITA delivery – large role for districts.

8. **HS2 Update**

- 8.1. Noted that Centro is to visit Walsall MBC for a specific session on HS2

9. **Feedback from Officer Exec Group (13<sup>th</sup> July)**

- 9.1. Ongoing transport governance, MM Annual Report, Congestion Target Funding. Agreed that members' Planning Workshop to be convened.

9.2. **P&T Member Workshop**

- 9.3. An open format is proposed to establish Members' appetite for joint working. Ideally would like Members to sign up to a joint work programme which considers future action.

10. **Implications of RSS Abolition**

- 10.1. Agreed on need to update evidence base along lines of what done for South Worcestershire although resources will dictate level of detail.
- 10.2. Walsall of view that SEA monitoring has merits in principle but some issues, comments to be circulated.

**CST to commence**

**MS**

11. **Implementing LTP policies through Planning System**

- 11.1. A more substantive item to feature on future agenda.

**CST**

12. **Community Infrastructure Levy**

- 12.1. Need for co-ordinated action acknowledged. Suggested special meeting after PAS events in September, which some authorities were attending.
- 12.2. As an immediate action, each authority to identify what progress it had made to date.

**All**

13. **National Planning Policy Framework**

- 13.1. Noted that draft imminent and will need to respond.

Item:	Summary of Discussion	Action:
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14. **Horizon Scanning**

14.1. Noted that use classes order review is at this stage a scoping paper.

14.2. Dave Strang at Solihull is co-ordinating a Metropolitan responses via PEG. Agreed that a PAG input to be provided for any joint response

**CST**

14.3. Open Public Services White Paper - Noted that in one section planning identified as quasilegal but elsewhere suggested further outsourcing of planning services and that further consultation would take place.

15. **Any Other Business**

15.1. None.

16. **Date of Next Meeting**

16.1. Wednesday 17<sup>th</sup> August @ 1400, 9<sup>th</sup> Floor, Centro House.

draft

## NOTES OF MEETING

- Subject: **PAG Meeting**
- Date: Wednesday 13<sup>th</sup> June 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House
- Present: **Martin Dando** (Dudley) Chair, **Dave Carter** (Birmingham), **Ian Culley** (Wolverhampton), **Mike Smith** (Walsall), **Andy Donnelly** (CST), **Dave Simpson** (Solihull), **Neil Hurst** (Mott MacDonald), **Tom van Vuren** (Mott MacDonald – item 3), **Ric Bravery** (Wolverhampton until item 5), **Keith Rogers** (CST – item 6)
- Item: Items for Discussion: Action:
1. **Apologies**
    - 1.1. **Laura Shoaf** (Black Country Consortium), **Rachel Bell** (Centro)
  2. **Minutes of meeting 11<sup>th</sup> May 2011**
    - 2.1. Noted
  3. **PRISM and Land Use Requirements**
    - 3.1. Agreed that MM would make contact with each authority in order to:
      - identify land use changes not picked up via general housing/employment/retail monitoring e.g. education, health
      - identify major accesses to new sites
      - look at major company closures.

Agreed that maps should be provided of a scale sufficient to identify sites within PRISM zones. Agreed that this should be an annual occurrence.
    - 3.2. Technical issues that arose include:
      - Is it possible to distinguish between manufacturing and service sector jobs as characteristics differ
      - Potential need to backdate MYE population projections in the light of the census
      - Future scenarios based on RSS data; should this change amendment required
    - 3.3. Noted that model can be used to test alternative land use scenarios such as potential implications of HS2.
  4. **Accessibility Planning**
    - 4.1. Update on latest work by RB and NH. Analysis considered useful as it could show catchment areas for new facilities or how accessible existing jobs/services/facilities were to residents. Considered that a 'jobs ratio' measure may also usefully complement absolute measures.
    - 4.2. Agreed that next step is to disseminate information to potential users within local authorities explaining what is available and what could be commissioned and with a note to be prepared

