

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

APPENDIX 28

Copy of presentation emerging from West Midlands Planning Officers Group on the implications of the Duty to Co-operate (vJune 2012) and copies of the minutes of the West Midlands Planning Officers Group from September 2011 until March 2014 and Regional Planning Officers Group from June 2010 until June 2011

The Duty to Co-operate (DtC)

David Carter, Birmingham City Council

June 2012

Scope

- What it means
- The risks
- The DtC ‘umbrella’
- Relationships between authorities
- Satisfying the DtC
- Issues

Localism Act – DtC in Summary

Duty to cooperate

- In many cases there are very strong reasons for neighbouring local authorities, or groups of authorities, to work together on planning issues in the interests of all their local residents. This might include working together on environmental issues (like flooding), public transport networks (such as trams), or major new retail parks.
- In the past, regional strategies formed an unaccountable bureaucratic layer on top of local government. Instead, the Government thinks that local authorities and other public bodies should work together on planning issues in ways that reflect genuine shared interests and opportunities to make common cause. The duty requires local authorities and other public bodies to work together on planning issues.

Localism Act - Themes

- Planning of sustainable development
- To engage constructively, actively and on an ongoing basis
- The activities
 - (a) the preparation of development plan documents,
 - (b) the preparation of other local development documents
 - (c) Supporting activities
- “Strategic Matter”—
 - (a) Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
 - (b) sustainable development or use of land in a two-tier area if the development or use is a county matter, or has or would have a significant impact on a county matter
- Considering joint approaches
- Joint LDDs
- Regard to any guidance given by the Secretary of State about how the duty is to be complied with (such as NPPF)

NPPF – Strategic Priorities

156. Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement

NPPF - Planning strategically across local boundaries

178. 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.
179. Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated 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. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.

NPPF Continued

180. Local planning authorities should take account of different geographic areas, including travel-to-work areas. In two tier areas, county and district authorities should cooperate with each other on relevant issues. Local planning authorities should **work collaboratively** on strategic planning priorities to enable delivery of sustainable development in consultation with **Local Enterprise Partnerships and Local Nature Partnerships**. Local planning authorities should also work collaboratively with **private sector bodies, utility and infrastructure providers**.
181. 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. 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 presented as evidence of an agreed position. Cooperation should be a **continuous process** of engagement from initial thinking through to implementation, resulting in a final position where plans are in place **to provide the land and infrastructure necessary to support current and projected future levels of development**.

NPPF's "Get out of Jail Free Card"

14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:
- local planning authorities should positively seek opportunities to meet the development needs of their area;
 - Local Plans **should meet objectively assessed needs**, with sufficient flexibility to adapt to rapid change, **unless**:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - **specific policies in this Framework indicate development should be restricted.***

* For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion.

The Risks of a Failure to Demonstrate Co-operation

- Development plan found unsound as part of Public Examination process
- Negative PR surrounding this
- Financial implications of
 - Recovering the position and
 - Planning by Appeal
- Potential diversion of investment

‘Umbrella’

Agree the principle that there should be an ‘umbrella’ to enable the DtC to operate.

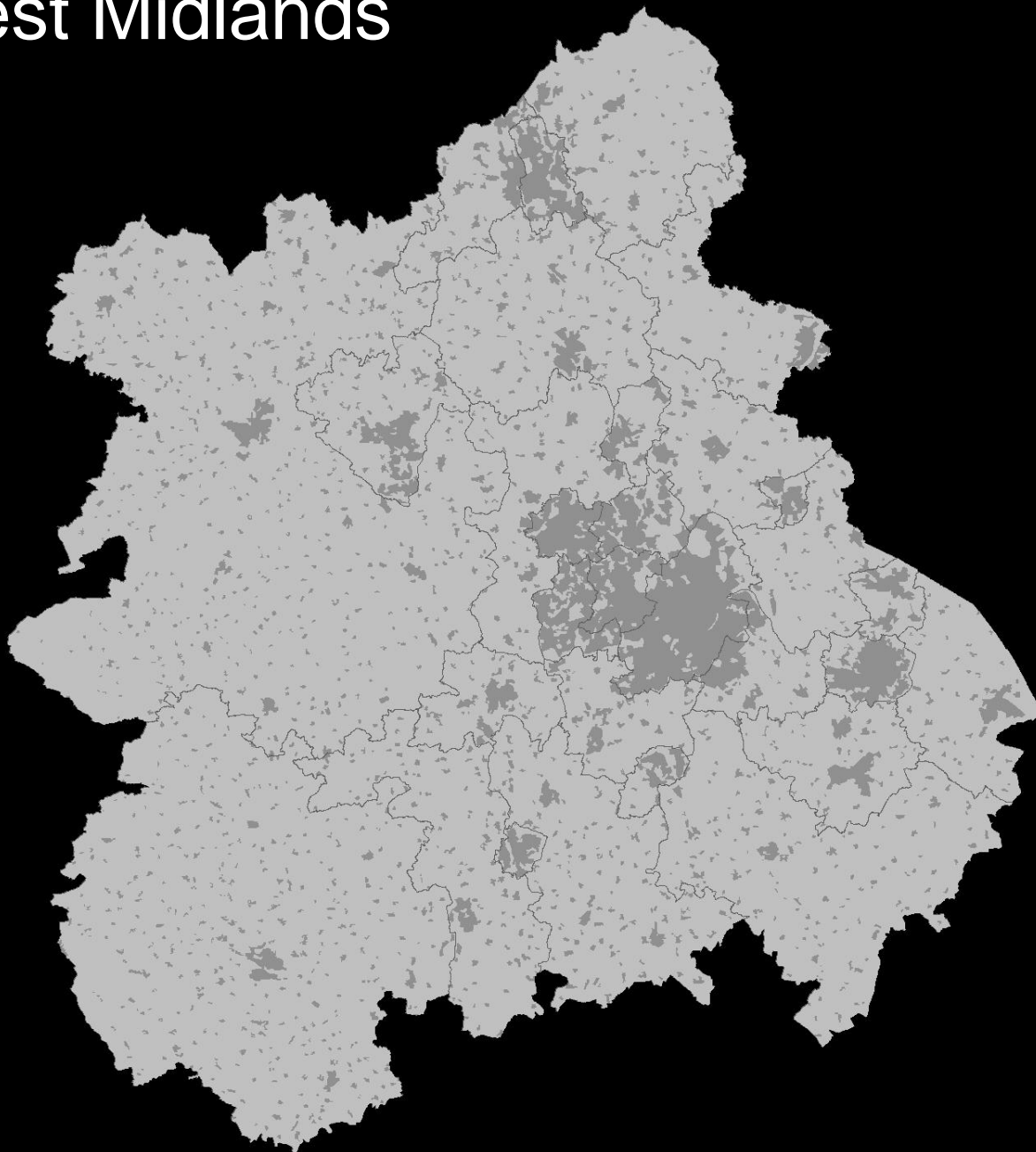
- Providing an umbrella for co-operation and collaboration.
- Be relevant to LAs, Strategic Authorities & alliances, and LEPs
- Light touch and voluntary involvement respecting sovereignty
- There is a role at regional level but not a reinvention of the RSS.
- Recognises the need for inter-regional co-operation
- Participation aims to provide ‘comfort’ to Inspectors re fulfilment of DtC.

Relationships

Establish how the relationships between authorities will contribute to facilitation of the DtC.

- Districts hold the planning powers
- LEPs will be critical to understanding relationships and in forming agreement between authorities
- Strategic arrangements (such as the West Midlands Joint Committee) and County Councils will also be very important in helping achieve the co-operation and provide a bridge between the LEPs.
- How to cover inter-regional relations.