**APWG**



Item:	Summary of Discussion	Action:
4.3.	Agreed that a 20 minute isochrones illustrating access by public transport to food stores would be useful as a comparator with the standard 10 minute car isochrones.	<b>APWG</b>
5.	<b>Other MM Matters</b>	
5.1.	MM to convene meeting to discuss future planning, transport and SEA monitoring requirements	<b>MM</b>
5.2.	Les Johnson in process of submitting 2009-10 monitoring data to DC which will be circulated in hard copy at forthcoming RPOG	<b>DC</b>
5.3.	2010-11 continued to be forwarded to MM	
6.	<b>LTP Update</b>	
6.1.	KR presented latest draft of LTP3 Addendum, which included targets. The number of targets had been reduced from 26 in LTP2 to 14 in LTP3 and they link directly back to the Implementation Plan.	
6.2.	Addendum to be signed off at July ITA meeting and will also be considered by PEG at its next meeting.	
6.3.	Noted that targets are high level and not solely down to public bodies to deliver. Views sought as to whether 'A' or 'B' best with regard to access to employment target.	
6.4.	General Observations: <ul style="list-style-type: none"> <li>• Overarching GVA economy target may be too broad</li> <li>• Disaggregation of targets to district level supported</li> <li>• Queried whether there was any link between investment and demonstrating value for money through meeting targets.</li> </ul>	
7.	<b>DPD Update</b>	
7.1.	As previous meeting other than Solihull will publish a call for sites in order to commence its Travellers' DPD in July.	
8.	<b>Centro Update</b>	
8.1.	Reminder that comments due on Developer's Guide by Friday 17 <sup>th</sup> June.	
8.2.	Note that LSTF Low Carbon Corridors bid submitted to DfT. Suggested that PAG familiarised itself with routes identified for treatment.	<b>ALL</b>
8.3.	Reminder that HS2 presentation 17 <sup>th</sup> June @ 1400, Centro House.	
9.	<b>Feedback from Officer Exec Group (7<sup>th</sup> June) and P&amp;T Sub-Committee (10<sup>th</sup> June)</b>	
9.1.	OEG approved future work programme as attached.	
9.2.	P&TSC approved responses to change of use and traveller consultation papers.	
9.3.	Regarding the former, requested a robust response copied to LEPs, MPs and professional bodies.	
10.	<b>Implications of RSS abolition</b>	
10.1.	Stevenage Inspector's report and implications for joint working noted.	
11.	<b>Any Other Business</b>	
11.1.	Outstanding items 10b-e to be considered at the next meeting.	
12.	<b>Date of Next Meeting</b>	

Item:	Summary of Discussion	Action:
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12.1. Wednesday 20<sup>th</sup> July @ 1400, 9<sup>th</sup> Floor, Centro House.

draft

## NOTES OF MEETING

- Subject: **PAG Meeting**
- Date: Wednesday 11<sup>th</sup> May 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House
- Present: **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Dave Carter** (Birmingham), **Rachel Bell** (Centro), **Mike Smith** (Walsall), **Andy Donnelly** (CST), **Dave Simpson** (Solihull) **Les Johnson** (Mott MacDonald), **Laura Shoaf** (Black Country Consortium), **Ian Culley** (Wolverhampton), **Simon Rowberry** (CST)
- Item: Items for Discussion: Action:
1. **Apologies**
    - 1.1. None received
  2. **Minutes of meeting 13<sup>th</sup> April 2011**
    - 2.1. Agreed as an accurate record.
  3. **Mott MacDonald Update**
    - 3.1. 2010 Joint Monitoring data on point of being published. Data for new 2011 Joint Monitoring Survey to be requested by 3<sup>rd</sup> October 2011. Noted that PRISM Planning Data Scoping paper as an outstanding minute. **MM**
    - 3.2. Query as to the Eco-record and whether it is in the revised SLA or not. MD to pursue. **MD**
  4. **Local Development Framework Updates (including adjoining authorities)**
    - 4.1. *Internal – changes from previous update*
      - Birmingham – As previously stated.
      - Wolverhampton – Stafford Road Options document later in year and City Centre Issues and Options Summer 2011.
      - Sandwell – West Bromwich AAP and Allocations Publication documents due later this year. Also preparing a hot food take away SPD.
      - Solihull – Draft Plan scheduled. Concerns raised by Birmingham & Solihull that the utility providers were slow in responding.
      - Walsall – Post election governance not yet decided.
      - Dudley – No change from previously.