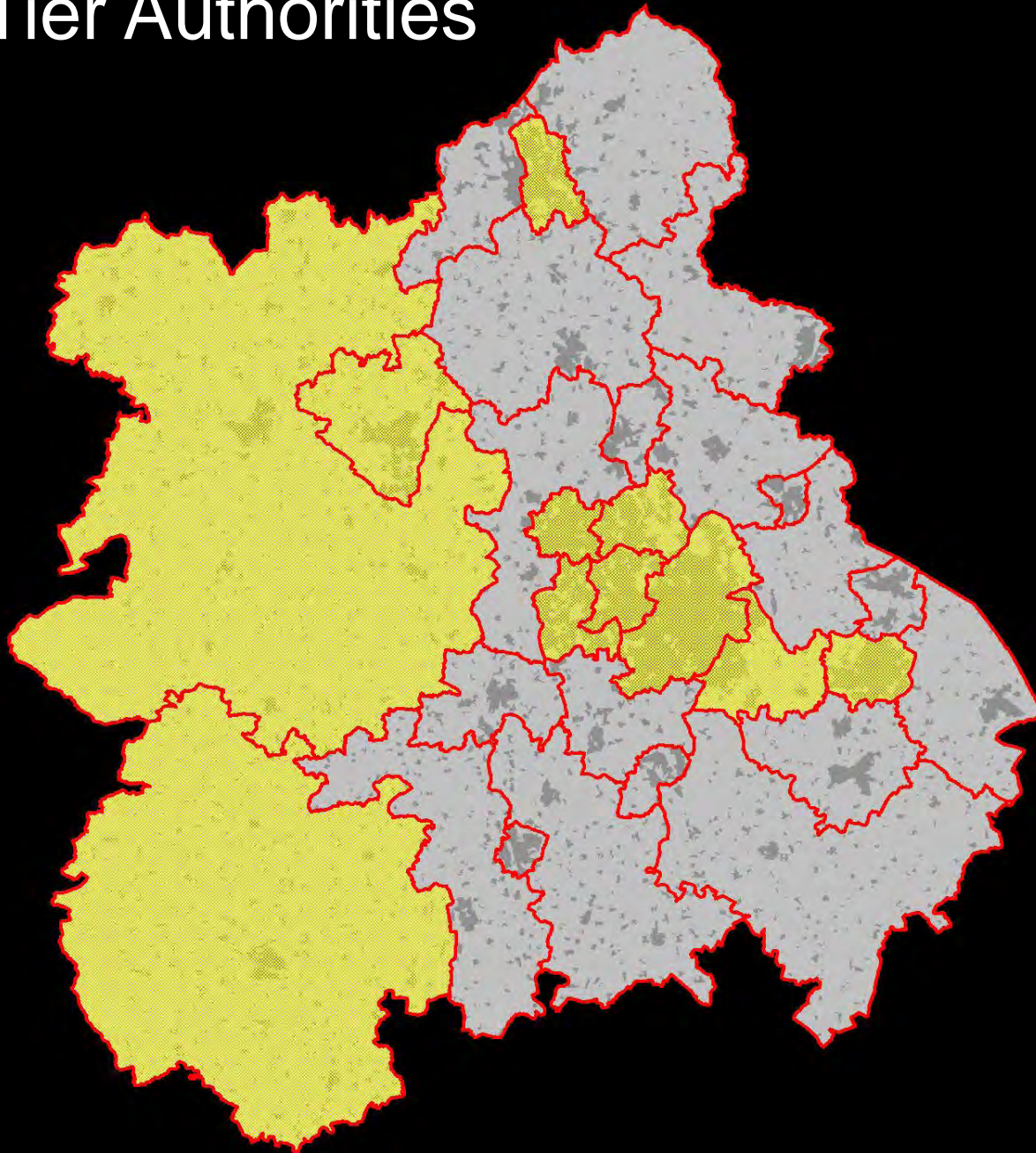
The West Midlands



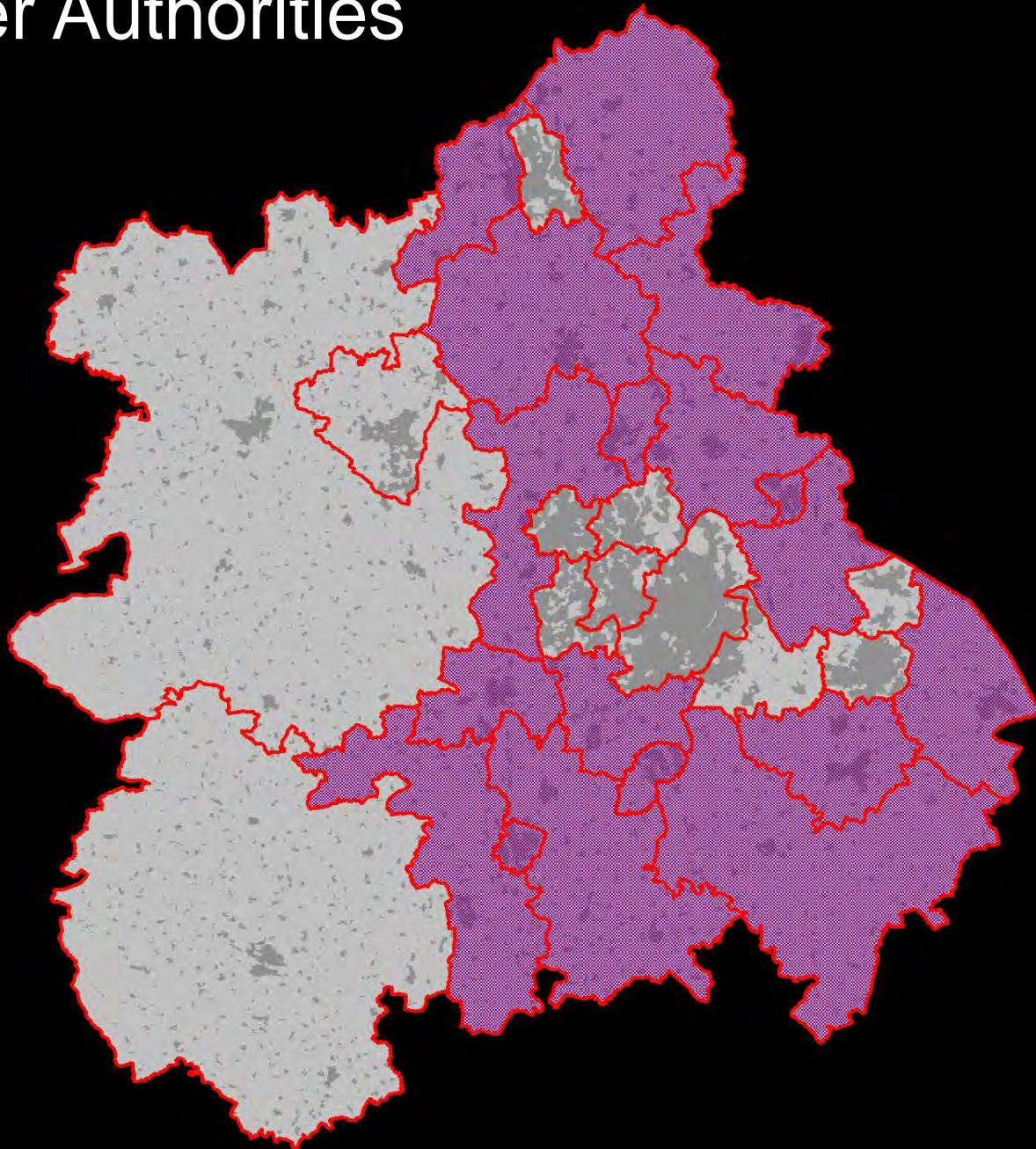
Districts



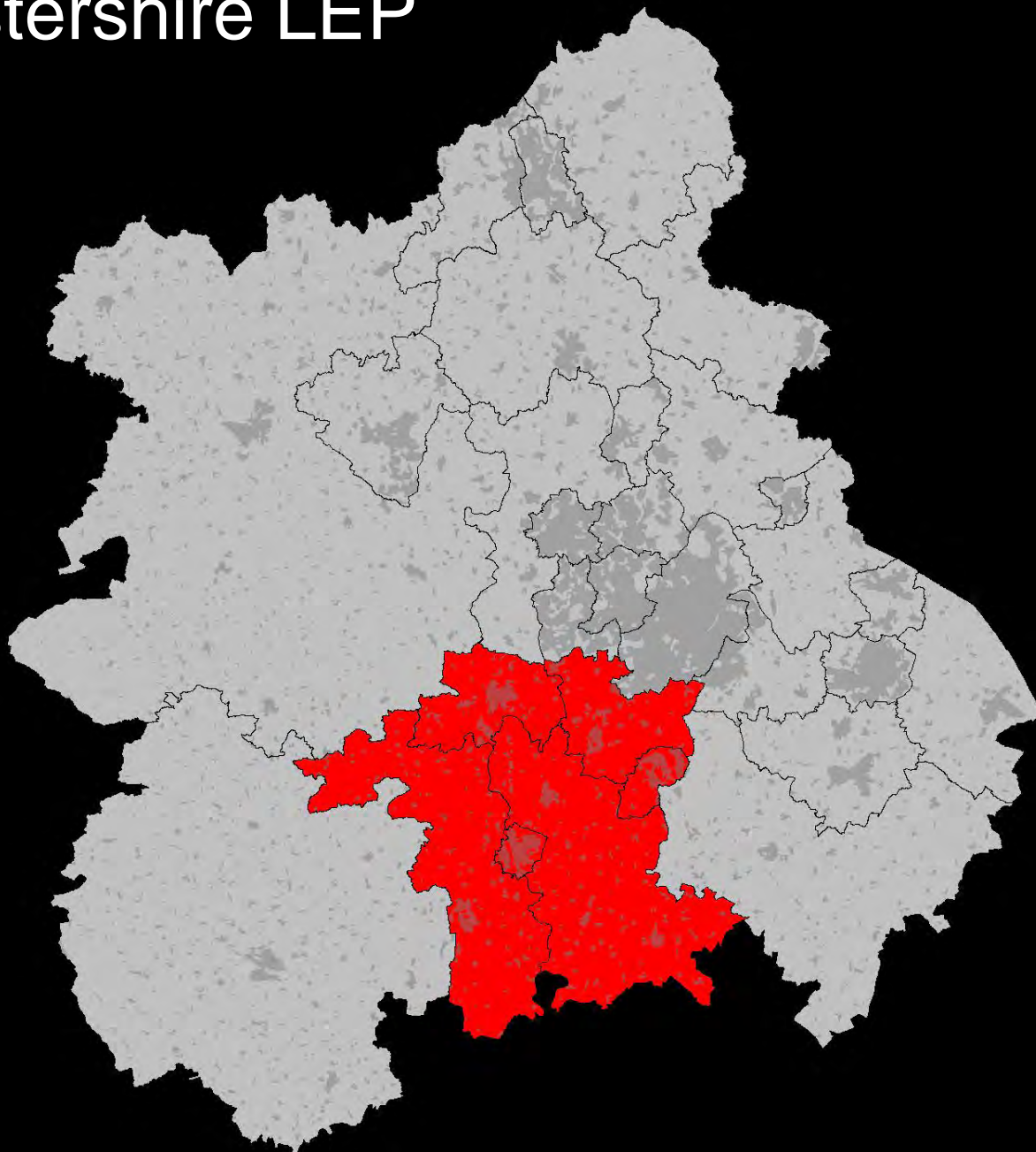
Single Tier Authorities



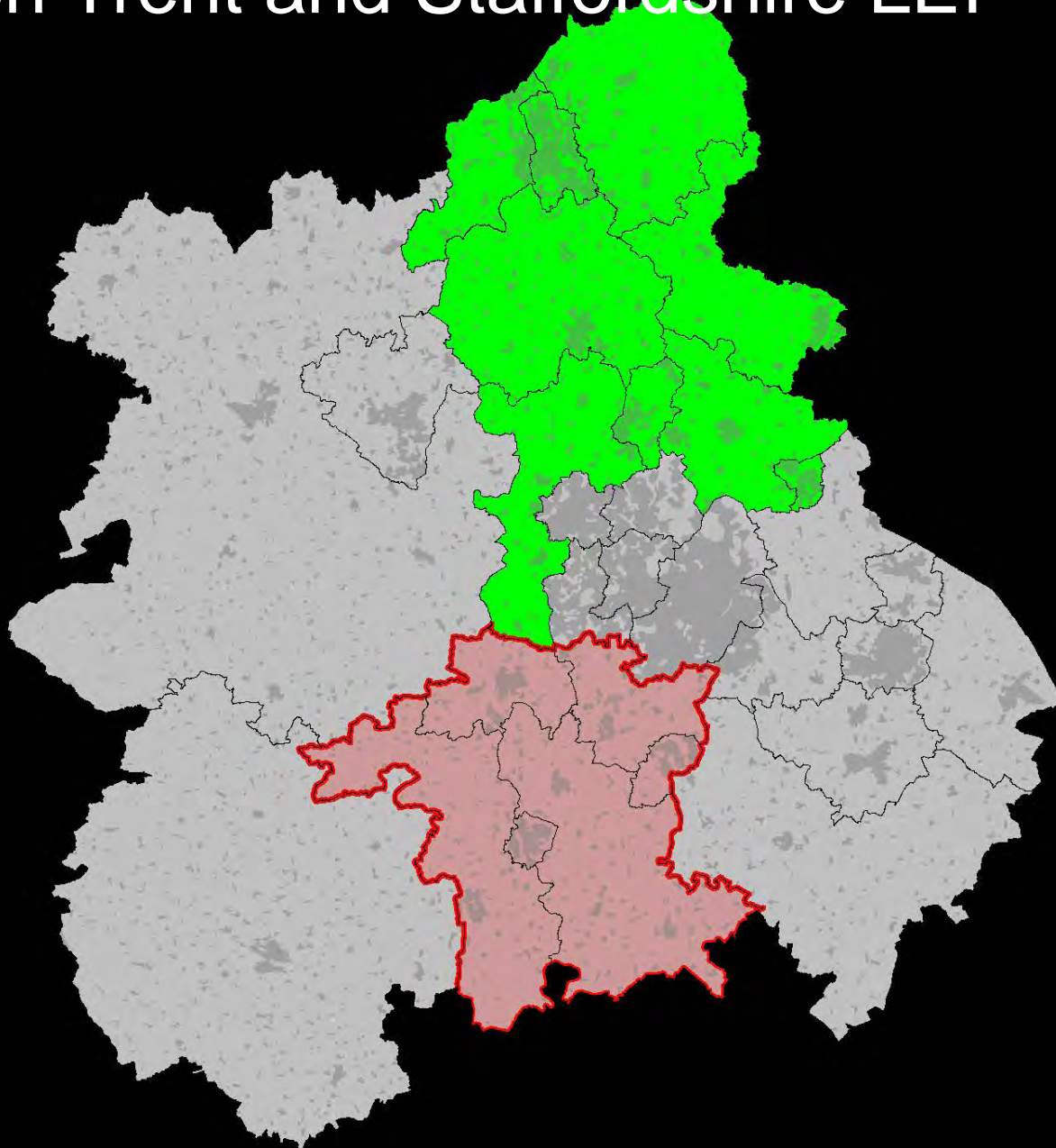
Two Tier Authorities



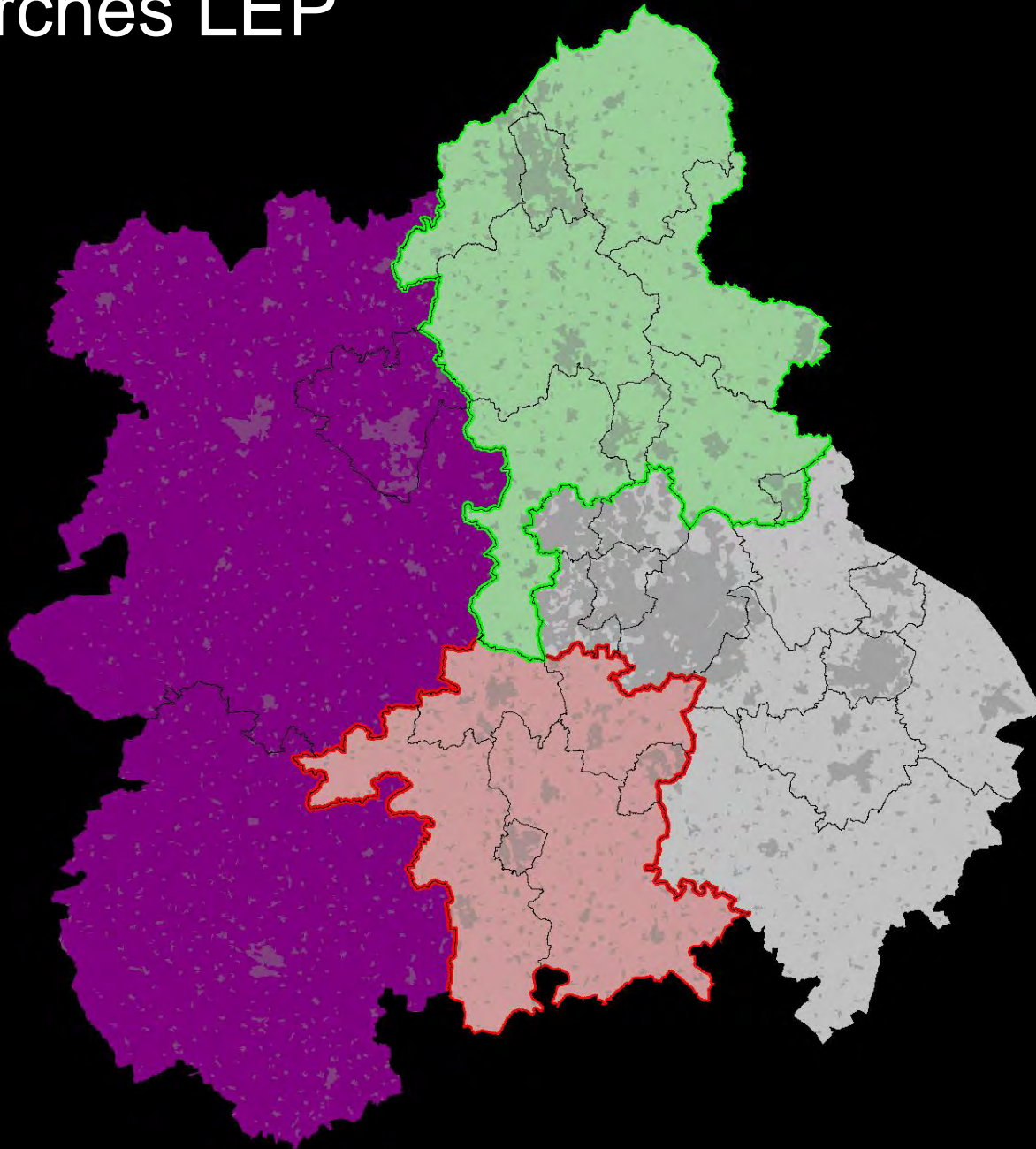
Worcestershire LEP



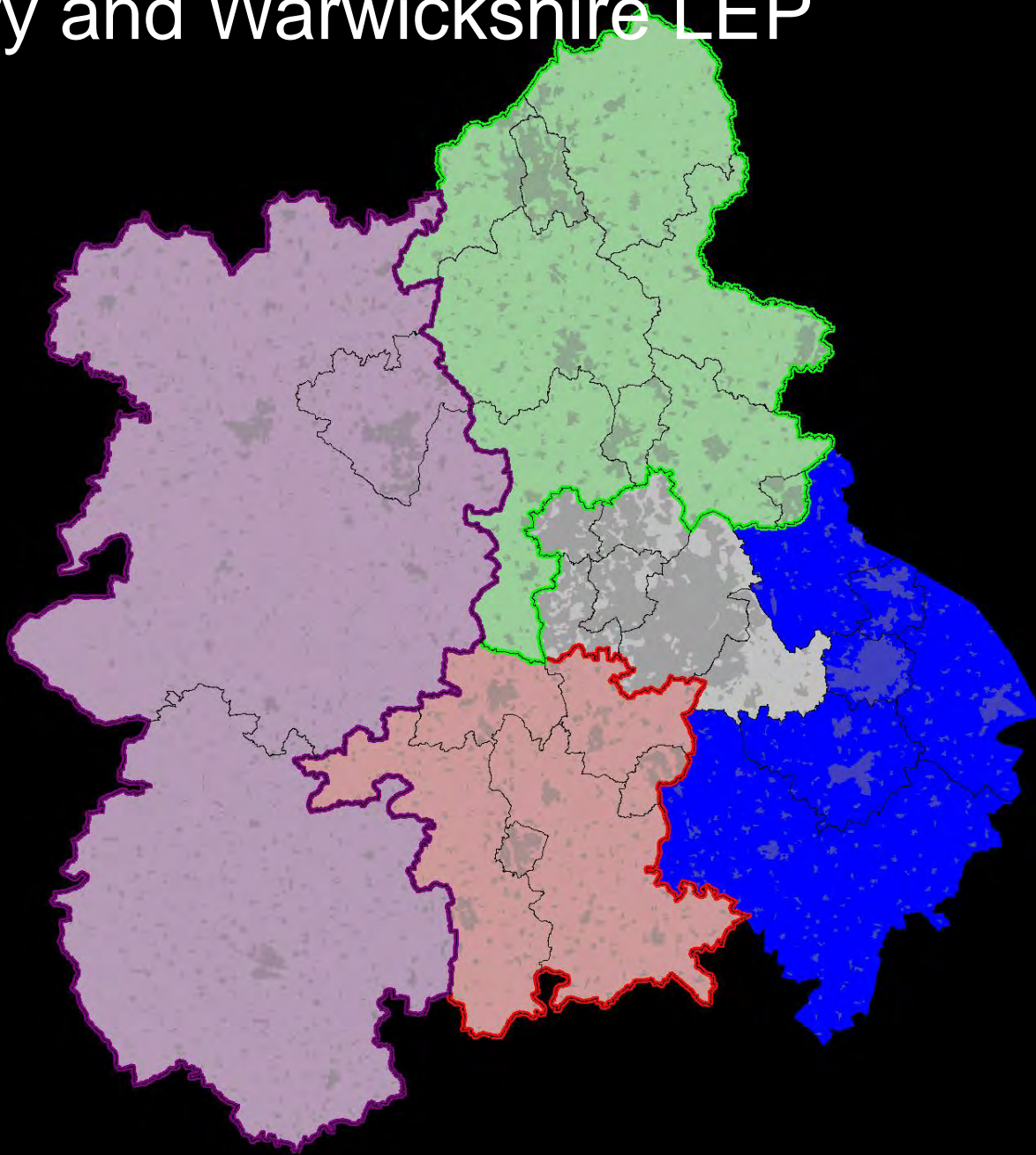
Stoke on Trent and Staffordshire LEP



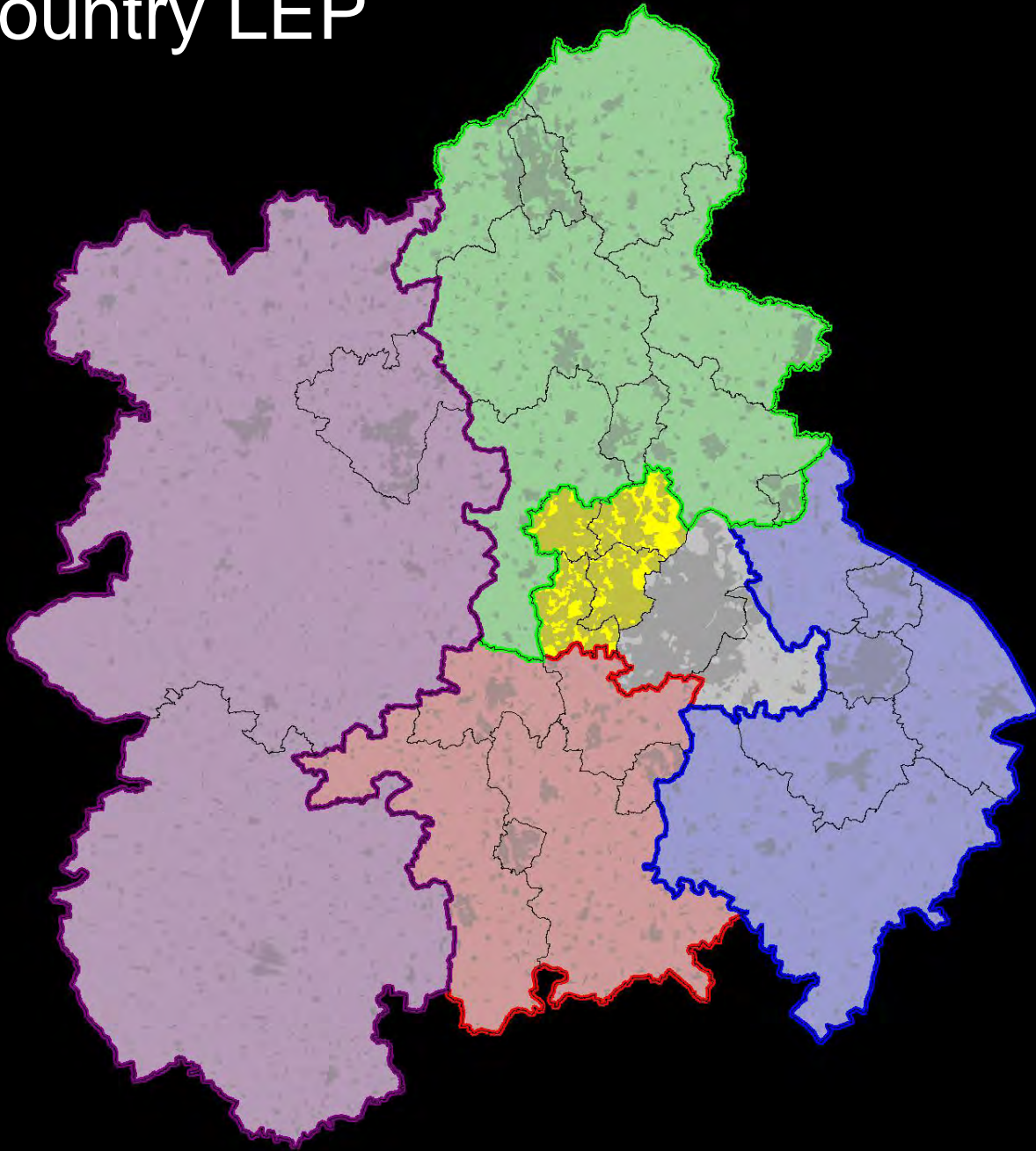
The Marches LEP



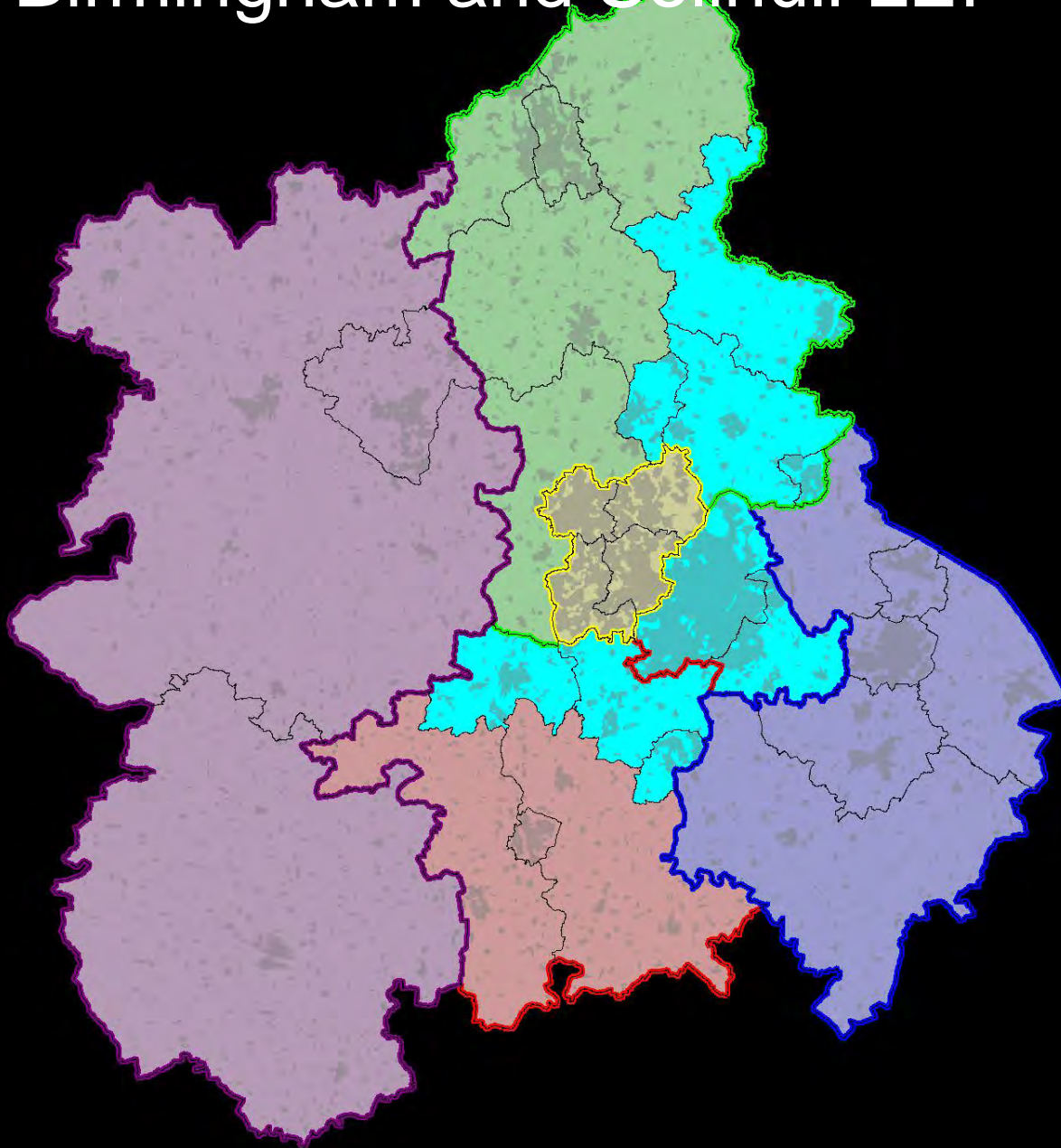
Coventry and Warwickshire LEP



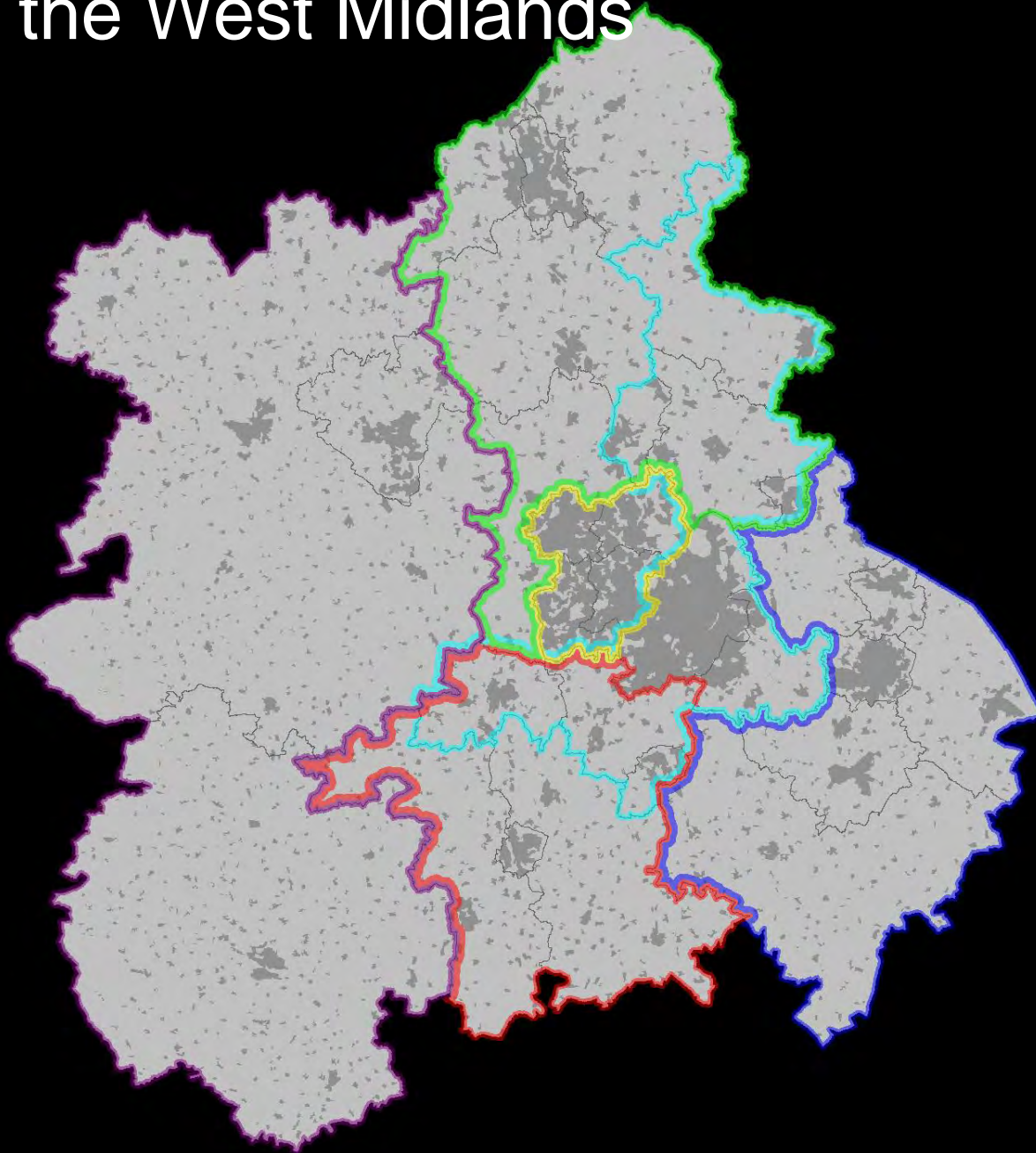
Black Country LEP



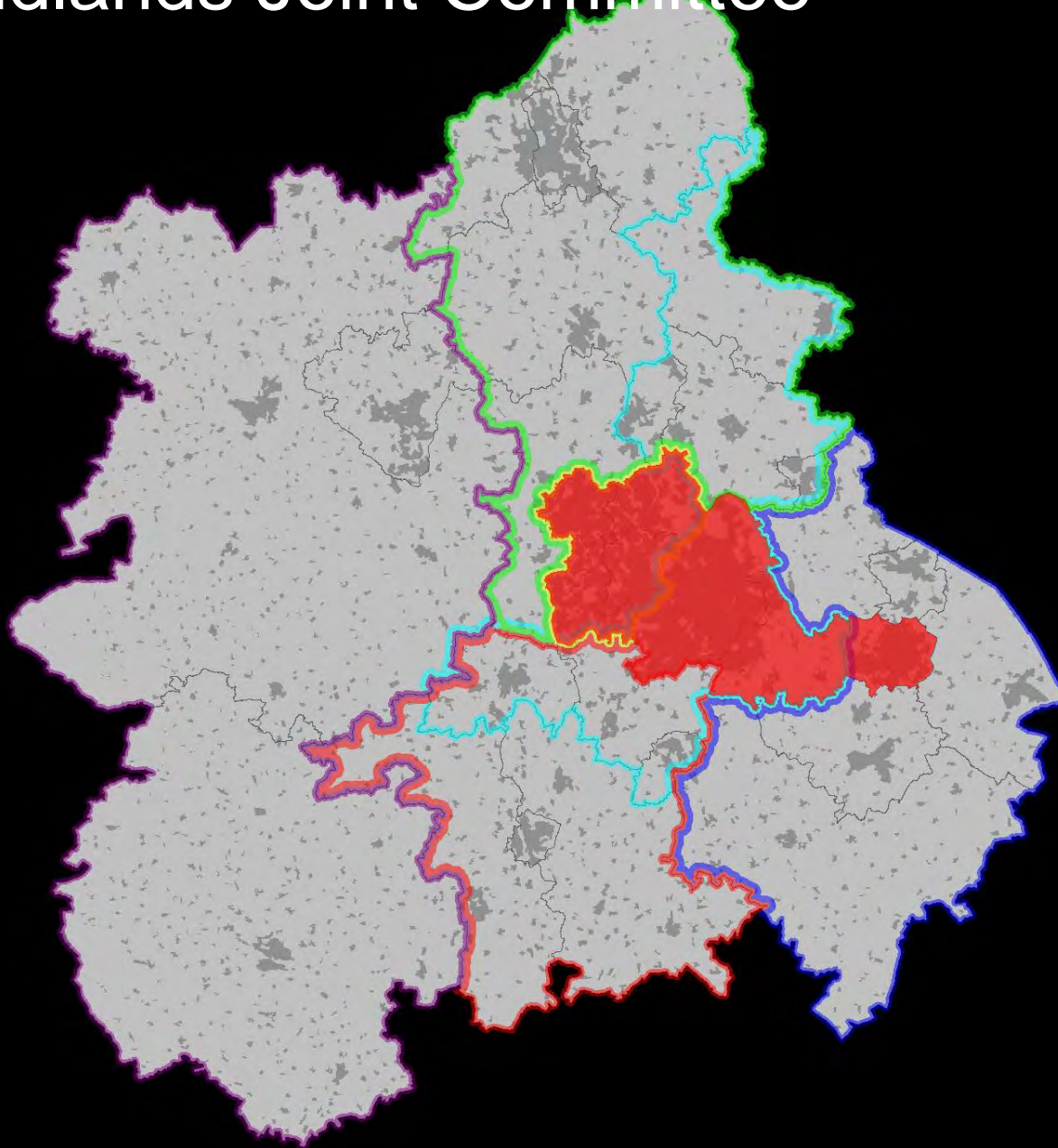
Greater Birmingham and Solihull LEP



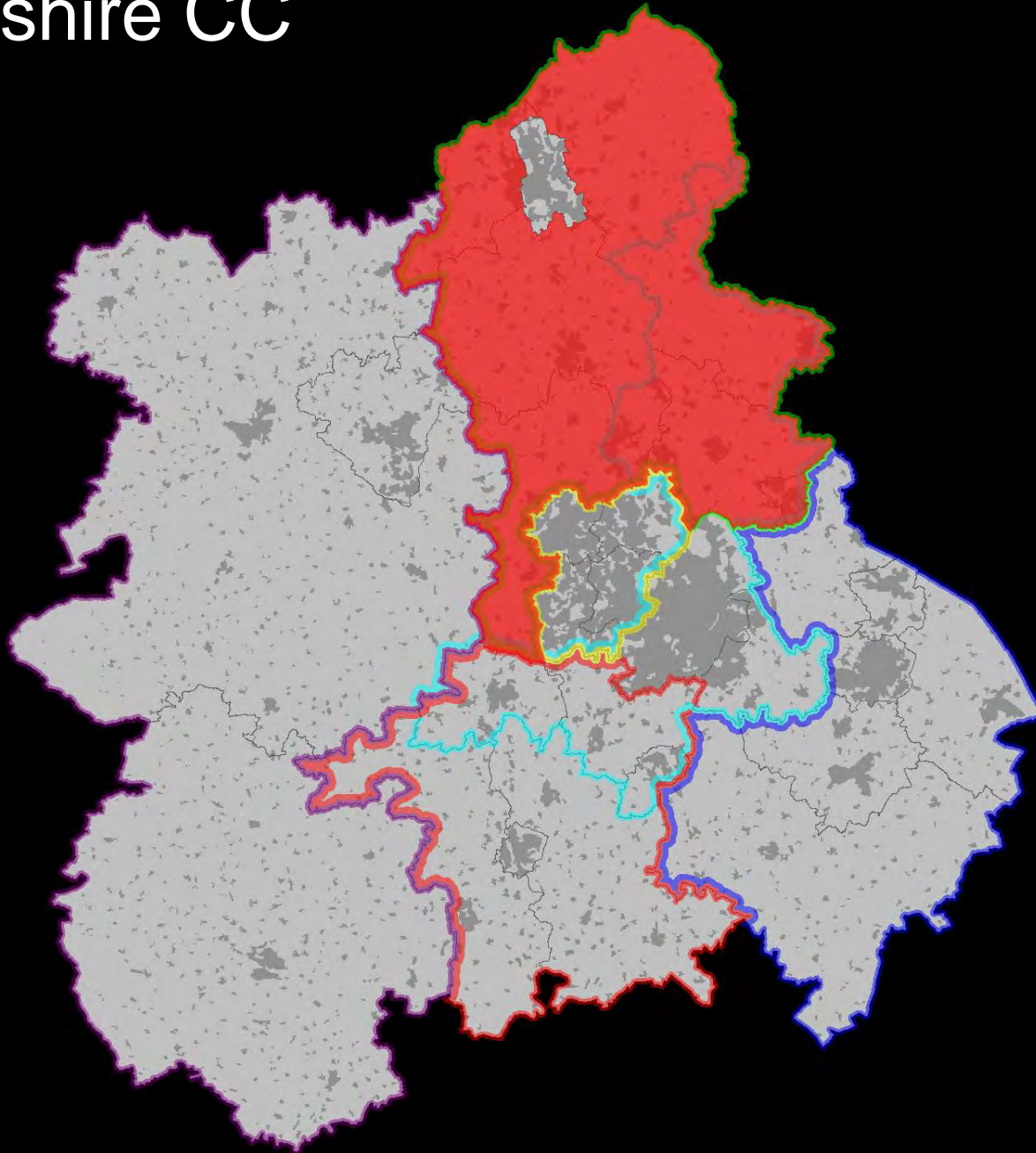
LEPs in the West Midlands



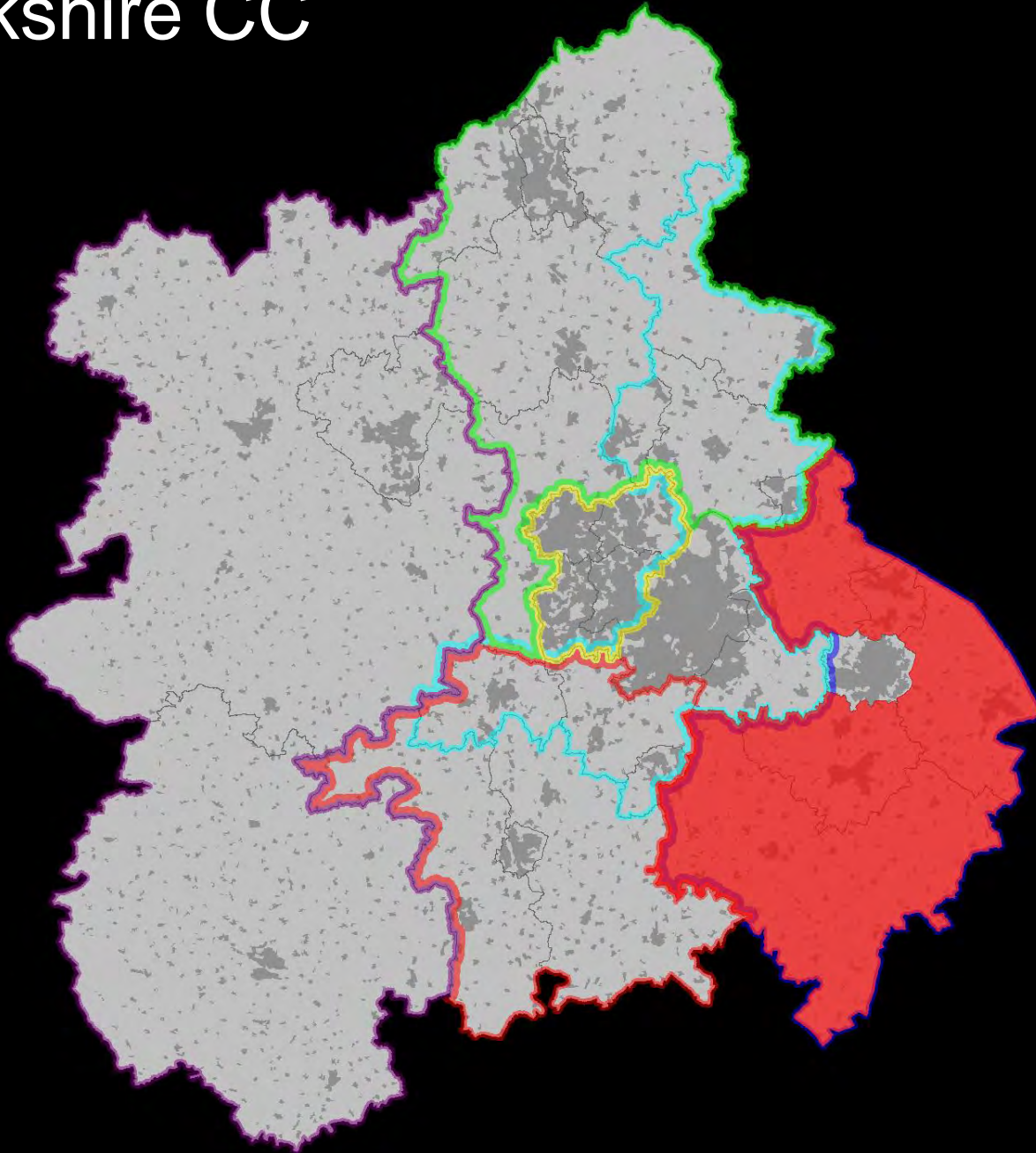
West Midlands Joint Committee



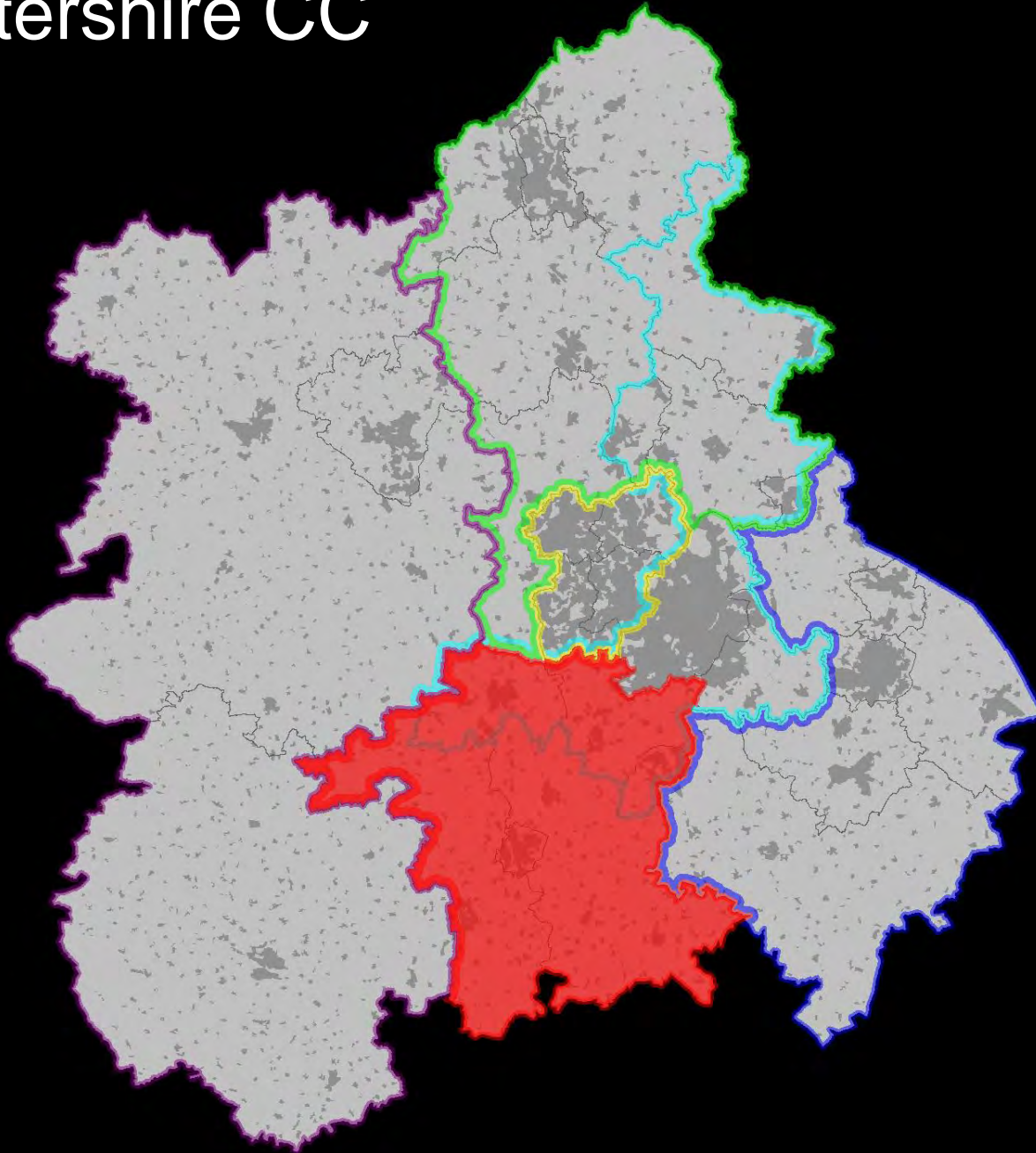
Staffordshire CC



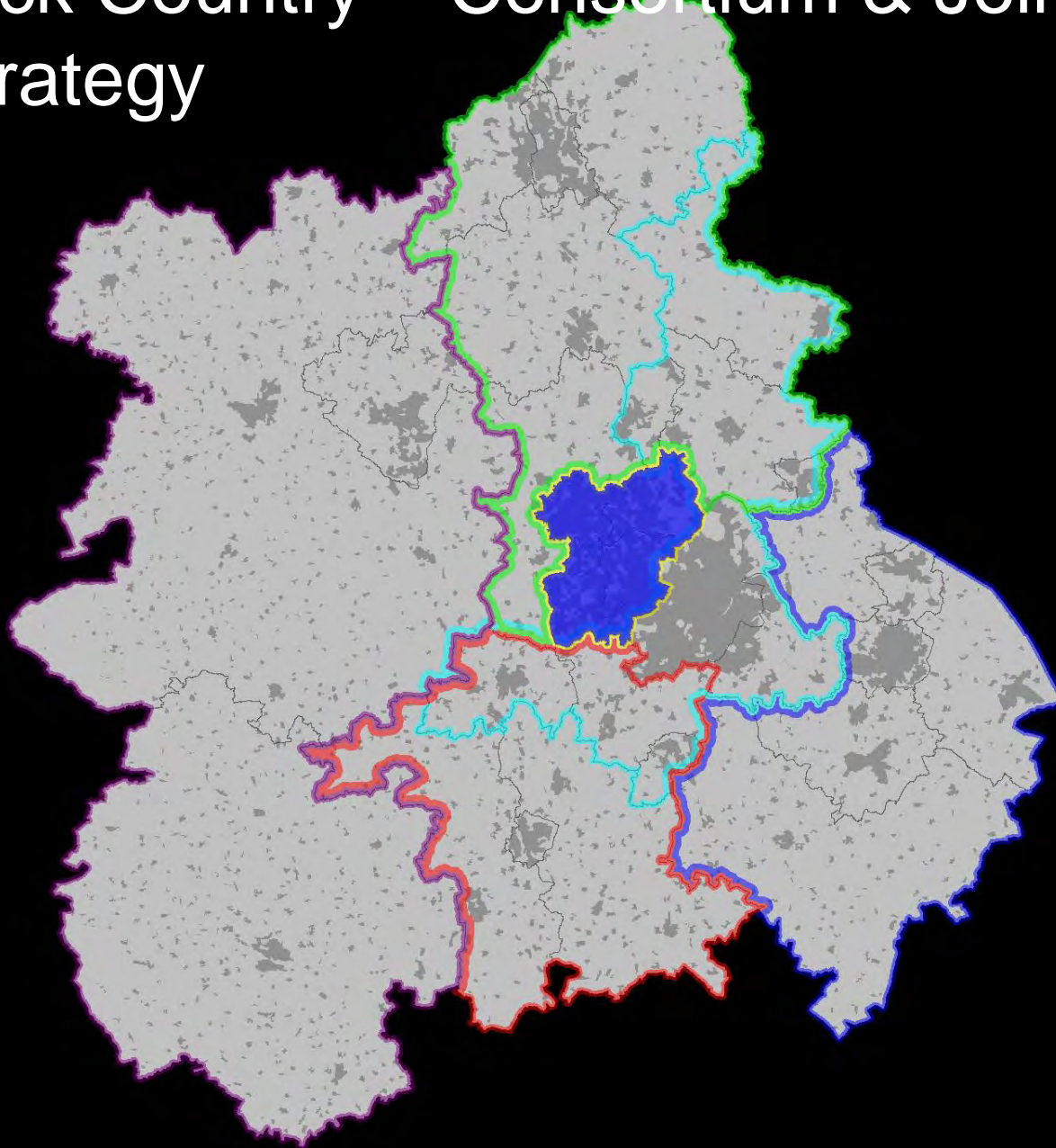
Warwickshire CC



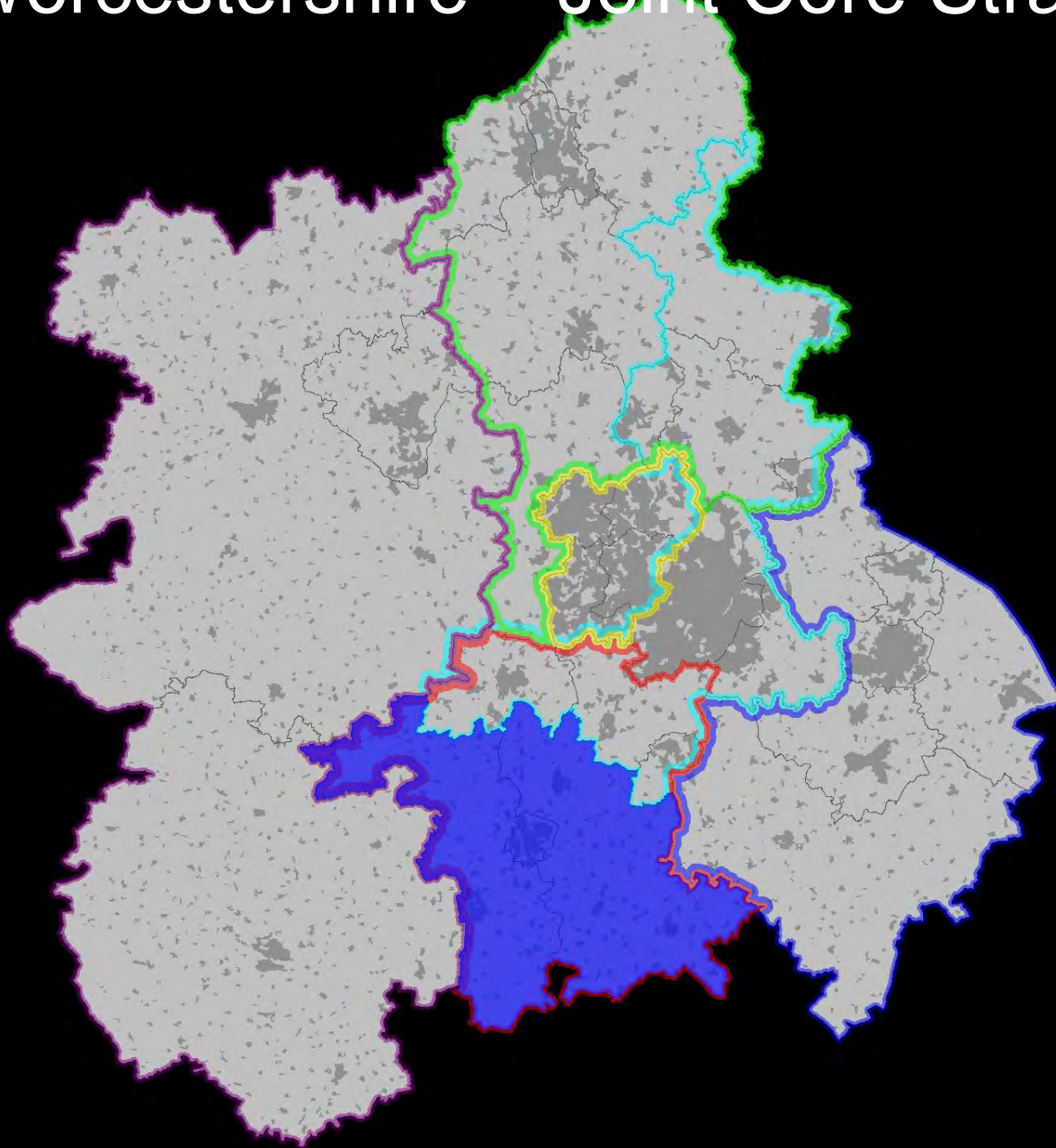
Worcestershire CC



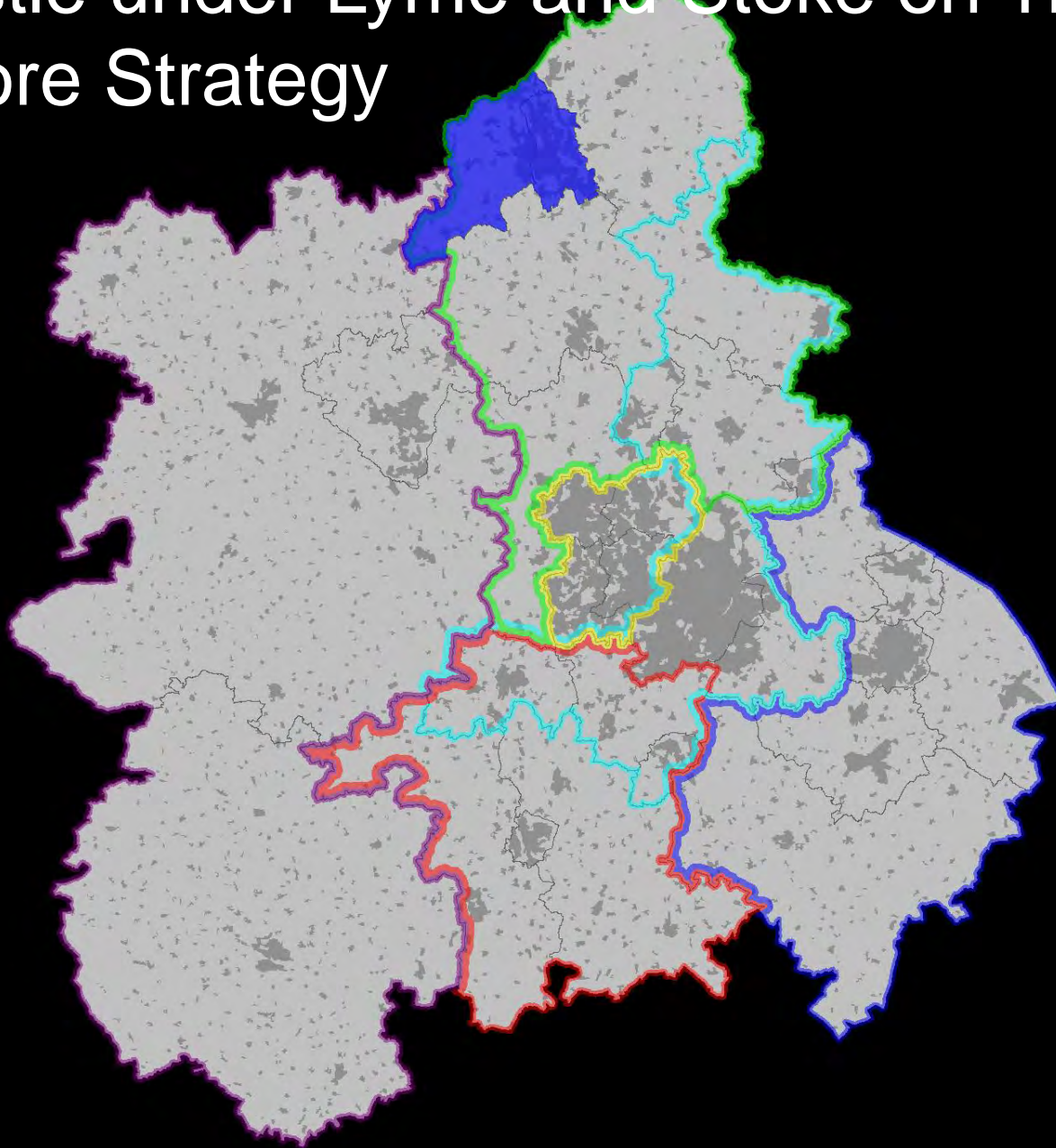
The Black Country – Consortium & Joint Core Strategy



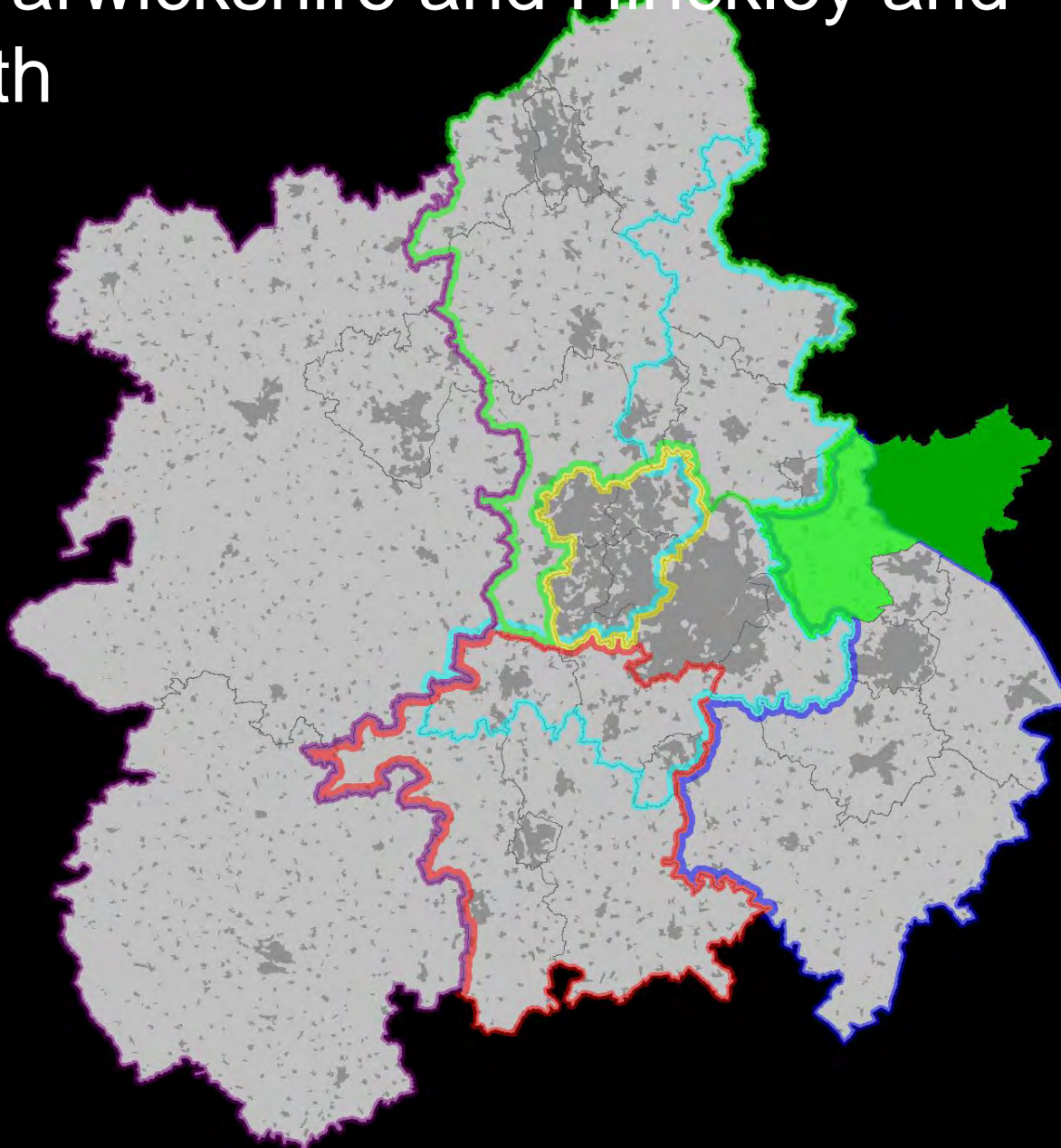
South Worcestershire - Joint Core Strategy



Newcastle under Lyme and Stoke on Trent - Joint Core Strategy



North Warwickshire and Hinckley and Bosworth



Matrix of Relations

Districts	Districts	Strategic authorities	<u>LEPs</u>	Outside Region
Birmingham CC	Examples such as Bromsgrove, Lichfield and North Warwickshire Example: Warwick	West Midlands Joint Committee Staffs CC <u>Warks CC</u> Centro	GBSLEP Black Country Staffordshire Worcestershire Coventry and Warwickshire	N/A
North <u>Warwicks</u> DC	<u>E.g:</u> Tamworth, Birmingham, Nuneaton and Bedworth <u>E.g:</u> East Staffs	West Midlands Joint Committee Staffs CC <u>Warks CC</u> Centro	Coventry and Warwickshire GBSLEP	Hinckley & Bosworth

Primary relationships
Secondary Relationships

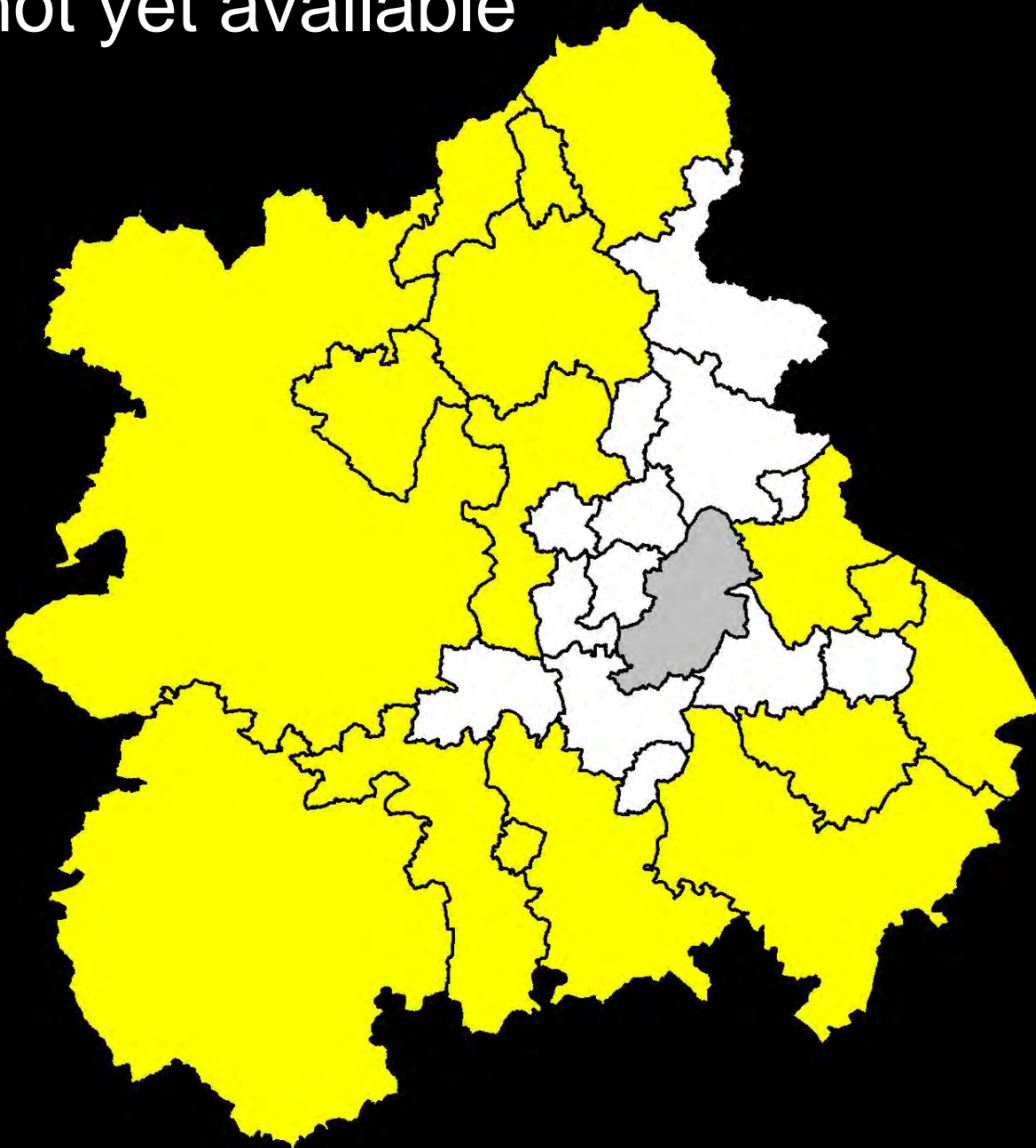
NB: Illustrative only. To be identified from the bottom-up

Satisfying the DtC – Ladder of Co-operation

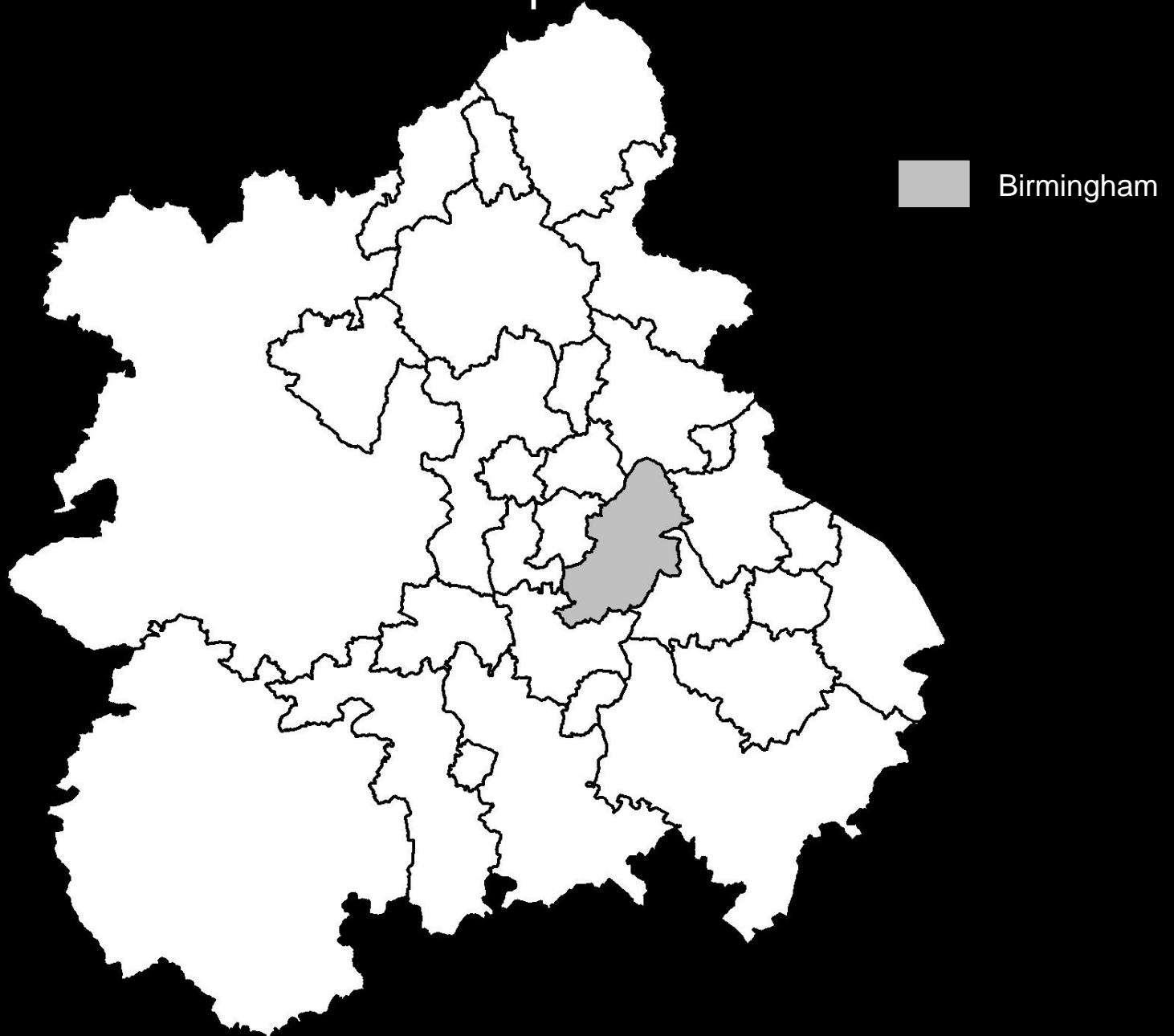
Max	1	Joint Cross Boundary Plan
↑	2	Cabinet endorsement of a joint memorandum of understanding between two or more authorities
■	3	Relevant Member endorsement of a joint memorandum of understanding between two or more authorities – exchange of letters
■	4	Chief Executive or Chief Officer endorsement of a joint memorandum of understanding between two or more authorities – exchange of letters
■	5	Planning Officers endorsement of a joint memorandum of understanding between two or more authorities – exchange of letters
■	6	Evidence that meetings took place
↓	7	No co-operation over letters of consultation
Min		

Max	1	Duty to Co-operate met
	4	Minimum level required to satisfy <u>Duty to Co-operate?</u>
Min	7	Duty to Co-operate not met

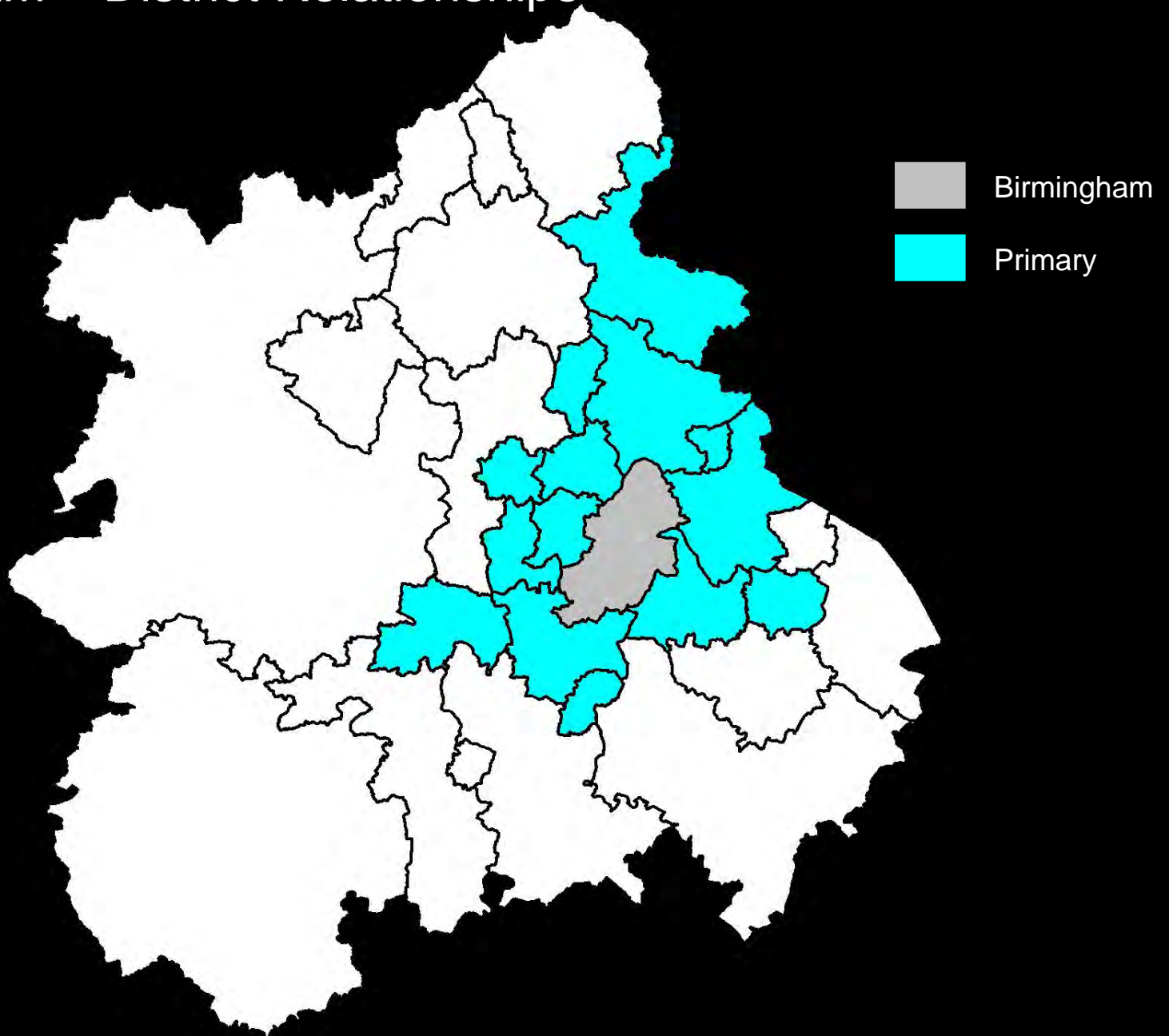
Matrix not yet available



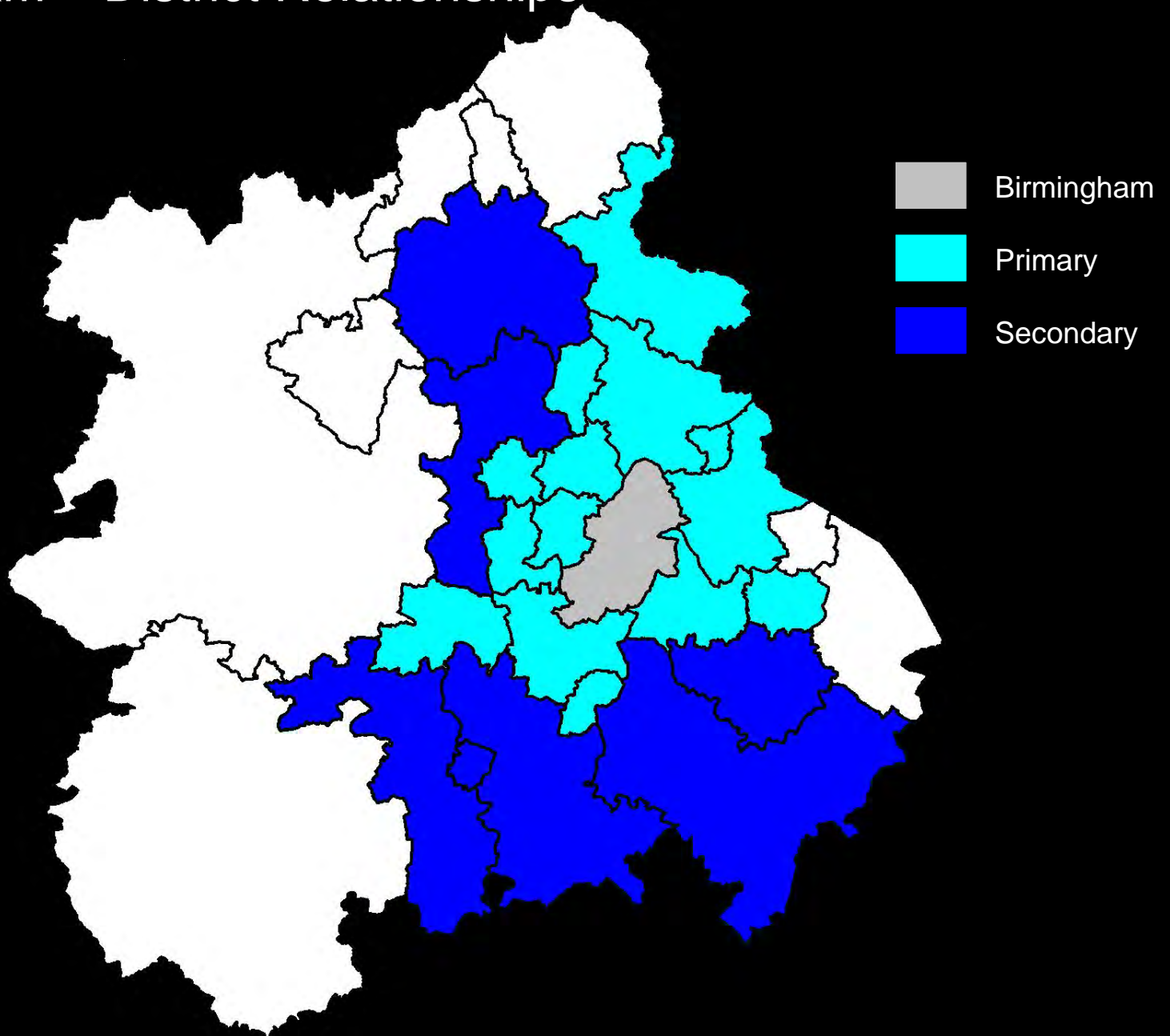
Birmingham – District Relationships



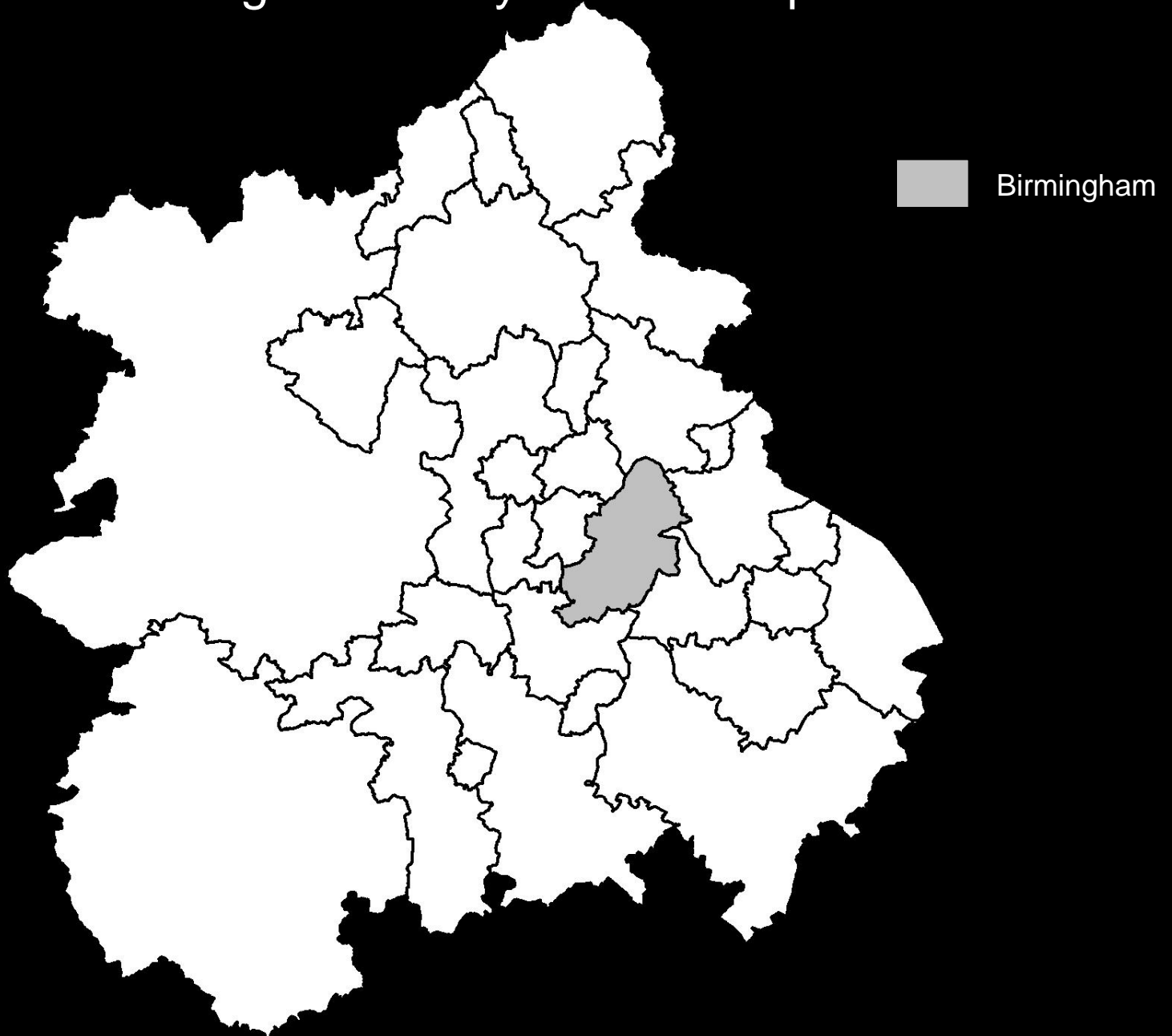
Birmingham – District Relationships



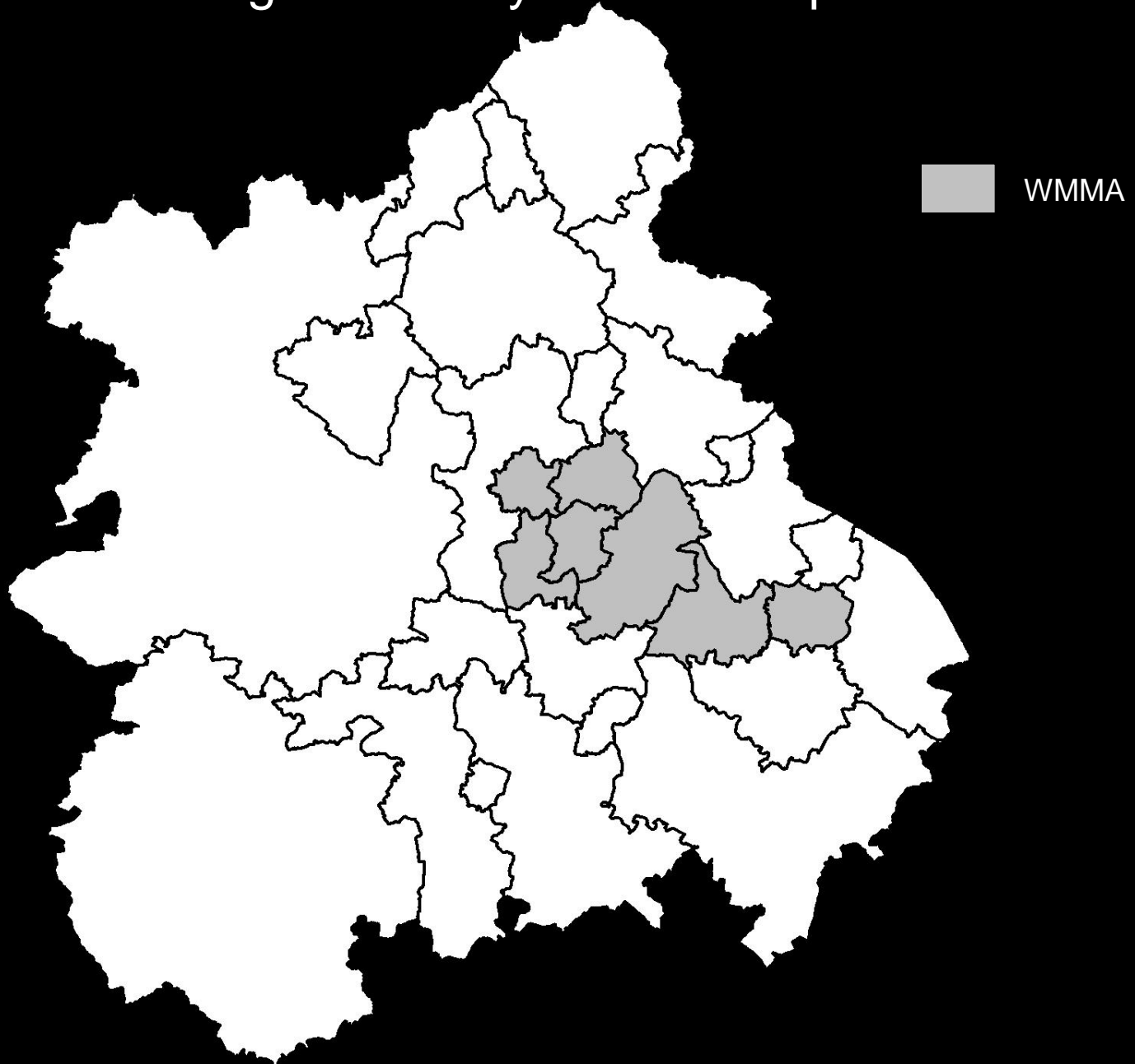
Birmingham – District Relationships



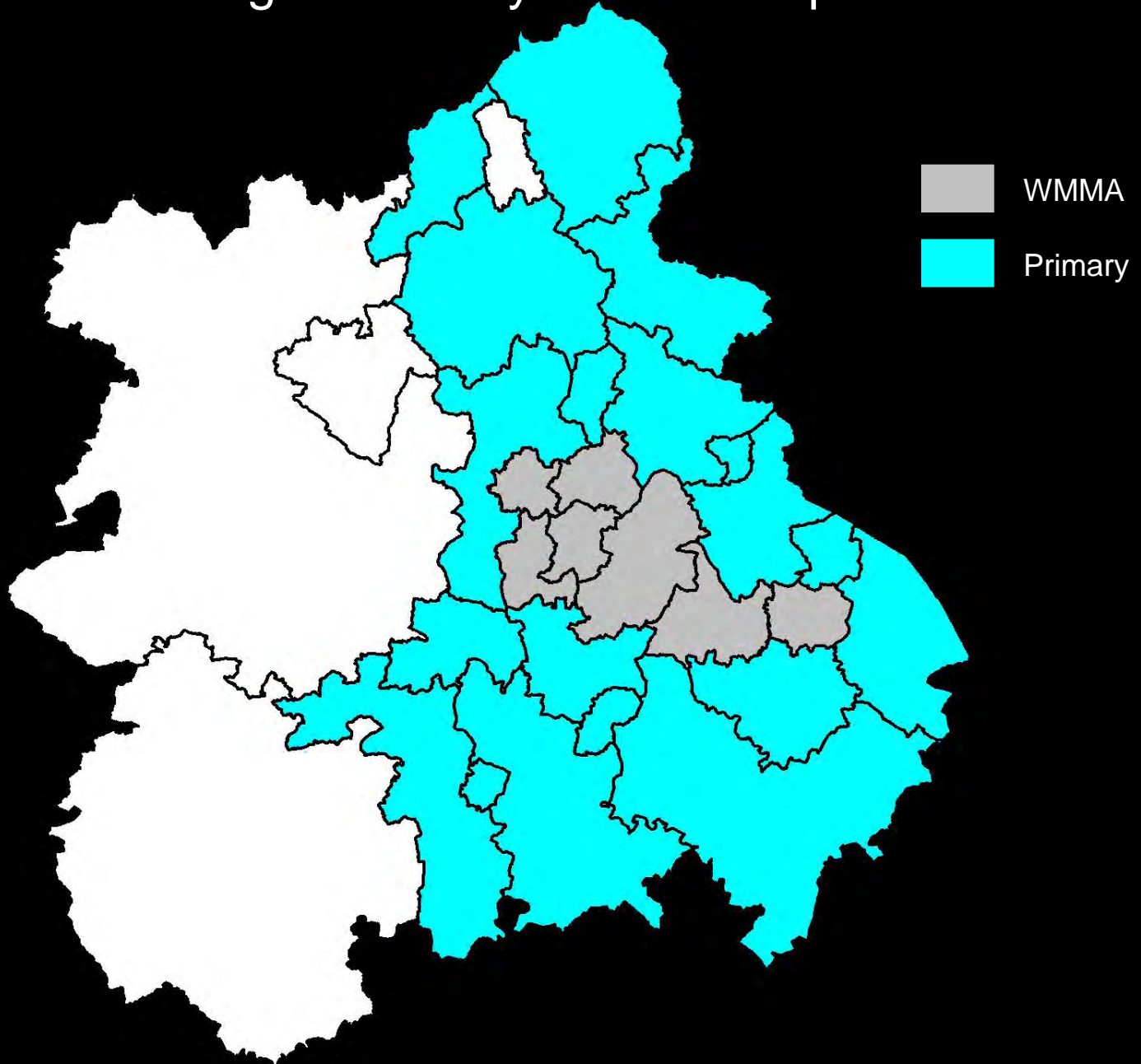
Birmingham – Strategic Authority Relationships



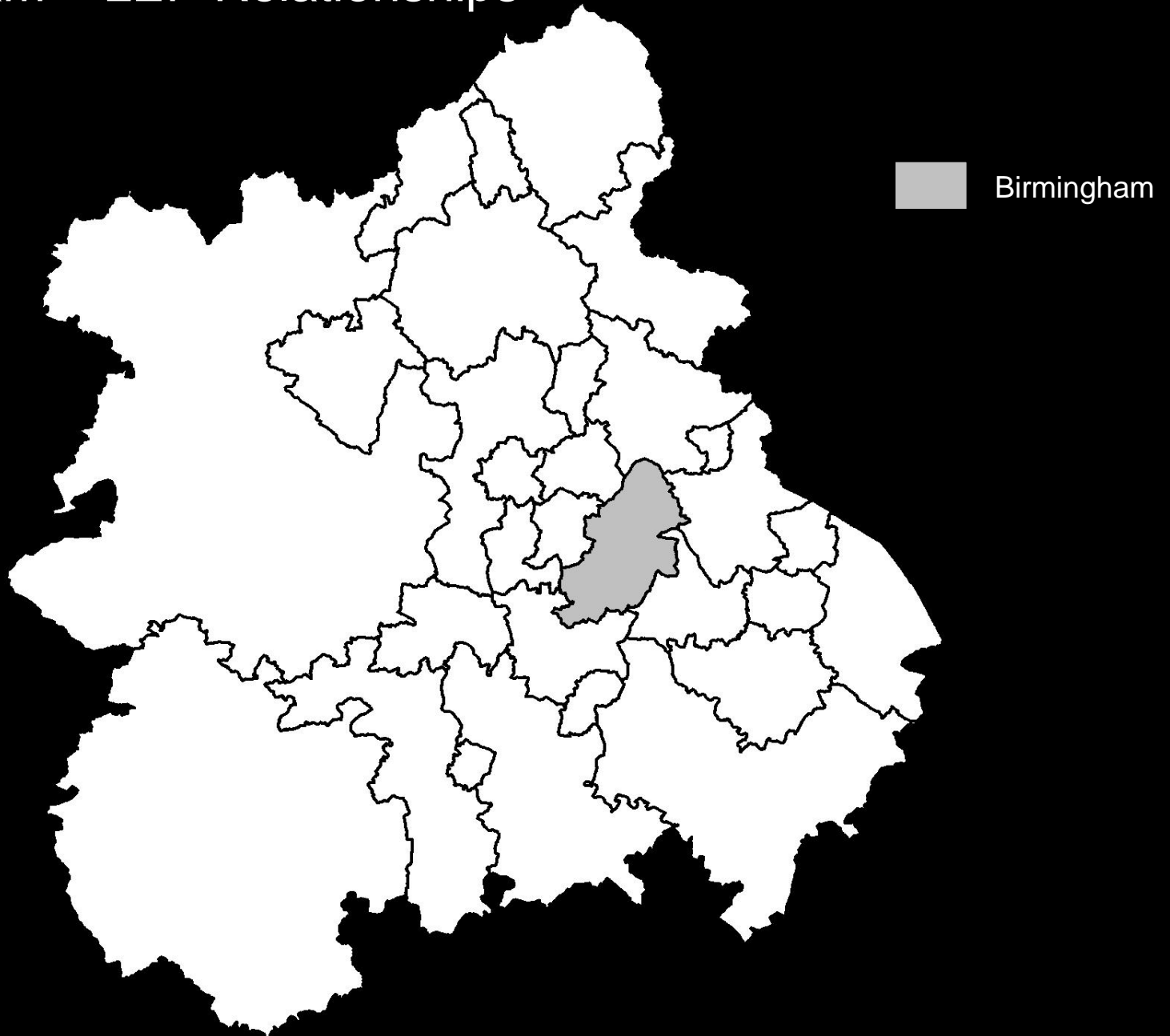
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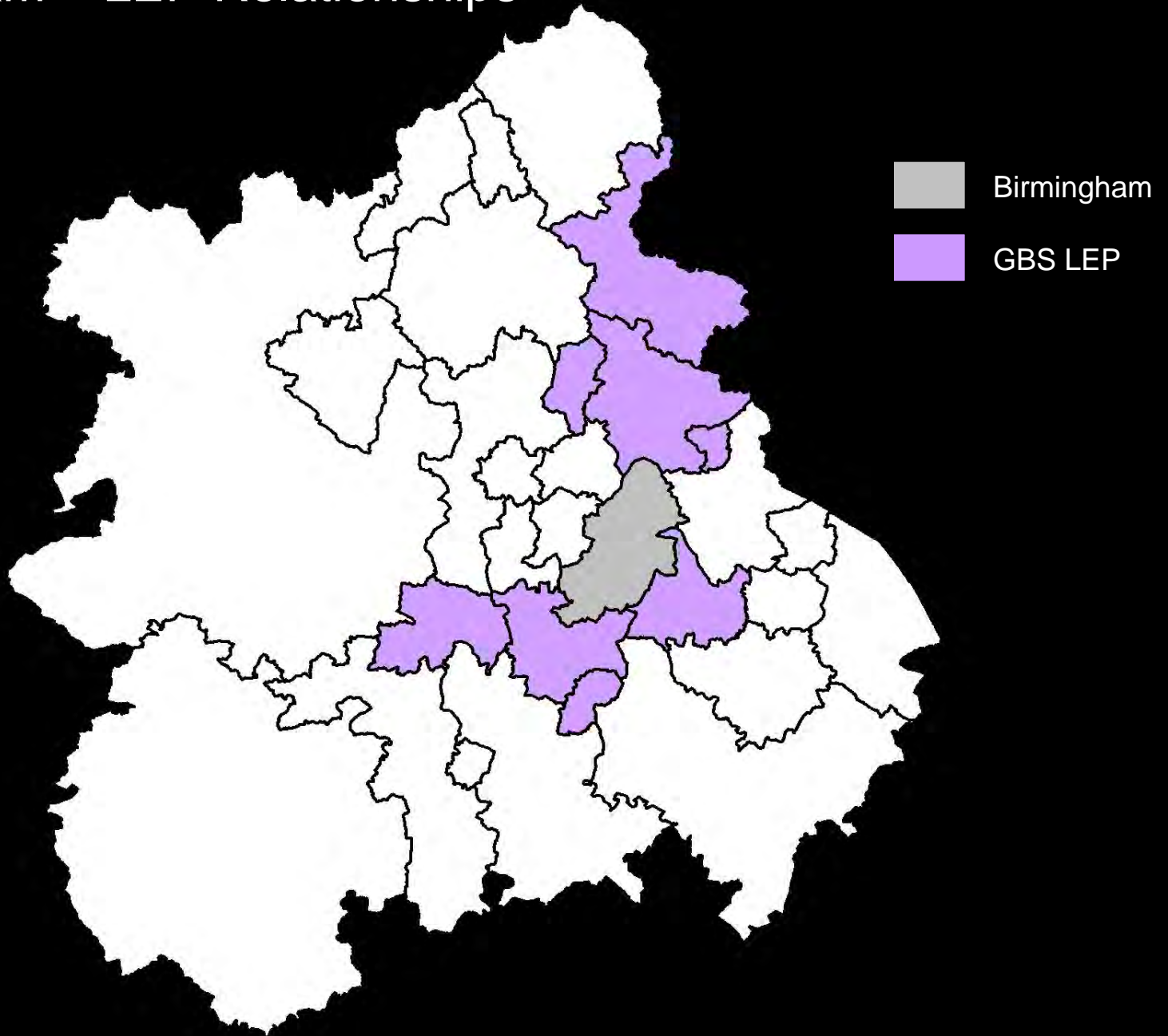
Birmingham – Strategic Authority Relationships



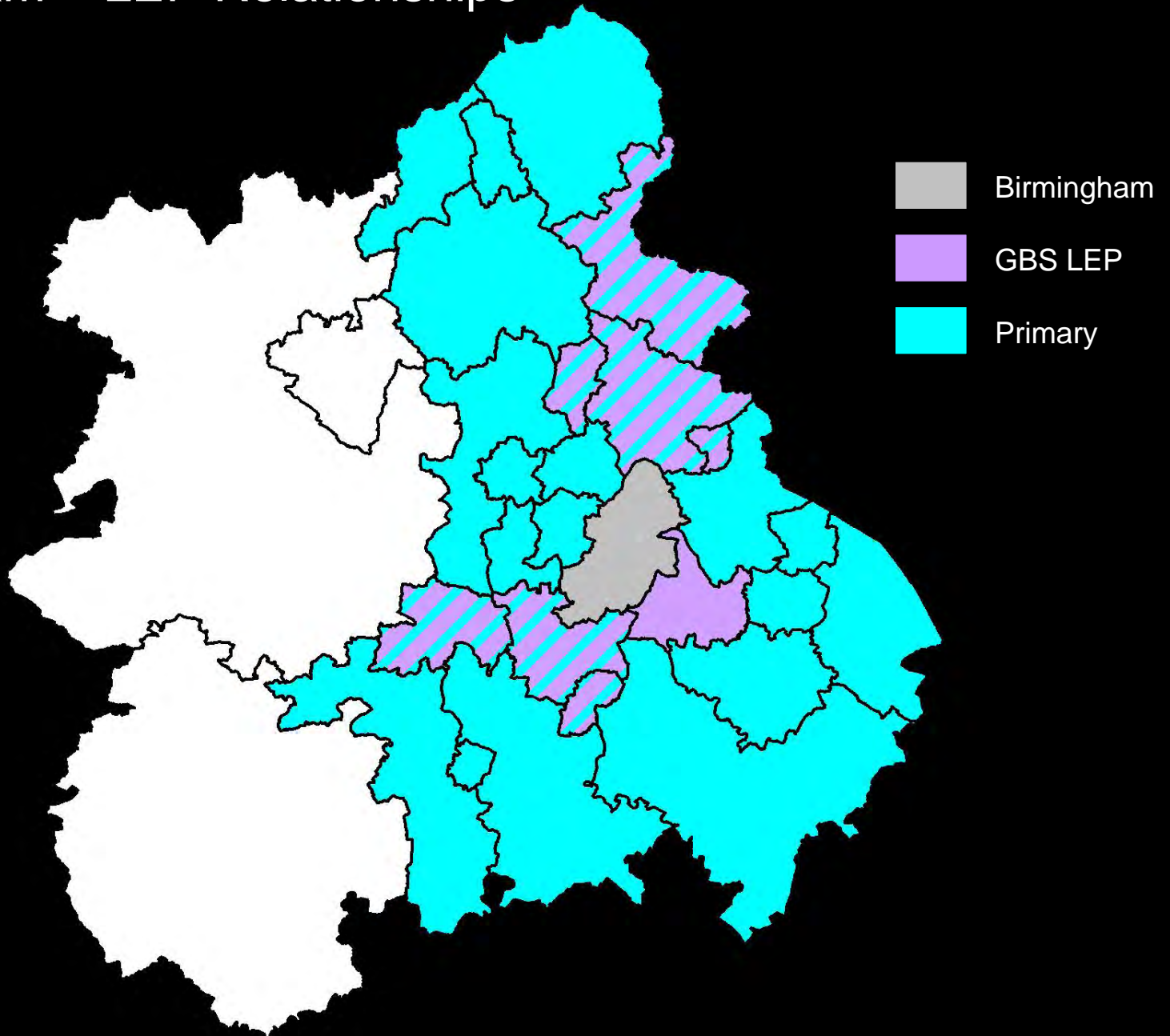
Birmingham – LEP Relationships



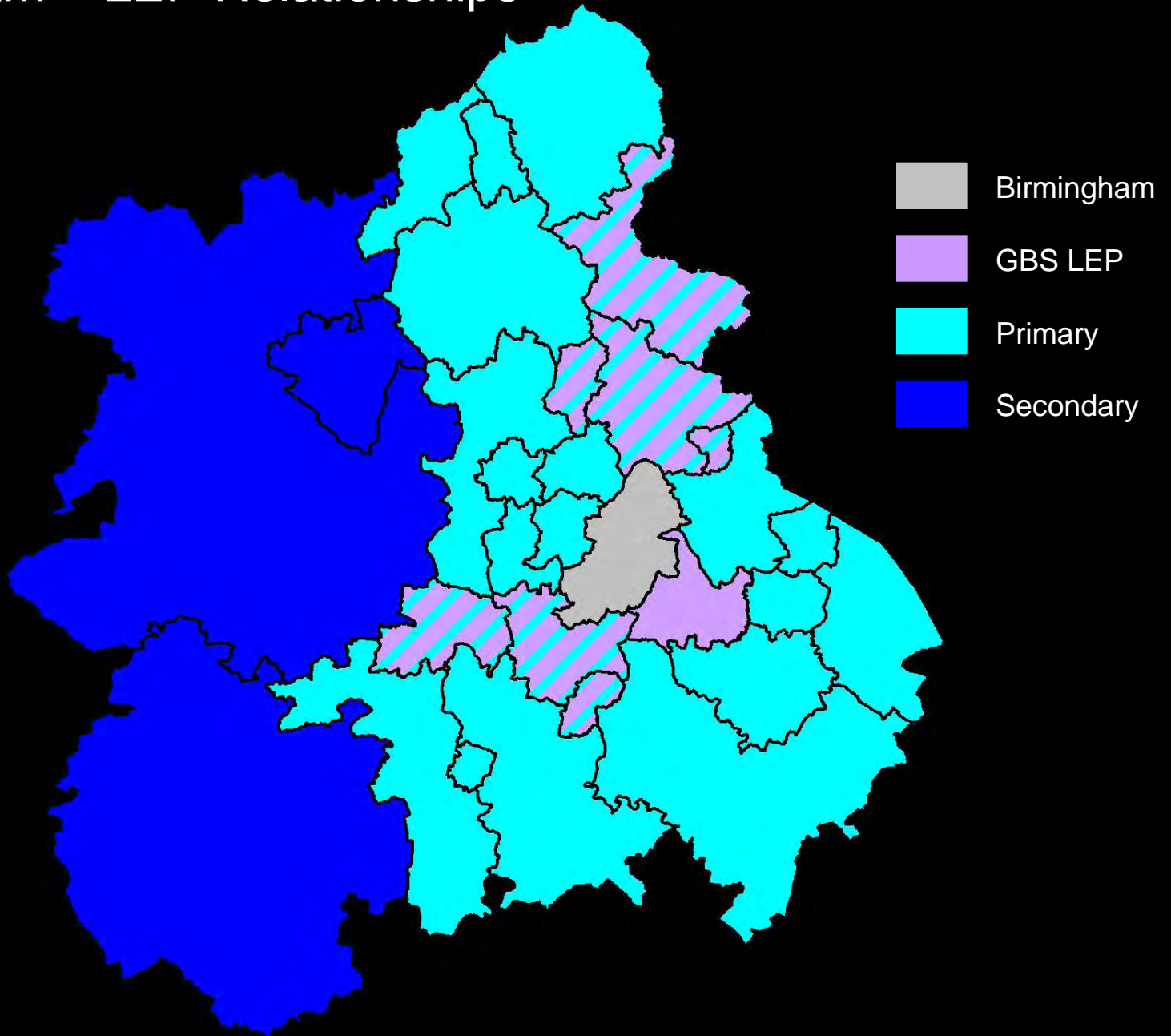
Birmingham – LEP Relationships



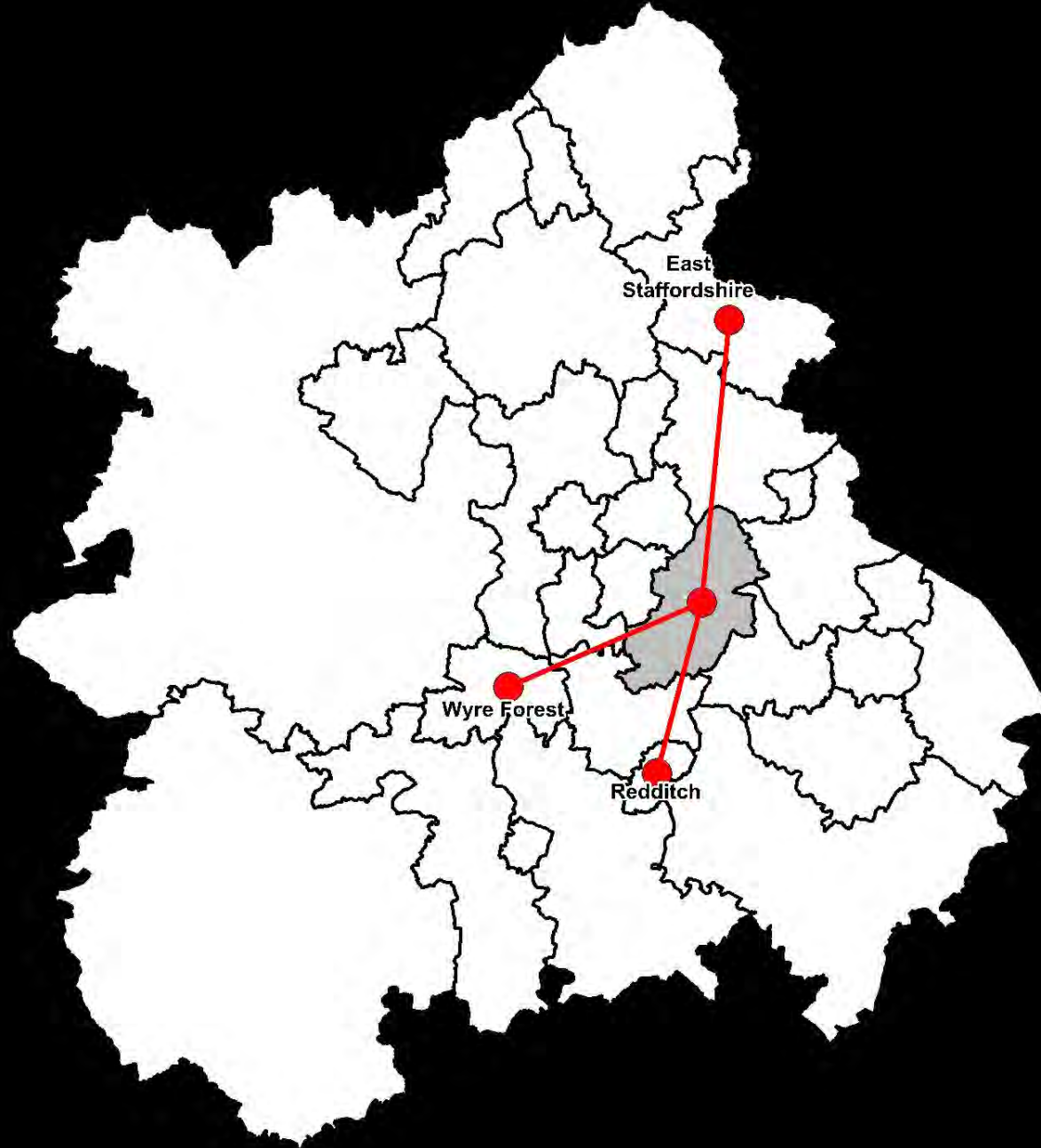
Birmingham – LEP Relationships



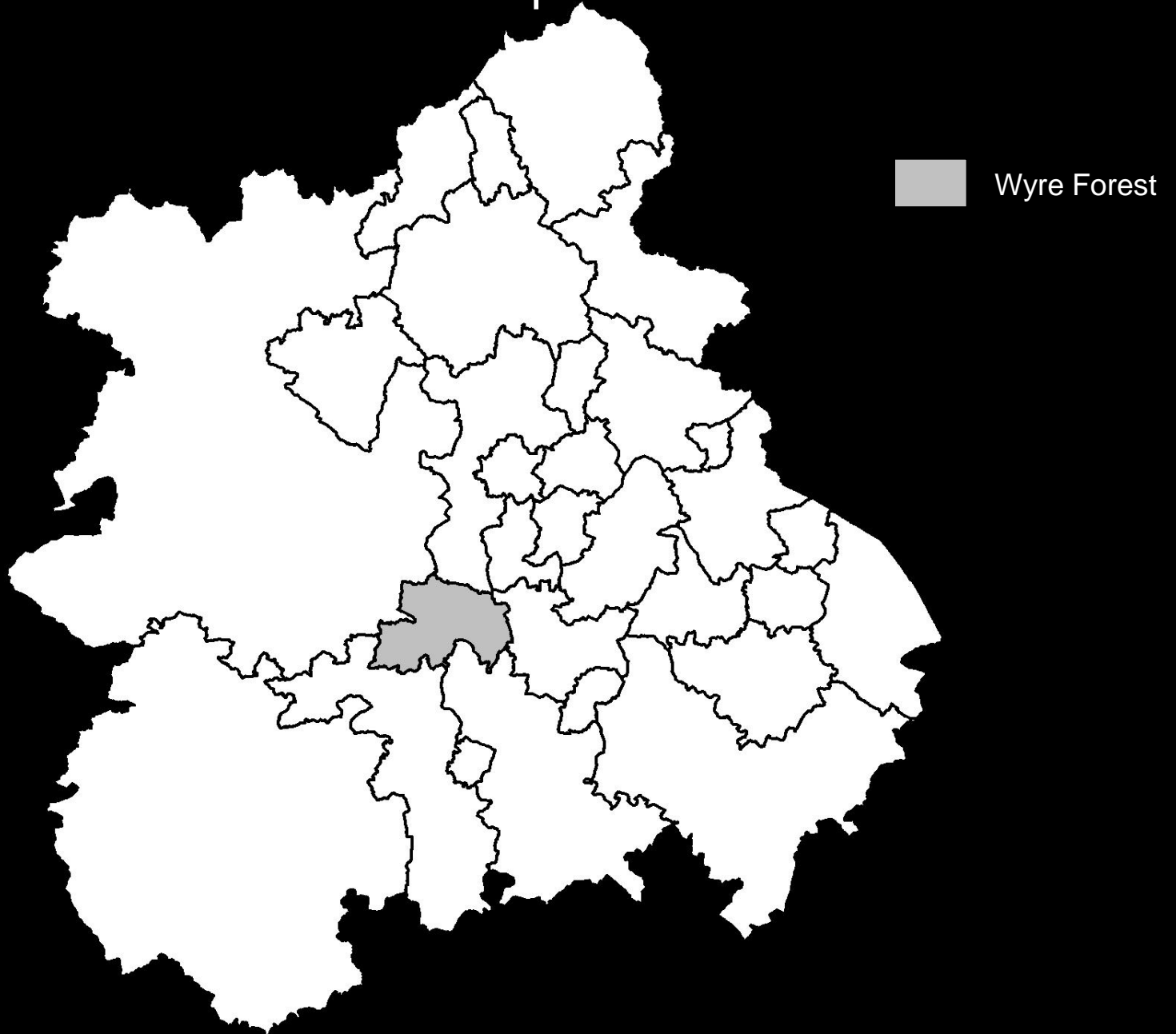
Birmingham – LEP Relationships



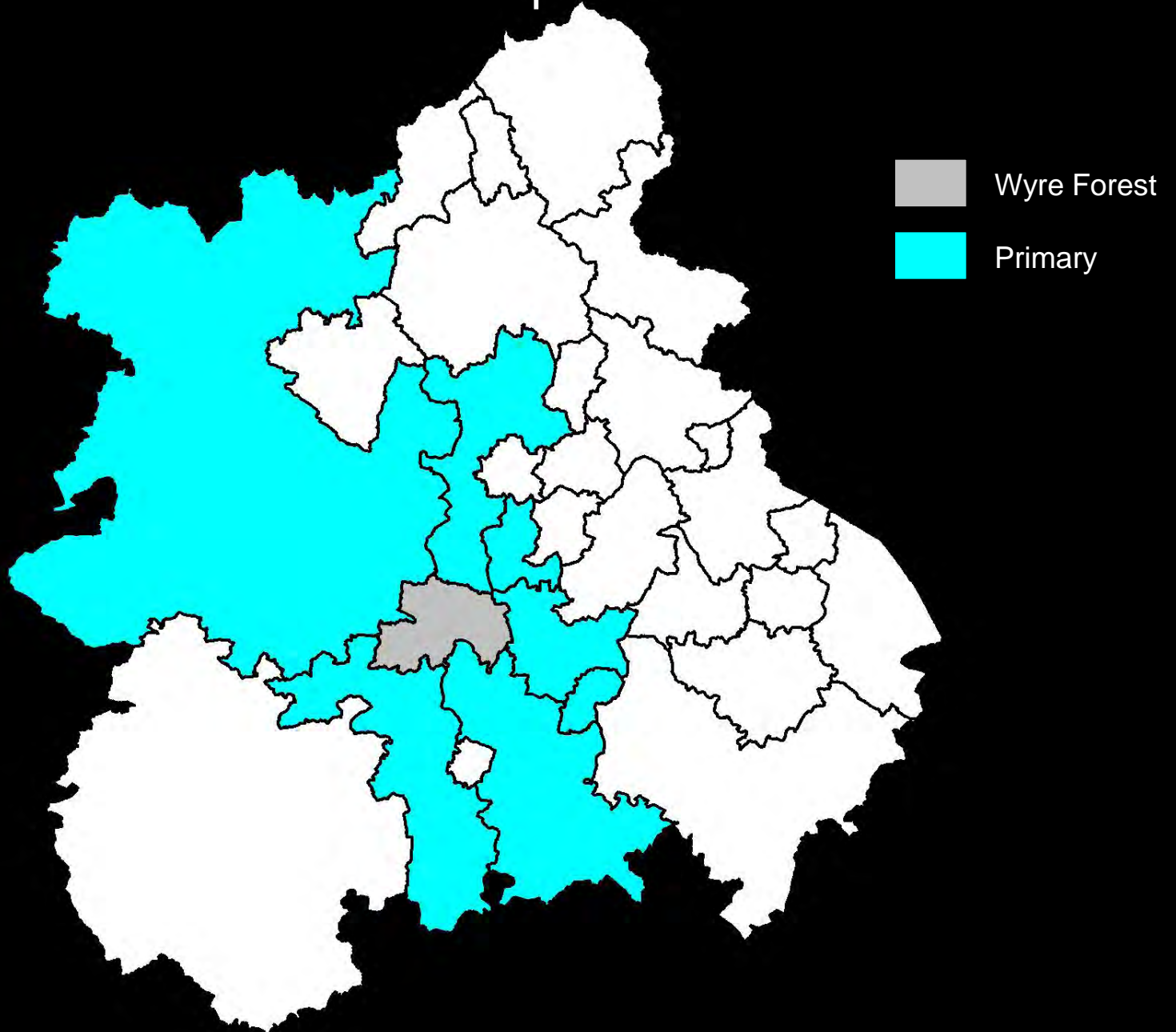
Birmingham – Possible Inconsistencies



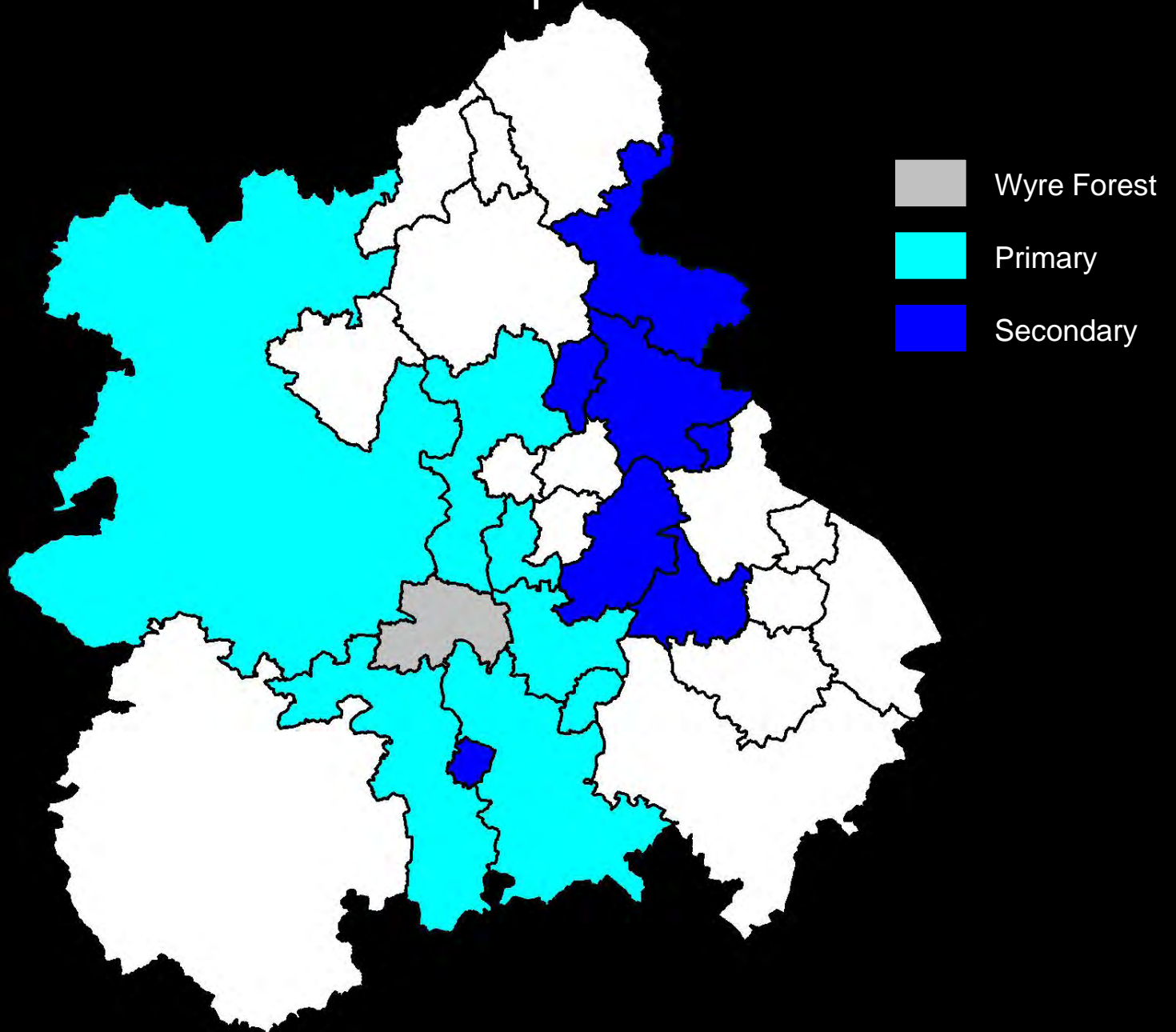
Wyre Forest – District Relationships



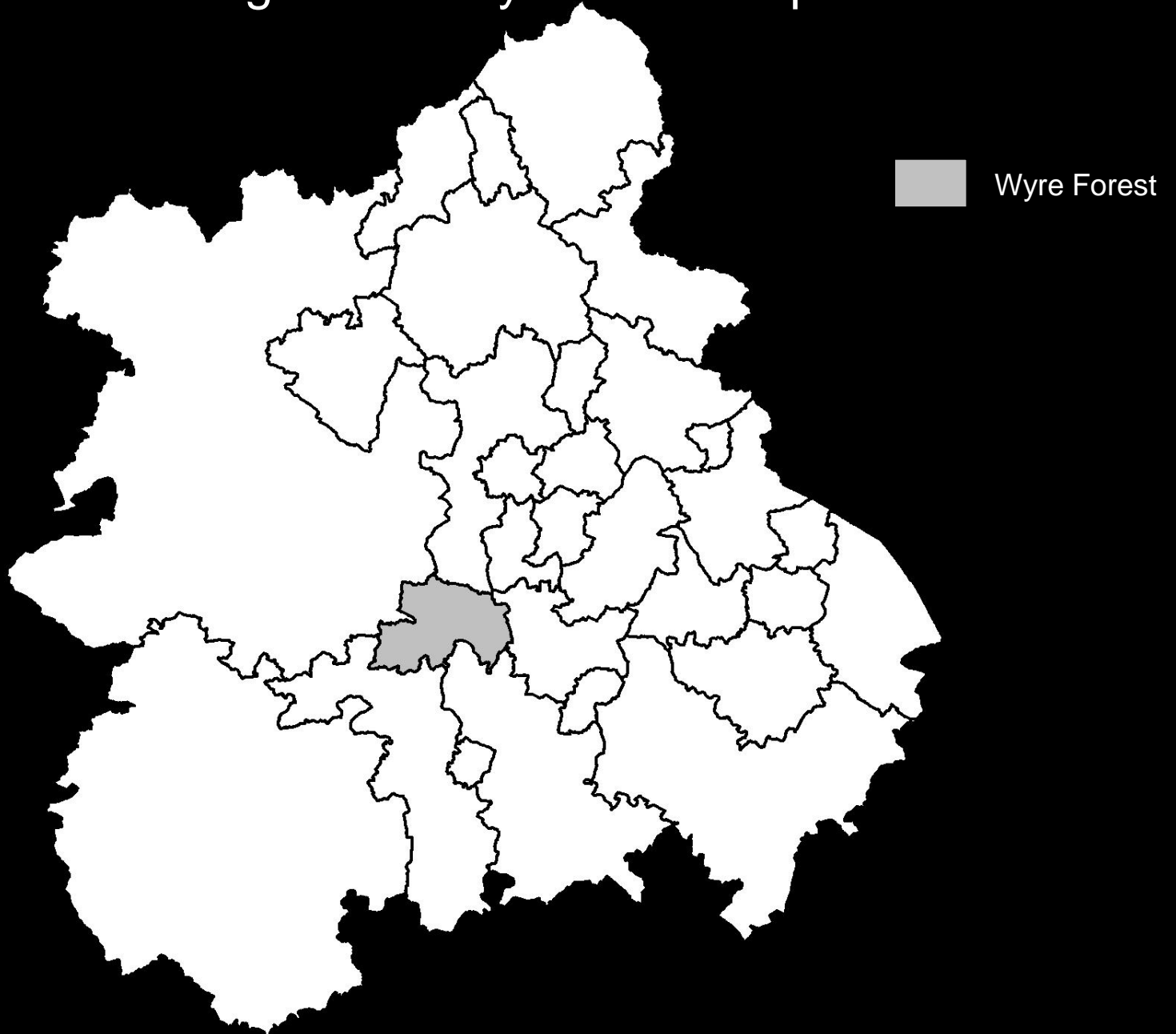
Wyre Forest – District Relationships



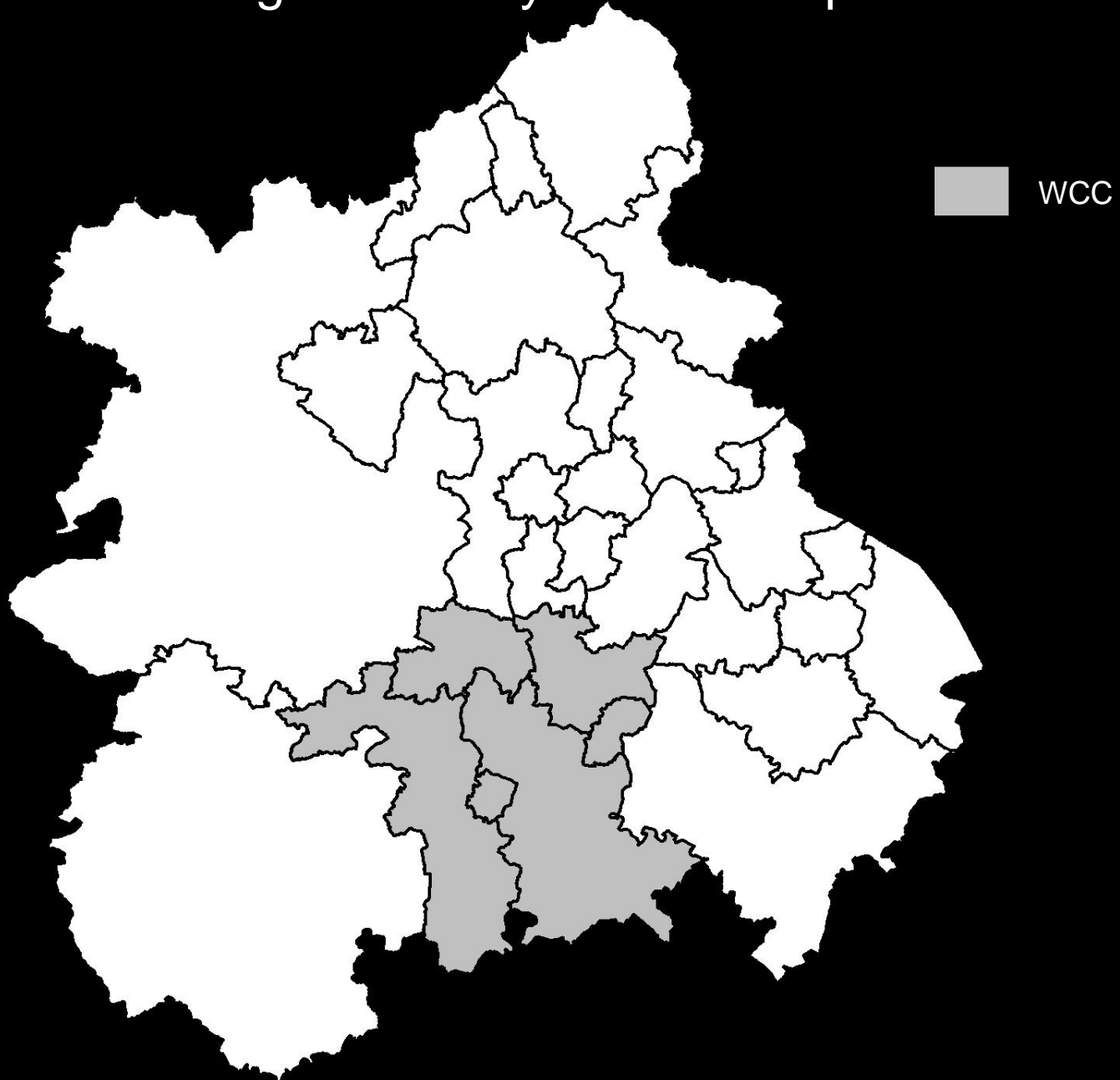
Wyre Forest – District Relationships



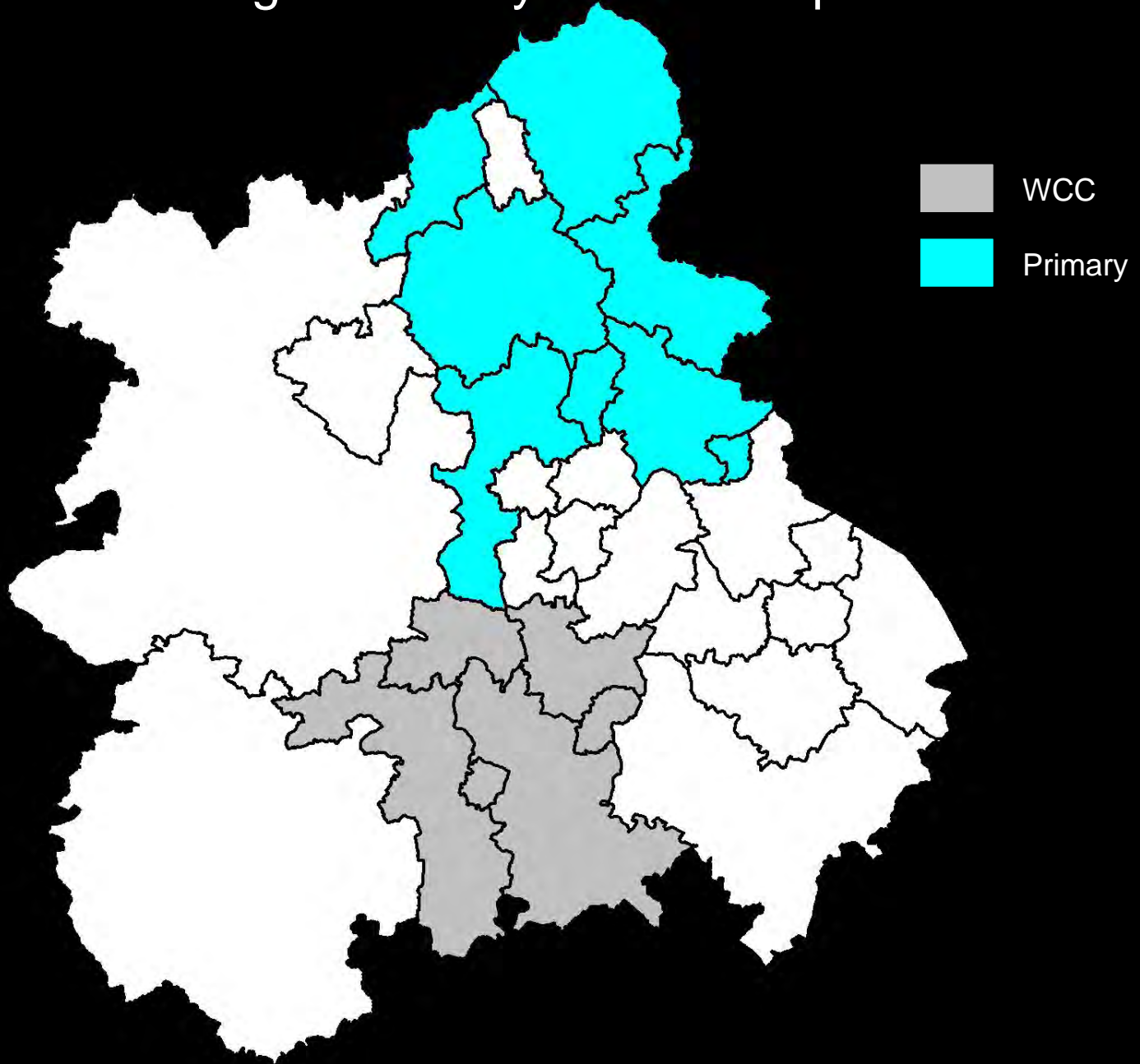
Wyre Forest – Strategic Authority Relationships



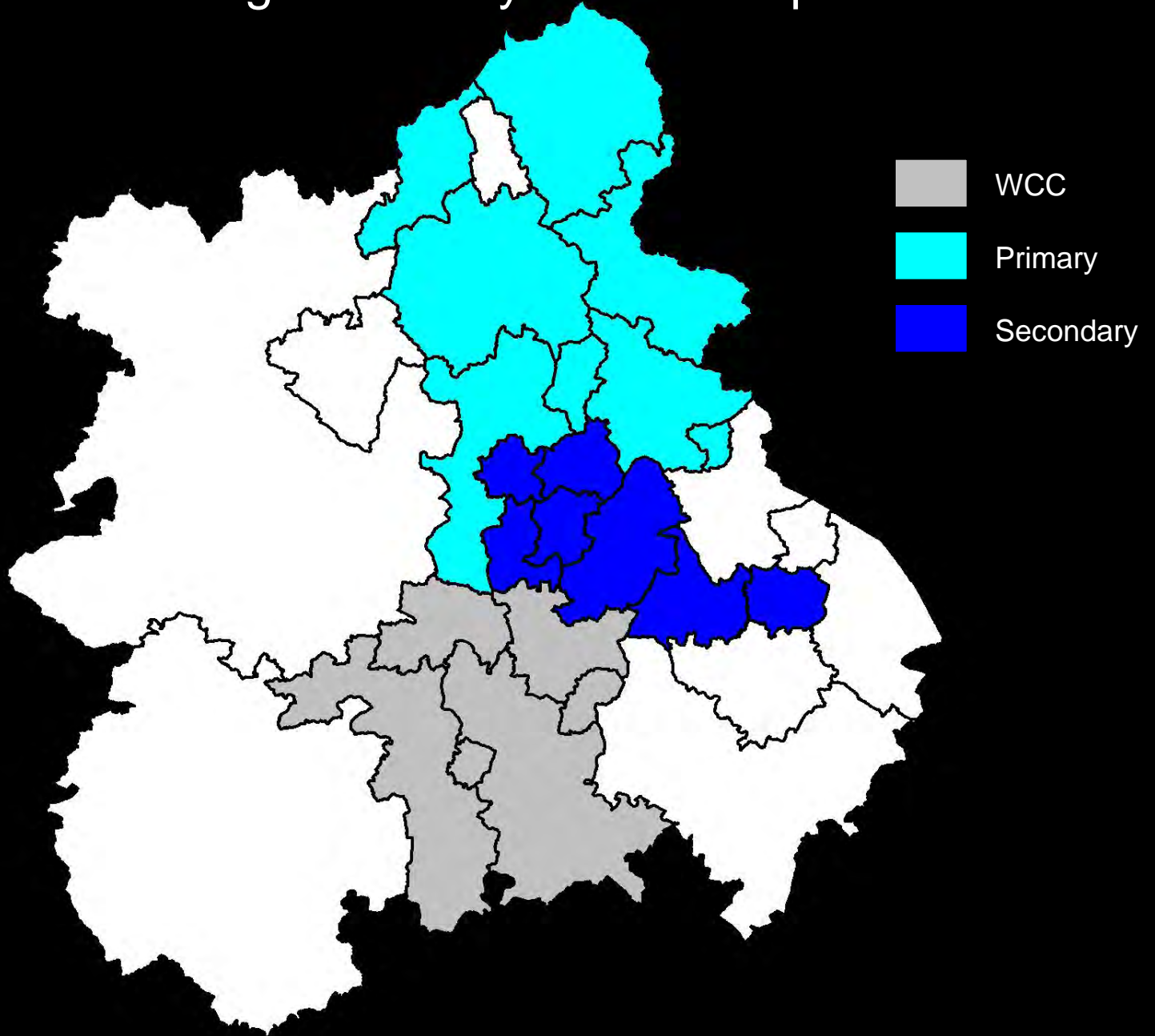
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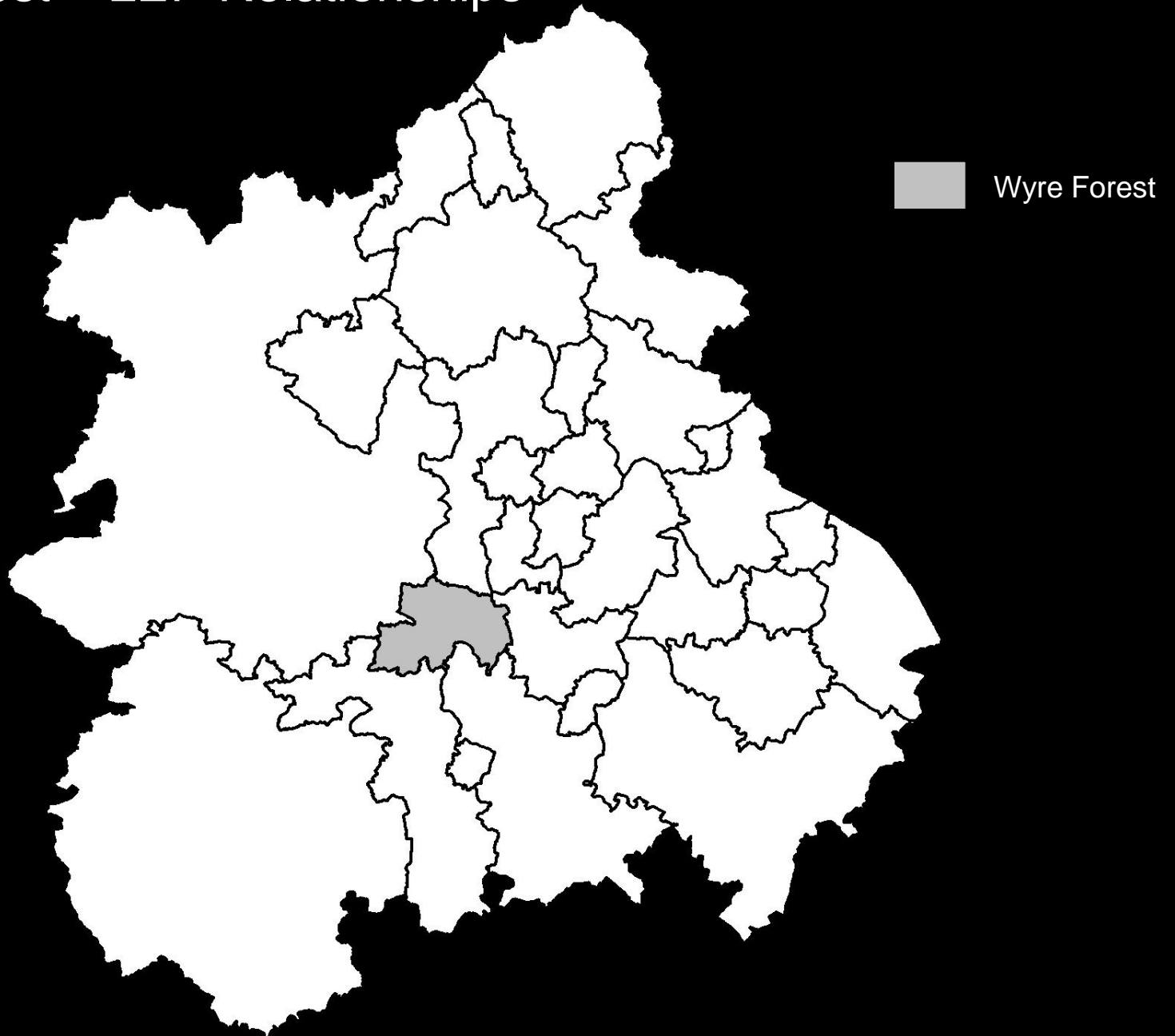
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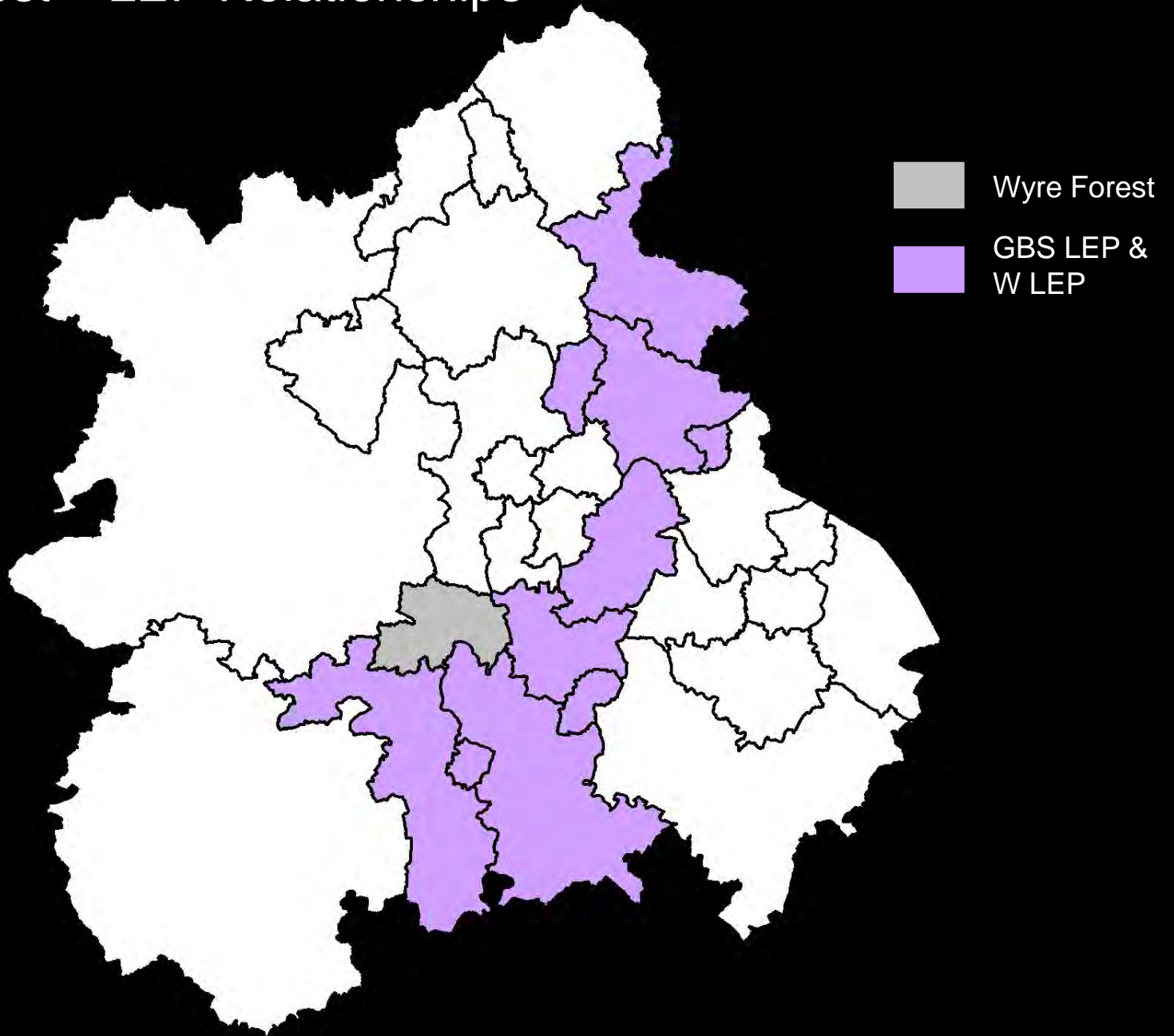
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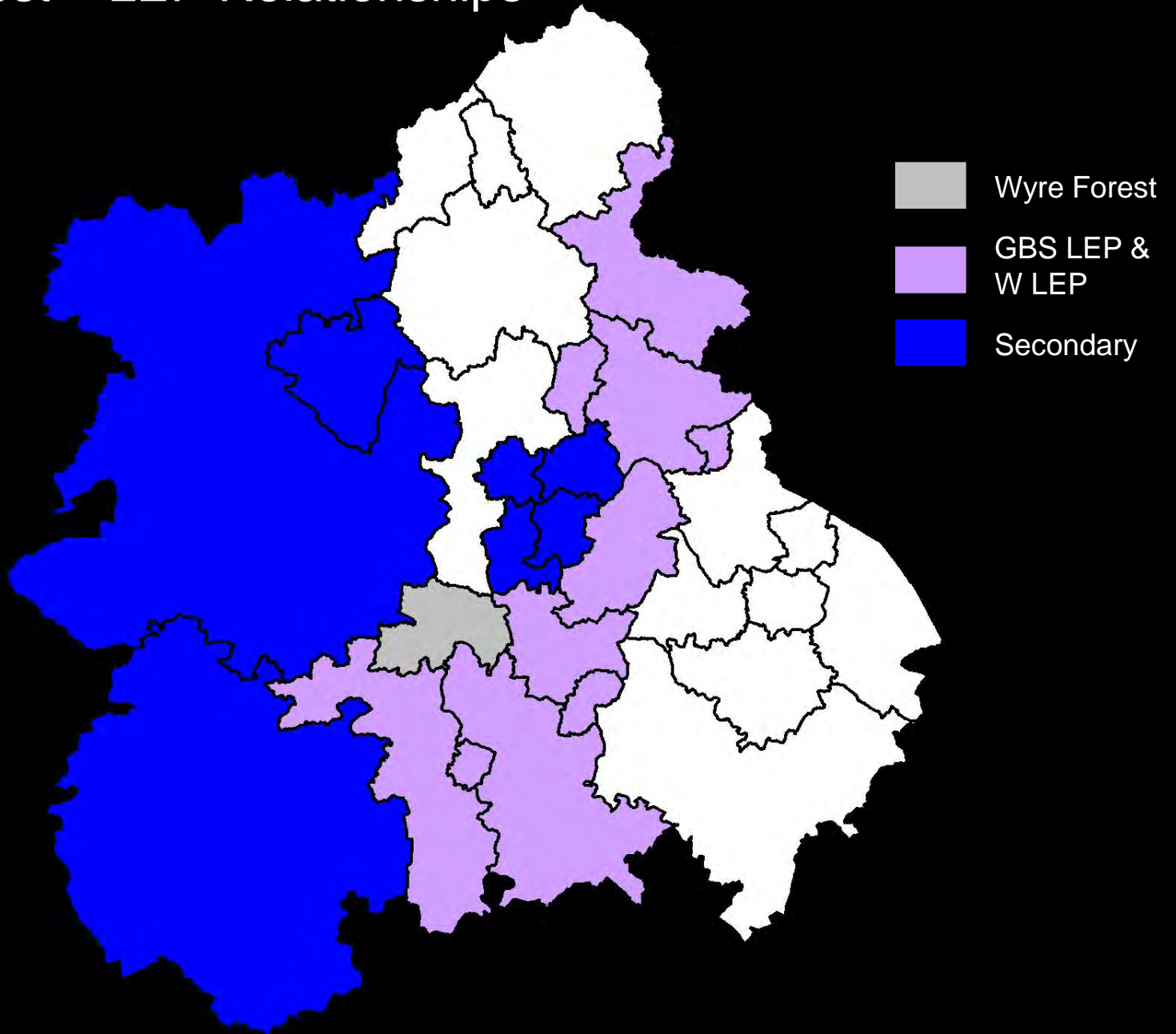
Wyre Forest – LEP Relationships