Dawn Harris (Walsall) thanked for co-ordinating responses to Waste Core Strategy Consultations.
  5. **LEPs Updates**
    - 5.1. Black Country – Proposed location of Enterprise Zone (EZ) yet to be determined. It has been established that companies that are within the EZ when it is set up will not benefit from the same exemptions as new

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companies. Birmingham CC has been advised.

- 5.2. Sandwell advised that consideration being given to implementing Local Development Orders (LDOs) covering all regeneration corridors. Agreed that a briefing on LDOs would be useful. **CST**

6. **Centro Update**

- 6.1. Draft Developer Guidelines – Document tabled (appendices omitted). Centro intends consulting with Local Authorities and development industry on 16<sup>th</sup> May 2011. Ultimate aim for Local Authorities is adopt guide as SPD and for developers to refer to it when drawing up proposals.

- 6.2. Intentions of document noted but some reservations regarding immediate formal liaison with Local Authorities and developers.

- Local Authorities need to be satisfied that it is consistent with existing policies as would be implementing on Centro's behalf.
- Authorities have different mechanisms for formally adopting policy documents.

- 6.3. Suggested that informal views of PAG/PEG sought prior to any formal Local Authority/external consultation. Does the document need to go via OEG/P&T Sub?

Agreed that CST raise these issues with Tom Magrath and cc PAG.

*Update: Centro has subsequently agreed to engage informally via PEG/PAG prior to any formal consultation proceeding.*

**CST**

7. **Local Transport Plan Update**

- 7.1. Endorsed by outstanding authorities (Walsall and Birmingham).

Some loose ends to be tied up, eg SEA statement and formal setting of tangible targets.

- 7.2. PAG's attention drawn to fact that monitoring is unlikely to solely relate to capital programme spend and target progress but also wider policy implementation.

- 7.3. Also noted that LTP policies may help fill a void if a vacuum following review of planning system.

8. **HS2 Update**

- 8.1. Coventry now formally opposed HS2 proposals. Centro/ITA website provides link to the Birmingham/Solihull LEP and Black Country LEP brochures. Link to be forwarded.

**Centro/CST**

9. **Future Joint Working/Governance**

- 9.1. Email setting out Paul Watson's views circulated as was the latest transport governance structure (**note: latter is sensitive and thus must not be widely circulated**).

- 9.2. Noted that report on transport governance to go to Chief Executives meeting on 1<sup>st</sup> June. Support for similar joint planning arrangements; the two structures need to complement each other.

- 9.3. Considerable discussion regarding the diagram – does it refer to Metropolitan comments of LEPs, is it a 'single' or 'multi' LEP mode? Also discussion regarding co-ordination within and between LEPs. Where does Joint Committee feature? CST to speak to Steven Keeley (Centro) regarding issues raised. **CST**

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*Postscript: Meeting subsequently arranged for Friday 3<sup>rd</sup> June at 0900, Centro House.*

10. **Consultation Responses**

10.1. Change of Use – Noted that many of issues flushed out via email/previous briefing note and that a robust response is required.

10.2. Traveller sites – Briefing note identified as a summary of main issues. Other points raised:

- If going down DPD route then 6 months insufficient to identify a 5-year supply
- Basing needs on historic demands self-reinforcing.
- GTAA a tried and tested methodology, cost implications of developing alternatives.
- Supply may come in 'blocks' to meet future needs.

10.3. Sustainable Aviation – Noted that PEG/PAG requested to draft response.

11. **Community Infrastructure Levy**

11.1. Still need to meet to discuss strategic infrastructure where common approach required.

Walsall's initial liaison work had focussed on motorway junctions as HA seeking funding.

12. **Joint SEA Monitoring**

12.1. Paper tabled but insufficient time to discuss. Paper to be emailed as basis for future discussion.

**CST**

13. **Reports to P&T Sub-Committee**

13.1. Responses to Change Of Use and Traveller Site consultations and general planning update.

14. **Any Other Business**

14.1. None.

15. **Date of Next Meeting**

15.1. Monday 13<sup>th</sup> June @ 1000, 9<sup>th</sup> Floor, Centro House.

## NOTES OF MEETING

- Subject: **PAG Meeting**
- Date: Wednesday 13<sup>th</sup> April 2011 @ 14:00 – 9<sup>th</sup> Floor Meeting Room, Centro House
- Present: **Andrew Whittles** and **John Grant** (Item 3 only), **Martin Dando** (Dudley) Chair, **Philippa Smith** (Sandwell), **Dave Carter** (Birmingham), **Rachel Bell** (Centro), **Andy Donnelly** (CST), **Dave Simpson** (Solihull) **Les Johnson** (Mott MacDonald), **Lol Jackson** (Sandwell), **Simon Latham** (Wolverhampton), **Simon Rowberry** (CST)
- Item: Items for Discussion: Action:
1. **Apologies**
    - 1.1. **Ian Culley** (Wolverhampton), **Mike Smith** (Walsall),
  2. **Minutes of meeting 2<sup>nd</sup> March 2011**
    - 2.1. Agreed as an accurate record. Matters arising covered on Agenda.
  3. **Special Item – Low Emission Cities Programme**
    - 3.1. AW and JG gave an overview of the LETC programme to augment previously circulated briefing note. Key issues include:
      - Led by West Midlands Air Quality Group
      - £100k awarded by Defra to develop strategy, co-ordinator to be appointed, hosted by Walsall MBC
      - Most of the Metropolitan Area declared as Air Quality Management Areas (AWMA) – Solihull excepted
      - CLG and Defra issued guidance in 2007 and a Defra Best Practise Guide in 2010
      - Looking for win/win air pollutant and carbon reductions.
      - Uptake of cleaner fuels and vehicles policy integration and low carbon economies
      - Transport, planning and procurement are key areas – looking at best practise examples and offsets
      - LES to dovetail with Air Quality Action Plans
      - Stated objectives to develop further – noted that the impact on local economies needs to be considered
      - Low Emission Zone and Supplementary Planning document considered
      - Need for caution in terms of placing further demands on planning system given
      - Local offsetting to be considered.
  4. **Mott MacDonald Update**
    - 4.1. Update note explaining revised streamlined monitoring arrangements and MM engagement with LEPS/LGA attached.
  5. **Local Development Framework Updates (including adjoining**

Item:	Summary of Discussion	Action:
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**authorities)**