Wyre Forest – LEP Relationships



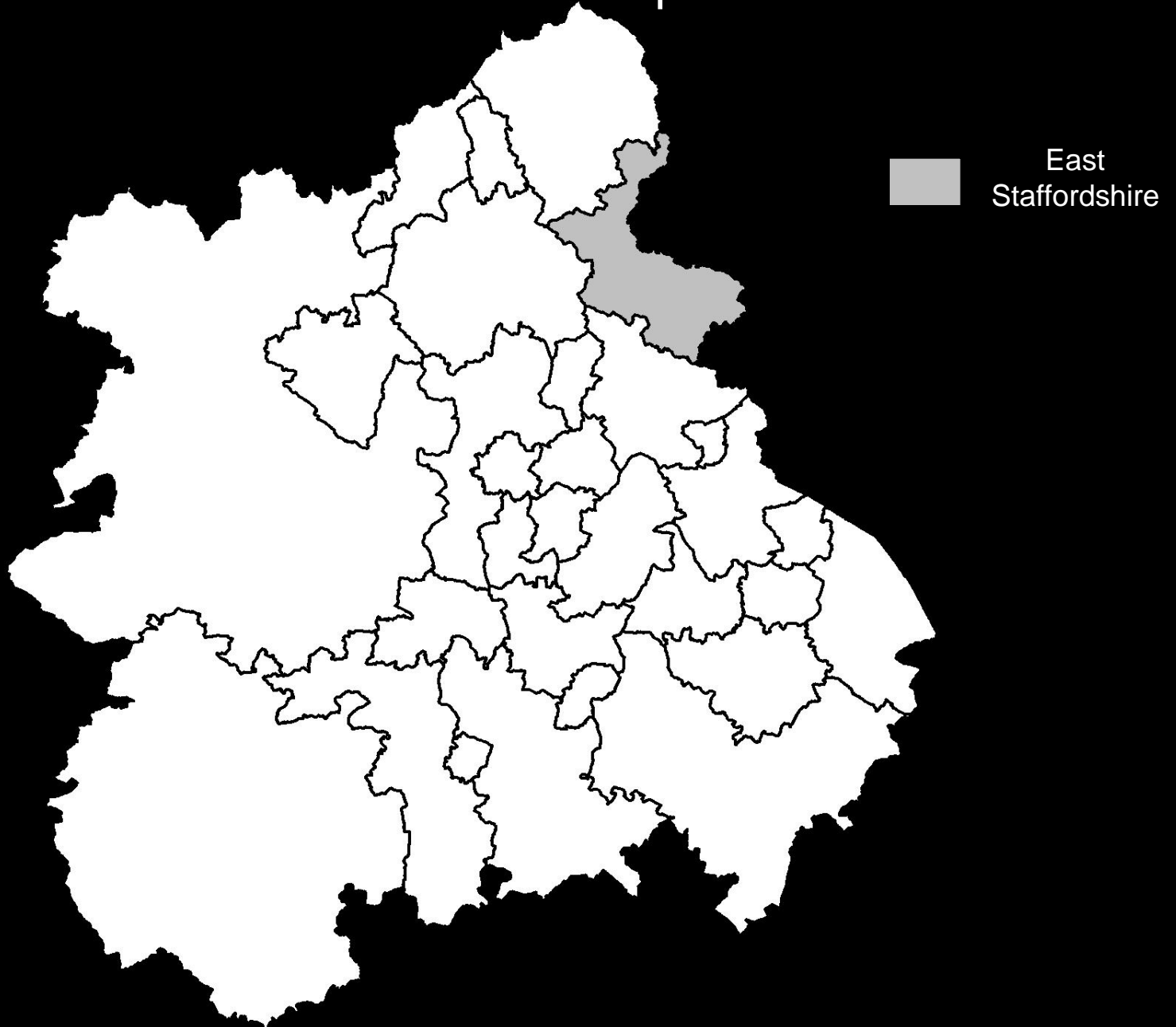
Wyre Forest – LEP Relationships



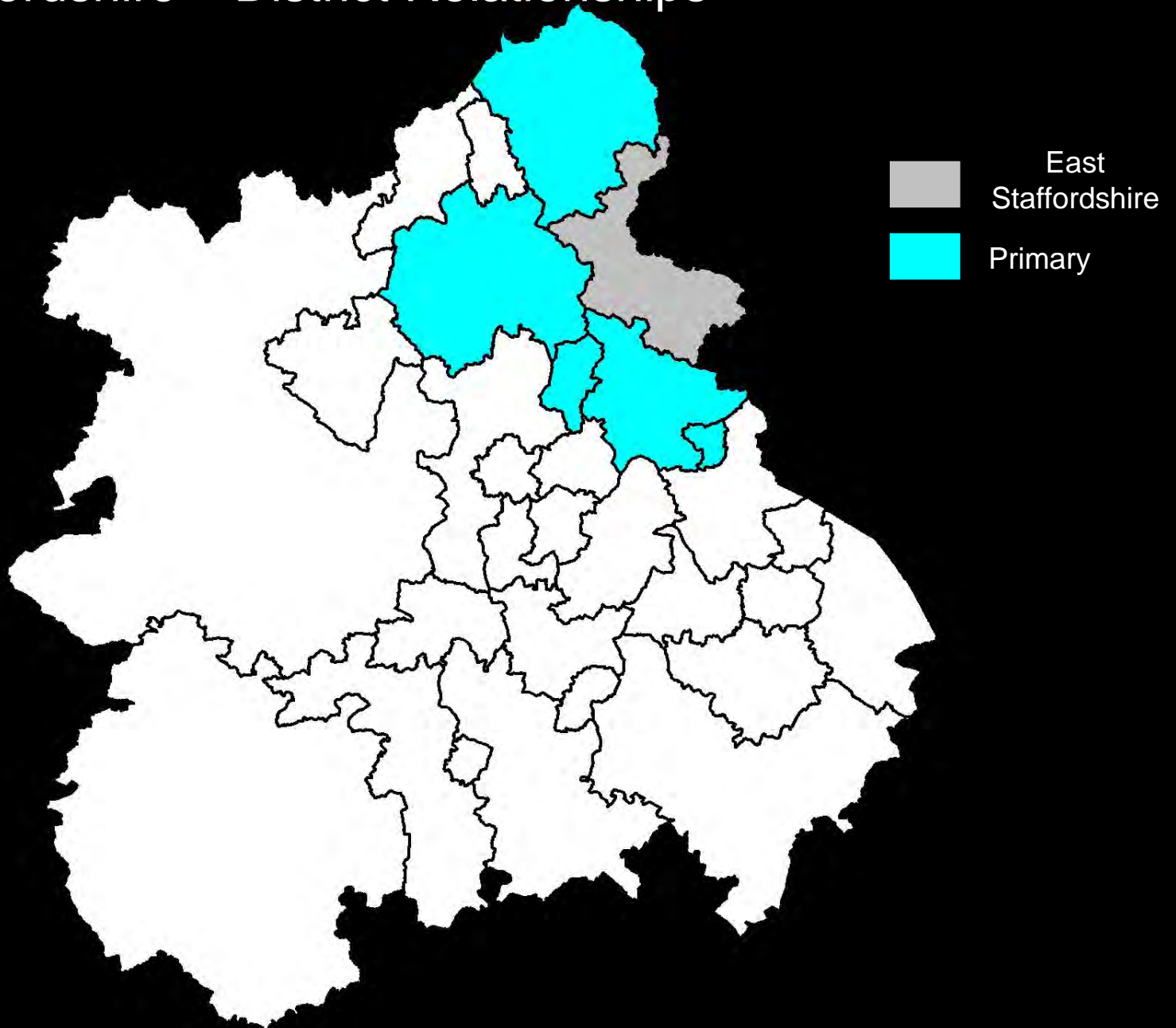
Wyre Forest – Possible Inconsistencies



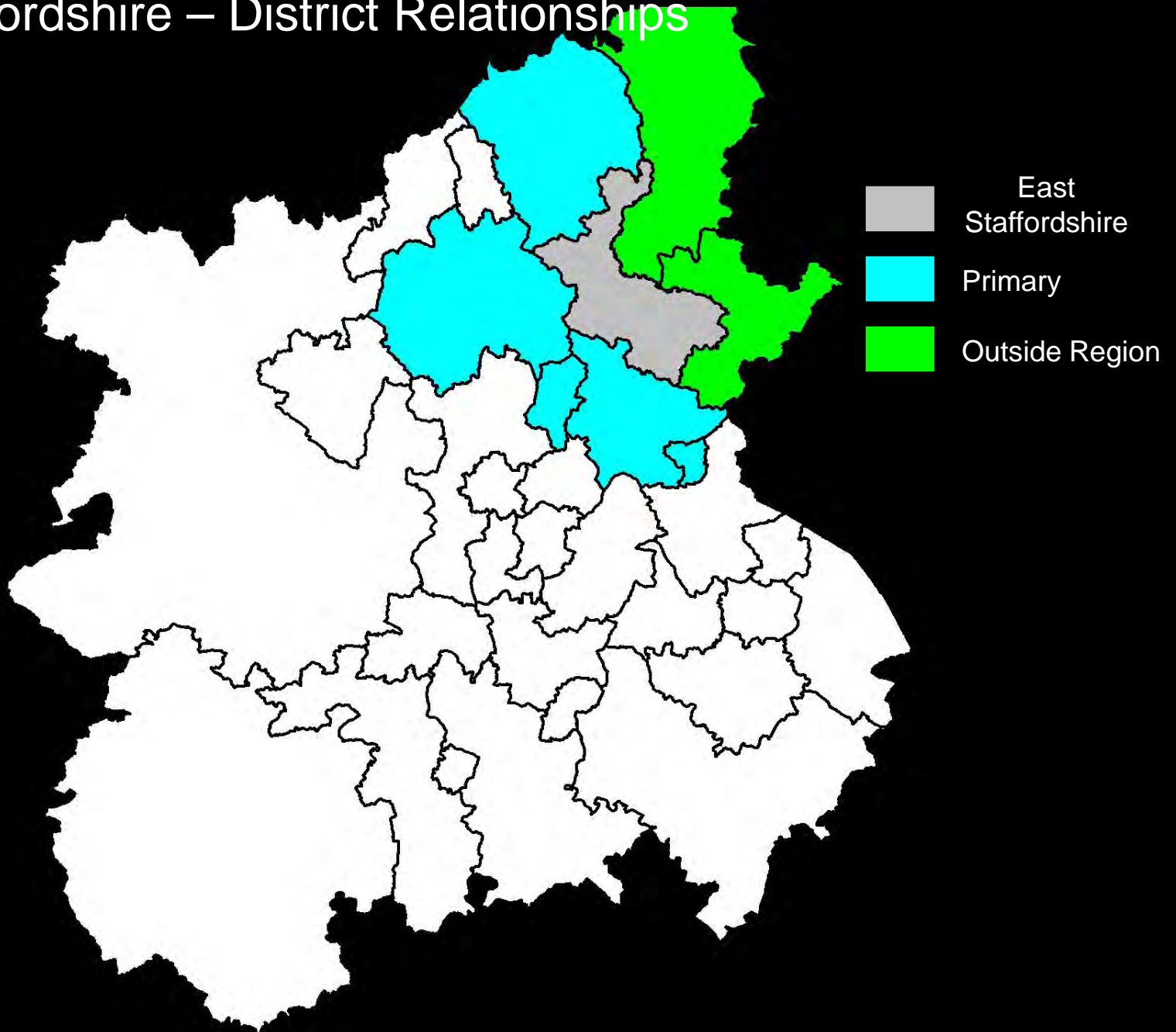
East Staffordshire – District Relationships



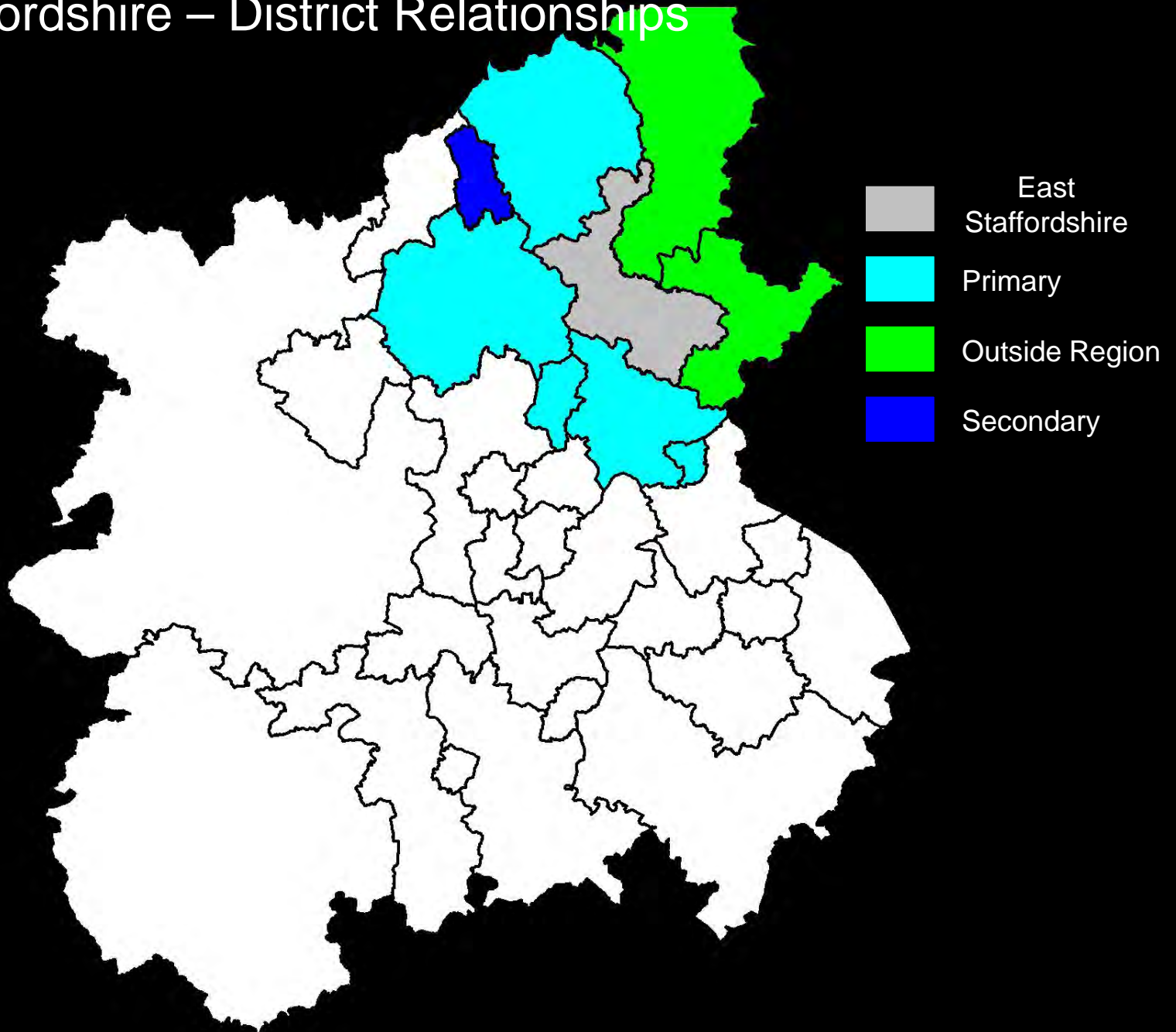
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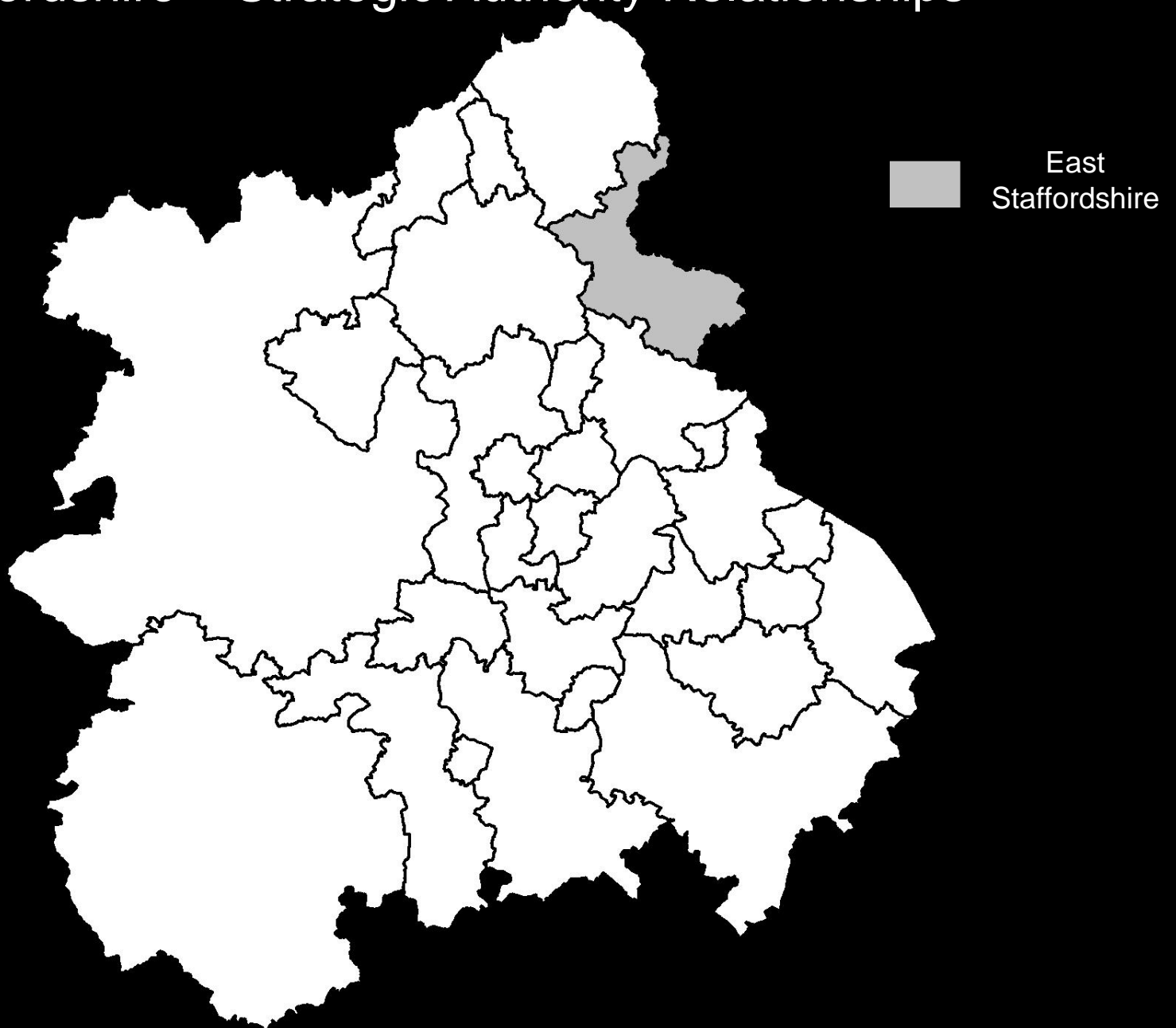
East Staffordshire – District Relationships



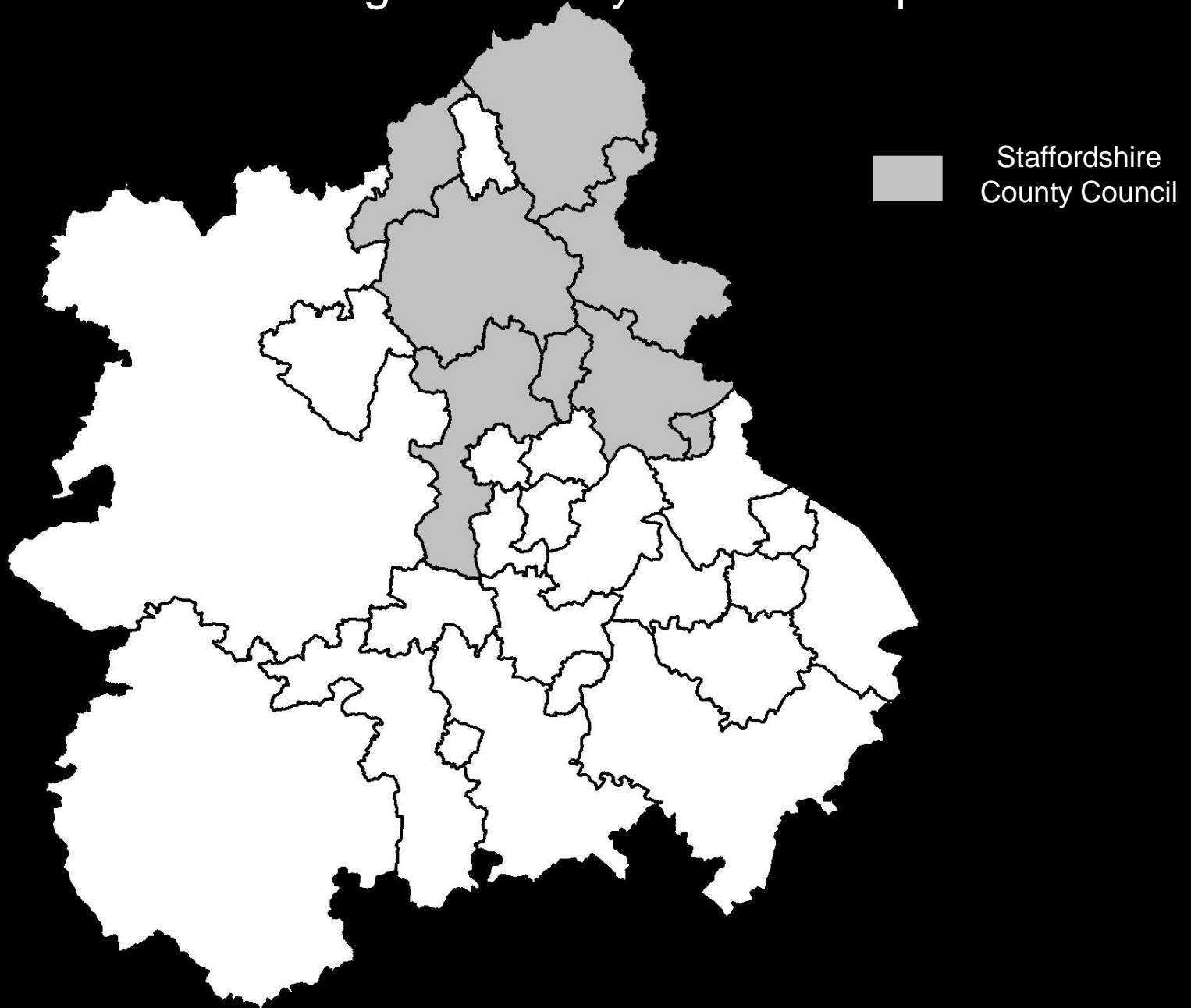
East Staffordshire – District Relationships



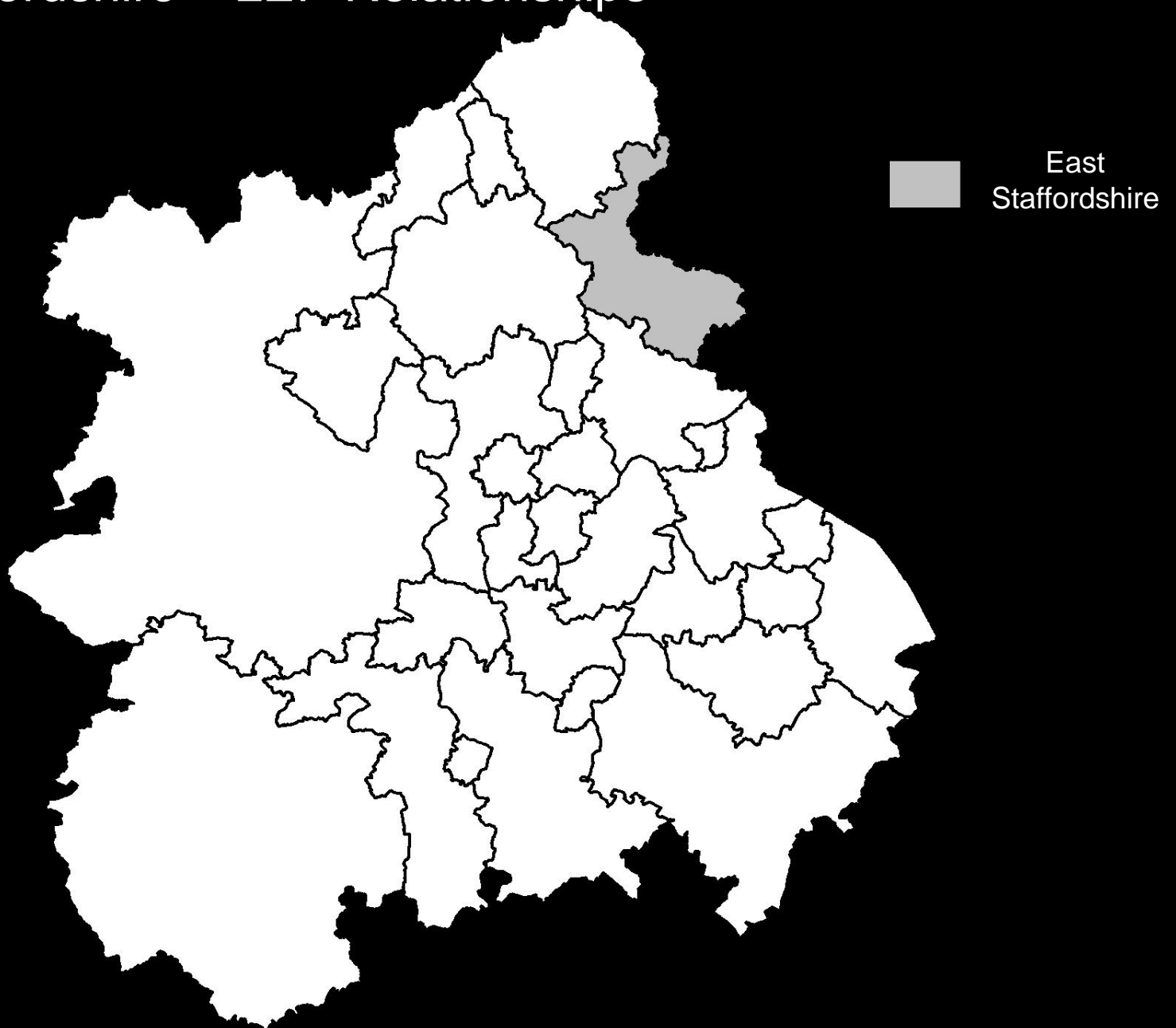
East Staffordshire – Strategic Authority Relationships



East Staffordshire – Strategic Authority Relationships

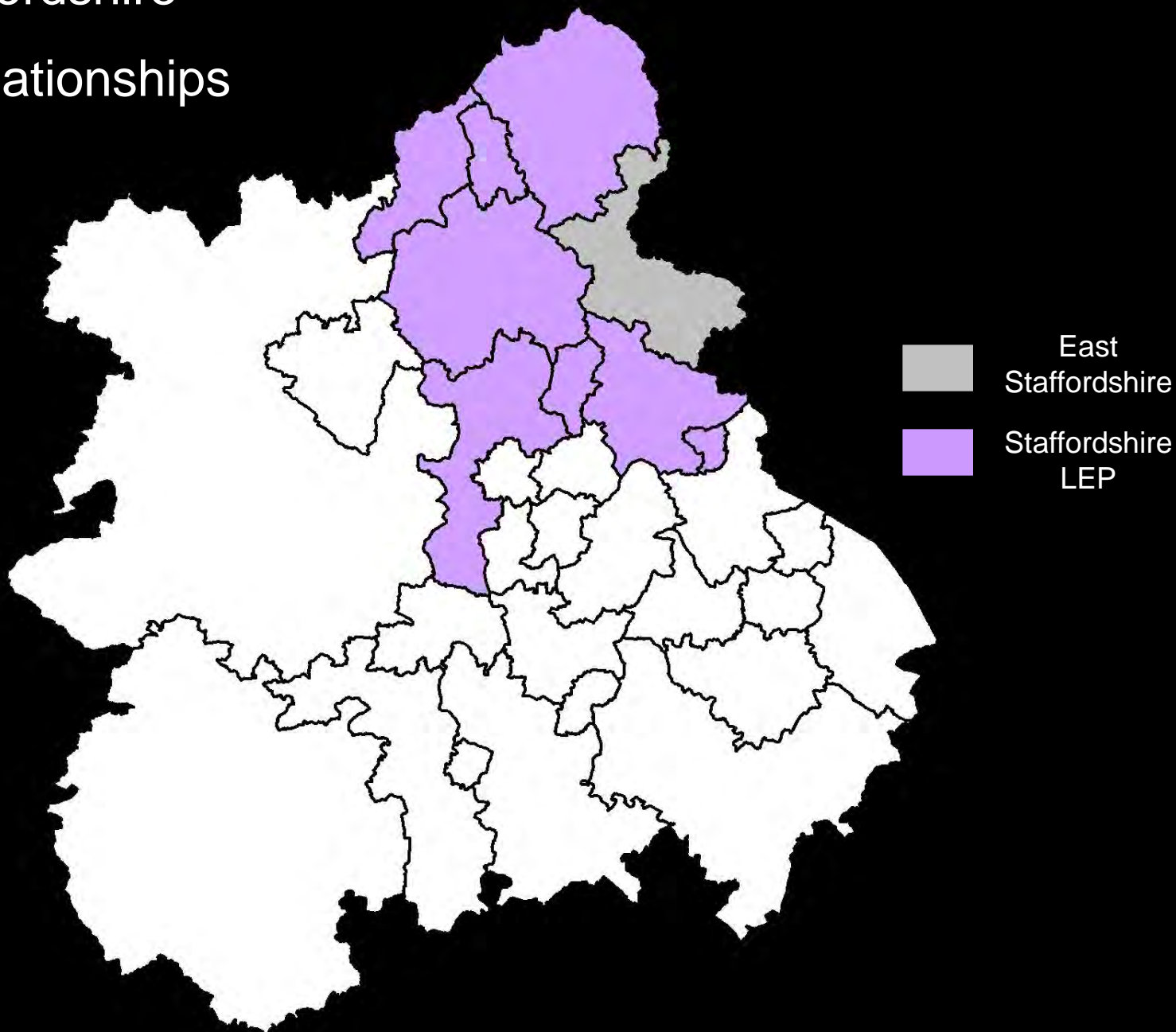


East Staffordshire – LEP Relationships



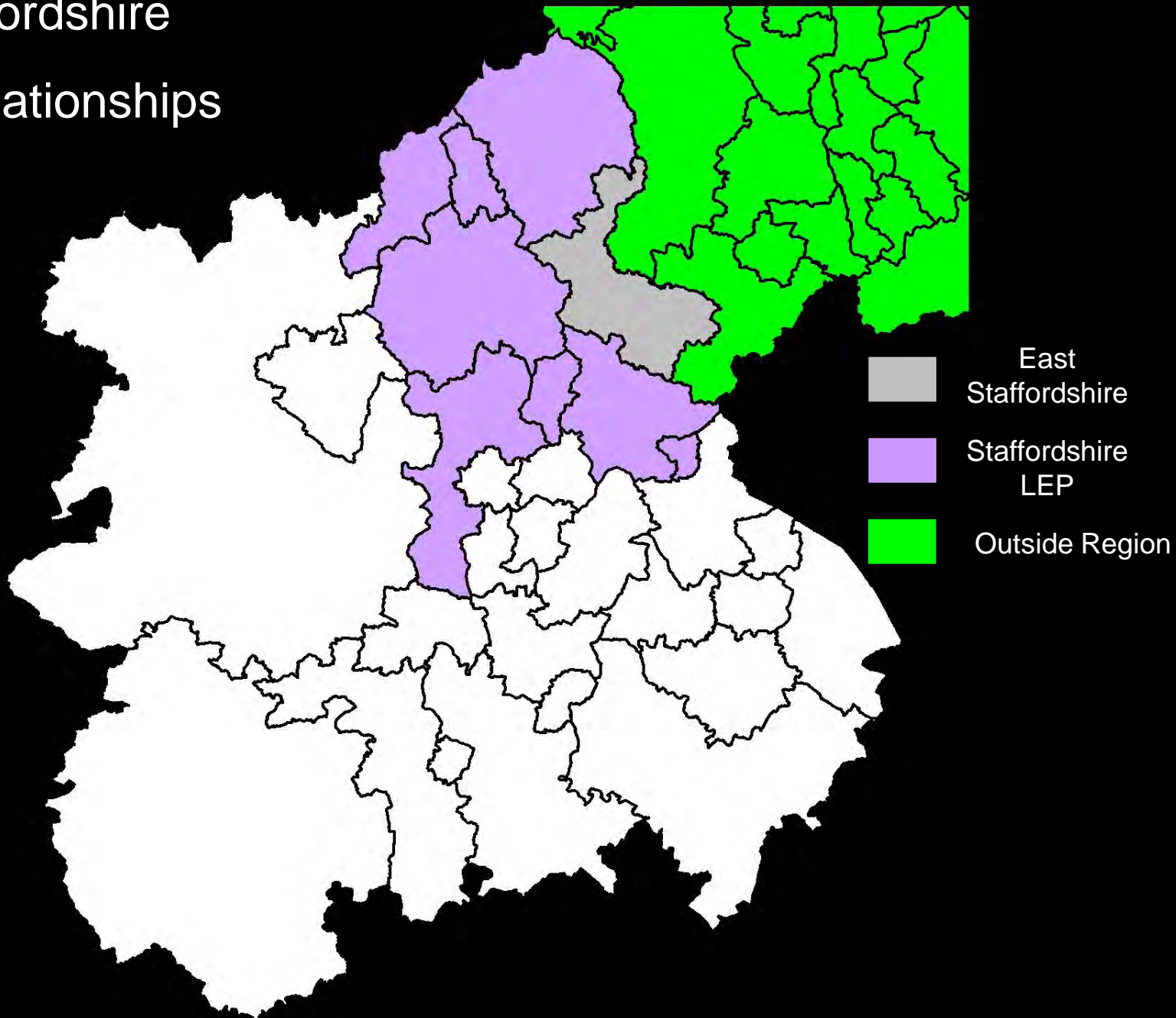
East Staffordshire

– LEP Relationships

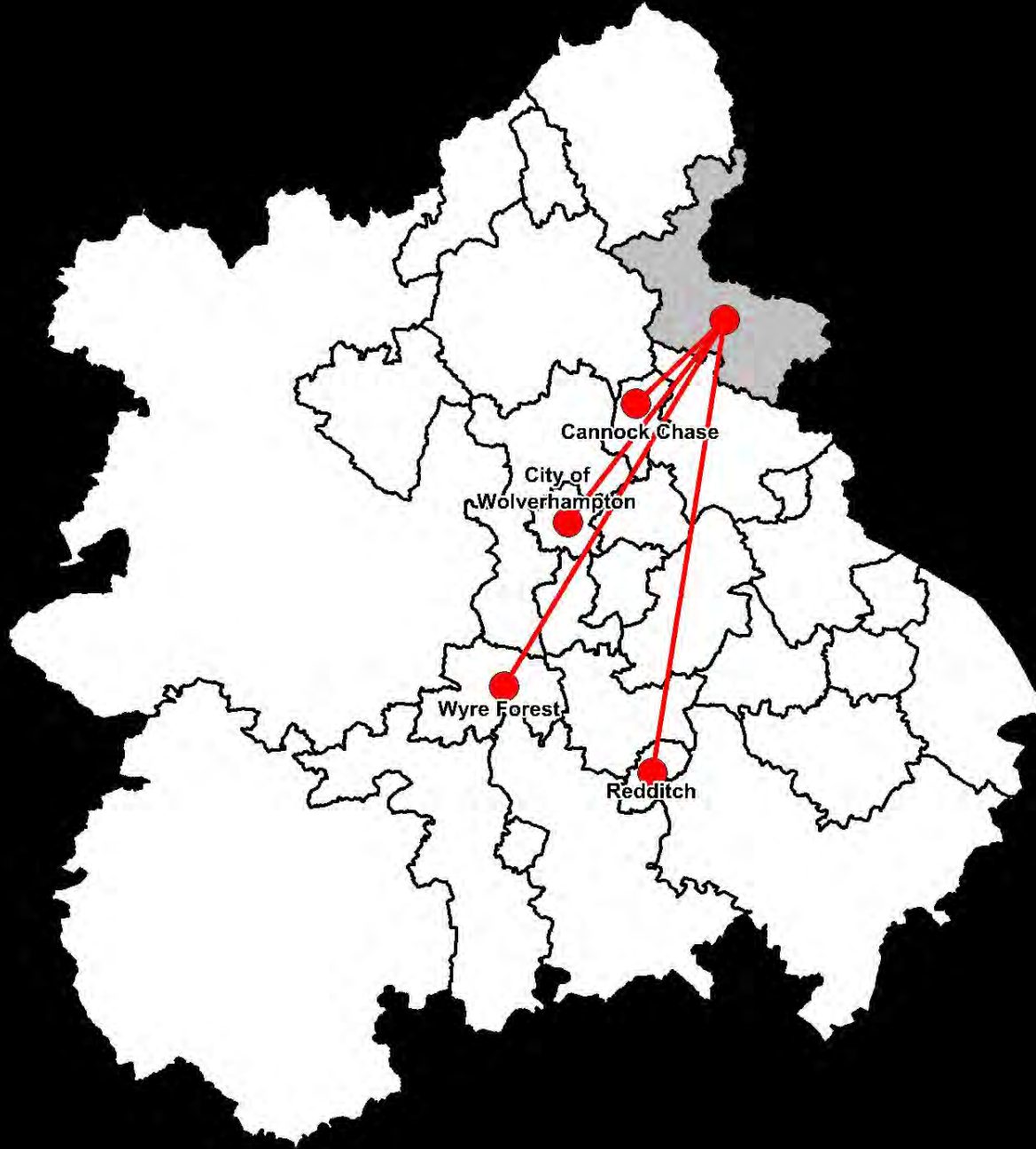


East Staffordshire

– LEP Relationships



East Staffordshire – Possible Inconsistencies



An audit trail? (See handout)

- Parties to Memo of Understanding
 - Plan(s) covered & stage(s) in process
 - Checklist, extent of agreement/ disagreement
 - Record of meetings/ correspondance etc
 - Signatories to the agreement
-
- Potentially cumbersome
 - Scope for joint arrangements, say within WMSC and LEPs within which DtC discussions are held.
Objective: to cover the majority of DtC discussions.
 - Escalate where there is evidence of failure or serious disagreement.

Real challenges facing the DtC

- Maintaining the urban renaissance in the current economic climate
- Addressing increasing housing needs e.g demographic / population projections
- How to deal with Green belt issues
- Future strategic employment sites to ensure job growth
- Identifying, prioritising and funding strategic infrastructure
- Ensuring an adequate supply of minerals

The Next Steps

- Building commitment to pro-active engagement and participation in the DtC.
- Encourage completion of the relationship matrix on a collaborative bottom-up basis to help ensure completeness of DtC discussions.
- Seek to agree the technical parameters to (a) identify the potential scope of future co-operation and (b) the evidence base and/or sources to be used (await final NPPF to inform this).
- DtC discussions continue to occur under the umbrella of the WMJC and LEPs as required.
- There can be no obligation on any authority to participate under the umbrella arrangements.

**Councillor David Parsons Chairman, LGA
Environment and Housing Programme Board**

“Councils have been given a real opportunity to shape our communities from the bottom up but we must not shirk our responsibility for tackling strategic issues. We will need clear priorities, innovative solutions and strong partnerships to deliver the infrastructure, new homes and economic growth that communities need, especially in a world with increasingly limited public resources.”

West Midlands Planning Officers Group

Minutes of Meeting

Held on 6th March 2014 in Meeting Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham.

Members of WMPOG Present : Chairman – Dave Carter (Birmingham CC), Secretary - Pam Neal (Warwickshire CC)

LA Members: Mets Dave Carter (Birmingham CC), Mark Andrew (Coventry CC), Peter Simpson (Sandwell MBC), Martin Dando (Dudley MBC)

Shires – Matthew Bowers (Tamworth BC), Darren Oakley (Telford & Wrekin C) Pam Neal (Warwickshire CC), Ben Horovitz (Worcestershire CC), Andy Mortimer (Shropshire CC), Dave Nash (Stratford-on-Avon DC)

CLG – WM – Sherman Wong

Other Sector reps –Gerald Kells (WMRSF), Roger Stone (BVWM – CLA), Jim Davies (Environment Agency), Andy Donnelly (WMJC), Alister Scott (Birmingham City University), Marie Machancoses (West Midlands ITA), Dorothy Chen (University of Birmingham), Denis Toomey (University of Birmingham)

Apologies : Mike Beazley (University of Birmingham)

Declaration of Interests : None

Agenda

Items	Main Points Discussed/Agreed	Action
1. Duty to Co-operate <ul style="list-style-type: none"> Strategic Employment Site Study – CLG-WM 	<p>Sherman Wong advised that the Strategic Employment Sites study was progressing well. The Chief Executives Coordination Group under the guidance of WMPOG and the WMPOG sub-group identified the need for the study to identify cross boundary issues.</p> <p>Although the brief is almost complete, it has run into a hiatus with the imminent closure of CLG-WM. This has meant that the brief could not go out to tender until the Chief Executives Group had met and delegated authority to Steve Winterflood (South Staffordshire). Alongside this, the legacy money from the RPB for monitoring will now also be managed by Steve on behalf of the West Midlands LA's. Steve will be seeking approval to commit up to £30,000 from the Chief Executives for the Employment Site Study.</p>	

<ul style="list-style-type: none"> • WM Housing Research Programme – CLG-WM 	<p>The sub-group are due to meet next on the 17th March 2014, and will agree a slight amendment to the brief to take account of the new reporting structures. Further, the accountability and management process needs to be agreed.</p> <p>Progress will be reported back to WMPOG and the brief can then be made available to the LPA's.</p> <p>Dave Carter asked whether South Staffordshire would be undertaking the procurement exercise. SW considered this to be likely.</p> <p>Andy Donnelly asked whether the Chief Executives Group still existed. SW confirmed that the meeting on the 4th April 2014, was their last one under the guise of CLG-WM. However, he felt that they would still want to meet, but would have to arrange for someone to organise the meetings and undertake the administration on their behalf.</p> <p>Roger Stone stressed the urgency of the need for strategic sites on the M54, especially if we are going to bring manufacturing back. DC agreed and stressed that it was exactly the reason for undertaking the study. DC to pick up the timing of the study at the next sub-group meeting, but stresses that it was up to each LPA to decide whether they were going to be involved or not. He hoped that all LEP areas would be involved at least. SW confirmed that Shropshire were not involved, and possibly not Telford. However, SW agreed to e-mail Telford to chase their involvement or not.</p> <p>Sherman Wong reported that CLG-WM had appointed a part-time officer, Vicki Popplewell to manage the housing legacy funding. Further, with the demise of CLG-WM that money was secure and the reporting arrangements were now being agreed, but it was likely that Vicki would work out of Sandwell, taking her steer from Kerry Bolister, the chair of the Housing Officers Group. SW confirmed that Vicki will be attending WMPOG in the future and would also be taking over the Local Plan work too.</p> <p>AD asked whether it would be worth e-mailing Vicki with ideas for spending the money. For example, it could be used to compare SHMA's, ensuring there is a common methodology. SW advised that the whole point of the programme was that the work needed to be of regional interest and planning related. He confirmed that the SHMA work was close to agreement. DC agreed that this was a key piece of work that needed to be carried out, but that timing was everything, and we needed to ensure that it was timed correctly, in that it shouldn't be duplicating work that was already being undertaken by other studies.</p>	
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<ul style="list-style-type: none"> • Local Plan mapping – CLG-WM 	<p>Sherman Wong introduced this item, and reminded colleagues that the idea of having a baseline understanding of all the local plans and sites had been discussed previously at WMPOG. This had been progressed with Mike Beazley at the University of Birmingham, together with 3 students, Dorothy, Dennis and James.</p> <p>Alister Scott asked whether there was any provision to ensure that the information is kept up to date, as Local Plans are dynamic. SW agreed that it would be helpful, but with the demise of CLG-WM, it would be worth him talking to both Mike and Alister with Andy Donnelly to take this forward.</p> <p>SW introduced both Dorothy and Dennis, who gave a brief overview of what they had been doing.</p> <p>Dorothy advised that she was from Shanghai and was undertaking a post graduate course in Urban and Regional Planning at the University of Birmingham. She outlined that the main aim of the project was to set out the current state of the local plans across the West Midlands region. So far, they had composed a table, which provides link to the LPA's websites. They were also looking at the housing distribution and employment land. They were also looking at the proposals maps to identify any key infrastructure.</p> <p>Denis introduced himself and advised that he was from Ireland, and was undertaking the same course as Dorothy. He was involved in the project from the mapping side, and advised that from the end of March the map would be put into GIS. It will highlight key areas for development. However, he also highlighted that they were having some difficulties in finding some plans and that they didn't follow a pattern. The map would be circulated for comments and that the project would be complete by June 2014.</p> <p>DC thanked Dorothy and Denis and felt that the work was very useful. He went on to ask whether it would become part of the joint monitoring work. Andy Donnelly felt that it should, particularly in relation to the Duty to Co-operate. He also advised that the students were looking for dissertation topics, so could possibly look at some analysis of the information collected. SW confirmed that any suggestions for dissertation topics should be fed through to Mike Beazley.</p> <p>Colleagues suggested other areas that could be included in the work, including: -</p> <ul style="list-style-type: none"> • Environmental assets and Green Infrastructure, including ANOB's, Conservation Areas and other Heritage Assets, 	
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<ul style="list-style-type: none"> • Sub-regional Housing Studies • Local Aggregate Assessments 	<ul style="list-style-type: none"> • Flood zones 1, 2 and 3, • Emerging plans adoption dates and link to adopted plan, and inclusion of forward dates, • Greenfield and green belt development • Breakdown of employment land into readily available land. <p>AD advised that they will be considered, but it may be difficult to include everything, as it would involve the students revisiting the baseline information, and they need to be careful about what they take on and ensure that they finish on time. The report could however, have recommendations around further data that could be included should the project be extended.</p> <p>DC confirmed that colleagues were keen to see the next stages and thanked Dorothy and Denis again. SW confirmed that Vicki Popplewell would be picking up the day to day contact with the students on this project.</p> <p>GBSLEP – Dave Carter advised that PBA have been appointed and are working to produce an interim report for stages 1 and 2 in mid-April. Stage 3 will be mid-May. DC confirmed that the Black Country had joined the study, but will then be 2 studies, with overlaps.</p> <p>The consultants have also identified that 3 other districts should be considered, South Staffordshire, North Warwickshire and the northern part of Stratford District. A separate meeting with the LPA's and consultants will take place over the next 3-4 weeks.</p> <p>Black Country - Martin Dando advised that the inception meeting for the Black Country study had taken place, and that they were working on the same timetable as the GBSLEP study. MD felt that there would be implications beyond the boundaries, but hoped that the results will give direction.</p> <p>Coventry and Warwickshire – Confirmed that this had been completed in November 2013.</p> <p>Stoke and Staffordshire – Looking to be commissioned in the near future and would be led by the South Staffordshire housing officers.</p> <p>DC advised that the South Worcestershire work had been updated and that their examination would open again in a few weeks. Further, Telford had updated its SHMA and that it should be finalised in a couple of weeks.</p> <p>Dave Carter advised that the last AWP meeting was just before Christmas, and that all MPA's were looking at their</p>	
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	<p>LAA's. Andy Mortimer confirmed that Shropshire's LAA was almost complete and that they would have a draft for consultation shortly.</p> <p>Jim Davies understood that Staffordshire would have a draft Minerals Local Plan out to consultation in April 2014, which could be contentious and may affect the other MPA's.</p> <p>Gerald Kells raised concerns that there is no longer any mechanism to debate the amount of provision that is being made. Under the old RSS this was possible, but now there was no way Staffordshire can be put under pressure to take more.</p>	
<p>2. LEP planning Update</p>	<p>GBSLEP – DC had previously updated colleagues on the housing study. He also advised that the employment study had been widened and that they wanted to undertake some SEA assessment work. The results of all of the studies will feed into the second version of the LEP Spatial Plan.</p> <p>Black Country LEP– Martin Dando advised that they were working on the projects in the SEP for the LEP area.</p> <p>Marches LEP – Andy Mortimer advised that the SEP was out to consultation and that it would be published at the end of March. AM also advised that work was about to kick off with the Local Nature Partnership. Gerald Kells asked about the status of the LEP's housing numbers, in that have the LPA's in the LEP area signed up to the SEP? AM advised that he did not know what process they have used to put the figures in.</p> <p>Worcestershire LEP– Ben Horovitz advised that the SEP was complete. The LEP was working more closely with the LNP and that the LEAP toolkit was going well.</p> <p>Coventry & Warwickshire LEP – Dave Nash advised that the SEP was complete and that the Sub-regional Employment Land Study was underway and due to report in the next month or so.</p> <p>Stoke & Staffordshire LEP – Matthew Bowers advised that the SEP was complete, and that they were looking at undertaking a housing study. They had reviewed the planning charter to make it a two way agreement.</p> <p>Alister Scott asked about whether there would be value in having an agenda item on Local Nature Partnership updates. Gerald Kells advised that WMRSF had been trying to gather information together on LNP's and it was quite difficult, as they were at differing stages of formation. DC agreed that it may be useful to have a regular agenda</p>	

	<p>item for LNP's and people can then provide an update, and see how it goes.</p>	
<p>3. Joint Annual Monitoring Returns</p>	<p>Dave Carter circulated a table showing the returns for the 2013 monitoring returns. It was a month old, so he hoped that the position had improved with more LPA's having submitted their data to Motts. He noted quite a few gaps across the Staffordshire authorities, but understood that the Staffordshire Planning Officers Group had taken it on board. He asked that there be one last push to fill the gaps.</p> <p>DC felt that if the response rate stayed at around 70%, then it would be difficult to carry on. However, DC had a proposal that he was seeking WMPOG colleagues to agree, in that for the 2014 data process, he was proposing that LPA's making the returns should be perceived as one of the duties under the Duty to Cooperate. Further, if an LPA chose not to do it, then they would run the risk of a challenge.</p> <p>Andy Donnelly identified that if the hole across the Staffordshire Districts was being addressed, then the only other gap is Warwick. He stressed the need for a consistent evidence base, and agreed with DC's proposal.</p> <p>Matthew Bowers confirmed that for the past couple of years, the returns across Staffordshire had fallen between two stalls, but this was being addressed.</p> <p>DC asked if WMPOG colleagues were content with his proposal, and asked that the minutes record that the message should be taken back to the County groupings.</p> <p>Gerald Kells pointed to a potentially bigger gap across Herefordshire.</p> <p>MB asked for a contacts list from Motts to ensure that it is up to date. DC agreed that Les Johnston could pick this up.</p> <p>• Future of information on CLG-WM website</p> <p>Dave Carter asked about the future of CLG-WM's website and the information that is held on it. Sherman Wong advised that the RSS archive licence had been renewed for a couple of years and would be available as part of someone else's website, possible the West Midlands Employers website. SW wasn't sure, as the discussions were on-going.</p> <p>However, SW confirmed that the physical library of documents was held by the University of Birmingham, and if anyone needed access to it, to speak to Mike Beazley.</p> <p>DC suggested that it would be worth him speaking to</p>	

	<p>Steve Winterflood about it. He suggested a couple of options, including a WMPOG website, or the information being hosted by Motts, alongside their contract.</p> <p>Once it has been agreed, Gerald Kells suggested that it would be useful to have a note as to where the information will be together with links. DC agreed to pick it up with Steve Winterflood.</p>	
4. Local Plan/Local Development Frameworks <ul style="list-style-type: none"> • Update on progress 	<p>Andy Mortimer advised that Shropshire's pre-submission Sites Allocation and Management of Development Plan would be out to consultation on the 17th March 2014, before it's submission that is expected in July 2014.</p> <p>Dave Nash updated that North Warwickshire has submitted further information, which was being considered by their Inspector. It is expected that the Inquiry will reopen shortly. Stratford and Warwick Districts should be publishing their plans for consultation in April/May, with Nuneaton in the autumn. Rugby are updating their evidence base, before embarking on a new plan.</p>	
5. Minutes of last WMPOG Meeting (5th December 2014.) Accuracy	<p>The minutes were agreed.</p>	
6. Matters arising	<p>Nothing to report.</p>	
7. AOB	<p>Maria Machancoses provided WMPOG colleagues with an outline of work that was being undertaken by the WM Cross-LEP Transport Group, which is chaired by Andrew Cleeve of National Express. One of the aims being how best to influence the strategic programmes being proposed by both Network Rail and the Highways Agency. MM confirmed that Network rail were supportive of the work and that the Transport group were keen to set up partner engagement workshops to ensure that not just transport people were involved.</p> <p>Further MM advised that the group were keen to assess where connectivity improvements would most likely have the greatest long term benefits on employment and the economy, and that they were in the process of collecting baseline evidence.</p> <p>Dave Carter raised concerns about the perception of going back into silos. He suggested that part of this process should be to break through the Network Rail process. MM agreed, but advised that Network Rail had been asked not to look at the corridor and network capacity, but to look at the whole growth agenda. She stressed that the right evidence was needed about what was happening, and this wasn't just transport information.</p>	

	Both Gerald Kells and Alister Scott raised concerns about the need to have the right people involved and not just narrowing it down to transport. MM agreed and asked DC what would be the best way forward as she would like to involve WMPOG. DC agreed that it should be a regular agenda item.	
Dates of future meetings	<ul style="list-style-type: none"> • Thursday 5th June 2014 - 10.00am – Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham. • Thursday 4th September 2014 – 10.00am – Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham. • Thursday 4th December 2014 – 10.00am – Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham. 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 5th December 2013 in Meeting Room GO3, Lancaster Circus, Birmingham City Council offices, Birmingham.