- 5.1. *External*  
 Agreed to respond briefly to South Staffordshire Publication Core Strategy drawing on Interim Position Statement. **CST**  
 Issue raised as to whether HS2 may free up WCML capacity thus offering opportunities for Brinsford P&R.  
 Noted that in responding to adjoining areas LDFs, issues that may wish to be raised may not be included in their LTPs eg Park and Ride.
- 5.2. *Internal – changes from previous update*  
Birmingham – consultation closed on Core Strategy – 1500 responses.  
Wolverhampton – Stafford Road Options document later in year and City Centre Issues and Options Summer 2011.  
Sandwell – Draft Allocations Document by October.  
Solihull – Commencing DPD on Gypsies and Travellers.  
Dudley – Brierley Hill AAP Panel Report received and is broadly supportive.
- 6. **LEPs Updates**
- 6.1. Birmingham Enterprise Zone likely to be in City Centre. Black Country location still under consideration.
- 7. **Centro Update**
- 7.1. Developer Guide – further update and details of consultation at a future meeting.
- 8. **Local Transport Plan Update**
- 8.1. Documents completed and approved by ITA, endorsement awaited from Birmingham and Walsall.  
 Issue raised regarding SEA monitoring as this still appears to be a grey area, statutory consultees are looking for some evidence of this and it is a statutory part of the Directive.  
 Agreed that CST prepare a short note looking at arrangements for shared SEA monitoring. **CST**
- 9. **HS2**
- 9.1. Centro presentation previously circulated.
- 10. **Feedback from Officer Executive Group**
- 10.1. Need to consider how best to brief P&T Sub-Committee on changes to planning system given that it has not met since January.
- 11. **Budget Announcements etc**
- 11.1. Briefing note that had been considered by OEG on 30<sup>th</sup> March to form basis of a briefing to Members.  
 Serious reservations regarding consultation on relaxation for change of use from commercial to residential use and a robust response proposed. CST to draft. **CST**
- 12. **SEA and RSS**

Item:	Summary of Discussion	Action:
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12.1. Noted that Government proposes undertaking SEA of decision to revoke RSS. Implications for local authorities unclear but likely to differ dependent on stage Core Strategy is at. Need to ensure that the opportunity is taken to comment on report once published.

13. **Community Infrastructure Levy**

13.1. Agreed that dedicated meeting be set up as usually insufficient time to discuss matter in depth at PAG meetings. Invitees to include PAG and other officers including dedicated S106 officers.

Purpose to discuss progress so far, explore areas of common interest, identify 'strategic infrastructure' given that shared LTP3. Authorities to advise CST of S106 officers, date to be arranged.

**All**

Understood that Walsall MBC had had some preliminary discussions with consultants re CIL.

Noted that Newark and Sherwood included detailed evaluation assessments which could potentially be used do some initial viability testing of sties in Metropolitan Area.

14. **Future Joint Working/Governance Arrangements**

14.1. Continued uncertainty given that LEPs yet to identify their roles and ongoing Transport Governance review.

Noted that ITA Monitoring Committee does not just deal with capital programme monitoring but is likely to cover broader issues.

15. **Reports to P&T Sub-Committee**

15.1. Next meeting 10th June. General update required given that no P&T meeting since January and responses to Gypsies and Traveller Sites and Change of Use Consultation.

16. **Feedback from Regional Chief Executives Task Force**

16.1. CX noted changes to planning system and uncertainty/challenges.

17. **Any Other Business**

17.1. Noted that Charlotte Bassett from Birmingham University had now secured a paid Internment. Agreed that Charlotte could make contact with PAG representatives in connection with her dissertation 'Planning and Obesity'.

**ALL**

18. **Date of Next Meeting**

18.1. 11<sup>th</sup> May 2011 @ 14:00.



## NOTES OF MEETING

Subject: **PAG Meeting**

Date: Wednesday 2<sup>nd</sup> March @10:00 am – 9<sup>th</sup> Floor Meeting Room, Centro House

Present: **Martin Dando** - Dudley (Chair), **Philippa Smith** – Sandwell, **Dave Carter** - Birmingham, **Ian Culley** - Wolverhampton, **Rachel Bell** (Centro), **Charlotte Bassett** (CST), **Andy Donnelly** (CST), **Jim Newton** (Coventry), **Neville Ball** (Walsall), **Laura Shoaf** (Black Country Consortium).

For relevant items: **Paresh Shingadia** (Mott MacDonald)

Item: Items for Discussion: Action:

1. **Apologies**
- 1.1. **Dave Simpson** (Solihull)
2. **Minutes of meeting 27<sup>th</sup> January 2011 and matters arising**
- 2.1. Centro Development Guide being drafted offering advice to developers and local authorities regarding the integration of public transport and accessibility into new developments. Draft to be circulated to local authorities for comment. **RB**
3. **Mott MacDonald matters**
- 3.1. **a) PRISM**
- MM continuing to draft specification regarding planning data requirements **MM**
- 3.2. **b) SLS**
- SLS hours agreed and budget set for 2011/12 – with Solihull MBC for formal approval.
- Joint monitoring – core indicators to remain in the absence of RSS AMR. Joint Monitoring Group (regional) meeting at the end of March to take this forward.
- 3.3. **c) Census**
- Les Johnson has circulated papers from 2011 Census Outputs Consultation Event (University of Birmingham, 16th February)
- First results expected July 2012 with main results due Summer 2013
4. **Local Development Framework Updates (including adjoining authorities)**
- 4.1. Birmingham: Consultation of Core Strategy until March 18<sup>th</sup>, Aston, Nechells, Lozells submission version due for publication shortly.
- Sandwell: West Bromwich AAP proposed changes to Preferred Option being consulted on until 17<sup>th</sup> March.
- Coventry: No changes from last update

Item:	Summary of Discussion	Action:
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Wolverhampton: Bilston Corridor AAP consultation finished March 1<sup>st</sup>  
City Centre AAP consultation to be published later this month

Walsall: No changes from last update

Dudley: Next stages of Stourbridge and Halesowen AAPs due for publication in the next few months.

Site allocations Issues and Options consultation due in Autumn.

Brierley Hill Panel Report due imminently.

Solihull: Emerging Core Strategy consultation ended

Redditch: Preferred Draft Core strategy – comments due by 4<sup>th</sup> March.

Bromsgrove: Draft Core Strategy 2 and Town Centre AAP for consultation until 15<sup>th</sup> April.

Tamworth: Redrafted housing policies being consulted on until 7<sup>th</sup> April prior to formal submission document being published.

Worcestershire CC: Revised Draft Validation document – consultation until April 12<sup>th</sup> April.

South Staffordshire: Publication Draft Core Strategy consultation until 6 May 2011

5. **LEPs Updates**

5.1. MM has undertaken workshops with LEP representatives as part of the Government's IDEA programme. Planning had been identified as a barrier to growth by some participants.

5.2. Black Country: Board met March 1<sup>st</sup> 2011 and Metropolitan Area Spatial Strategy Position Statement was received. As Core Strategy adopted, LEP does not intend actively engaging in strategy. LEP considers that it has a key role in lobbying Government.

5.3. Birmingham/Solihull: Shadow Board to meet and planning matters on the agenda. Statutory arrangements likely to remain at District level.

5.4. Coventry/Warwickshire: A planning issues group is to be convened.

6. **Centro Update**

6.1. See matters arising and adjoining authorities DPDs

7. **Local Transport Plan Update**

7.1. Integration between spatial and transport planning considered to be a very important issue by many respondents. Agreed Spatial Strategy Statement now incorporated into the document and references made to the Localism Bill.

Endorsement by each District sought by March 28<sup>th</sup> ITA meeting plan operative from April 1<sup>st</sup>.

Planning and Transportation Sub Committee meeting in March cancelled.

MM sought clarification as to what monitoring required for LTP3 as core hours set aside in SLS. Advised that key indicators yet to be formally agreed given late announcement of DfT settlement.

8. **HS2**

8.1. Consultation and accompanying road shows began 28<sup>th</sup> February until

Item:	Summary of Discussion	Action:
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29<sup>th</sup> July.

9. **Localism Bill**

9.1. CIL – seminar to be held at Walsall Council Chambers March 18<sup>th</sup> 2011  
pm

10. **Planning Update to Regional Chief Executives**

10.1. Date of next meeting: March 18<sup>th</sup> (approximate), any comments to be sent to Dave Carter by March 4<sup>th</sup>. **ALL**

11. **Future working/governance arrangements – Future of P&T Sub Committee**

11.1. Discussed at length at Officer Executive Group (March 1<sup>st</sup> 2011). Two variations on the attached presentation were discussed, both incorporating LEPs with coordination at Metropolitan level.