Members of WMPOG Present : Chairman – Dave Carter (Birmingham CC), Pam Neal (Warwickshire CC)

LA Members: Mets Dave Carter (Birmingham CC), Jim Newton (Coventry CC), Patricia McCullagh (Sandwell MBC)

Shires – Rachel Taylor (Telford & Wrekin C), Darren Oakley (Telford & Wrekin C) Pam Neal (Warwickshire CC), Ben Horovitz (Worcestershire CC), Andy Mortimer (Shropshire CC)

CLG – WM – Sherman Wong

Other Sector reps –Gerald Kells (WMRSF), Roger Stone (BVWM – CLA), Jim Davies (Environment Agency), Andy Donnelly (WMJC)

Apologies : Alex Yendole (Stafford BC), Anna Rose (Rugby BC), Mike Beazley (University of Birmingham), Austin Barber (University of Birmingham)

Declaration of Interests : None

Agenda

Items	Main Points Discussed/Agreed	Action
1. Duty to Co-operate	Dave Carter asked Sherman Wong to introduce this item, and update on the proposals for two region wide studies. SW advised WMPOG members that the work was moving ahead well, and that there had been circular discussions between WMPOG and the Chief Executives Group to support the LPA's on the Duty to Cooperate. Two areas of work were moving forward – very large employment sites and strategic housing baseline study.	
• Strategic Employment Site Study – CLG-WM	Employment – SW recapped and advised that a group of 19 people representing 23 LPA's met in July 2013. A draft brief had been circulated. There were two versions, one sent to the LPA's and another that had been seen by the Steering Group. SW was in the process of redrafting the brief following comments received and would recirculate it. He confirmed that the brief would need to go back to the Chief Executives for agreement to spend the money. The	

	<p>next meeting is on the 14th January 2014, although SW advised that it could be done electronically.</p> <p>Briefly, SW outlined that the brief tested the principle of the RSS designations to see if they are still valid. The study will also look at the pipeline and test what is needed. If there is a shortfall identified, then a further study will be needed. Similarly, the LEP areas need to be recognised.</p> <p>DC asked about the role of WMPOG in that should the group, as planning officers sign off the brief before it goes back to the Chief Executives. After all the DTC rests with the LPA's. DC was concerned that if the Chief Executives could be signing off something with which an LPA could be uncomfortable with what is happening.</p> <p>SW advised that the point made by DC was discussed at the meeting, and it was agreed that the whole region needs to be in the study area. DC agreed and suggested that the brief be circulated electronically to WMPOG members, as he considered that it was important for LPA's to raise any issues. In turn, through the county groupings, WMPOG to request that the brief be forwarded on to ensure all LPA's get sight of the brief. SW confirmed that he would amend the brief and circulate it to DC and Steve Winterflood before it is circulated, but would hope that it could be agreed before Christmas.</p> <p>Gerald Kells sought clarification as to the purpose of the study and asked whether in looking at the RSS designations, would the study be looking at the quantum? Also, will it be going back to the evidence of how much do we need as well as looking at sites in the pipeline, eg Coventry gateway? GK also asked whether the study would look at the work by South Staffs and logistics sites?</p> <p>SW and DC confirmed that yes it would and that the first step was to look at the RSS sites, and consider whether they are still appropriate in today's economic climate and is there still demand? Further, the study would examine whether they would still need the same attributes, eg- size 50 or 100 hectares. It will then look at the supply and what is in the pipeline, examining which would fit with the category of sites. This will examine both existing and new sites, for example Coventry Gateway. DC advised that there would have to be some judgement of quantification, either in terms of the RSS or an understanding of the market.</p> <p>SW confirmed that if there is a need to look at the numbers, then a further study would be needed.</p> <p>GK asked about the timetable for the study. SW advised that the timetable and budget are still to be agreed, but hoped that the study would be commissioned in January</p>	
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<ul style="list-style-type: none"> • WM Housing Research Programme – CLG-WM • Local Plan mapping – CLG-WM • Sub-regional Housing Studies 	<p>2014.</p> <p>WM Housing Research Programme – Sherman Wong updated WMPOG Members on this study, which has undergone the same process as the employment study, in that it has been discussed by the Chief Executives, WMPOG, a meeting of LPA's and the Housing Officers Group. It was agreed that the study would look at the baseline of information of where LPA's are at, and not undermine those local plans in an advanced stage of preparation. A draft brief was prepared and circulated for comments. It will only consider available information to form the baseline. It will not make any policy assumptions or value judgements. It will simply look at the different approaches that have been taken by LPA's.</p> <p>SW advised that the contentious issue was around migration and how it should be taken into account. Discussions are on-going as to whether to include this in the brief or not.</p> <p>Vicki Popplewell is now on board at CLG-WM and is working 3 days a week. She will be managing the housing project work.</p> <p>As with the employment brief, it was agreed that the brief will be circulated to WMPOG members and the Housing Officer Group before being signed off by the Chief Executives Group on the 14th January 2014.</p> <p>Local Plan Mapping - Sherman Wong introduced this item. It is a piece of work that CLG-WM are going to get some University of Birmingham students to undertake on their behalf. It will be an extension of the table that Andy Donnelly has produced in the past, and will look at where the LPA's are in terms of their local plan preparation. It will look at the most up to date local plans, allocations and proposals for infrastructure. It will be a factual piece of work, which is hoped, can be produced graphically.</p> <p>Gerald Kells asked about the timescale for the work, and whether it would include a note on the status of each plan. SW confirmed that it would include the status, and that it was hoped that the work would be complete by the end of the financial year.</p> <p>Dave Carter advised colleagues that this was an opportunity to update on sub-regional studies and to make the connections as necessary.</p> <p>Jim Newton provided an update on the Coventry and Warwickshire SHMA, in that the final report has been received. The bottom line is that there appears to be pressure on Coventry and the edge of city. The LPA's have accepted the report as a technical study, which has</p>	
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<ul style="list-style-type: none"> • Local Aggregate Assessments 	<p>robustly and objectively assessed the need. Now the LPA's are working out how to take it forward. JN thinks there is a copy on North Warwickshire BC's website.</p> <p>Dave Carter updated on the work being commissioned by the GBSLEP. He confirmed that PBA had won the tender and that they would be meeting in the week commencing the 9th December 2013, with the LPA's that have expressed interest in widening the study area to take into account cross boundary interests. This included the Black Country, South Staffordshire, Telford & Wrekin, Stratford District and North Warwickshire. The meeting will provide an opportunity for the consultants to update their approach and to consider how to take account of the cross boundary issues. DC advised that there were several options on the agenda including extending the study area to include the wider geographical area, undertake an additional study or studies, or go with the brief as it stands, but ensure that the cross boundary matters are considered under the DtC.</p> <p>Andy Donnelly suggested that this was the opportunity to have a grown up debate, as the effects of the South Worcestershire Inspectors report and the ripple effects need to be considered. DC agreed, and suggested that there was some logic for those Worcestershire and South Staffordshire LPA's that are included in the GBSLEP to have conversations with the districts on a wider area.</p> <p>DC asked JN whether their consultants had been signed off, or whether there was an opportunity for PBA to talk to them? The last thing he wanted was the possibility for arguments at forthcoming examinations which could have been ironed out through discussion. SW asked DC whether any LPA had formally signed up to the study? DC advised that the Black Country Chief Executive had indicated that they were, but DC has seen nothing formally in writing.</p> <p>Ben Horovitz advised that the South Worcestershire LPA's had got through the DtC at examination, but had been knocked back on the housing figures The Inspector had considered that not all of the household projections had been considered. The LPA's are hopeful that they can turn around the evidence quickly.</p> <p>Rachel Taylor advised that they were looking to work with the GBSLEP and Shropshire.</p> <p>Andy Donnelly believed that East Staffordshire were planning for more growth than identified in the SHMA.</p> <p>Dave Carter advised WMPOG members that the Aggregates Working Party (AWP) has been re-established, and has suggested that Local Aggregate Assessments (LAA's) should be carried out on the traditional county</p>	
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	<p>basis.</p> <p>Andy Mortimer confirmed that Shropshire had sent out questionnaires and have a background technical paper.</p> <p>DC felt that LAA's and mineral provision could potentially be the next controversial issue, in that the basic underlying figures are worrying. The consumption of minerals has fallen back, but the levels of reserves have not bounced back. Jim Davies confirmed that there will be a time lag, as it is expensive as infrastructure investment is needed, and it is not possible to respond quickly.</p> <p>Gerald Kells felt it would be difficult to have a debate on it, as there is no mechanism for debate, as there was in the RSS phase 3 work.</p> <p>DC felt this was one to keep an eye on and suggested that it be kept on the agenda.</p>	
2. LEP planning Update	<p>Dave Carter updated on the GBSLEP, in that they are out to consultation on the Strategic Spatial Plan. Consultation events have taken place, with 1 more to take place in Birmingham in the week commencing the 9th December 2013. The closing date for responses is the 20th December 2013, on-line if possible. Technical work on housing and employment is on-going and will take into account the comments and studies that are underway. The next version of the plan is expected to be published in Spring next year.</p> <p>Jim Newton advised that the CWLEP were working on the Strategic Economic Plan (SEP). They were also to undertake a study of employment land.</p> <p>Andy Mortimer advised that the Marches have started work on the SEP.</p> <p>Ben Horovitz confirmed that the Worcestershire LEP were also working on the SEP, and looking to submit it on the 19th December 2013. They are also working on an EU Investment Strategy. Further, the Planning and Development Sub-Group are producing a high level spatial plan. It is gathering information and is not policy based.</p> <p>Patricia McCullagh advised that the Black Country LEP were also working on the SEP.</p>	
3. Joint Annual Monitoring Returns	<p>Dave Carter provided an update from Les Johnson which suggested that the response rates for the annual monitoring returns as follows:</p> <p>Mets – 70%, Shires – 49.7% Overall – 54.7%.</p>	

	<p>More specifically, there are a number of gaps in the information provided, as follows: Mets – 2 LPA's Staffordshire – Considerable number of gaps Warwickshire – Couple of gaps Worcestershire – Complete, and Shropshire – 1 or 2 gaps.</p> <p>DC suggested that the minutes ought to include a reminder to urge all LPA's to send in their outstanding returns as soon as possible. Further, DC wanted to report the current response rate and non-returns to the Chief Executives.</p> <p>DC went on to ask whether he could test out a proposition with WMPOG colleagues. He asked whether it would be a good idea to ask the Chief Executives to endorse compliance, which should be seen as good practice in the DtC. Further, any failure to comply could be seen as an LPA not being committed to DtC?</p> <p>DC also raised concerns that at a response rate of 50%, could the monitoring process carry on? Sherman Wong advised DC that some LPA's have valid reasons for not completing the return, ie; examinations in which staff are involved. Further, SW advised that he has been asked to produce a summary of the 2012 outcomes to report to Chief Executives in January 2014. SW suggested that WMPOG could ask the Chief Executives to chivvy the LPA's up.</p> <p>DC agreed and asked SW to speak to Les Johnson about sending out a reminder to all LPA's and report the position at the Chief Executives meeting in January 2014.</p> <p>Roger Stone suggested that from an outside point of view, it should continue to happen, and to let the monitoring process slip is wrong.</p> <p>Gerald Kells felt that the report to the Chief Executives should identify those LPA's that haven't been able to provide the returns for a particular reason, such as examination. It would be unfair to simply say that they hadn't been returned. SW agreed that it was sensible to do so.</p>	
<p>4. Local Plan/Local Development Frameworks</p> <ul style="list-style-type: none"> • Update on progress 	<p>Ben Horovitz advised WMPOG colleagues that Worcestershire's minerals Local Plan was out to consultation until the end of January 2014. Submission is expected in the winter 2014.</p> <p>Andy Mortimer reported that Shropshire's site allocation final plan publication will be out to consultation in March 2014. Submission is planned for June 2014, with the</p>	

	<p>Examination at the end of the year.</p> <p>Rachel Taylor advised that Telford and Wrekin are currently revising their LDS. Further, work is being undertaken on a site allocations document.</p> <p>Jim Newton advised that Coventry City were undertaking technical work. He further advised that North Warwickshire's examination was due to start on the 7th January 2014, whilst Warwick District plan to submit in June/July 2014.</p> <p>Roger Stone advised that Solihull had adopted the local Plan on the 3rd December 2013.</p> <p>Pam Neal advised that Warwickshire were currently working on the LAA, and were in discussions with Coventry, as to whether it ought to be a joint LAA. Further, they were working towards consultation in the summer 2014 on a pre-submission draft.</p> <p>Dave Carter reported that Birmingham's Cabinet had agreed their pre-submission draft which confirmed a shortfall of 30,000 dwellings in the plan period to 2031. The document will be out to consultation in January until early March 2014.</p>	
<p>5. Minutes of last RPOG Meeting (19th September 2013.)</p> <p>Accuracy</p>	<p>The minutes were agreed.</p> <p>Gerlad Kells clarified that on page 5 under AOB, it wasn't Dave Thew personally, but a Parliamentary question was being discussed with an MP, who will ask about the RSS monitoring and what happens next.</p>	
6. Matters arising	Nothing to report.	
7. AOB	<p>Jim Davies advised that the Environment Agency is about to go through a period of restructuring and reprioritisation from March to October 2014. It is likely that 1,000 – 1,500 people will be lost. JD advised that it will have an impact on planning, but he is not sure as yet what that will be, but he will keep colleagues advised.</p> <p>Sherman Wong had been in correspondence with CLG's Assistant Director about the beta guidance and had suggested that it would be useful for someone from CLG to come to talk to planners at the coal face about it. CLG have advised that they are happy to do this, and SW will go ahead and arrange a date with Caroline Winter to meet with WMPOG colleagues, with an open invitation to others. SW will let colleagues know the date in due course.</p> <p>Andy Donnelly advised that there was a PAS event on the DtC during the week commencing the 9th December 2013.</p>	

	<p>Roger Stone referred to a previous minute that talked about the expansion at Birmingham Airport, and whilst declaring an interest in relation to HS2, updated colleagues on the long term plans for the runway extension. He advised that as and when the passenger numbers increase, there will be a need for a new terminal. The preference would be to build this above the International Exchange Station. Then, if the numbers increase further, a second runway may be needed, and this is likely to be around the site of Packington Hall.</p> <p>Gerlad Kells reminded colleagues that the M6 Toll is celebrating its 10th anniversary on Monday 9th December 2013.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • Thursday 6th March 2014 – 10.00am – Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham. • Thursday 5th June 2014 – 10.00am – Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham. • Thursday 4th September 2014 – 10.00am – Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham. • Thursday 4th December 2014 – 10.00am – Room 201, Lancaster Circus, Birmingham City Council offices, Birmingham. 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 19th September 2013 in Meeting Room 5, Northgate House, Warwickshire County Council, Warwick.

Members of WMPOG Present : Chairman – Dave Carter (Birmingham CC), Pam Neal (Warwickshire CC)

LA Members: Mets Dave Carter (Birmingham CC), Jim Newton (Coventry CC)
Shires – Rachel Taylor (Telford & Wrekin C), Pam Neal (Warwickshire CC), Ben Horovitz (Worcestershire CC), Andy Davis (Warwickshire CC)

CLG – WM – Sherman Wong

Other Sector reps –Gerald Kells (WMRSF), Jim Davies (Environment Agency)

Apologies : Martin Dando (Dudley), Alex Yendole (Stafford BC), Anna Rose (Rugby BC), Roger Stone (BVWM – CLA), Joanne Mayne (Stoke), Mike Beazley (University of Birmingham), Austin Barber (University of Birmingham), Patricia McCullagh (Sandwell MBC)

Declaration of Interests : None

Agenda

Items	Main Points Discussed/Agreed	Action
1. Duty to Co-operate <ul style="list-style-type: none"> Cross boundary Evidence Base Collaboration 	<p>Sherman Wong updated colleagues on the meetings that had taken place to look at the need for coordination and cooperation around strategic employment and housing since the last WMPOG meeting.</p> <p>The employment site meeting took place in July 2013, and was attended by 19 people representing 23 LPA's. The meeting was chaired by Steve Winterflood and discussed the merit in producing a model brief for a sub-regional or a regional employment site study of I54 or MIS scale. It was recognised that it would be a leap of faith, but the group was supportive of the need to do something.</p> <p>SW advised that the Chief Executives Group were supportive of the approach and were looking at sources of money, possibly the AMR legacy money, to fund it.</p> <p>SW then went on to advise that the housing meeting took place on the 13th September 2013. It was well attended and SW is producing notes of the meeting. He explained that it was a challenging meeting with a debate that</p>	

	<p>highlighted the urgency and the issues which stem from GBSLEP brief for its SHMA. It was agreed that a small group will look at putting together a common base-line area approach to SHMA. It will be a factual scoping of what's there, and should be non-contentious. Although, there were concerns that it will lead to more contentious decisions in the future.</p> <p>CLGWM have some funding for a part-time housing officer post, who will be managing a housing project for the housing officers group. SW advised that it should therefore be possible to fund the work from this housing pot, should it be agreed. He expected someone to be in post in November 2013.</p> <p>DC had attended the housing meeting and felt that there was a reluctance to cover the issues. There are currently different methodologies and timescales, and DC felt that it would be better to start now to get consistency over the next few years.</p> <p>SW reminded colleagues that good work had previously been undertaken by REDOG to put together a common methodology for the preparation of Local Economic Assessments. SW felt that this must be a way forward for planning work. DC advised that a joint LEP instead of a regional study would be his preferred approach.</p> <p>Gerald Kells asked about the reaction of the non GBSLEP LPA's, and in particular those further away, for example Shropshire and Telford? He also questioned how the study would fit, as in two years' time most LPA's should have plans in place. DC agreed, but felt that the work should help the next round of development plans not the current round. Further, in relation to the GBSLEP housing study, DC confirmed that it was for the 9 LPA's, but was open to other LPA's to join. For example, the Black Country may consider joining. Although, the brief is out to tender, should the Black Country or any other LPA want to join, then the shortlisted tenderers would be asked to consider the impact on the methodology and cost, and in effect the brief would be widened out, and the Black Country added to the steering group.</p> <p>SW referred back to GK's question about the views of other LPA's and advised that if the Black Country joined then South Staffordshire would also have consider joining as they are so closely related. However, this could raise the issue of studies covering the same area but having been undertaken by different consultants. SW considered that this could be a real danger for an LPA having two studies, which could lead to developers choosing which one suits them best. DC agreed and stated that this would also be the case if the housing market areas overlapped. The LPA would have to account of any conflict, but would</p>	
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	<p>have to take a view and provide evidence to back up the option they chose.</p> <p>Sherman Wong reiterated the point that the work was not intended to jeopardise the current plans, and the piece of work would look ahead and would reduce the risk of overlapping SHMA using different evidence bases. He felt that it was sensible to have discussions to bring together the approaches. To conclude, DC felt that it was early days but that positive progress had been made and to carry on treading carefully.</p> <p>Jim Davis stated that the statutory agencies would like to get involved if possible at some point. SW agreed but reminded colleagues that the question of at what stage was discussed at the last WMPOG meeting. He felt that it was still at the political stage at present, and the LPA's needed to agree to work together first.</p> <p>In moving forward, SW suggested that a small group of people 3 -4 nominated from the housing group and 3 -4 people from WMPOG get together to work on this. He was aware that both Gary Williams and David Onions were interested. Further in terms of progressing the employment work, SW suggested that one rep from each LEP area, so 10 in total move the work forward.</p> <p>AGREED – Sherman Wong to draft an e-mail setting out the way forward and to ask for reps to sit on both groups.</p> <p>GK asked whether there was a paper that set out what the GBSLEP study will do. DC confirmed that the brief was in the public domain and could be circulated.</p> <p>SW to report back to the Chief Executives. He also suggested that an update on the AMR returns could also be included in the paper. The Chief Executives were supportive of the monitoring work, so by including an up to date list of LPA's that were still outstanding, the report can ask that the Chief Executives seek to ensure that they are returned.</p> <p>DC agreed and advised that the response rate was now 70%. Further the legacy money will enable Motts to continue for the 2013/14 and 2014/15 data collections. The contract will then be subject to review. DC to discuss this with Rose Poulter. His proposal is to retain the regional contribution for this year and next, at which point a new arrangement then has to be brokered, both in terms of who will do the work and how it will be funded.</p> <p>It is DC's hope that by then the response rate will be up and LPA's using the data, then it should be possible to get in place a new arrangement.</p>	
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<p>2. LEP planning Update</p>	<p>GB&SLEP – Dave Carter updated colleagues that the spatial plan was close to being published. Following publication, a series of consultation events will take place. It is expected that the consultation will commence in early-mid October until the end of the year, with consultation events in early December 2013. DC advised that the LEP would be encouraging other organisations to hold consultation events, for example SUSTANS. DC asked whether Gerald Kells would be interested. GK agreed that he would take it back, but they may want the event to be wider than Sustainability West Midlands.</p> <p>Jim Davis advised that Leicester and Leicestershire were looking at the GBSLEP model.</p> <p>Worcestershire LEP – Ben Horovitz advised that the Worcestershire LEP is working on an Economic and Environmental toolkit. Workshops have been held. Rachel Taylor also advised that the Local Nature Partnership were holding workshops also.</p>	
<p>3. 2012 Joint Monitoring Outcomes</p>	<p>The preliminary draft output from the 2012 Joint Monitoring exercise was circulated with the agenda.</p> <p>Dave Carter advised that one or two tables were yet to be completed, but that the raw data was available for the majority. The Regional Assembly used to interpret the data and publish a report, but this no longer happened, therefore DC wanted the LPA's and LEP's to be encouraged to use the data. Sherman Wong advised that there were discussions about putting the data onto the CLG-WM website, which would make it accessible.</p> <p>Andy Davies identified that the items in blue in the tables were of concern, and which he would pick up with Les Johnson. The figures in blue are where the LPA has not supplied the figures in 2012, so related to figures that Motts have extracted from the LPA's AMR. AD is concerned that they could be older than 2011, but there is no indication in the table. DC agreed it would be useful to get the information and report it to the Chief Executives.</p> <p>SW highlighted that there were some scary facts when you analyse the information closely, for example 11 LPA's reported no employment sites over 0.4 hectares in 2012. DC agreed and highlighted that table 18 showed that the housing commitments stood at 111,000, which is less than half of the 400,000 RSS commitment.</p> <p>DC confirmed that the final version will be circulated and that CLG-WM will put it together with the last few years versions onto the website.</p>	
<p>4. National Planning Practice Guidance</p>	<p>Dave Carter introduced this item, by advising that this was now on the website. However, it was unclear as to whether</p>	

<p>(Draft)</p>	<p>it was open to comment or not. DC felt that in principle it was a sensible idea to have it all on-line and in one place.</p> <p>Sherman Wong advised that a CLG representative was at a recent meeting with Staffordshire, and that he did ask about whether it was a consultation or not, and if so how would CLG respond to any comments. SW to chase a response.</p> <p>SW went on to explain that he had also asked about the affordability test (a Kate Barker type approach) and market signals. For example, there is a question about how many houses would have to be added to the stock to make it affordable, balanced against the fact that if you build more houses it doesn't reduce the price. Gerald Kells agreed and pointed to a CPRE report produced a couple of years ago that looked at supply and price.</p> <p>DC asked whether a response to the website was needed. There was a discussion about the best way in which to respond. It was agreed that if LPA's are responding, then the responses could be shared.</p> <p>Jim Davis advised that the Environment Agency were looking at the validity of only having guidance on-line, and were of the view that CLG need to produce a hard copy. This would be difficult if the guidance keeps changing.</p>	
<p>5. Local Plan/Local Development Frameworks</p> <ul style="list-style-type: none"> • Update on progress 	<p>Dave Carter reported that the next few weeks would be quite significant for a number of LPA's. Cannock and South Worcestershire's examinations are due to open in the next week, as well as Solihull's examination, which is to re-open in October. North Warwickshire has also got the go ahead to go to examination.</p> <p>DC considered that we would have a much clearer position on the Duty to Cooperate once the Inspectors have worked through the examinations.</p>	
<p>6. Minutes of last RPOG Meeting (20th June 2013.)</p> <p>Accuracy</p>	<p>The minutes were agreed.</p>	
<p>7. Matters arising</p>	<p>Page 3 - In relation to the request for sub-regional groups to disseminate the request to complete the monitoring returns, Dave Carter felt that it would be beneficial to have a two way dialogue with the sub-regional group, in that they feed issues up to WMPOG and vice versa.</p>	
<p>8. AOB</p>	<p>Gerald Kells advised that Dave Thew was chasing CLG for clarity on monitoring the Duty to Cooperate in the RSS. It</p>	

	<p>may end up being an FOI or a parliamentary question.</p> <p>Jim Davis asked as to whether there were any other UCG applications in the region besides the one in Warwickshire. Gerald Kells was aware of pilots in north Staffordshire.</p> <p>Dave Carter asked whether WMPOG should be taking more interest in mineral matters. Need to consider whether it might be useful to ask Ian Thomas (Secretary for West Midlands AWP) to come to a future meeting.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • 5th December 2013 – Meeting Room GO3, Lancaster Circus, Birmingham City Council, Birmingham. 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 20th June 2013 in Meeting Room GO3, Lancaster Circus, Birmingham City Council, Birmingham.

Members of WMPOG Present : Chairman – Dave Carter (Birmingham CC), Pam Neal (Warwickshire CC)

LA Members: Mets Dave Carter (Birmingham CC), Patricia McCullagh (Sandwell MBC), Dave Simpson (Solihull MBC), Joanne Mayne (Stoke-on-Trent)
Shires – Andy Mortimer (Shropshire C), Rachel Taylor (Telford & Wrekin C), Pam Neal (Warwickshire CC), Ben Horovitz (Worcestershire CC), Mark Parkinson (Staffordshire CC), Andy Davis (Warwickshire CC)

CLG – WM – Sherman Wong

CEPOG – Andy Donnelly

Mott McDonald – Les Johnson

Other Sector reps –Gerald Kells (WMRSF), Austin Barber (University of Birmingham), Alister Scott (Birmingham City University), John Haywood (Centro)

Apologies : Philip Somerfield (East Staffordshire), Anna Miller (South Staffordshire), Martin Dando (Dudley), Alex Yendole (Stafford BC), Anna Rose (Rugby BC), Roger Stone (BVWM – CLA), Jim Davis (Environment Agency), Jim Newton (Coventry CC), Maria-Pilar Machancoses (Centro), Gary Williams (Malvern Hills)

Declaration of Interests : None

Agenda

Items	Main Points Discussed/Agreed	Action
1. Duty to Co-operate <ul style="list-style-type: none"> Cross boundary Evidence Base Collaboration 	<p>The discussion paper on cross-boundary evidence base collaboration prepared by Sherman Wong had been circulated with the agenda. SW therefore introduced this item by reminding colleagues that at previous meetings WMPOG had considered shared evidence and the pressure on individual LPA's. SW advised that the Chief Executives were keen for the DtC Matrix to be completed and that SW had been chasing up those LPA's that hadn't filled it in to date.</p> <p>Further, SW raised issues around employment land, and specifically where would the next tranche of MIS come</p>	

	<p>from as the regional mechanism for their identification had now been dismantled. With the MIS under Policy IS4 being built out, SW posed the question about the need for coordination? He also pointed to concerns about LPA's individually getting proposals of the MIS scale and how would they deal with such a proposal? SW went on to suggest that he sensed that there was no appetite for regional wide studies, but that he was picking up that there may be a need for support, particularly around housing, employment and perhaps health.</p> <p>SW asked therefore for the views of WMPOG colleagues, as Steve Winterflood had been asked to report back to the Chief Executives group on the appetite in developing a light-touch approach to evidence base coordination at their September meeting.</p> <p>Dave Carter circulated the latest version of the Duty to Cooperate matrix and confirmed that a number of the gaps had been filled, and that there were now only 5 LPA's to complete it. SW confirmed that the South Worcestershire LPA's were going to complete it, but were in the middle of examination work. DC considered that as it was virtually complete, that it would be possible to start to do some analysis and the LPA's can now be using it on an on-going basis.</p> <p>Gerald Kells asked whether the matrix would be circulated electronically and for clarification of its status. DC advised that it hadn't been published as such, but during the Coventry CC Examination it was referred to, in evidence, so is as such in the public domain. Further, it has been taken away by everyone, but is not necessarily fixed as it will be being tweaked after bi-lateral conversations. Dave Simpson agreed, and suggested that LPA's ought to look at it and decide whether there is an issue and to have discussions with LPA's. He also identified that there will be different strategic issues and relationships in different areas. DC agreed and stressed that it was a tool to understand the relationships and that it wouldn't get LPA's through the DtC tests.</p> <p>SW reminded colleagues that the ladder of cooperation was also useful, which was sent out with the matrix. DC agreed and suggested that it would be useful for LPS's to consider getting to a position of shared understanding between LPA's. GK considered that it may well be useful for the matrix and the ladder of cooperation to have an accompanying note which sets out its purpose and status. DC agreed.</p> <p>Joint Monitoring - Dave Carter raised the issue of joint monitoring as part of the shared evidence base discussion. He reminded colleagues that there is money from the legacy funding to maintain a continuous database of</p>	
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	<p>information. However, this was reliant upon LPA's completing the returns. DC circulated the spreadsheet setting out the level of returns for the 2012 survey, and expressed concern that the completion level was pretty low. The return rate in 2006 was 93% and in 2012 it's down to 61% to date. DC considered that with the continuous downward trend of data returns, it is going to get to the point where collectively a decision will need to be taken as to the future of the process. He asked whether it could be sustained at 60%.</p> <p>DC further advised that whilst monitoring reports are no longer produced, the data is set out in a big spreadsheet at LPA and LEP level.</p> <p>Andy Donnelly reminded colleagues that where possible, Les Johnson at Motts had pulled data from AMR to plug some gaps. Les Johnson confirmed that this had happened in the past where possible, but was becoming more difficult as he had only managed to locate 14 out of 30 AMR's for 2012. LJ also raised the issue of the lack of resources at LPA's to undertake the monitoring work, and also questioned whether there was a political will as there was no longer a regional remit.</p> <p>Sherman Wong advised that the Chief Executives have been supportive and endorsed the completion of the monitoring data collection. Further, he advised that monitoring could be added into the report to their next meeting in September, pressing the issue of resources. DC considered that was a good idea, but still felt that the issue of whether we carry on beyond this year's data collection may well need to be considered, stressing that once the data set is broken it is difficult to restore. SW suggested that Steve Winterflood could use the table to report the position. LJ suggested that it could be updated and some contextual information added.</p> <p>DC suggested that LPA's should be given until the end of July to complete the data, and at that point the table be updated and attached to the report to the Chief Executives. Further he suggested that the report needed to spell out the benefits of collecting the data and what would happen if it were stopped. SW advised that the information had been used by CLG-WM to produce the state of the region report, which had identified that 11 LPA's had had no employment activity during 2011. SW to circulate the report.</p> <p>AGREED – LPA's be encouraged to complete the data return by the end of July 2013. The request for the data to be completed to go out through Officer Groupings, e.g. Staffordshire Planning Officers, Worcestershire Planning Officer Group, CSWAPO and CEPOG. SW to report the updated position to the Chief Executives</p>	
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	<p>meeting in September 2013.</p> <p>Housing Studies – Colleagues updated on the position with regards to SHMA's as follows : -</p> <p>GB&SLEP – Are about to commission a SHMA study, which looks at the broad quantum of development and if there is a shortfall how it can be accommodated. The LEP will be approaching adjoining LPA's to see if they want to join the study.</p> <p>Coventry and Warwickshire – Coventry and Warwickshire, minus Stratford DC have commissioned a SHMA. Whilst not part of the commissioning LPA's, the study will look at the figures for Stratford District.</p> <p>Worcestershire and South Worcestershire – had completed a SHMA previously.</p> <p>Telford - have updated theirs, but only for the Telford area.</p> <p>Mark Parkinson asked Dave Carter why Birmingham was updating their SHMA having only recently identified the Housing Market Area. DC advised that a couple of years ago BCC had asked adjoining authorities whether they wanted to do a joint SHMA, but at that time, there was no appetite, so they did it themselves. However, the SHMA identified a shortfall that was not taken into account by the adjoining authorities. Therefore the only way to address it is to do another collaborative study. DC confirmed that BCC would be approaching the Black Country LPA's, North Warwickshire BC and Stratford DC to ask whether they wish to participate in the study. If they didn't want to fully participate, BCC would look to them to cooperate.</p> <p>Gerald Kells asked if it could be concluded that the shortfall may end up being accommodated in LPA areas that had not taken part in the study. DC confirmed that this may be the case.</p> <p>Sherman Wong considered that the housing position was a complex situation and advised colleagues that there was a regional pot of money that is administered by housing officers. Further, he advised that they are employing a part-time post to manage the pot of money. SW considered that there was a potential piece of work that could be carried out to look at the underlying assumptions in the SHMA's and to gather intelligence on what is going on in terms of light touch coordination, to avoid the potential for conflict if different methodologies are being used. SW advised that there was a Housing Officers Group meeting on the 12th July. He suggested that there is a sub-group from WMPOG, say 2 – 3 people to meet with the Housing Officers.</p>	
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	<p>AGREED – Sherman Wong to coordinate a meeting with the Housing Officers Group. Anyone interested in attending the meeting to advice SW.</p> <p>Employment Land – Dave Carter opened this part of the discussion by advising colleagues that in line with the old RSS, Staffordshire and the Black Country had carried out a logistics study. Mark Parkinson went on to explain further, that the study is focused on rail freight, and specifically looking at the RSS need for capacity in Southern Staffordshire. The report had concluded that the market didn't need to focus on Southern Staffordshire, but that it could be a wider area. MP advised that the study had been published as yet, but it should be soon.</p> <p><i>Post meeting note – The Black Country / Southern Staffordshire RLS Study has been published and can be viewed on Wolverhampton City Council's online planning pages.</i></p> <p>DC advised that the GB&SLEP Board had agreed to commission work on strategic employment sites. Similarly, Pam Neal advised that the CSLEP had identified the need to do some work on employment sites, but it hadn't been progressed as yet.</p> <p>Sherman Wong reported that the Chief Executives were concerned about a pepper pot of major development sites, with LPA's fighting each other for a small pot of money for infrastructure. SW considered that this didn't show the region as a good location for inward investment. DC felt that it would be helpful to share information and that there should be a degree of consistency between any studies. SW suggested that like housing that 2 – 3 people ought to come together to have a constructive discussion about a way forward.</p> <p>Alister Scott highlighted that it was a broader problem than just employment and going down the sector approach would miss out the cross cutting issues of flooding, GI and the environment. He felt that there needed to be a broader discussion first. SW didn't disagree but felt that a smaller conversation was needed to start with. AS felt that this may mean that the connections were made too late.</p> <p>AGREED – Sherman Wong to coordinate a meeting on employment sites initially and then bring in the wider group of people as suggested by Alister Scott. Anyone who would be interested in joining the Group to contact SW.</p>	
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<p>2. LEP planning Update</p>	<p>GB&SLEP – Dave Carter advised that a first draft of the spatial plan was being taken to the LEP Board, and if approved it would go out to consultation over the summer. However, DC advised that it does not deal with the tricky issues and that there was parallel work streams to do more work on this. The intention is that by the end of the year the results of the consultation and technical work will be combined into a more rounded plan.</p> <p>Staffordshire & Stoke LEP – There are no plans to prepare a strategic plan, and reliance is placed on the current plans. As such, the LEP is looking at the delivery of specific sites.</p> <p>Marches – Have issued the “Poised for Growth” High Level Planning and Housing Statement which sets out a pledge to work pro-actively with developers and businesses to create economic growth across the region. The statement spells out how the LEP will work with businesses to provide for future growth, including the creation of some 54,000 new homes and sufficient employment land to meet the needs of the Marches area.</p> <p>Worcestershire LEP – Work on a spatial plan is in its early stages. A key priorities document is due to be released over the next couple of weeks.</p>	
<p>3. Davies Commission – update on proposals</p>	<p>Andy Donnelly advised colleagues that he was aware of Birmingham Airport’s proposals for a second runway, but asked WMPOG colleagues whether they had seen any other proposals submitted to the Davies Commission?</p> <p>Dave Carter confirmed that he had seen the airports leaflet and press release which identified links to the UK Central announcement on the 20th June 2013.</p> <p>No-one was aware of any other proposals.</p>	
<p>4. Local Plan/Local Development Frameworks</p> <ul style="list-style-type: none"> Update on progress 	<p>Rachel Taylor advised that the Telford Plan would be out to consultation on the 26th June 2013, with a Strategy and Options document. Further the draft Plan should be out to consultation in Spring 2014.</p> <p>Ben Horovitz advised that the South Worcestershire plan had been submitted on the 28th May 2013, with adoption being expected in early 2014. However, he explained that there were concerns about the housing study.</p> <p>Joanne Mayne advised that Stoke and Staffordshire were undertaking joint consultation on a CIL preliminary draft charging schedule at the end of June 2013.</p> <p>The Hearing into Solihull’s Local Plan took place in</p>	

	<p>January/February 2013. Dave Simpson advised that they had received the Inspector's interim report, which confirmed that they had met the Duty to Cooperate. Further, it also highlighted some modifications, but the Inspector was still to report on the rest of the plan and the sites. SMBC will be going out to consultation on the proposed modifications soon.</p> <p>In terms of other plans, it was reported that North Warwickshire had confirmation from their Inspector that he was happy that they had met the Duty to Cooperate, but that their Hearing was being held in abeyance until the end of July to enable the Borough to complete some emerging technical work. Cannock has submitted and their Hearing was due to start soon. Lichfield's Hearing was due to start on the 24th June 2013.</p> <p>Sherman Wong advised colleagues that CLG-WM were going to undertake a small piece of work looking at mapping major proposals from Local Plans and Emerging Local Plans in the autumn. They were working with the University of Birmingham, and considered that it should prove to be a useful piece of work.</p> <p>Gerald Kells asked whether there was any work being undertaken that was picking up speculative sites that were coming forward in advance of the Local Plans. Dave Carter agreed that this was a good point and asked whether the monitoring work picked this up. Les Johnson advised that it could be picked up, but would have to have been specifically highlighted in the comments.</p> <p>The request for 2013's monitoring has already gone out. However, DC considered that if the Chief Executives were happy for monitoring to continue, it could be possible to simplify the specification. GK agreed, but felt that the issue would go away once LPA's had plans in place. He advised that he was doing some work for CPRE, and if it were possible, he would share with WMPOG colleagues.</p>	
<p>5 . Minutes of last RPOG Meeting (28th March 2013.)</p> <p>Accuracy</p>	<p>The minutes were agreed.</p> <p>Item 3 (SHMA) 7th paragraph, "not meaningful....." should read to "not sufficiently detailed so further local level work was needed".</p> <p>Item 4 (Local Plan/Local Development Frameworks) Update – 1st paragraph "strong political steer to go for higher growth figures that in the RSS"...should read "Strong political steer to go for growth figures in line with the RSS".</p>	

6. Matters arising	Gerald Kells had attended the LEP network conference in April 2013. He advised that Michael Heseltine has been the key speaker, who talked about his desire to see a single pot. However, we will have to see what happens with the individual Whitehall departments and their views.	
7. AOB	Nothing was raised	
Dates of future meetings	<ul style="list-style-type: none"> • 19th September 2013 – Meeting Room 5, Northgate House, Warwickshire County Council, Warwick. • 5th December 2013 – Meeting Room GO3, Lancaster Circus, Birmingham City Council, Birmingham. 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 28th March 2013 at the Council House, Birmingham City Council, Birmingham.

Members of WMPOG Present : Chairman – Dave Carter (Birmingham CC), Pam Neal (Warwickshire CC)

LA Members: Mets Dave Carter (Birmingham CC), Patricia McCullagh (Sandwell MBC), Martin Dando (Dudley MBC), Dave Simpson (Solihull MBC)
Shires – Andy Mortimer (Shropshire C), Rachel Taylor (Telford & Wrekin C), Pam Neal (Warwickshire CC)

CEPOG – Andy Donnelly

Other Sector reps – Roger Stone (BVWM – CLA), Gerald Kells (CPRE), Jim Davies (Environment Agency), John Acres (Turley Associates – RTPI), Austin Barber (University of Birmingham)

Apologies : Andy Davis (Warwickshire CC), Philip Somerfield (East Staffordshire), Sherman Wong (West Midlands Councils), Alex Yendole (Stafford BC), Anna Rose (Rugby BC)

Declaration of Interests: Roger Stone – owner, as Trustee, of the Birmingham International Exchange Station site

Agenda

Items	Main Points Discussed/Agreed	Action
1. Duty to Co-operate	<p>Dave Carter considered that PINs appear to be taking LPA's plans apart, and cited Coventry CC who had withdrawn, and Tamworth, who had received numerous points from their Inspector, thereby meaning that they were now reconsidering their way forward. He asked WMPOG colleagues whether they were aware of any other LPA's that were struggling with demonstrating the Duty to Cooperate (DtC)?</p> <p>Dave Simpson advised that Solihull MBC were expecting their interim report. DS explained that the DtC had been a key area in their examination, with the Inspector looking not just at a moment in time, but at its on-going nature, beyond the current examination. Further, the Inspector was keen to see how dialogue would continue.</p> <p>DC asked as to whether there was any evidence of the DtC being wider than the LPA's relationships? In particular was there any evidence of how the other specified body's</p>	

	<p>role was being played out?</p> <p>Jim Davies confirmed that the EA had appeared at Solihull's hearing, but that the amendments they had suggested would assist in making the plan even more "sound". He advised that their comments weren't show stoppers, and related to more about cooperation than the detail. DS advised that SMBC had produced a DtC background paper that set out what had happened between SMBC and other LPA's and Agencies and provided a record of dialogue.</p> <p>DC pointed to the requirement for Annual Monitoring Reports to introduce a chapter on DtC, which would provide the story about on-going dialogue, which should hopefully go some way to satisfy the DtC.</p> <p>John Acres advised colleagues of a forthcoming RTPi seminar on the DtC on the 9th May, being supported by Martineau. Ian Dove QC will be speaking, who had produced an advisory note for SMBC. Andrew Thompson will be managing the bookings. JA to forward details to PN to circulate.</p>	
2. LEP planning Update	<p>Dave Carter started this update by pointing to the budget, which appeared to indicate that the Government were pushing for more collaborative working across LEP's.</p> <p>Marches : - In relation to the Marches, Andy Mortimer advised that there was joint work emerging with the Local Nature Partnership, which included Shropshire and Telford & Wrekin, but not Herefordshire. The focus of the work being on water quality.</p> <p>Rachel Taylor advised that there were also links to the health agenda and the role of the LNP, in terms of green infrastructure and mapping. It was a challenging piece of work, but the group were to meet again shortly.</p> <p>DC asked whether the Health Authority were engaged with the LEP? AM confirmed that they were, but not fully.</p> <p>Black Country : - Martin Dando advised that in the Black Country, Laura Shoaf had been appointed as Transport Director, with the direct responsibility to lobby Central Government on transport issues. Further, MD confirmed that a City Deal bid was being produced, which is looking to attract investment and funding to promote sites and locations for investment. MD confirmed that all 4 boroughs were covered, and they were putting together key areas for investment.</p>	

	<p>Gerald Kells asked for clarification of the role of the Consortium in the LEP. MD advised that the Consortium acts as the Secretariat for the LEP.</p> <p>GB&SLEP : - Dave Carter confirmed that the Greater Birmingham and Solihull LEP Board had agreed the strategy for growth, which will be printed and launched in due course.</p> <p>DC advised that work was continuing to produce a spatial plan, and that details of an event to be held on the 25th April 2013, would be published shortly. The event will run through the work undertaken to date and edge towards a draft strategy, with consultation over the summer. Key technical work on housing will run in parallel.</p> <p>Gerald Kells advised that he would be attending a LEP network conference in London on the 18th April 2013, and would provide feedback at the next meeting.</p>	
3. Strategic Housing Market Assessments	<p>Dave Carter reminded colleagues of the discussion at the January WMPOG meeting about the need for collaborative working and the need for further discussion about the role of WMPOG to get things to tie up better and to make the connections.</p> <p>DC went on to confirm that the GB&SLEP had agreed that joint working on housing needs needed to be carried out, and that he was putting together a brief to commission a joint SHMA. Further DC confirmed that he would be approaching the adjoining LEP's at some stage to see if they want to participate in the joint work.</p> <p>Andy Donnelly advised that the picture coming out of Coventry's inquiry was that whilst the LPA's had undertaken SHMA's, that they had all used different methodologies. AD felt that there was a role for WMPOG to agree a common ground on the methodology.</p> <p>DC agreed, and suggested that it would be useful to produce a plan that showed the pattern of SHMA's. John Acres felt this was a good idea, as it would identify any gaps or overlaps. DC suggested that there will always be boundary issues in trying to define Housing Market Areas, but that the building blocks should be LEP's. Further, if LEP's undertook the SHMA then they could talk around boundaries.</p> <p>Dave Simpson pointed to migration patterns and felt SHMA's had got to start somewhere. AD confirmed that new data on migration and travel to work was due in May/June 2013.</p> <p>Gerald Kells asked whether DC envisaged a super SHMA,</p>	

	<p>with mini SHMA's in it? DC advised that he was not sure, and that more discussion was needed. However, his personal view was that a high level one was needed, with local ones that looked at the detail on tenure and mix.</p> <p>Martin Dando confirmed that a housing needs assessment had been undertaken for Dudley, and the Black Country joint SHMA was not meaningful so local level work was needed.</p> <p>Andy Mortimer advised that a SHMA had been undertaken in the Marches, but not for the same area as the LEP. Telford being in the Black Country SHMA. In terms of Shropshire and Herefordshire, a housing market area SHMA was undertaken in 2009.</p> <p>Dave Carter asked whether Worcestershire had undertaken any cross boundary work? Andy Donnelly confirmed that whilst the SHMA had been undertaken by Worcestershire CC, it had included appendices for each District.</p> <p>DC went on to ask whether an area could be included in more than one SHMA? AD felt that the parameters should be set around housing market areas. However, John Acres advised that if you spoke to developers, they would confirm that housing market areas operate at all levels, which don't adhere to LPA boundaries, and have links to travel to work areas and economic activity. There was therefore, no problem with overlaps. It was agreed that the difficulty would be adding up the totals where there were overlaps, and differing time periods. Also, that the methodology needed to be consistent to allow for comparison.</p> <p>DC felt that there was more work to do on this, particularly in looking at where the SHMA studies were at. He wondered whether there was scope for a piece of research work here, possibly using CURs?</p>	
<p>4. Local Plan/Local Development Frameworks</p> <ul style="list-style-type: none"> • Update on progress 	<p>Rachel Taylor advised that Telford and Wrekin were working on a Strategy and Options document, that was pro growth, and that would be consulted on in June/July 2013. The consultation document would be considering growth of 26,500 up to 2031, which was set against a strong political steer to go for higher growth figures than the RSS. RT confirmed that they were looking at potential locations linked to jobs and the economic side. Adoption is expected in January 2015.</p> <p>Dave Simpson reconfirmed that Solihull MBC were awaiting their Inspectors interim report.</p> <p>John Acres advised that Turley's will be able to provide a</p>	

	schedule to update the position on local plans across the region.	
5 . Minutes of last RPOG Meeting (24th Janaury 2013.) Accuracy	<p>The minutes were agreed.</p> <p>Page 5 - should read “inconsistency” rather than “consistency”.</p> <p>Page 6 –should read “Logistics study” rather than the “Inspectors report”.</p>	
6. Matters arising	<p>Dave Carter advised that the review of membership was an on-going process, but that good progress was being made.</p> <p>DC confirmed that he had asked the Birmingham and Black Country Local Nature Partnership to attend WMPOG on behalf of LNP’s.</p> <p>Roger Stone advised that he had contacted Alan Griffith of the West Midlands Developers Alliance, who are interested in attending WMPOG. It was agreed that the invitation had been to attend on behalf of the Alliance, and not individual developers. Therefore, Dave Carter would go back to Alan to request that there be one representative, who could have a sub, but that it would not be appropriate for it to be a series of individual developers.</p> <p>It was also agreed that if he were happy to do so, that Roger should still attend WMPOG too.</p> <p>Gerald Kells advised that the WMSS were meeting at the end of March 2013. It was agreed that his action to approach Chris Crean would be held until the next meeting.</p> <p>The Centro contact was confirmed as Maria-Pilar Machancoses.</p> <p>It was also confirmed that Ivan Moss had retired from the NFU, so the contact was David Collier.</p>	
7. AOB	<p>Dave Simpson agreed to circulate the papers from Ian Dove, in relation to Solihull’s examination.</p> <p>Gerald Kells made WMPOG colleagues aware of a Future Networks West Midlands meeting on the 22nd April 2013, in Sandwell, that will focus on housing. He advised that a previous meeting had focussed on Health, which had brought about a good discussion and a number of strands had been pulled through for wider discussion.</p> <p>Austin Barber advised colleagues of a RTPi seminar on Neighbourhood Planning to be held at the University of Birmingham on the 5th June.</p>	

	<p>Austin also advised colleagues of discussions that were being held between Sherman Wong and Mike Beazley about the RSS archive documents, and plans to hold them at the University to form the base for a wider collection of documents to be held as an open resource and be available more widely.</p> <p>Andy Donnelly advised that the West Midlands RSS revocation was now out.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • 20th June 2013 – Meeting Room GO3, Lancaster Circus, Birmingham City Council, Birmingham. • 19th September 2013 – Meeting Room 5, Northgate House, Warwickshire County Council, Warwick. • 5th December 2013 – Meeting Room GO3, Lancaster Circus, Birmingham City Council, Birmingham. 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 24th January 2013 at the Council House, Birmingham City Council, Birmingham.

Members of WMPOG Present : Chairman – Dave Carter (Birmingham), note taker – Sherman Wong (West Midlands Councils) deputising for Secretary Pam Neal.

LA Members: Mets Dave Carter (Birmingham), Patricia McCullagh (Sandwell), Rob Haigh (Coventry).
Shires – Andy Mortimer (Shropshire), Ben Horovitz (Worcestershire), Anna Rose (Rugby), Alex Yendole (Stafford)

West Midlands Councils – Sherman Wong

CEPOG – Andy Donnelly

Other Sector reps – Roger Stone (BVWM – CLA), Gerald Kells (CPRE), Jim Davies (Environment Agency)

Apologies : Andy Davis (Warwickshire CC) James Chadwick (Staffordshire CC), Philip Somerfield (East Staffordshire), Laura Shoaf (Black Country Consortium), Pam Neal (Warwickshire CC)

Declaration of Interests: Roger Stone – owner, as Trustee, of the Birmingham International Exchange Station site

Agenda

Items	Main Points Discussed/Agreed	Action
1. Review of Membership	<p>Dave Carter introduced a paper listing representation of local authorities by LEP and broad categories. This had been circulated with agenda. The meeting agreed the paper subject to the following comments:-</p> <ul style="list-style-type: none"> • Pam Neal to check whether Andy Davis is still the appropriate Warwickshire contact • Anna Rose will cover districts and C&W LEP • Dale Bristow will be leaving Worcestershire, Ben Horovitz will replace on WMPOG, but will not be able to represent the LEP – LEP representative needed • Need to check whether Ruth Mullen is able to 	

	<p>represent the Worcester districts</p> <ul style="list-style-type: none"> • Need to check whether Laura Shoaf will represent the Black Country LEP • Laurence Jackson will be leaving Sandwell in March • Paul Watson will be leaving Solihull – Ken Harrison is likely to be the appropriate representative • Liam Cowden should be removed as a contact for Shropshire, Jake Berriman would be able to cover the LEP • Unclear whether Matthew Wedderburn remained an appropriate contact for Telford • Unclear whether Amanda Dawson and Amanda Turner should remain on the list for Staffordshire • Philip Somerfield (E Staffs) to take over from Craig Jordan (Lichfield) as Staffordshire districts' representative with Alex Yendole (Stafford) as deputy • Craig Jordan to remain as GBSLEP representative • It was noted that there was a gap in N Worcestershire representation <p>Notwithstanding the above, ultimately, it was agreed to send WMPOG papers and invite all local authorities to attend.</p> <p>Agreed that representation on duty to cooperate bodies should be widened by inviting:</p> <ul style="list-style-type: none"> • Sport England (Maggie Taylor), • Centro (?Maria Mackeen?) • Natural England (Anna Collins) and • English Heritage (Amanda Smith) <p>Also agreed to invite:</p> <ul style="list-style-type: none"> • RTPI (John Acres) • HCA • NFU (David Collier or Ivan Moss) • Also CLA are already represented by Roger Stone <p>It was agreed it would not be appropriate to invite utilities to be members of the Group.</p> <p>As Business Voice West Midlands has folded Roger Stone will approach Jerry Blackett at Birmingham Chamber of Commerce to provide accountability for him and/or to see if he wants anyone else to attend on their behalf. Roger will also check whether the RICS Board want to change their representation.</p>	
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	<p>LEP representatives on the Group should also consider relevant business representation. Generally business representation should cover rural and urban areas, but need not be limited to just two representatives.</p> <p>Action: BIS to be consulted on appropriate representatives</p> <p>Agreed to broaden third sector representation to cover both “environmental” and “social” dimensions. It was also agreed to invite a representative from the Local Nature Partnerships. Due to capacity issues it was felt only Birmingham’s would be able to contribute at this time. Noted that CPRE are closing their regional structures although representation might be maintained through the branch structures. It was noted and that planning related positions at CEPOG and WMCouncils are also under threat.</p> <p>Actions:</p> <ul style="list-style-type: none"> • Approach RAWM (Sharon Palmer) for social representation • Gerald Kells to approach FoE (Chris Crean) as possible replacement if necessary • Birmingham LNP to be invited. 	
<p>2. Strategic Planning</p> <ul style="list-style-type: none"> • Autumn Statement • Round up of LEP planning matters 	<p>Key announcement that LEPs are to produce their own Strategic Plans, however despite approach to CLG and PAS there is a lack clarity as to what this means. There are implications for local plans, but they will be hard to alter given their advanced state of preparation.</p> <p>GBSLEP – the Strategic Framework Plan approach is allowing existing Local Plan preparation to continue, albeit with the recognition that an early review might be necessary.</p> <p>Events have been held and there are five theme groups testing scenarios. The outcomes from these will be stitched together for strategy development. Ideas on an initial version of the Draft Strategic Plan will be launched at a conference in March. Aware that there are significant gaps eg the need for a Joint Strategic Needs Assessment, for which it will use some of the LEPs £250k funding. It is intended to be a live document reviewed annually.</p> <p>Recognise the LEP is not an island and that some of the growth generated in Birmingham needs to be accommodated elsewhere.</p> <p>Gerald Kells noted that engagement on this has been good making the LEP appear outward looking, but there is concern that developers feel it belongs to them. There are issues about the geography but supported the approach.</p> <p>Coventry and Warwickshire - Anna Rose now chairs LEP planning and property sub-group. Taking Planning Protocol and adding interactive map with land allocations</p>	

<ul style="list-style-type: none"> • SHMAs and cross boundary technical work 	<p>and available sites. Will help present planning as a way of generating inward investment. Working to identify where statutory consultees are acting as a barrier to planning process, looking at role, ethos, direction. Will feedback to CLG, but there are concerns CLG will make process more bureaucratic.</p> <p>Black Country It is understood they are preparing a Green Prospectus and that Birmingham are engaging them about housing capacity.</p> <p>The Marches Andy Mortimer reported that Jake Berriman is chairing the LEP's Planning and Housing Group, which has merged with the West SHMA. He will check with Jake whether there is anything he wants to report.</p> <p>Worcestershire Ben Horovitz reported that a MoU had been signed between LAs and the LEP. They are drawing up a list of "Game Changing" sites. The Infrastructure Plan is out for consultation and is on their website. Dave Carter requested that someone come to talk to GBLEP about the Plan. There was a general discussion about the extent that Infrastructure Plans with old schemes in may or may not relate to current growth plans/potential and funding sources. Noted that the Major Transport Funding Allocations have been published (23rd Jan) – allowing local transport bodies to decide how to decide to spend their own allocations.</p> <p>Staffordshire Nothing to add to report made at the last meeting.</p> <p>There was a general discussion about SHMA and the need for these to take into account cross boundary relationships – this is causing difficulties for councils at examinations. It was noted that guidance is inconsistent with the new system and that they are often led by the housing team. GBSLEP will be carrying out a SHMA for their area and will be approaching other areas such as Black Country and North Warwickshire to see if they are interested. It was noted that there is around £800k of old regional funding for housing work held by Sandwell which might be able to fund work on considering collective or coordinated approaches to SHMAs. As WMPOG is the only mechanism to bring together planning bodies to consider cross boundary technical issues it was agreed that at the next meeting there should be an item on potential future technical joint work – all LEP leads should be invited.</p>	
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<ul style="list-style-type: none"> • Revocation of RSS/SEA • Taylor review 	<p>Noted that the Futures Network West Midlands had submitted a response and that as an independent organisation they are well placed to make collective responses where it would be difficult for councils to do so. There was a general discussion about the SEA, points included that it relied on untried and unproven mechanisms, identifies certain issues where the RSS was helpful eg strategic employment sites but doesn't propose ways of resolving them. However, it was also noted that the residual influence of the RSS is causing problems as it is being treated consistently by inspectors.</p> <p>Review was thought to be a good thing, generally however, the proposed charging for updates would be a questionable practice. After consideration it was agreed that the effort necessary to respond properly would outweigh the likely influence. It was agreed that WMPOG would not submit a response. Sherman Wong reported that the Healthy Urban Development Group which included planning representation, were developing a response largely around the absence of guidance on health and planning.</p>	
<p>3. Duty to Cooperate</p> <ul style="list-style-type: none"> • Birmingham City Council's letter to adjoining authorities • Lessons from examinations 	<p>Birmingham has written to adjoining authorities about housing capacity and are continuing the dialogue through meetings and correspondence. In certain cases this is seeking wording in Plans relating to joint technical work and possible selective reviews of the Green Belt. Examinations show that there is a need to demonstrate active exercising of the duty to cooperate. There may be other letters to follow.</p> <p>Duty to Cooperate matrix – still not completed by all authorities. The approach is effectively in the public domain due to being referenced by the Coventry examination Inspector. Authorities encouraged to complete to show the council is taking a positive approach to DtC.</p> <p>Action: - Latest version of DtC matrix to be circulated.</p> <p>Coventry experience shows importance of not deviating from their agreed positions as the inquisitorial role of Inspectors means they pick on slightest nuance of change/inconsistency. There is also an increased need to be concise under questioning. Solihull faced difficult questioning about their SHMA and the relationship with other areas eg Coventry and Warwickshire and Birmingham. However, situation continually evolving and cannot wait for everything to be aligned – delay is not consistent with NPPF. There was a discussion about whether windfalls can only be included in the 5 yrs housing supply or across whole period and on what evidence base.</p>	

	South Staffs Inspectors Report recommends are expanding the area of search for a major logistics site to the whole West Midlands and potentially part of East Mids. The study looked at Black Country but the view was that to serve the Black Country it didn't necessarily need have to be adjacent.	
4. 2011 Interim Populations Projections	Andy Donnelly circulated an interim population projection data sheet. It was reported that Birmingham had written to ONS on basis that the assumptions used appear to downplay growth in urban areas and overplay growth in rural areas. Paper was noted.	
5. Local Plan/Local Development Frameworks <ul style="list-style-type: none"> • Update on progress 	<p>Anna Rose will send in a sub-regional update.</p> <p>Sandwell's site allocation document has been adopted.</p> <p>Tamworth is having its exploratory meeting into the Plan on the 12th February 2013.</p> <p>Lichfield will be submitting their Plan in the next few weeks.</p> <p>Cannock meeting on the 24th January 2013 to consider consultation submission document.</p> <p>Stafford document already published.</p> <p>Solihull examination document has a summary of the Local Plan positions should be on the website.</p> <p>Action: circulate Solihull examination document with minutes</p>	
10. Minutes of last RPOG Meeting (20th September 2012.) Accuracy	<p>The minutes were agreed.</p> <p>Page 2 para 5 - should start "Marches" rather than "Marshes"</p> <p>There was a reminder of importance of the joint monitoring exercise referred to in the Minutes Page 4 Item 3.</p>	
11. Matters arising	Nothing arising.	
12. AOB	Sherman Wong reported that the Healthy Urban Development Group would shortly be circulating a fact sheet and questionnaire encouraging planners and health professionals to work more closely together.	
Dates of future meetings	Dates to be circulated.	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 20th September 2012 at the Partnership Centre, West Midlands Councils Offices, Birmingham.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members : Mets - Dave Carter (Birmingham CC), Andy Donnelly (CEPOG Support Team), Jim Newton (Coventry CC), Dave Simpson (Solihull MBC), Peter Simpson (Sandwell MBC).

Shires – Pam Neal (Warwickshire CC), Anna Rose (Rugby BC), Craig Jordon (Lichfield DC), Natasha Friend (Worcestershire CC), Andy Mortimer (Shropshire), James Chadwick (Staffordshire CC), Mark Parkinson (Staffordshire CC)

West Midlands Councils - Sherman Wong

Other sector reps : Roger Stone (BVWM – CLA), Gerald Kells (CPRE), Jim Davies (Environment Agency).

Universities : Mike Beazley (CURS University of Birmingham)

Apologies : Andy Davis (Warwickshire CC), Martin Dando (Dudley), Joanne Mayne (Stoke), Alister Scott (BCU)

Declaration of Interests: None

Agenda

Items	Main Points Discussed/Agreed	Action
1. Update on LEP's and Emerging Planning Arrangements	<p>Greater Birmingham and Solihull : -</p> <p>Craig Jordon advised that the LEP had a Planning Charter, together with targets, aims and objectives. It has also developed an implementation plan, which has 3 key work streams :-</p> <p>1) Development Management Practice across the 9 LPA's. Engagement events will take place in October 2012.</p> <p>2) Strategic Spatial Framework – this is a high level document which was kicked off with a visioning event in February 2012. 4 further follow-up events during September have focussed on population, transport (20th September) and economic growth and will feed into a scenario building event at the end of November 2012.</p> <p>3) Communication/Stakeholder work stream.</p>	

	<p>The Planning Sub-group has also been looking at the implications of the changes to Planning at the National Level on behalf of the LEP.</p> <p>Staffordshire and Stoke : - Craig Jordon advised that a Planning Charter Mark had been agreed, and whilst not as stringent as the one in the GBSLEP, most LPA's have signed up to it. CJ also advised that since Sue Prince, the Lead Board Member, had stepped down, the momentum had slowed down. Mark Parkinson advised that Stoke had adopted it, and felt that most of the LEP members understood that planning was not a barrier, and that the charter was a PR exercise to say that the LPA's are 'open for business'.</p> <p>Coventry and Warwickshire : - Anna Rose advised that the CWLEP has a new Chairman and that there were changes a foot. The sub-groups were all being looked at and reorganised, and it was expected that there would be a maximum of 10. Further, AR advised that the Planning Sub- Group were meeting on the 20th September 2012, but it hadn't really got round to looking at spatial planning. AR advised that a Planning Protocol on Development Management was in place.</p> <p>Worcestershire : - Natasha Friend advised that a briefing paper on reviewing the Memorandum of Understanding had been taken to the Place Shaping Group. It was agreed that the MOU would be reviewed and revised, and that an implementation plan would also be prepared. Worcestershire CC are taking the lead on preparing the documents and hope to have a first draft in the autumn/winter. Dave Carter advised that the first GBSLEP event was a joint event with Worcestershire that went well.</p> <p>Marshes – Telford, Herefordshire & Shropshire : - Andy Mortimer advised that Jake Berrimen is the Chair of the Housing and Planning Board. They have put together a high level spatial planning paper, which includes how to deal with the Duty to Cooperate. There is also a proposal to bring together the Board with the West Housing Market Area.</p> <p>DC considered that things appear to be moving in the right direction and that the planning input into the LEP's was looking more coherent.</p> <p>Roger Stone asked whether anyone had received any money from the Government. DC answered no, but there had been a new announcement, which indicated that the money had to be matched through local funding.</p>	
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	<p>Specifically, he identified that there was a need for resources to be put into the BGSLEP, and has put a case forward.</p> <p>Gerald Kells advised that he had attended a LEP network meeting run by David Frost, at which the money was being promoted. However, he pointed out that Eric Pickles did not appear to be in favour of it, and he believed that it would tie LEPS's into Government and be expected to do what Government wants.</p> <p>GK also advised that he was happy that the GBSLEP is holding events that had wider stakeholder engagement than just the business community. A CPRE report published on the LEP's concluded that there was more pressure on the LEP's to be more engaging with people outside of business. GK felt that if they received Government money then this pressure would be greater.</p>	
<p>2. National Update</p> <ul style="list-style-type: none"> • Planning for Growth Statement 	<p>Sherman Wong explained that the paper that had been circulated with the agenda had been to the WMC Member Steering Group, who had agreed that the WMC write to Eric Pickles. Phil Atkins from Staffordshire will sign the letter off, but SW asked WMPOG colleagues to let him know of particular issues to be raised in the response.</p> <p>Gerald Kells considered that it would be useful to see if there is anything that can be done to tie down the impacts on affordable housing, in particular whether it can be qualified. SW acknowledged that a lot of LPA's were already renegotiating affordable housing.</p> <p>Anna Rose was of the view that there is nothing really new on the statement that isn't already in legislation. However, she felt that it would be extensions where the issues would be. Dave Carter felt that the statement was having the opposite effect on extensions as planned, as people had stopped ordering conservatories etc.</p> <p>Mike Beazley pointed to the report that the London Borough of Richmond had instructed its planners to find a way around it, and not allow extensions as proposed.</p> <p>Peter Simpson advised that extensions are the only thing keeping Sandwell's Development Management section going. DC considered that the DM planners would end up becoming more involved in enforcement work as a result. AR was of the view that based on past experience that once everyone has had their say on the consultation, there would be a Government U-turn.</p> <p>SW highlighted a few areas that he felt ought to be covered by the response, including the direction of travel on major infrastructure with changes in the definition,</p>	

	<p>changes of thresholds, which may mean LPA's loose local control, implicit local targets and penalties. Finally, how do you measure poor performance?</p> <p>Mark Parkinson asked how WMPOG colleagues were dealing with Section 106 renegotiations on education contributions and in particular how can the LEA support the LPA as the policy would effectively be meaningless if the scheme is unviable? DC felt that any development plan prepared taking into account the reasonable operation of the economy should build in viability of sites. Further, DC asked whether the answer was in CIL or not. He pointed to Birmingham being able to increase money under CIL compared to Section 106. Developers have no choice over CIL charges, they cannot waive CIL charges.</p> <p>MP confirmed that they have both CIL and Section 106 in Staffordshire, but there are geographical variations. Further, MP felt that the scope to move CIL money between LPA's is difficult.</p> <p>Andy Mortimer advised that Shropshire have had an operational CIL charging schedule since January 2012. He advised that their experience was that the smaller developers building 1 -2 dwellings were struggling, but it tends to depend on when they bought the land. Whereas, the developers building 10+ houses actually support CIL, as it gives them greater certainty. The real issue is the slowdown in getting the money in, as it is paid on the implementation not the grant of permission. AM advised that Shropshire top slice the CIL for strategic development, education etc., and have section 106 for affordable housing and everything other than residential.</p> <p>DC raised the issue if non infrastructure type development becomes infrastructure and needs to be agreed by PONS, will it undermine the credibility of PINs, as there would be a real risk of the Inspectors doing the Government's bidding and not retaining their independence. GK agreed that it would be a concern for LPA's, as there will be a reluctance to turn down applications for fear of it going to PINs.</p>	
3. 2011 Monitoring Outcome	<p>This paper was circulated with the agenda, and Dave Carter opened this item by saying that it was important that WMPOG receive the document, the second that has been put together under the guise of WMPOG. DC advised that the output is by both LPA and LEP area, which gives useful raw data. The response rate is not as high as had been hoped for, but Motts plugged the gaps from AMR's where possible. However, DC considered that there will come a point when WMPOG will need to decide if it can be continued. DC felt that it was important to continue to collect the data, but it will require all of the</p>	

	<p>LPA's to play the game and submit the data in a timely way. Further, all LPA's collect data for development plans, and need to understand what is going on in adjoining LPA's. DC would like WMPOG colleagues to strongly urge LPA's to take full part in the next data collection, and see if the response rate can be improved.</p> <p>Andy Donnelly agreed and stressed the importance of the data collection in relation to the Duty to Cooperate (DtC). Dave Simpson agreed stating that the DtC covers the whole gambit.</p> <p>DS also asked what the response rate was. DC confirmed that it was at about 70%, but that if it stays at 70% then it will have to be questioned as to whether to continue. AD added that this year plugging the gaps with information from AMR's was only possible if all LPA's collect the same data.</p> <p>Sherman Wong suggested raising it with the Regional Chief Executives Group and advising them that WMPOG supports it. DC agreed and felt that it would be useful to draw out the picture that the data shows. SW asked for confirmation that there is no cost to LPA's at the moment, only time. DC confirmed this, stating that the Met Districts had a contract with Motts, which was supplemented by legacy funding for 500 hours to cover the whole region.</p> <p>Gerald Kells pointed to the Government's announcement that they will not be publishing regional data, but by LEP and not LPA. This makes it impossible to compare as it overlaps and is not comparable over time and area. He felt that this was important to let the Chief Executives know.</p> <p>It was AGREED that all LPA's be encouraged to play ball on this and complete the returns and that WMPOG members be asked to pass on the message.</p>	<p>WMPOG colleagues to encourage competition of data returns.</p>
<p>4. 2011 Census – initial results</p>	<p>Andy Donnelly asked WMPOG colleagues for any observations on the census. He went on to explain that in the Met areas, and specifically the urban areas that there was high levels of population growth but not growth in households, as the household size was going up. He advised that not all of the data had been released as yet, so we don't know the effect of migration. AD also pointed to differences between the 2001 and 2011 as being quite dramatic.</p> <p>Dave Carter advised that the new midyear estimates would be out next, with the household projections out later on. DC felt that WMPOG would need to revisit this agenda item once the midyear estimates are issued.</p> <p>Gerald Kells advised that the Futures Partnership had an</p>	

	<p>event planned to discuss the 2011 census, and anyone wanting to attend should contact Dave Thew. Sherman Wong advised that the West Midlands Councils were thinking about doing a bigger event, but are waiting to see what information comes out – watch this space.</p>	
<p>5. Local Plan/Local Development Frameworks</p> <ul style="list-style-type: none"> • Update on progress 	<p>Andy Mortimer advised that Shropshire had finished consultation on their Preferred Options for their Development Management and Site Allocations DPD. However, with local elections next year, this would have a bearing on the timing of the next stage.</p> <p>Peter Simpson advised that Sandwell had received their Inspectors report, and that adoption would be January/February 2013.</p> <p>Dave Simpson advised that Solihull had submitted their plan, and had an Inspector appointed, but no dates as yet.</p> <p>Craig Jordon advised that Lichfield had published its plan and were looking at the responses. They have a meeting with the Inspector shortly. CJ also advised that they had received late representations from an agent on behalf of a developer at the last minute. The advice from PINS is that they expect an SA to be undertaken and then a new consultation on the proposal. CJ felt that this could scupper the whole process. Jim Newton confirmed that Coventry had exactly the same, in terms of omission sites. In that case, the people who put forward the sites did the SA and then Coventry held a 6 week consultation on the omission sites in the run up to the Hearing dates. They were then considered as part of the Hearing.</p> <p>CJ also advised that Tamworth had submitted and that Staffordshire Moorlands were moving forward as quickly as possible.</p> <p>Natasha Friend advised that Worcestershire were looking to adopt the Waste Core Strategy in September and that they were then aiming to consult on the Minerals Core Strategy in the autumn.</p> <p>Jim Newton advised that Coventry's consultation on the submission draft had closed and that they were gearing up to submit.</p> <p>Anna Rose advised that Rugby Borough were looking at the implications of the NPPF on their adopted plan, and that they were tackling gypsies and travellers. AR also advised that the Warwickshire Districts were all moving forward and expected Nuneaton and Bedworth to consult on its Preferred Options in early 2013. Pam Neal advised that Warwickshire County were gearing up to submit its Waste Core Strategy.</p>	

	<p>Dave Carter advised that Birmingham had written to all of its adjoining LPA's to advise that there was a significant difference between the RSS figures and the results of work on their SHLAA and SMA. The letter advised that there is a gap on what BCC can accommodate and that there will be knock on effects on the adjoining LPA's. DC advised that they were looking to go out to consultation later in 2012, and that there could be significant changes from the last draft, in terms of the level of growth and how it would be dealt with.</p>	
<p>6. The Duty to Co-operate</p>	<p>Dave Carter circulated copies of slides that provided an update on what had been happening on the Duty to Cooperate (DtC) since WMPOG started talking about it in December 2011.</p> <p>Specifically DC pointed to inconsistencies in the completed matrix between Wyre Forest, East Staffs and Lichfield, which having identified it, would be for the LPA's to discuss.</p> <p>DC advised that unfortunately there were still large parts of the region that hadn't filled in the matrix, and whilst WMPOG couldn't force LPA's to do it, his personal view was that it would be useful to have a complete picture, particularly at inquiries. However, if it was not complete, it could end up raising questions.</p> <p>It was AGREED that WMPOG colleagues would try to get the picture completed through the various District groupings.</p>	<p>WMPOG colleagues to encourage completion of matrix.</p>
<p>7. GBSLEP Strategic Spatial Framework Plan</p>	<p>Dave Carter outlined that the concept of a Strategic Spatial Framework Plan had been agreed by the LEP Board. It would comprise a high level plan, which provided the expression of the LEP's economic strategy. It would be about 12 pages long, and produced by the 9 LPA's working together collaboratively, with no coercion. DC explained that it would provide the context for individual local plans by providing the broad scale and distribution of growth for the next 25 years.</p> <p>The adjoining LEP's will be invited to meetings to develop the plan, which will have regular reviews and updates linked to the monitoring process.</p> <p>In terms of its preparation it will be informed by events, scenario testing by theme groups, structure discussions across people and themes, as well as short life groups during October. It is expected that a Conference will be held in November, and then the plan will be written after that.</p>	

	<p>Gerald Kells felt that the contentious issues would be the green belt and housing numbers, as well as the Enterprise Zone, which had been trailed in the City Deal document. GK felt that engaging people in the sub-groups was good, but the relationship between these issues and the local plan inquiries were important to think about. Particularly how someone in the outside world is involved, without thinking it's a fait accompli inside the LEP, and agreed before the proper planning process is undertaken. DC agreed that it was a fair point, but he was aware that the intention was that the LEP engage as wide as possible. Also, he advised that the document was informal and would be refined as time goes on.</p> <p>Andy Donnelly raised the legal side and asked whether an SA was needed?</p> <p>Craig Jordon stressed that it provided the 9 LPA's with an opportunity to look at the high level strategic issues across the LEP area. However, it was not looking to undermine the planning process, but that it may help the plan reviews.</p>	
8. Localism	No discussion and it was agreed to take this item off the agenda.	
9. Aviation call for evidence	<p>Andy Donnelly advised that the Government had produced a draft sustainable framework for aviation and that there was a call for evidence by the 31st October 2012. He felt that the document ducks all of the big issues about capacity in the South East. He advised that the Mets had looked at the document and would not be responding.</p> <p>Further AD advised that on the 7th September there was an announcement that an Independent Commission was to be set up to look at capacity issues, and that it was expected that they would call for evidence. He felt that all LPA's ought to look at this and consider responding.</p> <p>Dave Carter asked whether there was anything for WMPOG to do. Sherman Wong didn't think so, but it might be something for a collective LEP view. Craig Jordon advised that there was a LEP chairs meeting arranged and that it might be worth flagging up there. Similarly, DC asked whether it would be worth flagging up at the next Chief Executives meeting to see if there is any appetite to respond. SW to take back to the WMC.</p>	
10. Minutes of last RPOG Meeting (21st June 2012) Accuracy	The minutes were agreed.	

11. Matters arising	<p>Page 4 – Dave Carter and Alister Scott to talk about funding.</p> <p>Page 9 – Action to be carried forward. Dave Carter and Alister Scott to meet to discuss WMPOG's role.</p> <p>Dave Carter to speak to John Acres about the capacity in which he would attend WMPOG.</p>	
12. AOB	<p>Gerald Kells asked if anyone had looked at the Revocation Statement on the East of England RSS, as it has an interesting section on the NPPF and the north –south divide. GK advised that further Revocations were due out, but that CLG were holding back until they had the responses on the East of England RSS.</p> <p>Jim Davies advised that the Environment Agency were consulting on the introduction of voluntary charges. The document had been circulated to WMPOG members. Whilst aimed primarily at businesses and LEP's, he felt it would be useful for WMPOG colleagues to be aware of it.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • Thursday 13 December 2012, 10.00 - 1.00 pm – venue to be confirmed. • 2013 dates and venues – to be confirmed 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 21st June 2012 in Room MP 388, Millennium Point, Birmingham City University, Curzon Street, Birmingham.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members : Mets - Dave Carter (Birmingham CC), Andy Donnelly (CEPOG Support Team), Martin Dando (Dudley MBC), Laurence Jackson (Sandwell MBC), Harmesh Jassal (Stoke-on-Trent), Joanne Mayne (Stoke-on-Trent), Jim Newton (Coventry CC), Rochelle Junean (Birmingham CC)

Shires – Pam Neal (Warwickshire CC), Anna Rose (Rugby BC), Ruth Mullen (Worcester City), Craig Jordon (Lichfield DC), Natasha Friend (Worcestershire CC).

West Midlands Councils - Sherman Wong

Other sector reps : Roger Stone (BVWM – CLA), Gerald Kells (CPRE), Jim Davies (Environment Agency).

Universities : Austin Barber (CURS University of Birmingham), Alister Scott (Birmingham City University).

Apologies : Andy Davis (Warwickshire CC, Kevin Singleton (Herefordshire Council)

Declaration of Interests: None

Agenda

Items	Main Points Discussed/Agreed	Action
1. Update on LEP's and Emerging Planning Arrangements	<p>Staffordshire and Stoke : - Craig Jordon advised that a Planning Charter Mark had been agreed, and that the LEP were expecting LPA's to sign up to it. It is effectively a sign of 'rolling out the red carpet', and a number of LPA's had picked it up and were testing their performance against the checklist.</p> <p>Harmesh Jassal advised that things had gone a little quiet following the resignation of a Board member who was very proactive in this agenda. However, he advised that Stoke were actively testing themselves against the Charter Mark criteria.</p> <p>Black Country : - Martin Dando confirmed that a Business Friendly Planning Charter had been launched. Further, the Black Country</p>	

	<p>Core Strategy had identified regeneration corridors, which were now the focus for implementation plans that were being put together and would be used as the basis for future bids.</p> <p>Lawrence Jackson confirmed that the LEP had been successful in its bid for Growing Places.</p> <p>Greater Birmingham and Solihull : -</p> <p>Craig Jordon advised that the LEP had a Planning Charter, together with targets, aims and objectives. It has also developed an implementation plan, which has 3 key workstreams :</p> <ol style="list-style-type: none"> 1) Development Management, 2) Spatial Framework, and 3) Communication/Stakeholder workstream. <p>Work on the Spatial Framework commenced with a visioning event in February 2012. There will be 4 further follow-up events in September that will focus on population, economic growth and transport and will feed in scenario building.</p> <p>Roger Stone asked about the relationship between the LEP and the LPA's. CJ considered that it was a good one – the LEP is not seen to impose on the LPA's and the LPA's need to be aware of the business community.</p> <p>Worcestershire : -</p> <p>Natasha Friend advised that a Memorandum of Understanding had been produced for the LPA's and business, which when it was published it was agreed that it would be reviewed in 6 months. The LEP is now looking to review this document and produce an implementation plan. Worcestershire County are leading this, which is in its early stages. Ruth Mullen advised that the Worcestershire Districts were working to the MOU and doing their best to deliver it. Further, the LEP is involved in place shaping and the development plan process.</p> <p>Coventry and Warwickshire : -</p> <p>Anna Rose advised that a Planning Protocol had all but been approved by all the LPA's. There had been some delays in the approval process. The Planning Sub-Group were looking at the statutory consultees being a blockage to growth and were looking to identify solutions. The LEP was also looking at an infrastructure plan and priorities for funding. AR advised that the LEP had recently lost its Chair, so things were a bit quiet, until a new one was appointed.</p> <p>Dave Carter thanked everyone for the update and asked whether it was fair to conclude that in terms of spatial plans, the Black Country and the GB&SLEP were the only two that were actively looking at strategic planning at the LEP level? RM advised that the Worcestershire LEP were, but that it wasn't at such an advanced stage. CJ confirmed</p>	
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	<p>that the Staffordshire LEP was interested in the GB&SLEP's glossy document and were looking to work on something similar, but had not taken anything forward as yet.</p> <p>Alister Scott identified that some research that was being undertaken had made the observation through using the Black Country as a case study that the work of the Black Country Consortium was benefitting from more joined up conversations which appeared to stem from the same geography as the Black Country LA's. This didn't appear in other areas.</p> <p>Joanne Mayne asked about the methodology that was being used by the CWLEP in identifying priorities. AR confirmed that it wasn't strict planning criteria, but based on deliverability – which site is ready first and capable of being delivered, has planning permission and an occupier etc.</p> <p>DC advised that the GB&SLEP included LPA's which straggled both Worcestershire and Staffordshire, so was looking to hold events in both areas, as they had been requested to hold joint LEP events.</p> <p>LJ asked what the Spatial Framework would look like? CJ hoped that it would be a document that has teeth, whereby the Duty to Cooperate is important. However, he emphasised that as the LEP has no statutory basis, it was important to remember the democratic process. He therefore saw the document as being high level that identifies high level relationships, for example how planning and transport align. He felt that the plan would reflect the spatial dimension of the economic strategy that doesn't conflict with the planning frameworks. DC also advised that the GB&SLEP Board had agreed some non statutory key principles. This comprised a short document – 12 pages, with a key diagram, which didn't reinvent the RSS. This would be a continuous process, possibly updated annually.</p> <p>Gerald Kells asked whether there were any plans for the GB&SLEP to go beyond bringing together the core strategies? DC confirmed that there were further consultation events planned, where scenario testing would be considered. Themed groups are being set up to test the scenarios, and a significant conference was being planned in the autumn which would receive feedback from the theme groups. A Spatial Framework Plan was being planned for early 2015, but the key problem is the resources to do it.</p> <p>Sherman Wong asked about the evidence base - would this be shared or come from the LPA's. DC advised that there was a need to bid for commissioning chunks of</p>	
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	evidence as the RSS evidence base is now quite old. AS identified some research work funded by the Research Council looking at the national economic assessment and how this could be embedded into tools could be helpful and it may be possible to dovetail some work and target some of the money so that it was mutually beneficial. AS and DC agreed to talk off-line.	AS and DC to talk about funding off-line.
2. National Update <ul style="list-style-type: none"> National Planning Policy Framework 	<p>Dave Carter asked WMPOG colleagues whether there was any intelligence to share? In terms of the NPPF he felt that by enlarge the Government had u-turned on the key issues, but that had left the LPA's with the situation where the detail had been lost and with the NPPF being a summary of the planning system, it was for the LPA's to pick up the challenge in local plan etc. Further, DC felt that the Duty to Cooperate still had no flesh on the bones and it left the LPA's with a gap.</p> <p>Gerald Kells advised that CPRE were looking at what will happen, not just what is in the text, but looking at case law and planning applications over the next 12 months and how they will change. He advised that the CPRE would be publishing briefing notes later in the year.</p> <p>Sherman Wong referred to an article in Planning, whereby it was reported that CLG were sitting on decisions, as it was not sure how to interpret the NPPF, with two cases being cited in the West Midlands.</p> <p>Alister Scott advised that he had been asked by RELP to draft a policy note on the rural economies. He therefore asked colleagues in the shires to let him have any evidence or experience of rural development.</p> <p>Joanne Mayne asked whether anyone knew whether the Practice Guidance notes were still in force? Anna Rose confirmed that they were, having checked with CLG.</p> <p>Gerald Kells highlighted that it was possible that there was to be further consultation on consultation soon. He had picked this up in a speech by Eric Pickles at the LEP conference.</p>	
3. The Duty to Co-operate	<p>Dave Carter recapped for WMPOG colleagues what had been happening on the Duty to Cooperate, and in particular referred to the matrix of relationships that had been circulated, with the idea that it be completed from the bottom up. DC had received some responses, and circulated a map showing the areas of the region that had completed the matrix.</p> <p>DC felt that it was a useful start, but asked whether colleagues were of the opinion that WMPOG should help and be useful in being able to demonstrate that the DtC</p>	

	<p>conduit of good practice. It should flag up relationships that needed to be explored, but not impose its views. He felt that care was needed on how advice was given. DC agreed.</p> <p>Gerald Kells asked whether it would be useful to circulate the Eastbourne and York paper? AD agreed to do this.</p> <p>Alister Scott advised WMPOG colleagues that Andrew Leyton used twitter to pull out key documents. He provides commentary on NPPF cases, and as he uses blogs, you don't have to be on twitter.</p>	AD to circulate Eastbourne paper.
4. Joint Monitoring <ul style="list-style-type: none"> • ESPON RISE project 	<p>Dave Carter circulated a presentation that had been given by Chris Collinge from the University of Birmingham in Denmark on the Rise Project on Regional Integrated Strategies in Europe. DC explained that this had been an EU project that started under the auspices of the old Regional Assembly and at the time of integrated strategies. Therefore whilst Regional Integrated Strategies have been abandoned, Birmingham CC were keen to carry on with the project.</p> <p>The hand-out provides a summary of the draft final report, which is due to be finalised in the next few weeks. DC will circulate the final report, and felt that it could provide useful lessons to be drawn for the work with LEP's.</p> <p>DC also suggested to colleagues that it would be worth visiting the ESPON website to look at the type of projects they have undertaken.</p>	
5. 2012 based Population Projections	<p>Andy Donnelly circulated work that had been undertaken by Mott MacDonald, for information, on the 2012-based subnational population projections which were published on the 21st March 2012. AD pointed out that the table was showing huge population changes from the 2008 projections, particularly in Coventry. This was a concern as whilst they are not household projections, they are higher than the 2008 based projections and could be used to push for increasing levels of housing provision.</p> <p>Jim Newton advised that they had looked at the figures for Coventry, and were initially alarmed. However, on looking closer there are big holes in the methodology used by ONS, e.g. a large proportion of the population in the city are students, to which ONS have applied birth rates! JN confirmed that the evidence to undermine the projections can be found on ONS' own website.</p> <p>Dave Carter advised that Birmingham CC had commissioned a SHMA, and as a part of it asked the consultants to look at the implications of the population projections and the implications arising from them.</p>	

	<p>Gerald Kells thought we were supposed to be moving away from the RSS and housing numbers with the emphasis on local need and local choice. However, he was concerned that we were going back to projections which were showing higher figures. DC agreed, but stressed that it was up to LPA's to sort it out. He considered that it would be important to demonstrate how an LPA will accommodate them in their area, and not in their area. Additionally, if you don't provide for them, you will have to convince the Inspector of the reasons for not doing so.</p>	
<p>6. Impact of Budget Cuts on Planning</p>	<p>This agenda item is for colleagues to provide an update on the implications of the budget cuts. Alister Scott opened the discussion by advising WMPOG members that the University sector is not immune to the cuts, and has seen a reduction in student numbers. He felt that it was helpful for the Universities to have a sense of the cuts in the LPA's as it will directly affect the number of part-time students coming through.</p> <p>Craig Jordon advised that East Staffordshire were in the early stages of looking at possibly out sourcing the planning department.</p> <p>Gerald Kells asked whether there were issues around the quality of particular skills and areas of specialist expertise, such as conservation and environmental officers. Anna Rose stated that it was difficult, where the work of conservation officers could be picked up by planners, but conservation officers couldn't pick up planning work as easily.</p> <p>Dave Carter considered that there were instances of the sharing of specialist expertise across boundaries. Ruth Mullen confirmed that work was underway in Worcestershire to share expertise. RM also confirmed that there are gaps in specialist areas, but that it is difficult to recruit. CJ confirmed that across Staffordshire work was being undertaken to look at sharing the Regulatory Services initially.</p> <p>AS asked about the support being in place for Neighbourhood Plans that lack capacity and skills. He felt that with the resources being lost at LPA's that this was going to be difficult to cover. He suggested that it might be worth lobbying for a person to work across LA's to cut out any potential problems later when the neighbourhoods potentially complain about having no input from LPA's. RM agreed that there was a real expectation that LPA's will support Neighbourhood Planning. DC agreed that if all neighbourhoods did plans, then LPA's wouldn't have enough resources.</p>	

	It was agreed that on the next agenda that instead of having this item, an item on the Localism Act would be useful.	
7. Local Development Frameworks <ul style="list-style-type: none"> • Update on progress 	<p>Jim Newton advised that Coventry had had a reasonable response to the housing numbers consultation. The next stage is the Submission Draft, which will be going to Council in July for approval to go out to 6 weeks consultation.</p> <p>Andy Donnelly advised that Solihull's Proposed Submission document had been to both Cabinet and Full Council for approval to submit to the Secretary of State.</p> <p>Laurence Jackson pointed to issues that Hull Council are having around the five year land supply plus 20%.</p> <p>Natasha Friend advised that Worcestershire were awaiting their Inspectors report following the independent examination of the Waste Core Strategy.</p> <p>Ruth Mullen advised the 3 South Worcestershire Councils were going out to consultation on The South Worcestershire Development Plan - Proposed Significant Changes to 2011 Preferred Options on the 6th August 2012.</p> <p>Craig Jordon understood that Tamworth BC were out to consultation on their Local Plan Pre-Submission Publication document until the 20th July 2012. Also, Warwick District are consulting on their Local Plan Preferred Options until the 27th July 2012. Finally, South Staffordshire are waiting to hear back from their Inspector, as to the next stage. It is expected that they will need to undertake another stage of consultation.</p>	
8. Minutes of last RPOG Meeting (29th March 2012) Accuracy	The minutes were agreed.	
9. Matters arising	<p>Item 5 – Joint Monitoring – Dave Carter advised that Mott MacDonalds would be sending out requests for 2012 data shortly. DC requested that LPA's be encouraged to participate.</p> <p>Under matters arising from the minutes on page 11, Gerald Kells advised the support that CPRE and Planning Aid were giving to Local Communities on Neighbourhood Planning had been extended by CLG for 4 months, whilst they relook at the funding for the second year. GK advised that the second year bidding process was underway, but</p>	

	<p>the results weren't known as yet.</p> <p>Under AOB, Dave Cater and Alister Scott are still to meet to discuss WMPOG's role. With regards to WMPOG membership, DC to chase up Telford and rural colleagues about attending WMPOG.</p> <p>DC also asked for WMPOG views on John Acres from Turley Associates, who had expressed an interest in attending. It was AGREED that DC ask him to attend representing the RTPi.</p>	<p>DC to meet with AS. DC to chase Telford and rural colleagues about attending WMPOG. DC to speak to John Acres.</p>
10. AOB	<p>Jim Davies advised that the Environment Agency would be publishing a consultation document on the 22nd June, entitled "River Basin Management: working together" for the Severn and Humber (Trent) River Basin Districts. JD to circulate weblink as soon as it is published.</p> <p>Sherman Wong advised that the WMRA website is down at the moment. This is the place where all of the RSS documentation and information is held. SW advised it would be sorted and available again as soon as possible.</p> <p>Alister Scott advised WMPOG members of an RTPi CPD event on the 18th July 2012. It will be held in the afternoon, somewhere in rural Worcestershire. Its focus will be on rural issues, together with a mystery tour and speakers on the Wyre Forest DC initiatives. The details will be circulated.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • Thursday 20 September 2012, 10.00 - 1.00 pm – West Midlands Councils offices, The Partnership Centre, Birmingham. • Thursday 13 December 2012, 10.00 - 1.00 pm - Venue to be confirmed 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 29th March 2012 in Meeting Room 401, Lancaster Circus, Birmingham City Council.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members : Mets - Dave Carter (Birmingham), Andy Donnelly (CEPOG Support Team), Martin Dando (Dudley MBC), Laurence Jackson (Sandwell MBC), Maurice Barlow (Solihull MBC), Joanne Mayne (Stoke-on-Trent).

Shires – Pam Neal (Warwickshire CC), Martyn Wilson (Worcestershire CC), Tony Lovett (Staffordshire CC), Mark Parkinson (Staffordshire CC), Anna Rose (Rugby BC), Ruth Mullen (Worcester City), Craig Jordon (Lichfield DC), Jane Reeves (Herefordshire C), Andy Davis (Warwickshire CC).

Other sector reps : Roger Stone (BVWM – CLA), Gerald Kells (CPRE), Jim Davies (Environment Agency), Matthew Foster (Severn Trent Water).

Universities : Austin Barber (CURS University of Birmingham), Alister Scott (Birmingham City University).

Apologies : Sherman Wong (West Midlands Councils), Amanda Dawson (Staffordshire CC), Dale Bristow (Worcestershire CC), Paul Williams (RICS), Paul Watson (Solihull MBC), Jim Newton (Coventry CC).