PAG generally welcomed growth and regeneration function being at a high level but queried what role planning / regeneration portfolio holders would have as appeared to report directly to Joint Committee.

Did not support earlier proposal which envisaged strategic planning matters reporting through the ITA. Officer support structures queried but understood at present that this was largely an issue of political governance.

Chief Executives to consider a report on transport governance at 9<sup>th</sup> March meeting. P&T Sub Committee to consider further update / report at its June meeting.

12. **Any Other Business**

12.1. DC refereed to Low Emission Zone work that was being undertaken collectively by all Metropolitan authorities (environmental health officers) via funding from DEFRA. Concern as to implications for industry in inner urban areas. CST to advise of references to this in LTP3. **CST**

*Details of proposed work subsequently circulated – appears that it is a feasibility study.*

13. **Date of Next Meeting**

13.1. 13<sup>th</sup> April @14:00, 9<sup>th</sup> Floor Centro House

## NOTES OF MEETING

Subject:	<b>PAG Meeting</b>
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Date: Thursday 27<sup>th</sup> January @10:00 am – 9<sup>th</sup> Floor Meeting Room, Centro House

Present: **Martin Dando** - Dudley (Chair), **Philippa Smith** – Sandwell, **Ian MacLeod** Birmingham, **Ian Culley** - Wolverhampton, **Rachel Bell** (Centro), **Charlotte Bassett** (CST), **Andy Donnelly** (CST), **Jim Newton** (Coventry), **Neville Ball** (Walsall), **Laura Shoaf** (Black Country Consortium), **Dave Simpson** (Solihull).

For relevant items: **Tom Van Vuren** (Mott MacDonald), **Paresh Shingadia** (Mott MacDonald), **George Parsons** (CST)

Item:	Items for Discussion:	Action:
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1. **Apologies**

1.1. **Mike Smith** (Walsall), **Dave Carter** (Birmingham), **Les Johnson** (Mott MacDonald)

2. **Minutes of meeting 15<sup>th</sup> December and matters arising**

2.1. RPOG agreed to continue to support use of MM for joint monitoring of key issues for 2011 /12. Minutes otherwise agreed

3. **Mott MacDonald matters**

3.1. **a) PRISM information requirements**

The forecast years 2016 – 26 have been adjusted to TEMPRO to meet DfT requirements for major Scheme Business Cases but non TEMPRO data can be used for modelling strategies.

3.2. Key tasks:

- Updating land use database from 2006
- Forecasting likely land use changes 2011 – 2026
- Providing regular updates

3.3. Noted that actual change in terms of RSS monitoring requirements post 2006 had been collected by MM as part of the AMR monitoring. Other major land use changes, however, may not have been captured e.g. New Queen Elizabeth Hospital, new school openings etc.

3.4. In terms of future years, in some instances Core Strategies and AAPs and their implementation plans were available. Not all sites, however, are identified as allocations documents are not yet complete and a significant amount of new housing comes forward on unidentified 'windfall' sites.

3.5. Agreed to meet with each planning authority at the end of the summer to capture land use changes not picked up through general monitoring and make this an annual event. MM agreed to draft a proposal.

**MM**

3.6. **b) SLS**

Agreed that planning hours be cut in the light of no regional AMR and less

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comprehensive data requirements. Once formally agreed, service levels to be maintained until any details of LEP monitoring requirements become apparent. Advised that Birmingham City Council were chasing outstanding monitoring data requests via RPOG.

3.7. **c) Other Mott MacDonald matters**

3.8. None

4. **Feedback from P&T Sub Committee (21/01/11) and Joint Committee (26/01/11)**

4.1. Both Committees had signed off the statement. Arrangements need to be made to circulate it to relevant parties as set out in the recommendation. CST to compile circulation list. Consider sending to RTPi and Planning Resource and placing on Local Authority websites. **CST**

4.2. Following a presentation on the Localism Bill at 21<sup>st</sup> January P&T meeting, Members requested a separate meeting to discuss implications of Localism Bill for strategic planning and transportation. The date is to be confirmed.