Declaration of Interests: None

Agenda

Items	Main Points Discussed/Agreed	Action
1. What is PR14? Why and how can you be involved?	<p>Dave Carter welcomed Matt Foster from Severn Trent Water (STWL) to WMPOG. MF thanked Dave for the invitation to attend, which had stemmed from a conversation with Jim Davies at the Environment Agency, who suggested that the PR14 being undertaken by Severn Trent would be of interest to planners and that WMPOG would be a good forum to give a presentation outlining what PR14 is and why planners should get involved.</p> <p>MF explained that PR14 stands for Periodic Review 2014, and is the process under which Severn Trent prepare their future business plans. This is two fold, firstly for the</p>	

	<p>economic regulator Ofwat, Severn Trent produce an Asset Management Plan for the period 2015-20, where they highlight where they want to invest , and secondly the production of strategic plan over a much greater time horizon (typically 25-40 years). The first step is AMP6 covering the period 2015- 2020.</p> <p>MF explained that STWL inherited a huge asset base at privatisation, which they need to keep on top of. The PR14 process will reflect how STWL will need to respond to numerous challenges they have to face. However, in addition, STWL want the priorities of their customers and stakeholders to be at the heart of those plans. This includes LPA's and how STWL will respond to both housing and employment growth. Last time around STWL had the RSS and it's evidence, this time it will be looking to the LPA's across the region to support the process.</p> <p>Ofwat will be looking for STWL to have undertaken a significant amount of stakeholder engagement over the coming months. As a result a Customer Challenge group is being set up, which will have LPA's reps from the East and West Midlands. It is an umbrella group that will scrutinise and challenge STWL. A Strategic Consultation is due to be published at Easter, which will lay out the issues to be addressed and ask a series of questions to consider. There will also be a series of workshops in May and June. MF advised that the draft version of the plan is expected in 12 months, which will be finalised in 2013 and submitted to Ofwat probably in January 2014. The final determination from Ofwat is expected in late 2014, and from this STWL will set its prices for water.</p> <p>MF asked if it were possible to use the WMPOG circulation list, but also asked if colleagues could circulate the information to ensure that the consultation is as wide as possible. DC thanked MF and asked if he could forward a copy of the presentation for circulation. He couldn't recall a similar presentation to WMPOG and felt that it was really useful and interesting.</p> <p>Andy Donnelly asked on a practical level, whether STWL would be looking to CIL for investment and whether this would be legitimate? MF responded by pointing to a 2009 ruling in which it was questioned whether it was appropriate for Welsh Water to charge Barratts to connect to the supply. It is still not clear cut, and has led to a difference of opinion between Ofwat and the courts. Ofwat consider that customers shouldn't pay for new developments whilst the courts do. MF concluded by saying that he did not at this stage see CIL as being needed.</p> <p>Martyn Wilson asked whether it would be possible to have an understanding of the progress of the AMP's now and</p>	
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	<p>what investment is still outstanding at a sub-regional level. MF agreed that this was a reasonable request, and some areas have planned investment, but the grey area is the maintenance programme that has to be flexible, as they need to be responsive to failures in the system. However, MF agreed that he would take the request back and see how far they could go with providing the information.</p> <p>Gerald Kells suggested that it would be helpful to work with the LPA's to produce a list of what people want out of developments to reduce demand on the water supply. MF agreed and advised that STWL supported the water efficiency section in Birmingham City's Local Plan, which identified good practice for inclusion in new developments. STWL will continue to look for opportunities to encourage through the Core Strategies the use of SUDS, surface and foul water separation in new developments, as well as supporting good practice. MF stated also, that with a lot of retro fitting of existing stock, that STWL would look for water harvesting, but understood that the cost was prohibitive.</p> <p>Maurice Barlow asked about environmental improvements and an issue about whether the customers should pay, particularly in relation to water abstraction etc and what STWL's approach is? MF referred to the Water Framework Directive and stated that it set aspirational levels, which in turn dictates the capital investment needed to strip out phosphate and nitrates. MF stressed that the consultation process this time around will ask customers how much further should STWL go? Further MF identified that the Environment Agency (EA) regulate the water industry through licence controls, which in turn dictates investment. Jim Davies from the EA advised that they were working with STWL to look at treatment capacity, as well as the consenting regime around licensing assets.</p> <p>On the back of the work undertaken by BCC on their SPD on Sustainable Development, Andy Donnelly asked whether there was an opportunity for STWL to promote/encourage LPA's to include good practice, as he felt there was a gap in national policy. JD agreed and suggested that it would also be useful to look at the Duty to Cooperate on a catchment scale approach. MF agreed and reaffirmed that STWL were trying to promote policies in core strategies. He also advised that STWL were trying to take the blinkers off as a region and were looking across water areas, but that this will take time, but MF felt that it would happen in time.</p>	
2. National Planning Policy Framework	<p>Dave Carter introduced this item by asking colleagues for their views on the NPPF. He considered that it was a lot better than it could have been, and that there had been some fundamental changes from the draft. Further, he felt</p>	

	<p>that 90% was a summary of what we had before, and that the biggest gap was the Duty to Cooperate (DtC).</p> <p>Alister Scott was concerned about effective consultation taking place against the requirement to get plans in place in 12 months. He felt there would be issues of trust. In addition, despite the definition of Sustainable development at paragraph 8, paragraph's 18 – 218 provide further definitions. He was concerned that there wasn't enough guidance for decisions. In addition AS considered that there may well be resource issues around preparing plans and the risk of appeals. Further, the NPPF will not change anything to assist delays in the planning system, people will still object.</p> <p>Andy Donnelly asked about the status of the development plan, and whether the RSS is to be abolished . Gerald Kells advised that CPRE had checked with CLG, and it didn't look like the RSS could be abolished as CLG were working through the responses to the SEA. However, the NPPF will be a material consideration from day 1. The question will be how will Inspector's treat it, particularly in terms of the housing numbers and will they be out of date.</p> <p>GK further advised that CPRE were pleased to have got the majority of the changes into the NPPF, even the open countryside. However, he was still concerned about the brownfield bit, and that it was still very much reliant on the LPA's plan and that the NPPF does very little about brownfield land which crosses boundaries.</p> <p>Tony Lovett considered that there was still confusion about the neighbourhood plans relationship and whether it takes precedent in dealing with all the detail. He also questioned the appetite to do neighbourhood planning. DC's view was that the Neighbourhood Plans cannot undermine the strategic policies. Whilst TL agreed, he raised the conflict around when the Local Plan should take on board the Neighbourhood Plan issues and when the Neighbourhood Plan should be prepared in the context of the Local Plan.</p> <p>AS referred to the ministers address at the time the NPPF was launched, and pointed to the focus being on Local Plans. Only when prompted, did the Minister speak about Neighbourhood Plans. AS considered that this pointed to the Local Plan as being where people should contribute to the decision making, e.g. the housing numbers and their location.</p> <p>Ruth Mullen raised concerns about the expectation of community groups expecting support from LPA's in working up Neighbourhood Plans, particularly where there isn't a network of Parish Councils. LPA's don't have the resources to support Neighbourhood Plans.</p>	
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3. The Duty to Co-operate	<p>Dave Carter introduced this item by advising colleagues that following discussion at the last WMPOG meeting, he had given the revised presentation to the Chief Executives Task Force, who were quite interested in the issues and were keen to roll-out to LPA's. In doing so, DC advised that they had asked for a couple of amendments to the Duty to Cooperate (DtC) detail, about how it would be satisfied and to show it as a continuum. The Chief Executives Task Force also wanted to go away and talk about it in their own areas. It was also requested that a presentation be given to the West Midlands Council's meeting.</p> <p>DC went on to explain that he had also moved on with his thinking and had produced a matrix of relationships, which could be used to identify relationships across districts, strategic authorities, LEP's and outside of the region. The idea being that the matrix would be filled in bottom up. The example that DC circulated showed the information for the Greater Birmingham and Solihull LEP area, which had been completed through CEPOG. DC identified that it was beginning to show interesting discrepancies already, which would bring about the need for further discussion.</p> <p>DC hoped that the districts could be encouraged to complete the matrix and WMPOG could collate the information. DC stressed that it would not be for WMPOG to determine what happens, but that it could provide a steer to ensure it is a consistent approach and that it could be taken forward by the county groupings for completion and returned to DC for coordination.</p> <p>Alister Scott considered that the LA by LA approach was interesting and that it would also be useful to have it completed theme by theme – e.g., housing, employment, transport and rural development.</p> <p>DC agreed and suggested that the next step was for it to be used by other organisations – for example, DC had spoken to the EA about the Duty to Cooperate. Jim Davies agreed it would be useful for the EA to complete it, particularly in relation to hazardous waste.</p> <p>DC went on to think about what the DtC means, and whether a checklist could be produced. He circulated a first draft, and suggested how it could be used. For example, if Birmingham City met with Worcester City, what would be the starting point of the discussions? DC felt that a checklist could identify what could be covered in discussions, and that the areas of concern would be the most important. DC stressed that the checklist was a starting point and that it could be amended/added to and asked colleagues what else was needed. He also</p>	

	<p>identified that it could be used as the basis of a MoU to be signed by the LPA's.</p> <p>Andy Donnelly identified that it could be used by more than just 2 LPA's and that it needed to move towards the ladder of cooperation which identified where relationships were mutually identified.</p> <p>Ruth Mullen agreed that it was useful as a working document, but was concerned about it becoming a hostage to fortune at an inquiry. Particularly if it identified a disagreement, which could lead to an unsound plan. She questioned it's status and suggested that what LPA's did with it would be key. DC agreed and suggested that it would be naive to think that we can all agree.</p> <p>Joanne Mayne considered it could be split up depending upon the type of plan and level of detail, for example a core strategy or detailed plan. DC stressed that there was nothing that anyone could do to require LPA's to use the matrix or checklist. He had put it together thinking about the DtC and trying to stop it from falling down. He pointed to York's DtC statement, which was 30 pages, mostly waffle, but which included a few references to adjoining LPA's comments.</p> <p>Tony Lovett suggested that you need 2 parties to cooperate, if LPA's choose not to cooperate, where does that leave them? Maurice Barlow reminded colleagues that cooperation is not agreement. ADon agreed, suggesting that it would set out common ground, and that agreement could be reached through an inquiry.</p> <p>AS considered that there is nothing from preventing a strategic group from looking at the West Midlands as a whole. It could look at the issues at the top level, which without imposing the RSS figures could be a powerful tool of evidence. AS considered that whilst radical, it could provide the strategic framework for the DtC. He also considered that catchments may be better, as it would be joined up planning as a whole.</p> <p>Gerald Kells felt that the onus was only on LPA's to do it and to show reasonable action. In terms of the matrix, he felt that the words extent of disagreement or concern could be a problem, and may be better replaced with areas for more discussion.</p> <p>DC agreed and hoped that the discussion could move this forward, and did not expect that it would be cracked at the meeting. However, he hoped that the matrix could be completed and that the checklist could be improved further. He added that beyond the elections would be the time for further discussion at the WMC.</p>	
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	<p>Martyn Wilson asked about how it would operate in two tier areas, especially in relation to minerals and as a highways authority. TL agreed and added that RAWP and RTAB would come under the DtC.</p> <p>DC suggested that we needed to continue to share experience and pick these up.</p> <p>It was AGREED that the matrix and checklist be taken back to the county groupings for discussion and encouragement for the completion of the matrix.</p>	
<p>4. Update on LEP's and Emerging Planning Arrangements</p>	<p>Craig Jordon advised that the Greater Birmingham and Solihull (GB&S) LEP launched the Strategic Spatial Framework and Planning Charter (a copy was circulated with the agenda) at a visioning event on the 14th February 2012. An Action Plan is now being worked up to look at issues over the next 12 months.</p> <p>Tony Lovett reported that the Stoke on Trent and Staffordshire LEP had produced a Planning Charter and Charter Mark. The Planning Group had been led by a LEP Board Member, who had recently stepped down. The introduction of the Charter Mark had been introduced in February 2012 for LPA's to be rewarded for their service delivery. Although, having been launched the assessment criteria are yet to be finalised. TL will sent copies of the Charter to Pam Neal for circulation to WMPOG members.</p> <p>Jane Reeves provided the following update in respect of the Marches LEP. The Housing and Planning Auxiliary Group is currently preparing a "high level" planning and housing statement including overarching vision, a planning framework and some general principles to present to the Marches Board. Jake Berriman at Shropshire is leading on this. Kevin Singleton at Herefordshire is the contact officer on the Housing and Planning Auxiliary Group.</p> <p>In terms of the Black Country LEP, Laurence Jackson confirmed that there was a Planning Charter already in place, and that a validation checklist was being worked upon.</p> <p>Anna Rose reported that the Coventry and Warwickshire LEP had a Planning Protocol in place, and they were now looking at the Infrastructure Plans and Strategic Sites. The Planning Group were also looking at the culture around planning and how we can adapt. As part of this, issues of viability and pre-application charging were also being picked up.</p> <p>Andy Donnelly referred to a paper that had been circulated entitled "Strategic policy Framework for the West Midlands Metropolitan Area". He reported that it was a position</p>	

	<p>statement, and not the beginnings of a strategy, with the aim of filling the void between the NPPF and the Duty to Cooperate (DtC). Further, AD explained that the proposals set out were only those that were in existing plans and proposals, so nothing has been specifically included or excluded. AD advised that it will be sent formally to all LPA's LEP Chairs and the DtC bodies. Whilst he wasn't specifically asking for comments, AD was happy to receive any.</p> <p>Gerald Kells considered that the Greater Birmingham and Solihull LEP Charter went further than other LEP's. He then went on to ask about the Transport Governance Consultation and it's relationship to planning, and considered that colleagues will need to consider if they will be responding to it. AD advised that CEPOG had responded, but highlighted arguments around who is the transport authority.</p> <p>Alistair Scott also raised an issue about the need for LEP's to make linkages across the Local Nature Partnerships, who have a suite of work on environmental assets which could provide benefits to the development industry. He felt that there was a real opportunity being missed. Dave Carter referred to the visioning event that launched the Greater Birmingham and Solihull Charter and identified that there had been calls for more consultation. In responding to AS' comments, he suggested that it would be possible to hold a series of themed events, which could involve environmental issues.</p> <p>GK stressed that it would be key for business people to understand the environmental issues. AD also asked whether there were any discussion between LEP's on planning issues.</p> <p>DC advised that Craig Jordon chairs the GB&S LEP Planning Group, and whether the Chairs of the LEP planning groups should be invited to come along to WMPOG. TL reiterated that the chair of the Staffordshire & Stoke LEP was a Board Member but he was assisting. AR also confirmed that the C&W LEP chair was from the private sector also, but she sits on the group. Jane Reeves confirmed that it was the same for the Marches.</p> <p>It was AGREED that the LEP Planning groups be encouraged to have discussions about the links into WMPOG and representation on it.</p>	
5. Joint Monitoring 2011 and 2012	<p>Dave Carter outlined the position with regards to joint monitoring. Mott McDonald's did facilitate the survey's in April 2011, and DC had circulated by e-mail a table that showed the position with regards to the returns. Further, he advised that there was funding for monitoring for one</p>	

	<p>more year, so the position moving forward beyond 2011/12 would need to be discussed this financial year.</p> <p>Andy Davis advised that there had been a 74% response rate, which was a little lower than the last couple of years when the RSS was in place. Broken down he advised that the response rate from the Mets had been 95%, whilst the Shires stood at 67%. A response was still awaited from Herefordshire, Worcester City and Telford. Staffordshire and Warwickshire having provided an almost complete response.</p> <p>AD went on to explain that the lower response rate was beginning to show in the data analysis, with some gaps emerging. As we move into April 2012, the same survey will be repeated, and Mott McDonalds will be sending out the survey forms shortly.</p> <p>DC stressed that joint monitoring is still needed and that it was important to remember that the LEP's will also need the data. He asked that colleagues take back a strong message that WMPOG would like all LPA's to complete the forms. Further, he was aware that there were some detailed specification issues on Staffordshire, but didn't want to go down the route of a complete review of the specification yet, as the RSS is still in place. However, he was of the view that a complete review would be needed during 2012, but it would need to be mindful of the need to maintain as far as possible continuity and comparability.</p> <p>Finally, DC advised that he thought there was funding for the next year or so, but that money would need to be found to continue, and that he felt that funding from the LEP's was an opportunity that needed to be explored.</p> <p>Alister Scott suggested that the Local Nature Partnerships also need thought in any review.</p> <p>Ruth Mullen was not sure why Worcester City was showing as not having submitted data, as she was sure that this was complete. AD agreed to ask Les Jonhson at Mott McDonald to contact Worcester City direct</p> <p>Jane Reeves advised that Herefordshire's data was almost complete and should be on it's way shortly.</p> <p>Gerald Kells asked whether any thought had been given to the presentation of the data as a number of the LEP's overlap. DC confirmed that the output produced by Mott's consisted of a large spreadsheet with all of the data on it. This would then enable it to be aggregated up. However, it is not possible to add up all of the LEP data to get regional data, due to the overlap, but this is possible from the LPA data. He confirmed that the data is there, so it can be analysed. This had been circulated by DC in an e-mail</p>	
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	<p>that could be recirculated if needed. It would also be possible to hold on a website, but he was not sure where.</p> <p>GK went on to reaffirm that the data that was presented to the WMRA was both powerful and had the support for doing it. He asked how it could be presented to the LEP Boards to get their support for it. DC advised that Mott's had produced a report for the Greater Birmingham and Solihull LEP, and that whilst too promotional, a presentation could be prepared and taken to a meeting at the WMC's prior to sending it out to all LEP's.</p> <p>AD stressed that the gaps in the data will cause problems and water the data down, so it was important to maintain momentum. Andy Donnelly thought that Mott's had filled in the gaps from the LPA's AMR's. AD confirmed that they had, where it was available, but there was still some gaps.</p>	
6. Impact of Budget Cuts on Planning	<p>This is a standing item, and after discussion, it was agreed that it should continue to be on the agenda.</p> <p>Alister Scott asked about whether any extra money had been allocated to LPA's for Neighbourhood Planning. He referred to a speech by Greg Clarke, and recalled that it made reference to some additional monies. Craig Jordon confirmed that £20,000 had been allocated to the Neighbourhood Planning Front Runners. However, this money was not ring fenced and required LPA's to undertake additional work.</p> <p>AS also referred to an additional £50 million that CLG were committing until March 2015 to support local councils in making neighbourhood planning a success. No-one had any further details at this stage.</p> <p>Martyn Wilson advised that since Mark Middleton had left Worcestershire CC that they were facing budget cuts. He went on to explain that the planning service was going to be moved into another directorate, and that all of the planners were being consulted at the moment, but did not as yet know what the impacts would be.</p>	
7. Local Development Frameworks <ul style="list-style-type: none"> • Update on progress 	<p>Laurence Jackson advised that the hearing part of the Sandwell Sites Allocation and Delivery Development Plan Document and the West Bromwich Area Action Plan was over, but the examination was not, as it now needed to consider the NPPF.</p> <p>Dave Carter advised that the Inspector's report for the Aston, Newtown and Lozells Action Area Plan has been received, and the AAP found sound.</p> <p>Andy Donnelly circulated an updated table identifying the housing provision across the West Midlands. It was</p>	

	<p>agreed that AD would continue to update it quarterly, and would circulate it electronically to ensure all updates are picked up.</p> <p>Tony Lovett reported that following the examination which took place in November 2011, South Staffordshire are now consulting on proposed modifications to the Core Strategy. The modifications include extra housing provision, so TL advised that the LPA are concerned about the effects of the NPPF, and may have to go through another round of modifications.</p> <p>Martyn Wilson advised that the Worcestershire Waste Core Strategy had just been through its examination, and that the Inspectors report was awaited.</p>	
<p>8. Minutes of last RPOG Meeting (15th December 2011)</p> <p>Accuracy</p>	<p>Page 3, Section 3 – Update on LEP's and Emerging Planning Arrangements – typo in second line of minutes – tow should be replaced with two.</p> <p>Otherwise, the minutes were agreed.</p>	
<p>9. Matters arising</p>	<p>Ruth Mullen advised that Worcester City were using some of the New Homes Bonus that had been secured for Economic Development activity. This had been agreed by Cabinet. RM to forward the details for circulation.</p> <p>Gerald Kells advised that the support that CPRE are giving to Local Communities on Neighbourhood Planning on the back of CLG funding, comes to an end shortly. However, CPRE are expecting news shortly about what will happen in the next financial year. As a result of the work undertaken, there are some useful new documents on CPRE's website.</p> <p>Austin Barber advised that a seminar on neighbourhood Planning on the 25th April will go ahead. It is part of the RTPi CPD series, and will cover a number of case studies. Details will be circulated as soon as they become available.</p>	
<p>10. AOB</p>	<p>Dave Carter raised a question about the membership of WMPOG, and specifically whether the right people are being invited to attend.</p> <p>Alister Scott asked about the role of WMPOG, as it would be useful to understand in determining whether the invitation list was correct. It was agreed that DC and AS would discuss this outside of the meeting.</p> <p>Andy Donnelly asked about the other bodies under the Duty to Cooperate and whether they should be involved. DC agreed and identified that Jim Davies from the</p>	<p>DC and AS to discuss role</p>

	<p>Environment Agency was attending in response to that point. He also went on to stress that anyone else from the other Duty to Cooperate bodies were free to engage with WMPOG if they wanted too.</p> <p>Pam Neal to circulate the e-mail circulation list with the minutes, and DC requested that WMPOG members to check that the correct people are being invited and identify where there are other organisations/bodies etc that should be included.</p> <p>DC raised the location for future meetings, which was still to be resolved for 2012. He felt that the attendance appeared to be better when the meetings were held in Birmingham and asked colleagues for their views. It was agreed that the rest of the meetings for 2012 will be held in Birmingham. AS offered to host the June meeting at BCU. He also suggested that it may be possible to arrange a tour of the new site at Millennium point.</p> <p>Tony Lovett advised WMPOG that he would be retiring from Staffordshire CC at the end of May 2012, and that this would be this last meeting. He went on to advise that Mark Parkinson would be the Staffs contact. He bid colleagues farewell and thanked them for their assistance and cooperation. Dave Carter in turn passed on his thanks to Tony for his contributions to WMPOG over the years, and wished him well for his retirement.</p>	<p>PN to circulate list of invitees and All to review.</p>
<p>Dates of future meetings</p>	<ul style="list-style-type: none"> • Thursday 21 June 2012 10.00, - 1.00 pm – Birmingham City University • Thursday 20 September 2012, 10.00 - 1.00 pm – Birmingham City Council • Thursday 13 December 2012, 10.00 - 1.00 pm - Venue to be confirmed 	

West Midlands Planning Officers Group

Minutes of Meeting

Held on 15th September 2011 in the Room 401, Lancaster Circus, Birmingham City Council.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members: Mets - Dave Carter (Birmingham), Andy Donnelly (CEPOG Support Team), Paul Watson (West Midlands P & T Sub Committee), Dave Simpson (Solihull MBC), Laurence Jackson (Sandwell MBC)

Shires – Pam Neal (Warwickshire), Mark Middleton (Worcestershire), Hugh Lufton (Staffordshire), Amanda Dawson (Staffordshire), Rob Back (Rugby BC), Joanne Mayne (Stoke CC), Ruth Mullen (Worcester City)

Other sector reps: Roger Stone (BVWM – CLA), Paul Williams (WMBC/RICS), Gerald Kells (CPRE)

Universities – Claudia Carter (Birmingham City University), Mike Beazley (CURS University of Birmingham).

Apologies: Andy Davis (Warwickshire County Council), Alister Scott (Birmingham City University), Austin Barber (University of Birmingham), Tony Lovett (Staffordshire), Anna Rose (Rugby), Jim Newton (Coventry CC), Rob Haigh (Coventry CC), Andy Johnson (South Staffs), Andy Mortimer (Shropshire), Peter Yates (Herefordshire)*

* It was noted that as Peter Yates retires at the end of September and this would have been his last WMPOG meeting. In his absence, Dave Carter thanked Peter for his contribution to WMPOG and wished him well in his retirement.

Declaration of Interests: Roger Stone advised that he is a Trustee for the landowner for the HS2 interchange.

Agenda

Items	Main Points Discussed/Agreed	Action
1. National/Regional Planning Update – <ul style="list-style-type: none"> Localism Bill & National Planning Policy Framework 	Dave Carter asked colleagues for their general reactions to the NPPF. His view was that it was difficult to gauge it – on the one extreme it could be seen as a destruction of the planning system, and on the other that Government sees the Localism Bill as delivering things locally. DC feels that the Government are unlikely to change their aim of simplifying the planning system, and that any response to the NPPF should be to try to make the best of it.	

	<p>Mark Middleton identified that waste was excluded from the NPPF and that we need to await a new national policy statement on waste. Further, MM stated that whilst it said very little on minerals, RAWPs are still in place. MM felt that of most concern is the definition of sustainable development, in that there appears to be 3 different ones used in different scenarios – the first mirroring the Bruntland definition, the second being sustainability as planners would recognise, and thirdly, one around economic investment that will last. MM felt that it was critical that this be clarified at the outset, to avoid what will end up being a lawyers field day exploiting the differences in definition.</p> <p>Paul Watson agreed, suggesting that the cost of being in court all the time cannot be ignored. PW felt that the tactic of the national framework, together with up to date local plans and a suite of plans is right, but full of holes as it stands. DC agreed saying that the transitional arrangements will be key.</p> <p>Gerald Kells advised that CPRE had a meeting with the minister and Mr Clark had tried to give assurances. However, having been discussed at the Select Committee, the Government do not appear to be giving in on the definition of sustainable development. GK advised that this is an area of concern for CPRE. He also advised that the Government are aware of the risk of a transitional period, and that CPRE had put it to them, that it would be in a developers interest not to have a plan in place. They could then get an application through on appeal. The presumption in favour of development is of concern to CPRE, as are regeneration and brownfield issues, whilst its noted that retail and leisure have been covered in great detail. GK concluded by saying that the Prime Minister is also seeing other groups, and that his view was that any discussion about it being put on the back burner are unlikely to happen as it is now involving too many high politicians. PW agreed citing that George Osborne wouldn't put his name on a statement with Eric Pickles if it isn't likely to go through. Rob Back advised that Rugby Borough had had a recent meeting with Steve Quartermain whose view was that it may well be amended, but that it will be adopted.</p> <p>DC suggested that it needed filling out. Joanne Mayne felt that the intension was that it was down to LPA's to fill it out. JM stated that the statement about not repeating national policy in previous core strategies is of concern to Stoke, and that the transitional arrangements will be critical, which could be 12 – 18 months to get a local plan in conformity with the NPPF.</p> <p>Andy Donnelly raised concern about the length of the</p>	
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	<p>NPPF once the Government slot in the policy base for Gypsies and Travellers.</p> <p>Laurence Jackson asked about the progress of the Vanguard authorities and whether anything had started to emerge? Mark Middleton advised that Hereford was a Vanguard authority. Dave Carter also advised that there are two Neighbourhood Plan Vanguards in Birmingham , Balsall Heath and Hampstead and Lozells.</p> <p>Paul Watson pointed out that the any impetus coming from the community in relation to neighbourhood plans, puts an onus on the LPA's to cooperate. Hugh Lufton sought clarification as to whether a neighbourhood plan could propose development below that in a local plan. RB confirmed that it could not contradict it.</p> <p>AD stated that the neighbourhood plan could be driven by business, for example Tesco's could drive it. DC confirmed that this was a worry and could be where the funds for a neighbourhood plan come from. He identified that Birmingham had produced an SPD for Moseley Village in which Tesco's had proposed a superstore. The locals didn't want it, but it was granted planning permission. Under a neighbourhood plan, this would lead to tensions.</p> <p>Gerald Kells identified that it should be Parish Council's, if there is one, that should be the body to undertake a neighbourhood plan. If there isn't one, having now been identified as needing to be bigger than 3 people, he asked who is going to define what a neighbourhood is? He also advised that CPRE has some funding from CLG to assist in providing independent advise to Parish Council's and that it was working with NALC in identifying how to get involved in planning. He also advised that Planning Aid and the Princes Trust also had money from CLG, so there would be a variety of bodies to give advise.</p> <p>Mike Beazley asked who will do what. Will Planning Aid steer clear of training for Parish Councils? GK said that he wasn't sure, but the budget that CPRE has is to work with Parish Council's around the country.</p> <p>Dave Simpson asked about when the Neighbourhood Plans Regulations were due out. He stated that they would hopefully clear up any confusion. Laurence Jackson asked whether the reliance was going to be on the LPA's to help? MM referred to the Natural Environment White Paper which identifies that it is possible for local communities to identify areas of local importance. It may be possible that LPA's may be able to assist local communities to identify areas for protection.</p> <p>MB stated that this assumes that there is interest out there. LJ agreed referring to a recent article in the</p>	
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<ul style="list-style-type: none"> • CIL 	<p>Guardian that confirmed a lack of interest by the local community. RB confirmed that he had not come across a neighbourhood that want to prepare one in Rugby Borough.</p> <p>MM advised that he was speaking at a Worcestershire Parish Council's conference on the 18th October about Localism. He felt that this would be a good forum to find out what appetite there is for picking up Neighbourhood Plans. MM will report back.</p> <p>In Shropshire's absence, Dave Carter reported that they had received their Inspectors report, and that their CIL charging schedule had been found sound. Andy Donnelly had attended the inquiry and reported that Newark and Sherwood had objected to it. Their argument was that Shropshire were wrong in their approach and that their blanket zero approach for employment land would set a precedent and affect other CIL charging schedules. Both approaches were found sound.</p> <p>Mark Middleton reported that Worcestershire CC have approval to pool funding and proceed with work to produce an evidence base for CIL. Further, he advised that some of the LPA's had approval to use the New Homes Bonus. Under Section 106, the county has been successful in securing contributions for reduction and transport. The concern, with section 106 coming to an end, for the county is how these requirements will transfer across into CIL arrangements. MM feels sure that this will bring about the incentive for cross boundary cooperation in two tier areas. MM is not sure whether Worcestershire will have a county schedule, but there will be a common evidence base.</p> <p>Dave Carter asked about missing the CIL deadline and whether this is a problem? Further, he felt that if the viability test is undertaken now, in a years time, it could undermine development. DC also asked about the process of CIL following the Local Plan, and the risk that the deadline could be missed, and would it be better to do them in tandem, even if you may end up going back to redo some stages. Rob Back agreed, that whilst it is logical to do one after the other, which is what RBC have done, they regret it now, and wish they had done them in tandem. The risk now is that with 2 main sites in the Core Strategy, once they have planning permission, if the CIL is not in place, the only route available will be section 106. RBC are seeking legal advise on the issues around the deadline, as it is unclear. Also they are seeking clarity on what a contribution is. Hugh Lufton agreed that clarity would be useful, as it appears that you cannot claim pooled contributions on more than 5 sites, but it is unclear as to what is meant by pooled contributions.</p>	<p>MM to provide feedback</p>
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<ul style="list-style-type: none"> • DfT's Framework for Sustainable Aviation 	<p>Roger Stone asked whether all authority's were working towards CIL. HL advised that it wasn't necessarily the case, as you can still use Section 106 as well as CIL. Paul Watson felt that some developers prefer section 106, as it gives certainty for delivery. MM reminded colleagues the CIL will allow for a proportion to go to the local communities.</p> <p>MM also confirmed his understanding that the CIL schedules need to be progressed but that the imperative is to get the Core Strategy adopted, which will have an infrastructure delivery plan that identifies funding. Joanne Mayne confirmed that they have an Infrastructure Plan, which is a live document to be updated in line with CIL. She advised that Stoke are still on the fence with regards to CIL.</p> <p>Andy Donnelly considered that the viability work was interesting and felt that for the bigger developers this won't be a problem, as they will add it onto the land value. However, in urban areas, on smaller sites, questions of viability will kick in. AD was concerned about this as a large source of supply comes from windfalls, and stated that this needs to be looked at carefully.</p> <p>Hugh Lufton advised that Staffordshire and the Districts were currently considering joint working, and that joint viability work could be a part of this. MM confirmed that Worcestershire were also undertaking joint work.</p> <p>Andy Donnelly raised this document with colleagues and felt that it was worth noting as to Coalition Government have stated that they do not support any further aviation growth in the South East. AD felt that this may have implications for Coventry and Birmingham.</p>	
<p>2. The Duty to Co-operate</p> <ul style="list-style-type: none"> • Addressing unmet need in adjoining areas • Role/influence of LEP's in joint working • 	<p>Dave Carter introduced this item and suggested that this was important for WMPOG to discuss, as it is one of the only forum available for planners to have a discussion on it, and to ensure that the duty to cooperate works properly. If it doesn't, DC feels that it will be damaging, expensive and time consuming if it goes wrong. Whilst there is little flesh on the bones, DC was keen to discuss the implications of what it really means, as well as considering whether WMPOG needs to do any further work on it.</p> <p>Paul Watson agreed with DC and pointed to the paper circulated with the agenda on the Transport Arrangements. He felt that it provided an interesting shared narrative and understanding, which could be replicated to take forward spatial planning.</p> <p>Mark Middleton felt that whilst the duty is defined, it is still</p>	

	<p>difficult to gain cross boundary development plan cooperation, as District boundaries create mind sets about no development across boundaries. MM also considered that whilst the Local Plan regulations sets out the bodies that are included in the Duty to Cooperate, that the statutory undertakers should also be added. MM felt that Severn Trent in particular are key to be included in the Duty. He went onto to express his feelings around the LEP, and that there is a real need to find ways to get them involved, before they go and do their own thing. In Worcestershire he advised that the LSP and the LEP were working together, and trying to agree a core set of priorities. He advised that this was tricky as the LEP wants to develop in the green belt.</p> <p>Andy Donnelly suggested that the Transport Arrangements paper was useful, and questioned whether something similar should go to the Chief executives on the Duty to Cooperate. Dave Carter advised that he had been asked to attend the next Chief Executives Task Group to talk about the joint monitoring paper, and that he could take something if it could be agreed.</p> <p>In relation to the monitoring work, AD circulated a paper copy of the updated growth table that he had put together, based on information in the public domain from LPA's websites. AD felt it was useful and would potentially flag up where any duty to cooperate flashpoints may be.</p> <p>DC agreed it did just that, and that in the first two lines, it highlighted 30,000 less houses proposed than the number to meet household change. DC felt that if we didn't come up with a way to deal with it, we would be back to 30-40 years ago, with developers and LPA's arguing against each other. AD agreed and stated that this would result in mini EIP's at each Local Plan Inquiry.</p> <p>DC asked whether the resolution of the tricky issues had to be something more than the duty to cooperate? He suggested that there were potentially different options to deal with it, which ought to include the LEP's as they were the new shows in town. In the West Midlands, there are 6 LEP's, and it could be argued that this is the building blocks at which discussions take place instead of the Districts. Paul Watson considered that this was challenging to shire county colleagues, particularly with the demise of the RSS, but agreed that we should perhaps start with the LEP's.</p> <p>Mark Middleton confirmed that Worcestershire were rising to the challenge but felt that the trick will be to marry up the expectations of the LSP and the LEP. He felt that the LEP's, whilst interested in the housing numbers, will be more interested in employment numbers.</p>	
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	<p>Gerald Kells stated that he gets nervous about the inclusion of LEP's. The duty to cooperate is for LPA's and it will not be strategic planning. He stated that his difficulty with LEP's is that they are perceived to be one view of the world, which is driven by self interest. He points to the fact that the EZ's came out of the blue, and the assumption is that the NPPF can be pushed to one side is worrying. GK considers that there are lots of people that should be involved in the debate but can't engage. Further, he considered that if something is to happen at the strategic level, the LEP should be involved , but that it needs to include other people too. Further if the duty to cooperate is to work, it needs a way to bring in the environmental and civic sectors to support it too.</p> <p>DC felt that coherence is key that there were 4 options to move forward: -</p> <p>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.</p> <p>B – Operation of the new duty through existing strategic/ joint authority arrangements including the shire counties in two tier areas and through the existing West Midlands Joint Committee arrangements in the metropolitan area.</p> <p>C – In recognition of the standing of the new Local Enterprise Partnerships, to look to the new LEPs as umbrella organisations within which the new duty would be principally operated. Discussions between LEP areas would be through co-ordination at that level.</p> <p>D – A combination of B and C, would therefore permit consideration of the new duty informed by both existing arrangements but to recognise that LEPs would 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 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.</p> <p>PW agreed with the options, but felt that it was important to capture GK's point. Further, it would be best not to dwell on the role of WMPOG, but develop governance arrangements.</p> <p>Ruth Mullen's stated that C and D would work better in Worcestershire, but felt that the role for WMPOG was key. DC stated that his personal view was that it could be done at the LEP level alone, but the option to involve the LEP's would be his preference. Thereby, any strong LEP views could be included in discussions. MM felt that by the LSP's</p>	
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	<p>talking to the LEP's, this would pick up GK's point. His personal view is that if the LEP's don't get a statutory role, then they will lose interest. DC was content with the view that WMPOG would establish a protocol and a TOR.</p> <p>Rob Back advised that the CWLEP is currently producing a statement of growth. The LEP want it to go ahead, whilst currently, it is the LPA's that are struggling with it at the moment. RB agrees that it would be a good idea to do something coordinated, but that it needs to be done as quickly as possible. DC agreed that we need to be pragmatic and need to do something otherwise BCC will be at a lot of local plan inquiries.</p> <p>PW agreed, but suggested that it cannot be seen to reinvent the RSS. He felt that employment and retail is important too. Further, PW felt that the transport paper points the direction in which we could go. We could include some signals about WMC's role in spatial planning and include a shared narrative. PW asked whether a one page note could be produced which set out the 4 options to take to the Chief Executives meeting on the 4th October. MM asked whether it was worth talking to Rose Poulter about it? DC agreed and suggested that the recommendation would be to seek agreement to start talking about the process in more depth.</p> <p>Laurence Jackson asked what the sanction would be not to cooperate? PW felt that it would be an unsound plan, although the Duty to Cooperate could be seen as a constraint to Localism. DC felt that quantum and distribution also needed to be added to the discussions under the duty to cooperate as well.</p> <p>Hugh Lufton asked whether there was an expectation that LEP's appear at examinations? MM was concerned that an Inspector would seek the views of the LEP on employment policies, and if they weren't happy, the plan could be unsound.</p> <p>It was AGREED that DC would draft a short note and circulated it for comments, which would be tabled at the Chief Executive Task Group on the 5th October, and go from there.</p>	<p>DC to draft and circulate.</p>
<p>3. Applications for RTPI membership</p>	<p>Mark Middleton reminded colleagues that this had been raised as an issue at the last meeting, where it had been reported that there were incidents of applications to become Members of the Institute being turned down for quite dubious/unclear reasons. MM advised that the Worcestershire authorities had done some more work and circulated a questionnaire which confirmed the position. A copy of the summary of the responses is attached to the minutes for information.</p>	

	<p>MM advised that the results had been sent to Trudi Elliott and Rose Poulter, with the message that there is widespread discontent with the RTPI process. He also advised that the RTPI are altering the administration of the system to a computer based process from January 2012. He identified that there is therefore a dilemma for applicants as to whether they go for the last paper based approach or wait for the new computerised process – bearing in mind you can only apply 3 times.</p> <p>MM also confirmed that the RTPI President had also been made aware of the concerns about the process and it's cost when he visited the West Midlands.</p> <p>Dave Carter reconfirmed that if an application fails, then you have to pay again, so muted the suggestion that it is in the RTPI's interest to reject applicants.</p> <p>Andy Donnelly confirmed that the issues have also been raised by POS and the private sector. He is aware that Mark Walton – Chair – RTPI West Midlands has specifically been involved in discussions.</p> <p>Ruth Mullen confirmed that at the Worcestershire Planning Officers meeting everyone round the table had examples of issues about the speed of turn around, the feedback not being helpful, as well as some applicants being accepted whilst others with no discernable differences in their applications.</p> <p>Mike Beazley also confirmed that at an APC event held at the University in May the same issues were being raised, and they had been sent through to the RTPI as well.</p> <p>DC asked whether WMPOG needed to do anything? MM confirmed that it would be useful for WMPOG to keep an eye on it, and that to date there was no explicit reply from Trudi Elliott.</p>	
4. LEP's and Spatial Planning	<p>Hugh Lufton advised that Staffordshire had two LEP's, and wasn't aware that an awful lot was moving forwards on spatial planning. Joanne Mayne advised that the Stoke and Staffs LEP was setting up a Planning and Business meeting. HL confirmed that it's primary focus is on funding for regeneration.</p> <p>Paul Watson advised that the Marches LEP was in it's infancy and had just appointed it's Chair.</p> <p>Mark Middleton advised that in Worcestershire they were trying to get the LEP involved in spatial planning, although this had been slow to get organised. Further, the LEP had taken quite a hostile attitude to the South Worcester plan.</p>	

	<p>The support for the LSP and the LEP is in the Worcestershire's Economic Development Unit. One issue that has arisen is the need for independent planning advice, that is not biased. In particular MM advised that the 7 Chief Executives has received a letter from a consortium of local architects etc offering to give independent planning advice.</p> <p>Rob Back advised that the CWLEP is fairly well advanced and has a sub group for both planning and transport. Further RB reiterated that a statement of growth is currently being produced, and there are a few arguments taking place. Further the LEP has started to talk to the HCA and the planners there. Gerald Kells asked about the status of the statement of growth, and whether the LPA's are members of the LEP. In particular, GK asked how it would work in practice, especially in respect of the LPA's work on their Local Plans. RB stated that the hope was that it will be a statement that can be agreed by the chairs of the sub-groups and agreed by the LPA's and the LEP board. Andy Donnelly asked as to what the statement could say, as the sub-region is subject to significant growth pressures, and was concerned that the statement could end up wholly. RB acknowledged this and stated that it was likely that the statement would not contain either numbers or locations.</p> <p>PW in response to GK's point, advised that LEP's and LPA's can have different views.</p> <p>Laurence Jackson advised that the Black Country LEP are promoting a business friendly planning charter, but little else on the planning front. LJ felt that this was because they are well placed, having a core strategy in place. MM advised that Worcestershire had picked up the charter and felt that it told business what planning does. MM will be having a go at recasting it, so that it is two-way, in terms of including what he would like to see business do too.</p> <p>In terms of the Greater Birmingham and Solihull LEP, DC advised that it was undertaking work on a business friendly planning system. It's Board had also agreed to produce a high level spatial framework plan. This will have two aspects : -</p> <ol style="list-style-type: none"> 1) A GIS base which pulls together the existing plans, and 2) A forward looking plan – for 25 years, which in short will be a short 12 page document that is inspirational and provides the chance for everyone to be involved in it's production. DC sees it being produced on a non statutory cooperative basis and that it will provide the context for local plans in due course. <p>DC advised that a report will be taken back to the LEP Board , which will include detail around the growth planned, both housing and on the economic side. The</p>	
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	<p>plan is to move forward and see how far it goes. Gerald Kells asked whether the document will be produced and then presented? DC advised that the principle was not to just come up with the document, but to give people the opportunity to be involved, and that the intention was to include consultation.</p>	
5. Impact of the Recession	<p>Paul Watson kicked off this discussion by expressing concern about planning budgets and the state of the job market, in that currently doesn't appear to be any churn, and that we are losing the most experienced people. Dave Cater agreed, and was concerned that we would be seeing real problems when the economy picks up.</p> <p>Ruth Mullen agreed and suggested that the upturn of major applications would cause issues of matching resources to budgets.</p> <p>DC asked about any moves towards joint services. He is aware of Bromsgrove and Redditch that have merged all but planning policy, and that are continuing to produce two core strategies. RM advised that Worcestershire were looking at shared specialist services across the county. Hugh Lufton advised that whilst across the regional boundary, Staffordshire Moorlands and High Peak have joint services.</p>	
6. High Speed 2	<p>Paul Watson advised that on the 8th November HS2 Ltd are holding a briefing on the Y network. He also pointed WMPOG members to a letter setting out HS2 Ltd's remit in advance of the Minister announcement. Details are on the HS2 Ltd web site. http://www.hs2.org.uk/publications/HS2-Ltds-remit-of-26-July-2011-73393</p> <p>Hugh Lufton also advised that a liaison event had been held where HS2 Ltd indicated that they would be writing to the Local Authority's in the first phase to start to look at environmental matters and mitigation on a without prejudice basis.</p>	
7. Local Development Frameworks <ul style="list-style-type: none"> • Update on progress 	<p>It was agreed that the document circulated by Andy Donnelly and discussed under Item 2 above, set out succinctly the latest position with progress on LDF/Local Plans. It was also agreed that the table should be kept up to date quarterly, and be kept as an item on the agenda.</p> <p>Mark Middleton advised that the Worcestershire Core Strategy had hit a procedural point with regards to proposed minor tweaks to the publication draft. They intended to publish them for consultation and then provide a response to the Inspector after submission. However, the feedback from PINS is that they must be subject to 6 weeks consultation before submission, which will now delay submission. Joanne Mayne confirmed that Stoke</p>	

	had had the same issue. Dave Carter agreed that this was an important point that colleagues should be aware of. He asked though whether you could risk not consulting on minor changes and leave it to the Inspector to pick them up. MM agreed this was possible, but was concerned that the Inspector could take a different view to the LPA.	
8. Minutes of last RPOG Meeting (15th March 2011) Accuracy	The minutes and accuracy were agreed.	
9. Matters arising	<p>Under item 1 on the National Planning Policy Framework, Dave Carter will speak to Rose Poulter about facilitating an event on the NPPF, although he suspects that this will be swept up to the Chief Executives meeting.</p> <p>Under item 1 on Local Planning Application Fees Paul Watson asked colleagues whether there was any news on planning fees. No-one was aware of any progress.</p> <p>In relation to the Stevenage report, Gerald Kells asked for a copy of the documents circulated prior to the last meeting. PN to forward them to GK.</p> <p>In relation to Item 3 on Joint Monitoring, Mark Middleton was concerned that some of the office and retail figures for the Worcestershire Districts were marked by an *, as being incomplete in the report circulated at the last meeting. He advised that he had spoken to the Districts who have confirmed that they have provided the information to Mott McDonald. He asked for clarification of what was wrong. DC agreed that it was necessary to get to the bottom of what was wrong, the footnote or the figures, and will ask Mott McDonald to speak to David Onions at Worcestershire CC to get to the bottom of it.</p> <p>Andy Donnelly reminded colleagues that the deadline for this years data was the 3rd October.</p> <p>GK asked for a copy of the report that had been circulated previously. DC agreed to e-mail him a copy.</p> <p>Under item 4, MM asked about the progress of the Consultation on the Change from Employment Floorspace to Residential, and whether there were any indications of what the Government's was doing? No-one was aware, but AD reminded colleagues that it was included in the NPPF. It was noted also that the Black Country and the Marches LEP's submitted responses to the consultation.</p>	<p>DC to speak to Rose poulter if necessary</p> <p>PN to e-mail GK copy of the press release</p> <p>DC to get Mott McDonald to contact David Onions</p> <p>DC to e-mail GK a copy of the 2010 report.</p>
10. AOB	Mike Beazley advised that BCU and the University of Birmingham had recently hosted a Planning Research	

	<p>Conference. It had been agreed that the Conference would make a statement on the planning system from the views that emerged during the Conference, and submit the statement to the Government. MB will circulate the statement to WMPOG when it is available.</p> <p>Claudia Carter advised that next year's annual event is in Brighton, and that it would be really beneficial if more practitioners could attend next year.</p> <p>Mark Middleton advised that he is retiring at the end of December 2011, and that the next WMPOG meeting would be his last one. He confirmed that he will try to ensure that Worcestershire CC is still represented at WMPOG.</p> <p>In relation to the report circulated under item 10 of the agenda on Transport Arrangements, Gerald Kells asked how other groups will be involved? DC agreed that this was a good point, and that the question needed to be forwarded onto Rose Poulter.</p> <p>Secondly, in relation to the abolition of the RSS, GK asked what was happening in relation to the SA/SEA? Paul Watson advised that he was aware of a Government statement that identified that they needed to do an SEA when the RSS is abolished and that it will need to be consulted on once it's prepared. GK asked about the timescale and if there was any information as to who was doing it. GK felt that the Government would be in the water of they were not done!</p> <p>DC asked Paul Watson about any information on the production of SHMA on a market housing basis and whether there was any progress on joint SHMA's? PW advised that it would be useful to get the Chairs of the SHMA's together and felt that could be something that WMPOG could facilitate.</p> <p>Roger Stone advised members that following the discussion about the RTP1 membership, that the RICS has introduced a new grade of membership, and they were keen to get new members.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • Thursday 15th December 2011 – 10.00am – 1.00pm – Committee Room 1, Rugby Borough Council. • Meeting dates for 2012 to be confirmed. 	

Regional Planning Officers Group

Minutes of Meeting

Held on 16th June 2011 in the Oak Room, County Buildings, Staffordshire County Council Offices, Martin Street, Stafford.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members: Mets - Dave Carter (Birmingham), Andy Donnelly (CEPOG Support Team), Rob Haigh (Coventry), Martin Dando (Dudley MBC)
Shires – Pam Neal (Warwickshire), Andy Mortimer (Shropshire), Mark Middleton (Worcestershire), Peter Yates (Herefordshire), Amanda Dawson (Staffordshire), Hugh Lufton (Staffordshire), Peter Davenport (Staffordshire), Anna Rose (Rugby BC), Andy Johnson (South Staffs), Matthew Wedderburn (Telford & Wrekin)

Other sector reps: Roger Stone (BVWM – CLA)

Universities – Claudia Carter, Birmingham City University.

Apologies: Andy Davis (Warwickshire County Council), Alister Scott (Birmingham City University), Mike Beazley (University of Birmingham), Austin Barber (University of Birmingham), Tony Lovett (Staffordshire), Sherman Wong (West Midlands Councils), Harmesh Jassal (Stoke on Trent)

Declaration of Interests: Roger Stone advised that he is a Trustee for the landowner for the HS2 interchange.

Agenda

Items	Main Points Discussed/Agreed	Action
1. National/Regional Planning Update – <ul style="list-style-type: none"> Localism Bill 	<p>Dave Carter referred to a seminar that had been hosted by the West Midlands Councils (WMC) for Councillors on the new planning system, and in particular the presentation by Trudi Elliott (TE) which had been circulated with the agenda. DC felt that this gave a good summary of the changes to the planning system. He reported that the Bill has got issues and there are various organisations trying to get amendments as it goes through the Parliamentary process. DC felt that the Duty to Co-operate is important, and it will be key to keep an eye on how it ends up in the final legislation.</p> <p>Mark Middleton confirmed that it was a useful seminar and hoped that it was the start of a process where the West Midlands Councils will become more active, and asked RPOG members to consider any other training that WMC</p>	

<ul style="list-style-type: none"> • National Planning Policy Framework 	<p>could arrange for members. MM agreed that Trudi Elliot's paper was useful and that she is a good RTPI Chief Executive. Whilst not a planner, she is Midlands based and understands planning and our issues. MM confirmed that there was a good member turnout and that Trudi's message was that all members need to get involved in planning and understand Localism.</p> <p>MM slightly disagrees with TE in her view that the Duty to Co-operate will replace Regional Planning, as it won't be statutory. The RTPI are still trying to strike down clause 124. TE still emphasised the need for an up to date evidence base, and that LA's will not be able to progress an SPD without a Local Plan being in place.</p> <p>Peter Davenport concurred with the point that TE was pushing LA's to have Local Plans in place that are up to date. Also, she was reinforcing the need for all members to understand the implications not just the planning committee members.</p> <p>DC asked whether there was any clarity on the definition of Sustainable Development? Peter Yates referred to Greg Clark's announcement on the 15th June, but considered that it didn't really help.</p> <p>PY suggested that there would be real difficulties with the need to do a health check of neighbourhood plans with Local Plans. Also, he saw problems with neighbouring LPA's and needing to chase responses. He continued by suggesting that the Duty to Co-operate, apart from needing to chase, it shouldn't be too problematic for LA's but that other bodies, such as the Environment Agency, Natural England, the Highways Agency and the Heritage bodies, if they aren't included it will cause serious problems. DC asked about the inclusion of the utility companies. PY confirmed that as they are not Government bodies they would not be included.</p> <p>Peter Yates started this discussion by expressing concern at the paper that had been circulated to RPOG members by the Practitioners Advisory Group, and asked how much influence do they have? Peter Davenport confirmed that it comprised representatives from the LEA, RSPB, Property arena and 1 other person – 4 in total.</p> <p>Mark Middleton advised that the NPPF was due to be out for consultation in July. DC asked whether RPOG should be doing anything once the consultation is out or will it be sufficiently covered by LPA's and groups of LPA's? Andy Donnelly was of the view that as there is no political sign-off for a regional LPA response, then we ought to ensure that we share as widely as possible the key points. Further he suggested that trying to influence the LEP</p>	
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<ul style="list-style-type: none"> • Local Planning Applications Fess Scales • CIL 	<p>representations ought to be considered, and he considered that the Government may be more likely to listen to the LEP's. DC considered that RPOG could facilitate a process, maybe an event, where it could be split up to look at different aspects – centres etc, the people who were involved regionally are still around, and we should be using their expertise to tease out the technical points. PY agreed that it would be useful as a peer group, but questioned what mandate RPOG had except through the WMC. MM advised that Rose Poulter was thinking about getting the chairs together from the various groups, as it is now a year since she last reported to the Chief Executives task group. He felt that the DC's suggestion would be a useful one to talk to Rose about, and get the WMC to organise and pull in transport, environment etc to cover all the technical aspects. Whatever then came out could be circulated by the WMC. AD considered that it could be hung around the Duty to Co-operate.</p> <p>It was AGREED that Dave Carter would contact Rose Poulter to come up with a proposition.</p> <p>Anna Rose reported that the Regulations were due to be out in August 2011. PAS are running a benchmarking process to try and establish a formula nationwide. This involves producing timesheets over a 4 week period to capture the work needed to process and planning application. The basis of this exercise being that the existing fee structure does not cover the costs, and despite a 10-15% increase in planning fees it will still not cover the costs.</p> <p>Peter Yates confirmed that Hereford were also undertaking the 4 week timesheet exercise, but was concerned that as the fees are not supposed to cross subsidise other parts of the planning services through the regulatory function, that any increase will still not cover costs.</p> <p>Andy Johnson advised that South Staffordshire were about to start the timesheet exercise anyway, but were not in the PAS benchmarking process.</p> <p>AR concluded this discussion by advising that any new planning fees needed to be approved by Cabinet or Council, and in Rugby, this is unlikely to happen in October 2011, more likely to be in April 2012.</p> <p>Andy Mortimer advised that the Inspector for the Shropshire examination had been appointed and is Sue Turner. The examination is due to be 2 days – 27th/28th July. The examination at Newark and Sherwood is the</p>	<p>DC to contact Rose Poulter</p>
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<ul style="list-style-type: none"> • Stevenage report 	<p>week before. AM advised that Newark and Sherwood had objected to Shropshire's CIL for having a zero rate, they have set for commercial, saying that everyone should have the same approach as it will not be a level playing field.</p> <p>Andy Donnelly asked about the level of response from the development industry. AM advised that they were fairly content. Peter Yates felt that the rates were not that high, £4k for a house in an urban area and £8k in rural. He asked whether S106 would want to extract more? AM advised that the rates would be applied to each and every house and that in the first year they were expecting £8 million, but confirmed that S106 could still be sought if the CIL does not cover everything.</p> <p>Anna Rose advised that before the legislation, Milton Keynes were charging £18k , but found it to be too low as it did not pay for everything. Andy Donnelly reported that the Mets had done some calculation which could be circulated in confidence, but that if viability was an issue, LPA's could vary the charge.</p> <p>Roger Stone felt that CIL and fess will stunt development and that since 1947, S106 seems to have been the only mechanism that has worked, with everything else being repealed. AR felt that CIL would provide certainty for the developers, which S106 doesn't, especially in 2 tier areas, where it's not certain and unclear. Further, she felt that if CIL was set, then it could be included in any land price.</p> <p>Dave Carter referred to the documents that had been circulated with the agenda, which related back to the Duty to Co-operate and the implications of it at the extreme end. He considered it was one that colleagues ought to be aware of.</p> <p>Roger Stone asked whether the decision pre-dated the Cala decision? Andy Donnelly confirmed that it was the day before the Cala 2 judgement, which leave the conundrum of going with the RSS figures, but if not you must have a robust evidence base.</p> <p>Anna Rose confirmed that Inspectors were looking at population forecasts and how much growth is needed based on the forecasts. DC suggested that this would affect Birmingham in terms of 80,000 vs. 50,000 and that the balance would have to go somewhere. In terms of the Duty to Co-operate the Inspector will want to know where the 30,000 will come from. He considered that this took us back to the 1970's and the arguments about migration.</p> <p>Peter Yates advised that GL Hearn were looking at all populations and relating this to people of working age. The</p>	
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<ul style="list-style-type: none"> • Natural Environment White Paper • New Homes Bonus 	<p>implication being that if you drive down population then you will drive down the number of people of working age, and you will then need growth and inward migration. Otherwise you will affect the ability of local companies to recruit and create jobs. PY also said that there was an interesting link between the age profile, sustaining the economy and housing numbers. DC agreed that this would be an interesting piece of work to keep an eye on. MM considered that there was a link back to the WMC training event, in that unless Members grasp the nettle, then planning will be done to us on appeal.</p> <p>Peter Yates was shocked by the little regard that White paper has for the role of LPA's and the existing protection of the hierarchy of sites and felt that colleagues ought to be aware of this, if they aren't already. It proposes new bodies and quangos and new local groups to cut down on bureaucracy.</p> <p>Dave Carter asked colleagues about their success in securing any resources from the New Homes Bonus? He was aware that Walsall had, but asked if anyone had? Andy Donnelly agreed to check with Walsall and if possible circulate their report.</p> <p>Peter Yates advised that the CPRE were stating that clause 124 in the Localism Bill is not lawful, and you can't be allowed to grant planning permission to get New Homes Bonus. He also suggested that the link between gypsy and traveller provision and the New Homes Bonus isn't going to work.</p> <p>Mark Middleton advised that Worcestershire have been authorised to pool 20% of their NHB if the other Worcestershire authorities do the same to fund strategic infrastructure.</p>	
<p>2. The Future of RTAB and RAWP</p>	<p>Mark Middleton asked whether RTAB and RAWP were going to continue to meet? He said that Worcestershire colleagues certainly considered them to be valuable forums, but were unsure as to their future. MM also asked whether they ought to be specialist groups of RPOG?</p> <p>Pam Neal asked whether there was any resolution over the funding of the RAWP secretariat. It was understood that CLG were still deciding this, and if there was funding, that they would have to go down the tender process. Peter Davenport agreed to check with Paul Wilcox.</p> <p>Peter Yates felt that as RAWP have an apportionment role coming directly from national planning policy that it must</p>	