5. **Feedback from OEG (21/12/10 and 26/1/11)**

5.1. Understood that Black Country and Coventry still have some issues with HS2 proposals as currently presented. See item 10 also.

6. **Local Development Framework Updates**

- 6.1.
  - Wolverhampton City Centre AAP – consultation next month
  - Coventry Core strategy – Consultation July 2011
  - Dudley Stourbridge AAP – Next phase June / July 2011

7. **Centro Update**

7.1. Guide being prepared to improve engagement with developers during the planning process being prepared. Comments on Lichfield / Stafford DPDs.

8. **Local Transport Plan Update**

8.1. Consultation period due to close 31<sup>st</sup> January 2011. Comments to be analysed / amendments made by 11<sup>th</sup> February. Further endorsement by districts required. Final approval by ITA 28th March.

9. **National Planning Framework**

9.1. Initial thoughts on policies and priorities that it should contain prior to formal consultation later in the year requested by Planning Minister Greg Clark. CST to coordinate comments in accordance with 28<sup>th</sup> February deadline. **CST**

10. **Future Joint Working and Governance**

10.1. Issue had been discussed at previous OEG meeting (26<sup>th</sup> January). As ITA now responsible for LTP matters considered there may be duplication between its Committee/s and P&T Sub Committee. One suggestion was to incorporate strategic planning as a Sub Committee of one of the main ITA Committees

PAG still committed to joint working on strategic planning matters.

Item:	Summary of Discussion	Action:
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- 10.2. Following comments conveyed to OEG following PAG meeting via PAG chair:
- Concerns that the ad-hoc nature of planning/regeneration Members meeting as a sub-committee of the ITA would rather downplay the importance of the strategic planning function
  - Officers would like to ensure that strategic planning matters can be picked up and given weight at the joint LTP Partnership group so that this Group is not just LTP-focused. This would mean re-naming the group or ensuring the Terms of Reference covered issues in a similar way to the existing P & T Executive Officers Group (whilst also acting as an interface with the LEPs).
  - These concerns should be addressed either by tweaking the Member and Officer proposed structures accordingly, and/or through ensuring that the Terms of References for such groups give the necessary weight to strategic planning matters.
- 10.3. Further comments invited as appreciated that not all had chance to view discussion paper published post OEG.
11. **Localism Bill / LEPs**
- 11.1. Noted that Coalition Government continued to support CIL with some changes, for example reasonable proportion back to communities where development takes place.
- 11.2. Agreed that some Metropolitan level coordination is required in terms of an approach and also to identify strategic infrastructure e.g. transport that may need to be jointly funded.
- 11.3. Role of LEPs remains uncertain. Black Country Consortium will provide secretariat function to Black Country LEP; one of its priorities is to implement the Core Strategy. It also seeks to lobby Government and memoranda of Understanding are being prepared with adjoining LEPs.
- 11.4. Agreed that PAG would welcome opportunity to provide strategic planning advice to the Laps as required.
- 11.5. Noted that CB undertaking Postgraduate Dissertation – likely topic around Localism and Housing delivery. PAG representatives agreed to assist where appropriate.
12. **Responding to adjoining authorities' plans and proposals**
- 12.1. Walsall has made representations on a Green Belt housing proposal in adjoining Cannock Chase. This is considered to be contrary to the RSS, which remains part of the statutory Development Plan but there are no longer formal conformity assessment arrangements to draw attention to this.
- 12.2. Agreed that local authorities need to be vigilant in terms of proposals in adjoining authorities. Joint Metropolitan representations, however, may prove politically difficult if proposals are in a local authority that is in a joint LEP with a Metropolitan Authority.

Item:	Summary of Discussion	Action:
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- 13.        **Any Other Business**
- 13.1.     None
- 14.        **Date of Next Meeting**
- 15.        2<sup>nd</sup> March @10:00 , Centro House