	<p>continue, and as such it may not be possible for the group to answer to RPOG. He felt that RTAB was in a different position.</p> <p>Dave Carter agreed to speak to Rose Poulter about RAWP and RTAB.</p>	<p>DC to speak to Rose Poulter</p>
<p>3. Joint Monitoring Group update and results of 2010 spreadsheet</p>	<p>Dave Carter circulated a print out of the spreadsheets produced by Mott McDonald on our behalf, which summarised the April 2010 survey results. He hadn't circulated it electronically as he wanted colleagues to have the opportunity to pick up and correct any errors. He felt that if it was circulated electronically this would be more difficult to achieve.</p> <p>DC asked that it could be disseminated and that LPA's be asked to come back to him by the 24th June with any errors. The changes would be made and then the final version would be circulated.</p> <p>Mark Middleton felt that it was useful to have information by LEP area and it would be useful information to be able to talk to them with. However, he asked how overlapping LEP's were to be dealt with? DC advised that the raw data was available by District and LEP area, so it could be aggregated from the District figures. However, he advised that it was not possible to add up the LEP figures to get regional ones, as there will be some disparities.</p> <p>In terms of the 2011 position, DC advised that the funding was in place and that the survey information and the specification were considerably reduced and that this had been sent out by Motts. Further, DC advised that this could continue for 1 more year and subject to the LEP's reaction, could be a springboard to establish a longer term system.</p> <p>In terms of the additional overview paper that Ian McLeod has produced from the employment information, DC asked for views as to whether it would be useful to have a paper for housing, and if so, who could produce it? MM agreed to ask David Onions if he could produce something.</p> <p>Andy Donnelly asked about time series data and if it would be available? DC advised that we have all of the raw data on disc that went to the RSS examination. However, Motts will charge for anything else, and in particular if LPA's want tailored analysis.</p>	<p>ALL to respond to DC</p> <p>MM to speak to David Onions</p>
<p>4. LEP's and Spatial Planning</p>	<p>Dave Carter asked whether it would be useful to hear from colleagues as to how their respective LEP's were getting involved in planning. He kicked off by advising that the Birmingham and Solihull LEP had established a</p>	

	<p>planning sub-group and had had initial discussions about the barriers to planning and economic growth. It had also now recognised the need for a spatial plan for the LEP. This would be a high level document that would look at growth and distribution, and whilst no work had started as yet, there was growing consensus that it needed to be done.</p> <p>Roger Stone asked whether LEP's were going to be Planning Authorities or not? DC advised that it would depend upon the Localism Bill. Hugh Lufton advised that the views of the LEP's were to be considered as material considerations, whilst Anna Rose considered that they could not take development control decisions, but could look at the strategic level. DC stated that he did not expect that the LEP's will be given statutory powers, but that the Districts could delegate upwards for recommendations on strategic planning, which could then set the context for each individual core strategy.</p> <p>Peter Davenport advised that the Staffordshire and Stoke LEP had identified planning as something that they want to look at, but hadn't undertaken any work to date. PD expected it to be around Development Management, but at an awayday, they had touched on strategic planning. PD further went on to express concerns about democratic accountability and the difficult issues that this would raise particularly in relation to enterprise and conditions for growth.</p> <p>Mark Middleton advised that he had produced a diagram for his LSP's Place Shaping Group, which looks at how it relates to the LEP, which could be circulated. In terms of the LEP, it isn't sure what it wants to do on planning. In Worcestershire, the SCS is still needed and a review of the SCS and LEP's economic priorities and strategic core strategies is underway to synthesise them into a high level planning strategy that will sit under the LSP and not the LEP. How they will relate is not clear, but a statement of priority will assist in making decision about infrastructure. MM's view is that Core Strategy's Economic Policies need LEP endorsement. DC flagged that Worcestershire have an LSP that corresponds with the area of the LEP, which Birmingham doesn't have making this more difficult.</p> <p>Anna Rose advised that the Coventry and Warwickshire LEP was quite far ahead. It has a planning and property sub-group, which has produced a planning protocol and an employment growth paper. The protocol isn't supported by all Districts yet, and that there is conflict between the growth agenda and the LEP.</p> <p>In terms of the Black Country, Martin Dando advised that the adopted Core Strategy has been endorsed by the</p>	
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	<p>LEP board, which is a good position. However, this hasn't stopped the LEP Chair from saying that the Core Strategy is a barrier to growth!</p> <p>In terms of the Marches LEP, which covers Shropshire, Hereford, Telford and Wrekin, Peter Yates advised that Jake Berriman is working on something to present to the Planning and Housing Group, which he chairs. A business plan is being produced too. PY also advised that Hereford has now had agreement to bid for an EZ.</p> <p>Andy Donnelly confirmed that the Black Country is bidding for 4 EZ's, whilst MM advised that Worcestershire officers are able to advise the LEP Board on the EZ bid.</p> <p>MM also raised concerns about the current consultation on allowing employment floorspace to change to residential. Whilst the County Council would not be responding, MM was putting some comments to the LEP to include in their response.</p> <p>Roger Stone confirmed that the West Midlands Business Council did not want employment premises to become residential, as this will hit small businesses particularly. AD confirmed that the P & T Sub Committee made the very same point and were concerned about the effects on start ups as small premises will be lost.</p>	
5. Impact of the Recession	There was no discussion on this item.	
6. High Speed 2	<p>Roger Stone had attended a consultation event in Hampton in Arden. He felt it was a good event and provided good information.</p> <p>Dave Carter advised that the Birmingham and Solihull LEP had endorsed support for HS2, although Lichfield was not in support at all.</p> <p>Peter Davenport confirmed that the Staffordshire LEP were considering HS2 at it's next meeting.</p> <p>DC asked about Stoke and whether they were supportive? PD advised that he believed that they were supportive if they could get a station. PD suggested that north of Birmingham there is a bit of cynicism about whether it will happen, and that Staffordshire's view is that it isn't value for money.</p> <p>Peter Yates asked why not improve the existing network ?</p> <p>Anna Rose confirmed that Warwickshire had objected and their objection was strongly worded. Rob Haigh confirmed that Coventry were also objecting. This being based on the</p>	

9. RPOG – change of name	<p>Dave Carter suggested a change of name to West Midlands Planning Officers Group. This was AGREED.</p> <p>It was also agreed that the note referred to at item 3 will come from WMPOG.</p>	
10. Minutes of last RPOG Meeting (15th March 2011) Accuracy	<p>Pam Neal apologised for the late circulation of the minutes.</p> <p>It was AGREED that any issues of accuracy would be raised by e-mail to PN, who will then make any changes as necessary.</p>	ALL
11. Matters arising	<p>Peter Davenport picked up on the point about GOWM having now closed, and pointed out that CLG are now the only Government department not to have a local team. BIS have one, and Ian Smith is now in the LSC team at BIS, DfT have a local team with the HA at the Cube. Dave Carter asked whether this was an issue? Mark Middleton suspected that it would be an issue for CLG more, in that they don't have local eyes and intelligence.</p> <p>In terms of monitoring, DC referred to the West Midlands Chief Executives meeting that he attended. They were interested and were supportive of the work that WMPOG was doing. DC felt that it would be useful to take any items to them again.</p> <p>MM asked about membership of WMPOG, and whether there was a need for the 'other sector' to have a presence? DC agreed to pick this up with Rose Poulter.</p>	DC to speak to Rose Poulter
12. AOB	<p>Andy Johnson advised that the next POS Spatial Planning and Policy Group meeting was to take place outside of London. The next meeting is on the 1st July in the Town Hall, Birmingham, starting at 11.00am. The group is chaired by Dave Simpson and all are welcome to attend.</p> <p>Claudia Carter advised that Alister Scott had recently hosted a Big Society seminar, which had been attended by a host of stakeholders. There is also a Strategic Planning meeting on the 13th July, which will be a follow-up to the Big Society seminar. Details will be circulated once they are confirmed.</p> <p>CC also advised that the survey that was carried out into training had received 30 responses, which are currently being analysed by the students. One point that is coming out, is that there are opportunities to share expertise across authorities, either in short meetings or workshops, instead of attending paid courses. She advised that AS hoped to report back to the next meeting.</p>	

	<p>Anna Rose raised the issue of an planner in Rugby Borough having had her application for RTPI membership turned down. AR advised that upon seeking clarification as to why, it was discovered that 60% of her cohort had also been turned down, and it would be a further £200 to reapply. AR wondered whether other colleagues had similar experiences? Andy Donnelly confirmed that one of his colleagues had experienced the same issue. Further Rob Haigh advised that informally a view that the RTPI were being more stringent with first time applicants on the basis that if they really wanted to join, they'd apply again! Mark Middleton confirmed that he had experience of 2 out of 3 applicants being turned down.</p> <p>DC considered that this may be a useful item to take to the POS meeting, as he thought the RTPI may be there.</p> <p>Andy Mortimer advised that Shropshire had been chosen to be a Neighbourhood Plan Front Runner, and that they had attended a meeting with a CLG rep in London, and that there had been a launch in London on the 6th May.</p> <p>Mark Middleton advised that Worcestershire were a DEFRA Total Environment pilot, and had undertaken some good work on green infrastructure. This could be an agenda item for a future meeting if people were interested.</p> <p>Peter Davenport advised that there were useful presentations on CLG's website on EZ's</p> <p>Dave Carter also suggested that the EPSON Rise project may be of interest . The RA lead it and DC is the lead officer. He also referred to the Planning Network UK, who recently met at the Millennium Point. Whilst mainly academics it was a good event and have some useful information on their website.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • Thursday 15 December - 10.00 - 1.00 - pm – Committee Room 1, Rugby Borough Council 	

Regional Planning Officers Group

Minutes of Meeting

Held on 15th March 2011 at John Peek Room at the Birmingham & Midland Institute (BMI), 9 Margaret Street, Birmingham, B3 3BS

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members: Mets - Dave Carter (Birmingham), Andy Donnelly (CEPOG Support Team), , Jim Newton (Coventry), Joanne Mayne (Stoke-on-Trent), Laurence Jackson (Sandwell MBC)
Shires – Pam Neal (Warwickshire), Andy Mortimer (Shropshire), Mark Middleton (Worcestershire), Peter Yates (Herefordshire), Amanda Dawson (Staffordshire), Tony Lovett (Staffordshire).

West Midlands Councils : Sherman Wong

Other sector reps: Roger Stone (BVWM – CLA)

Universities – Mike Beazley (CURS – University of Birmingham), Claudia Carter, Birmingham City University.

Apologies: Andy Davis (Warwickshire County Council), Phillipa Smith (Sandwell), Alister Scott (Birmingham City University), Austin Barber (University of Birmingham), Paul Williams (RICS & West Midlands Business Council), Ray Colbourne (GOWM), Andy Johnson (South Staffordshire), Dave Simpson (Solihull MBC)

Declaration of Interests: Roger Stone advised that he is a Trustee for the landowner for the HS2 interchange.

Agenda

Items	Main Points Discussed/Agreed	Action
1. National/Regional Planning Update – <ul style="list-style-type: none"> National Planning Framework Local Planning Applications Fess Scales CIL Enterprise Zones HRA's – Consistency of advice 	<p>GOWM update – Ray Colbourne will no longer be attending RPOG with the closure of GOWM. However, he has a new job with the National Casework unit that is to be set up in Birmingham.</p> <p>National Planning Framework - Current consultation on what we would like to see in the National Planning Framework. Expected that the Bill will be enacted in Spring 2012. Expected that the NPPF will be published then, although there should be consultation possibly in autumn 2011.</p> <p>The CEPOG response to be forwarded to Pam Neal for circulation to RPOG members.</p>	<p>AD to forward response to PN for circulation.</p>

	<p>Local Application Fees Scales – Understood that the Regulations to set the fees has been delayed. Had expected to be out in April 2011, but slipped back to October 2011, with until April 2012 to introduce. Supposed to cover costs and not make a profit.</p> <p>Shire counties looking to work together, and will share any work with RPOG members.</p> <p>Coventry City already started work on fees structure and the costs of the planning service. If possible CCC will share any information.</p> <p>CIL – Shropshire front runners. Cabinet meeting on the 16th March 2011 to agree draft charging schedule. Examination expected in July 2011.</p> <p>CIL linked to Shropshire Infrastructure Delivery Plan, which is part of the Core Strategy documents. 90% of CIL going to Parish Councils and Shropshire only retaining 10% for strategic projects.</p> <p>Shropshire to circulate documents once agreed by Cabinet.</p> <p>Enterprise Zones – Announcement on 14th March about 10 EZ's to receive £10million each.</p> <p>HRA Advice – Concern about difficulties with Natural England and the sign off of HRA's. No guidance published by NE, so not sure of what they are looking for.</p> <p>NE responsible for complete showstopper in Hereford. Now GOWM gone, no-one to police what NE are objecting too.</p> <p>Recent event at which Eric Pickles was asked about the volume of information that LA's are required to produce to underpin Core Strategies and those required by developers. His answer implied that this would be looked at and there may be a reduction of what is required, as far as the EU regulations allowed.</p> <p>AGREED that should try to get the Duty to Cooperate in the Localism Bill to extend beyond LPA's and to include national bodies such as NE.</p>	<p>AM to forward to PN for circulation</p>
<p>2. Localism Bill</p> <ul style="list-style-type: none"> Chief Executives Meeting 	<p>Agreed that the point above about the duty to cooperate would be included in the report to Chief Executives. This has been drafted by Dave Carter and he has included 90% of the comments that had been received on his draft.</p> <p>In presenting the paper to Chief Executives it was agreed that DC would ask them if they wanted to take anything</p>	

	<p>forward in response to the Localism Bill. Also, it was considered that it may be useful to seek clarification on the relationship with LEP's.</p> <p>DC to provide feedback to RPOG.</p>	DC to provide feedback following the meeting.
3. Joint Monitoring Group update	<p>Contract with Motts to carry on with joint monitoring has now been agreed. Payment from the legacy funds would enable the non-met authorities to be included in the contract for next 12 months. There will be no reporting as such, but those LPA's that provided data, would receive the whole dataset in return.</p> <p>Work continues to reduce down the specification on all topic areas. This will then be reflected in the requests from Motts. If LPA's do not revise their figure, the last available information will be retained.</p> <p>The position will be reviewed in 12 months.</p> <p>It was agreed that the position with monitoring should be raised with Chief Executives.</p>	
4. LEP's and Spatial Planning	<p>Discussion about what planning could do to assist LEP's and also what specific LEP's were doing in relation to the planning arena.</p> <p>AGREED that there was no specific action, but this should be kept an eye on. Also AGREED that it would be worth flagging up to Chief Executives that there is a wish for sub-regional planning to work with and cooperate with the LEP's.</p>	
5. Impact of the Recession <ul style="list-style-type: none"> Any action on outstanding actions – 	<p>CLG bursaries still happening but Universities expect them to stop shortly. BCU looking at planning schools and courses and would welcome feedback from LPA's on what should be the structure of the current and future courses.</p> <p>Felt it was worth speaking to the RTPi about any change of offer as their accreditation would be needed.</p> <p>Agreed that in the West Midlands we have an interest in having a good source of qualified people coming through. Worth having discussions with RTPi through current groups that exist and to report back to RPOG.</p>	
6. High Speed 2	<p>Consultation has started and will run until July, with a series of road shows towards the end of the consultation period.</p> <p>Worcestershire, Hereford and Shropshire asked by Staffordshire as to whether they would be responding to the consultation by coming to a view.</p> <p>West Midlands Councils will not be taking a view, as will</p>	

	<p>be for individual LPA's to do so.</p> <p>Point about capacity in the existing system was agreed as being important to consider, as it could divert away investment from other parts of the network that were not close to the route considered to be important.</p>	
7. 2011 Census – Dave Carter	Census forms out. Need to decide next time whether to keep on the agenda.	
8. Local Development Frameworks <ul style="list-style-type: none"> • Update on progress 	<p>Was agreed at last meeting that it would be useful to gather together basic information on where LPA's are on the RSS figures. A table had been circulated and some responses received. Asked that RPOG members could take to sub-regional meeting and request that the information be completed and returned to Dave Carter.</p> <p>It was agreed that the information needed to be in the public domain, and if it was confidential at this stage could be updated, as it was expected that it would be kept up to date quarterly.</p> <p>The way in which the information could be shared was to be investigated. The REDOG community of interest webpages hosted by IDEA could be replicated, as this is password protected.</p> <p>Each LPA present gave an update as to the position with their LDF.</p>	
9. Minutes of last RPOG Meeting (16th December 2010) <ul style="list-style-type: none"> • Accuracy 	<p>Item 6 – “could” be at risk, not “would”</p> <p>Item 3 – LEP is not a statutory body.</p> <p>Item 8 – “might have to be” and not “shouldn't”</p>	
10. Matters arising	Nothing raised	
11. AOB	<p>CURS thanked RPOG for the support for the work experience and project work undertaken by students from the University. Agreed that RPOG to continue to support where possible.</p> <p>Question raised about a CIL workshop taking place in Walsall on the 18th March 2011. Event being presented by 2 -3 Grays Inn for Walsall Council officers. A free event but details to be circulated.</p> <p>BCU/CURS Planning Research Conference being held. Would welcome planning practitioners to attend. Details to be circulated.</p>	

Dates of future meetings	<ul style="list-style-type: none"> • Thursday 16 June - 10.00 - 1.00 pm – County Hall, Staffordshire County Council, Stafford. • Thursday 15 September - 10.00 - 1.00 pm - Room 401, Lancaster Circus, Birmingham City Council, Birmingham • Thursday 15 December - 10.00 - 1.00 - pm – venue to be confirmed. 	
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Regional Planning Officers Group

Minutes of Meeting

Held on 16th December 2010 at County Hall, Worcestershire County Council.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members: Mets - Dave Carter (Birmingham), Andy Donnelly (CEPOG Support Team), Martin Dando (Dudley MBC), Jim Newton (Coventry).
Shires – Pam Neal (Warwickshire), Andy Davis (Warwickshire), Andy Mortimer (Shropshire), Mark Middleton (Worcestershire), Dale Bristow (Worcestershire), Peter Yates (Herefordshire), John Wrightson (Worcester City), Matthew Wedderburn (Telford and Wrekin).

West Midlands Councils : Sherman Wong

Other sector reps: Roger Stone (BVWM – CLA)

Apologies: Anna Rose (Rugby Borough), Alister Scott (Birmingham City University), Mike Beazley (University of Birmingham), Dorothy Barratt (North Warwickshire Borough), Paul Williams (RICS & West Midlands Business Council), Ray Colbourne (GOWM), Tony Lovett (Staffordshire) and Andy Johnson (South Staffordshire).

Declaration of Interests: Roger Stone advised that he is a Trustee for the landowner for the HS2 interchange.

Agenda

Items	Main Points Discussed/Agreed	Action
1. National/Regional Planning Update – <ul style="list-style-type: none"> RSS High Court Decision New Homes Bonus consultation CIL consultation and arrangements Planning Fees consultation 	<p>No-one was able to attend from GOWM. Ray Colbourne had advised that he had been moved onto National Planning Casework, and his involvement in LDF's and Localism is limited. He apologised that his input to RPOG would reflect this.</p> <p>Mark Middleton advised that the abolition of GOWM was causing concerns in CADPOG, as they were not able to field anyone to answer questions at the annual CADPOG/GOWM meeting. This was leaving questions up in the air around needing to know how we submit planning applications, LDS revisions and the AMR's. CADPOG have submitted a letter to GOWM with a whole series of questions. If they respond, MM will forward to PN to circulate to RPOG members.</p>	<p>MM to forward to PN for circulation if response received</p>

	<p>RSS High Court Decision : -</p> <p>Dave Carter started this discussion by stating that the RSS is still with us for the time being. Peter Yates agreed, but questioned the weight to be attached to it, as he understood that the Rugby Borough Examination Inspector was giving the RSS Panel report in Phase 2 little weight. Andy Mortimer advised that the Shropshire Inspector (Steven Pratt) took the opposite view, and had stated that the RSS is part of the development plan and should be afforded weight accordingly.</p> <p>Andy Donnelly asked what this meant in terms of major applications and conformity? He stated that the met authorities are to produce position statements in support of applications. This would not be producing new policy, but would set out their view on the world.</p> <p>Roger Stone stated that as he understood it, the requirement for a conformity assessment had been abolished on the 8th July 2010. MM confirmed this by advising that the West Midlands Councils had not inherited the conformity role. Further, MM confirmed that LPA's have a duty to undertake self assessment. RS went on to confirm that all planning applications should have regard to the development plan and material considerations and that RSS process and supporting documentation need to be taken into account. MM confirmed this, but suggested that the further into the past the information related to, the more updating would be needed in terms of evidence base for LPA's. He asked about the hiatus with the RSS, and the speculation about an increase in the number of planning applications coming through, was this correct?</p> <p>PY considered that the recession had dampened down demand. In Herefordshire, based on the 2008 RSS they have a 5 year land supply, and no developer is challenging it. Matthew Wedderburn advised that Telford and Wrekin had received lots of inquiries but nothing has materialised in terms of an increase in the number of planning applications.</p> <p>MM sought to clarify the position with the RSS. The 2008 version incorporated the RSS Phase 1 work, and is the adopted version. However, he felt that the Phase 2 revision has got some weight, but the level will be open to interpretation, whilst the work on Phase 3 may well be lost, with the exception of the interim guidance statements.</p> <p>Dave Carter advised that in terms of the Black Country Inspectors report, the LA's had endorsed the numbers in the RSS Phase 2 revision as they had been locally generated. MM confirmed that this was the case also with the Wyre Forest Core Strategy, which had been based on the RSS Phase 2 Panel report and had been found sound.</p>	
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	<p>New Homes Bonus : -</p> <p>Dave Carter asked whether the New Homes Bonus, as a new source of funding, was being looked at as being available to fund the planning service as it replaces HPDG? Or as it was not ring fenced, was it being looked at by the Chief Executives as a new funding stream? Matthew Wedderburn felt that as it was a top slice of the block grant, that the argument to fund the planning service would be difficult.</p> <p>Mark Middleton had sought to get a consensus view within Worcestershire as to the 80%/20% split, but failed. However, he felt that there is a need to pool all forms of funding in two tier areas to fund infrastructure. MM was also concerned about unacceptable planning decisions being seen as acceptable with the receipt of the bonus. He felt that a statement in the final guidance around this was needed.</p> <p>Andy Donnelly asked whether financial consideration be included in planning committee reports? MM felt that they shouldn't be saying anything on finance, as it should not be a material consideration, and to introduce it could be dangerous.</p> <p>Matthew Wedderburn advised that his Chief Executive went to an event recently at which Henry Cleary from CLG was speaking. The feedback was that CLG were stressing that the New Homes Bonus and CIL were areas that LA's should be accessing funding. Sherman Wong considered that this would differentiate the gap between those that can attract development and those that can't – for example, Stoke will see a loss of units greater than the net additions. PY agreed that the phase at which the regeneration cycle had reached would be greatly influence the net numbers. For example, if a LA is in the demolition phase, then they will not benefit. DC agreed that the mid markets that are up for growth that can attract development will benefit most. PY felt that those areas with brownfield sites would benefit the most.</p> <p>MM concluded this discussion by suggesting that it ought to be gross additions and not net additions that should attract the bonus, as this will ensure that LA's are not penalised by issues around land assembly.</p> <p>CIL : -</p> <p>Tony Lovett had requested that this item be included on the agenda, and in his absence Mark Middleton asked whether anyone was making progress with CIL?</p> <p>Andy Mortimer advised that Shropshire were coming under political pressure to take CIL forward and that they</p>	
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	<p>should be going out to consultation on a charging schedule in the new year, with an examination later in 2011. He advised that he was aware that Newark and Sherwood District were also pressing ahead. Dave Carter asked whether when in a position to do so, would AM share the document with RPOG? AM agreed and will forward to PN for circulation.</p> <p>Planning Fees Consultation : -</p> <p>Andy Donnelly advised that Sandwell MBC are looking at the total cost of the planning service, so not just the DC staff but including the Policy and Environmental staff costs too. However, it is recognised that it is difficult for LPA's to be self financing from fees alone. Mark Middleton referred to the Arups study which accompanied the consultation. The study highlighted that LPA's do not charge for the full costs, for example the democratic process. Further as they cannot make a profit why worry! MM went onto to explain that the CADPOG authorities were looking to maintain a common schedule which would see an increase in fee levels of 10-15% a year, so that the full cost can be recovered over time.</p> <p>Peter Yates asked whether there was any legal difficulty with using DC fees to cross subsidise plan-making?</p>	<p>AM to forward to PN for circulation</p>
<p>2. Local Growth White Paper and Localism Bill</p>	<p>The discussion on the Local Growth White Paper was covered under Agenda Item 3 – LEP Proposals.</p> <p>Localism Bill : -</p> <p>Dave Carter asked for RPOG members initial reaction to the Bill? He felt that it was difficult to read, and that on the face of it the Development Plan system was largely intact with the addition of neighbourhood plans.</p> <p>Mark Middleton identified 4 key points as follows:</p> <ol style="list-style-type: none"> 1) There is concern in the short term about a policy vacuum. The RSS will go, as will Structure Plan saved policies. This will be difficult in Worcestershire as the Districts heavily rely upon them . 2) Member predetermination – It's fine for Members to say they don't like an application, but will they vote against it before a committee? 3) The Powers of the Planning Inspectors – their reports will have recommendations, but they will not be binding, and a LPA must take account of them, and 4) Neighbourhood Plans – LA's can charge for the preparation of neighbourhood plans and the SOS can reimburse. <p>Peter Yates asked whether a proposed modification stage would be needed as the Inspectors report was not binding.</p>	

	<p>This doesn't appear to have been addressed. PY also expressed concerns about the Cala Homes case and the RSS revocation being unlawful. As alternatives have not been assessed, will the SA regulations kick in? He felt that the RSS will take more to kill it off and will take longer than is envisaged. PY also asked about the duty to cooperate that is included – does this relate to a body or other person? For example, does it relate to Natural England and the HA? Sherman Wong confirmed that cooperation is defined as to respond only. PY asked what would happen if this response was late?</p> <p>PY also highlighted that an LDS was still needed, but it doesn't need to be submitted to the SOS. Further CIL will carry on, but approximately 20% will need to be given back to the local community, with no controls on how it will be spent. PY concluded by expressing concern that CIL was introduced in April 2010, has not been tested, and is being changed already. John Wrightson also raised questions about the community aspirations and whether there was an expectation that the LPA's will adopt planning equipment and infrastructure etc.</p> <p>Questions were then raised by PY and JW about the definition of a community. SW advised that the Bill made provisions for a 'body' to approach LA's to say it's a community. If the LA says yes, then they can go away and produce a neighbourhood plan. PY saw problems with implementation, where aspirations will be unrealistic in some instances. Also PY questioned where the money would come from and whether its deliverable. Matthew Wedderburn was concerned that neighbourhoods may well come together to defend something that they don't like in an LPA's plan. Dave Carter asked whether there was anything about neighbourhood plans not in conformity? SW advised that they had to be in conformity with the Core Strategy, but it's chicken and egg and will depend upon what stage the LPA has reached. MM pointed to powers to identify areas for special protection. He saw this as problematic around issues like the Green Belt. District's could be minded to go slow and get bottom up input. However, they could come under heavy pressure to adopt a neighbourhood plan if there is no core strategy in place, as the need for a neighbourhood plan to be in conformity will be less.</p> <p>Andy Donnelly asked about the need for neighbourhood plans to fit in with national policy, for example PPS and retail policy. PY suggested that this was a worry as the plan seemed to be to replace PPS. Should they disappear there will be huge policy gaps as LPA's are not supposed to duplicate PPS. MM suggested that this would be the role of the LA's They would be expected to help define the community by running referendum if asked and resolve conflict if it is not able to be resolved locally – but this may</p>	
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	<p>get caught up with the whole issue of predetermination.</p> <p>Dave Carter asked whether there was anything that RPOG wants/can do at this stage? PY advised that there was a POS event in January 2011 at which Steve Quartermain was attending, It might be worth seeing what happens, and whether the RTPI in particular make any representations. MM advised that the draft regulations and guidance should be out for consultation, but he was unaware of the timing. DC agreed that RPOG should see what happens over the next couple of months, but may need to think about lobbying to secure changes. PY asked whether LEP's were the best body to lobby. DC considered that it was too early for LEPS's to be effective. However, DC felt that RPOG as a group of LA planners were best placed to share knowledge and views and make noises to POS and/or our Members.</p> <p>It was AGREED that we will need to return to what RPOG may want to do at the next meeting. However, in the interim we will e-mail RPOG members with any issues.</p>	
<p>3. LEP Proposals –</p> <ul style="list-style-type: none"> • Involvement of LEP's in the planning system, • Future bi and multi-lateral working 	<p>Involvement of LEP's in the planning system : -</p> <p>Mark Middleton considered that the relationship between planners and the LEP's was going to be interesting. He advised that the first wave of approvals have been announced and that there is complete coverage for the West Midlands. He felt that the issue for planners is how LEP's will take up the role of setting up their own planning framework. He advised that the Worcestershire LEP did not appear keen, but were interested in the statutory planning process. He also felt that there is a danger with the definition of sustainable development having an economic slant. Any proposal that comes forward with LEP support/promotion badged as Sustainable Economic Development is going to be difficult for LPA's to resist.</p> <p>Andy Donnelly felt that there is going to be conflict between LEP's and Localism, with LA's being caught in the cross fire. He questioned whether LEP's are going to be involved in delivery or strategy.</p> <p>Sherman Wong advised that in the West Midlands the view that was emerging from the LEP's is that planning is low down on their agenda. Further, he pointed out that the LEP is a statutory body, but asked who do they report to?</p> <p>MM asked about the reference in the White Paper to LEP's handling European Social Funds. Is this the view of the European Commission? SW advised that the EU saw the ERDF being lifted up to the national level not down to LEP's.</p>	

	<p>Cross LEP working : -</p> <p>Dave Carter felt that the LEP's were not advanced enough in their own set up to be considering how they are to work with other LEP's.</p> <p>Mark Middleton advised that the Worcestershire LEP were being encouraged to cooperate with Gloucestershire by BIS, as it was seen as a way of breaking down regional boundaries. However, he advised that it was up to LEP's to want to cooperate.</p> <p>Sherman Wong advised that at a recent meeting of the LEP leads, there was a willingness to cooperate across boundaries, but they are not sure yet how and when. It is felt that it may be something around skills and business support.</p> <p>It was AGREED to keep this on the RPOG agenda.</p>	
<p>4. Joint Monitoring Group update.</p>	<p>Dave Carter reported that this item had two aspects; 1) Technical side of the process, and 2) Implications of joint working and funding.</p> <p>DC advised that in respect of the funding, Mott McDonalds currently collate and distribute the data, and will continue to do so for 2010. The issue is what happens after this current data collection is complete. Work is underway to investigate the potential to use legacy funding from the Regional Assembly to help fund continued joint monitoring in the short term. DC feels there is a real danger that if we stop, we will lose the continuity.</p> <p>DC explained a proposition to use the legacy funding currently being held by Solihull MBC to buy an additional 500 hours of time with Mott McDonald, to supplement the existing Mott's contract with the metropolitan authorities. They will then be able to undertake another round of monitoring for the April 2011 – March 2012 monitoring year. Moving forward, DC identified that any requirements for monitoring by the LEP's could be fed in at a later date.</p> <p>DC asked whether this proposal would be something that RPOG would support? If so, then Martin Dando, the chair of PAG could sign the contract with Mott McDonald.</p> <p>Sherman Wong asked whether there would be any problems with accessing the legacy money. Martin Dando advised that the money sat with Solihull MBC, and it had been specifically set aside and ring fenced by Paul Bayliss to undertake future monitoring work. He also felt that there was a resolution not to claw it back. However, he felt that if the hours could be formalised then there would be an audit trail that would ensure that the money would be used for</p>	

	<p>the purpose that it had been transferred.</p> <p>SW was comfortable with the proposition, but wanted to just double check whether any further clearance was needed from the West Midlands Councils.</p> <p>Subject to the above check, it was AGREED that the contract with Mott McDonald be extended to add an additional 500 hours to cover the monitoring work for 2011/12.</p> <p>With regards to the technical work, Andy Davis (ADav) advised that a Task group had been convened and met. Topic leads on each topic had been identified, who had gone away to look at putting together a basket of indicators for their topic area. They are due to meet again in mid January 2011, when it is hoped that the key core basket of indicators can be signed off.</p> <p>Dave Carter asked if RPOG members were happy to delegate authority to the Task Group to work on moving this forward? E-mails could be circulated to RPOG to keep them up to date, but RPOG would leave the detail to the Task Group to take forward. Mark Middleton confirmed that he was happy with this approach and wanted to thank the people involved in moving it forward.</p> <p>ADav added that the intention would not be to produce a report as had been produced in the past, but hoped that they will be able to produce summary data. DC confirmed that this would be able to be produced into information for the LEP areas also. Andy Donnelly added that it would be useful if trend data could be included in any report. ADav agreed to look at this.</p>	
<p>5. Impact of the Recession</p> <ul style="list-style-type: none"> • Outstanding actions – Structured brainstorming session • Future Training needs of planners 	<p>Structured brainstorming session: -</p> <p>Dave Carter advised that this item had not moved forward since the last meeting.</p> <p>Future Training needs of planners: -</p> <p>Pam Neal updated on behalf of Alister Scott that he had received 30 or so responses to the training needs questionnaire, but unfortunately no authorities have responded to a more collective group discussion on training needs. Alister hasn't been able to secure greater responses due to University workload pressures, but hopes to do so in the new year.</p> <p>DC opened a wider discussion on the impacts of the recession by raising concerns about what capacity may be left when we come out of the recession. Mark Middleton felt that scrutiny of the Localism Bill will be the turning</p>	

	<p>point. He feels that it will become clear that planning is not a barrier and the Coalition Government will realise that planners and plans are needed to ensure economic development and local development happens. A key message to get over to the LEP's.</p> <p>Roger Stone asked about the state of RTPI members and were many out of work? DC advised that Birmingham City Council will see a 30% reduction in planning staff over the next 12 months. Peter Yates advised that Herefordshire were asking for voluntary redundancies and not replacing vacancies. Andy Donnelly felt that there was an inconsistency in CLG still supporting bursaries, but there are few vacancies. DC considered the problem is that the people coming out of universities are not getting jobs and that voluntary redundancies were taking out the experience from the profession. MM asked about the possibility of further round of Planning School closures. He would be interested in Mike Beazley and Alister Scott's views. He concluded by stating that the decision by CLG to abolish funding for Planning Aid was not good for the profession.</p>	
6. High Speed 2	<p>Dave Carter advised that it was expected that consultation would be in the new year, with the route to be published before Christmas.</p> <p>Roger Stone advised RPOG members that Philip Hammond had been to speak to Birmingham businesses, and had stated that business need to support HS2, and if that support was not there, then it would be at risk.</p> <p>DC suggested that HS2 needed to be kept on the agenda.</p>	
7. 2011 Census – Dave Carter	<p>Dave Carter advised that all consultations for the Census had now been carried out and that ONS were now in implementation mode.</p> <p>Andy Davis advised that a communications and marketing plan will be out in January 2011. Some local information will be available to supplement it.</p>	
8. Local Development Frameworks <ul style="list-style-type: none"> • Update on progress 	<p>Dave Carter advised that Birmingham's Core Strategy was due to be published on the 16th December 2010.</p> <p>He went on to state that Birmingham were sticking with the housing numbers that they had input into the RSS Phase 2 as submitted, ie; 50,600 and not the 57,500 in the panel report, and considered that it would be useful to get a feel for the level of housing provision across the region.</p> <p>Mark Middleton confirmed that Wyre Forest had adopted their Core Strategy which included RSS Phase 2 panel</p>	

	<p>report figures. Bromsgrove were going back to review the figures, whilst Redditch with it's boundary restrictions were looking at figures less than the RSS.</p> <p>John Wrightson advised that the South Worcestershire authorities would collectively not reach the 24,500 dwellings in the RSS. Wychavon were comfortable with a reduction of about 30% below the RSS option 2 figures, whilst Malvern were looking to reduce further. In terms of Worcester City the issue is how to accommodate the figures as it cannot be met within the city boundary. Of the option 2 level of 11,500, 3,500 was to be within the city boundary. JW felt that the figure would more likely be 6,500 -6,800 not 11,500. There is an issue with imminent elections and a fine balance between growth of West Worcester into Malvern, who do not want the growth. It is unlikely therefore that anything will be out much before the summer of 2011, after the elections, with adoption in mid 2013.</p> <p>Peter Yates advised that all was well in Herefordshire and that they had consensus. However, PINS advised that they needed to undertake a further round of consultation in autumn 2010. The result of this and the announcement that the RSS figures were to go, now means that the Hereford members don't want to take any Birmingham overspill. Added to this, Herefordshire have received late objections from the Highways Agency who are stating that there is no money for the proposed by-pass around Hereford, and Natural England on water quality. PY feels that they are now about a year away from adoption, when the legislative framework will be completely different. They also have elections in May 2011. Their household projections identify a need for 16,000 dwellings, whilst the RSS panel recommended 18,000 dwellings. PY considered that the extra 2,000 will be the subject of political debate around rural affordability etc.</p> <p>DC advised that he had come across a new addition to the CLG website asking about blockages in the planning system. He wondered whether it might be worth alerting CLG to issues around receiving late objections from organisations like Natural England. He also went on to agree that the new household projections are significant. Birmingham are not consuming it's own smoke, but was not sure where the additional houses would go. He floated the suggestion that each LA may need to be making representations to each others DPD's?</p> <p>Andy Donnelly advised that as far as he was aware, Solihull were going with the RSS panel report figures.</p>	
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	<p>Pam Neal advised that Rugby Borough were at inquiry with the RSS figures. The other Warwickshire Districts/Bouroughs were reviewing their postions, and that North Warwickshire had just issued a position statement.</p> <p>In respect of Telford and Wrekin, Matthew Wedderburn confirmed that their adopted Core Strategy was based on the adopted RSS. That is to say, that it mirrors the step change of reducing from 1,300 per year to 800 per year. They too have elections next May, and whilst there are pre-election statements about housing, there is no official position. They have a short plan period for housing until 2016, so they will need to review, but have no direction from Members as yet.</p> <p>Andy Mortimer confirmed that Shropshire had gone with the 27,500 in the panel report. They had submitted their Core Strategy a couple of weeks after the RSS revocation was announced in the summer, and whilst there was a political wobble, Members agreed to push on. The Inquiry took place a couple of weeks ago and the Cala Homes case provided support to going with the RSS figures. In terms of the new household projections, the Inspector has asked for views as they are a little lower at 24,000 up to 2026.</p> <p>Jim Newton advised that at Coventry they have a clear political steer, in that there will be no housing development on green belt, greenfield or anything painted green! They are looking at going back to Issues and Options in May 2011, and may well cut the RSS figures in half, from 33,500 to 17,500. JN is not sure how this will be evidenced, but advised that they are going to try to separate out an allocations DPD.</p> <p>Martin Dando advised that the Black Country authorities received their Inspectors report in October 2010, which supported the 63,000 in line with the RSS panel report. This stems from the aspiration to underpin regeneration and economic development, and is based on a brownfield land strategy and industrial renewal, which has full political support.</p> <p>DC noted that the Staffordshire picture was missing, but that having just quickly calculated from people's updates, it appears that as a region we could be approximately 50,000 down on the RSS figures. DC asked whether it would be useful to record in a schedule the picture and to update it on a quarterly basis. He considered that it would be useful to put together a schedule with a large box for notes, but that there would be a need to add disclaimers as it would be a moving feast.</p>	
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	<p>MM considered that we also needed to ask about employment land, and considered that the LEP's will be asking if we don't. DC agreed that it ought to also include retail and offices.</p> <p>Sherman Wong commented that the LEP's had been created on natural economic boundaries, so shouldn't the LEP's deal with any housing shortfall in their area. MM felt that LEP's ought to be looking at a wider picture not just housing numbers. Andy Donnelly was concerned that it should not refer to the RSS policy, as it could be seen as regional by the back door. SW suggested that it could be cross boundary, to maybe include Gloucestershire, which could back the link between the economy and housing.</p> <p>Dave Cater concluded by suggesting that he worked with Pam Neal to put together a schedule to build up the picture, but that it ought to be limited to housing and employment land in the first instance.</p>	DC and PN to produce schedule for circulation
<p>9. Minutes of last RPOG Meeting (16th September 2010)</p> <ul style="list-style-type: none"> • Accuracy 	The minutes and accuracy were agreed.	
10. Matters arising	<p>Under item 2, Dave Carter advised that the RSS Topic Groups had been used in the monitoring work discussed under Item 4 above.</p> <p>Under Item 5, Pam Neal to contact Mike Beazley regarding arranging a meeting to take forward the Structured Brainstorming session.</p> <p>Under item 10, Pam Neal updated that with the changing tourism landscape Penny Russell had not been in a position to move the tourism work forward. It was AGREED therefore to put this item on the back burner.</p>	PN to contact MB to progress
11. AOB	<p>Future meeting dates and venues need to be arranged to continue with 4 meetings a year. Also, as Warwickshire and Worcestershire had hosted a meeting in 2010, Dave Carter considered that it would be good to go to the north of the region. Pam Neal to arrange meeting dates and circulate.</p> <p>John Wrightson advised RPOG members that this would be his last RPOG meeting, as he was due to leave Worcester City at Christmas. He went on to advise that there was life after planning, as he was due to start a new job with the Legal Ombudsman in Birmingham in January 2011. Dave Carter thanked him for his contribution to</p>	PN to arrange and circulate dates

	<p>RPOG and wished him good luck for the future.</p> <p>Andy Davis advised that ONS were consulting on their future priorities and work programme until 24th December 2010. It included population projections and demographics. ADav asked RPOG members to have a look at it, as he felt it would be helpful for LA's to support the work.</p>	
Dates of future meetings	<ul style="list-style-type: none"> • Tuesday 15 March - 2.00 - 5.00 pm - Room 401, Lancaster Circus, Birmingham City Council, Birmingham • Thursday 16 June - 10.00 - 1.00 pm – County Hall, Staffordshire County Council, Stafford. • Thursday 15 September - 10.00 - 1.00 pm - Room 401, Lancaster Circus, Birmingham City Council, Birmingham • Thursday 15 December - 10.00 - 1.00 - pm – venue to be confirmed. 	

Regional Planning Officers Group

Minutes of Meeting

Held on 16th September 2010 in Seminar Room A, J G Smith Building, Edgbaston Campus, University of Birmingham.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members: Mets - Dave Carter (Birmingham), Andy Donnelly (CEPOG Support Team), David Piper (Dudley MBC), Jim Newton (Coventry).
Shires – Tony Lovett (Staffordshire), Andy Cowan (Warwickshire), Pam Neal (Warwickshire), Andy Mortimer (Shropshire), Mark Middleton (Worcestershire), Fred Davies (Wychavon), Maria Dunn (Wyre Forest), John Wrightson (Worcester City), Andy Johnson (South Staffordshire), Anna Rose (Rugby Borough), Matthew Wedderburn (Telford and Wrekin).

GOWM rep : Ray Colbourne.

Other sector reps: Alister Scott (Birmingham City University), Mike Beazley (University of Birmingham), Mark Williets (AWM), Paul Williams (RICS & West Midlands Business Council).

Apologies: Roger Stone, Peter Yates (Herefordshire)

Declaration of Interests: None.

Agenda

Items	Main Points Discussed/Agreed	Action
1. National/Regional Planning Update – GO-WM	<p>Ray Colbourne advised that there are a number of changes since the last RPOG meeting. Three key documents are due to be published over the coming weeks –</p> <ul style="list-style-type: none"> • Capital Spending Review – 20th October 2010, • Centralism and Localism Bill, and • White Paper on Sub-National Economic Growth. <p>RC also advised that the following had already been issued/announced by CLG –</p> <ul style="list-style-type: none"> • New Homes Bonus Scheme – will provide incentives for house building, • IPC – the intension to abolish the IPC, which will be replaced by a system that will deal with major infrastructure projects sitting within the Planning Inspectorate, • National Planning Statements – Revised Energy Statement consultation expected in the autumn, 	

	<ul style="list-style-type: none"> • National Planning Framework to be produced which will amalgamate all of the PPS's. • Gypsy and Traveller circular – intention to revoke announced. • RSS revoked on the 6th July. • PPS3 – amended version issued in June 2010 which deals with measures for LPA's to prevent garden grabbing. • Planning for Free Schools and • LEP's – Call for expressions of Interest to form LEP's. <p>Dave Carter asked about the Localism Bill and whether there was any thoughts on what it might be saying about the future of development plans. RC was of the view that Local Plans were here to stay. He felt that there was no appetite in Government to abolish LDF's.</p> <p>Alister Scott asked about how SEA's of AAP's and Neighbourhood Plans will be dealt with, as they will need to go back up to the District level. RC advised that there will be limited guidance and it will be up to LA's to sort out. Tony Lovett asked about the expectation of the level of consultation for a neighbourhood enlargement – i.e.; well below LA level. Andy Johnston also felt that there was the same issue above LA's, in terms of cross boundary issues. RC said this would be down to partnership working.</p> <p>Mark Middleton asked about the role of counties in delivering infrastructure. Steve Quartermain had suggested that guidance would be forthcoming. AS advised that at a recent conference Steve Quartermain had said that it was up to LA's to decide how this would work.</p> <p>RC moved onto the machinery of Government and advised that it has been announced that the Government intended to abolish GO's. It was expected that this would be confirmed as part of CSR in October. Further RC advised that GO staff were employed by the relevant Government department and it will be up to each department to decide what presence they want outside of London. CLG have indicated that they do not want any presence outside of Whitehall, but DfT have indicated that they will most probably have a small presence 2 – 3 and no more. However, RC stressed that this may not be just for the West Midlands, it could be different geographic areas. RC went on to explain that the residual functions are being looked at and that planning case work will continue, but it may be in London.</p> <p>Mark Willets advised that BIS had announced that RDA's including AWM would be wound up in March 2012, with their functions being culled over the next 12 months. MW further advised that RDA's are talking to BIS about work in</p>	
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	<p>the regions. MW considered that for example inward investment needed to continue in the regions and would not be helpful if it went to Whitehall. RC considered that resilience is key and that it may well continue in the regions but with fewer people.</p> <p>MM considered that RPOG ought to be thinking about Localism and what it means for us. He went on to pose the following questions for consideration – in terms of decision making down to the local level and the community right to build, how do you monitor it and the 10% threshold.? How do you deal with infrastructure associated with small development? In terms of Parish Plans, how will local proposals be in accordance with or by-pass it? Will there be a requirement for a District and County SCS in one document? And what is the context for local decisions? Will this conflict with LEP's? Will the LSP continue? How will the dialogue continue with the Health Service? Finally will colleagues in Eland House still talk to LA's? RC suggested that the Structural Plan sets out CLG's priorities.</p> <p>MM asked whether RC had a contact in CLG for LA's to talk to? RC advised that it was Andrew Close. Alister Scott alerted members to a call for evidence on 'Localism' by the 1st October.</p> <p>Matthew Wedderburn asked about pooled contributions and whether there was any indication of what would happen to it? RC confirmed that CIL was still on the statute books and can be used now. Further RC pointed to the Conservative Open Source Planning paper which referred to something similar to CIL, so felt that it is likely that it will continue.</p> <p>Anna Rose questioned the community right to build and whether it will realistically happen. She doubted that applications would come in, as we are not being inundated now. DC felt that the pressure may not be felt for the next couple of years, as there is housing land in the system. MM agreed that for a couple of years things would be OK, but then the planners will get the blame when it doesn't change in 2 years +. He mentioned that Districts were beginning to loose appeals due to a lack of a 5 year land supply. MM felt that this was all happening outside of the public eye, and that the RSS abolition was not really on the national press radar. MM asked about the National Planning Framework, and whether there was any news about when we will see it? RC did not know. Andy Cowan advised that he had heard that it would simply comprise a cut and paste of the executive summaries of all the existing PPS'.</p> <p>AC went on to ask in terms of the economic recession, were there signs of a construction industry pick up? Paul</p>	
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	Williams considered that over the last few months there had been a lot more pessimism in the last couple of months, and that there had been a lot of press about first time mortgages. He also identified that the BPA had seen a drop in orders which is an indicator of the state of construction.	
2. The future of former RSS Topic Groups	<p>Dave Carter introduced this agenda item and asked that in this current hiatus with the RSS gone, were people happy that all of the Topic Groups had also gone? Or should we be keeping liaison between LA's on the RSS Topic areas, such as centres, employment land etc on a technical level? Or should we just accept that its now part of Localism?</p> <p>David Piper advised that RTAB was still carrying on and would next meet in October. Mark Williets also advised that Peter Davenport was working hard to keep the transport group going. Andy Donnelly reminded members of paragraph 4.55 of PPS12 which requires authorities to consider the implications of policy on adjoining authorities.</p> <p>Mark Middleton considered that in the context of Localism there would be a need to share the expertise left in LA's. He felt that with the impending cuts that there will be less expertise available and that to deliver and monitor Localism it does suggest that we need to pool our knowledge.</p> <p>Further, MM questioned the future of the RSS evidence base, and with reduced resources at the West Midlands Councils how this would be achieved. MM felt that there was a need for a discussion with the West Midlands Councils on how they will be serving the Local Government family and what capacity they have to monitor the evidence database. DC considered that on the policy side, we ought to still continue to talk to each other, for example housing. Further, he considered that it would be sensible to talk to Rose and Sherman at the West Midlands Councils. However, he was concerned about it's future, in light of the LEP's. RPOG has existed for a long time and DC felt that it should continue.</p> <p>Tony Lovett felt that whilst RPOG could provide a professional view, not all Leaders will be on board with it. He felt that the difficulty with talking to Rose, who has few resources, is that Leader's won't be too chuffed with officers recreating regional structures. DC agreed that we need to be careful as to how we proceed, but felt that the networks should stay in place, as a way of ensuring that we share the learning. Andy Cowan agreed that it is now time to detach from the legacy structures. Further, he felt that by sharing learning and looking at how we use our resources it would be saleable to the politicians. Andy</p>	

	<p>Donnelly reminded members that guidance still required LA's to have cross boundary cooperation, if for nothing else to act as early conflict resolution.</p> <p>DC concluded that there was an appetite to carry on, but on the basis of cooperation, learning and understanding, and not a policy basis.</p>	
3. LEP Proposals – future bi and multi-lateral working	<p>Dave Carter advised that he had included this item on the agenda, as he felt that once the LEP's are established, they will have to work across boundaries.</p> <p>Ray Colbourne reported that 56 LEP proposals had been submitted , 7 from the West Midlands. We are currently awaiting the Ministers response. Mark Middleton advised that the current timetable for decisions is late September/early October. Further, he understood that the proposals would either be approved, more information requested or rejected.</p> <p>Alister Scott asked about the debate about including planning powers in LEP's, and whether there was any further detail/clarification. RC advised that at present there wasn't.</p> <p>Tony Lovett felt that at present no one knows what a LEP is or what it will be used for. However, it is likely that they will not receive any money. MM was concerned about how business would be involved in public sector decisions. He felt that they wouldn't be interested if there was a risk of them being talking shops.</p>	
4. Monitoring Group update.	<p>Andy Davis (ADav) updated RPOG Members on discussion at the last monitoring group meeting, where there was general acceptance of the need to carry on with data collection, especially as it would be needed as an evidence base in the preparation of LDF's. Further, it was agreed that it would be useful to have an agreed basket of indicators to enable comparative evidence. ADav highlighted that discussions fell into two - firstly the practical to get the data collected, and secondly the tactical decisions about the future.</p> <p>Fred Davies confirmed that at local level politicians see the need for local performance monitoring.</p> <p>Dave Carter questioned the need of data by economic development colleagues and whether it was important to recognise any Government indicators that it may be useful to add to the base of core indicators.</p> <p>Andy Donnelly agreed with this point and stressed that reliable data should not stop at boundaries. He highlighted that transport models depend on cross boundary data.</p>	

	<p>DC highlighted that the future of Mott McDonalds and the Observatory fell into the tactical discussions. A decision need to be made about what we need and then in turn how this is done and by whom and the associated costs.</p> <p>Mark Middleton asked about the obligation to produce the RSS AMR, especially as the legislation is still in place. Ray Colbourne confirmed that there was still an obligation to produce the AMR's for LDF's, but he wasn't sure about the RSS.</p> <p>DC and ADav advised that the 2010 data collection was well underway and that a good start had been made. April 2011 was the critical date and beyond that a decision needed to be made about the future. Further, whilst we are not empowered or required to produce a RSS AMR, it may be possible to provide simple outputs of key data for the LEP areas.</p> <p>Tony Lovett requested that any discussions should not be allowed to drag on and that a decision about the future be settled by Christmas at the latest. ADav and DC confirmed that this would be the case.</p>	
<p>5. Impact of the Recession</p> <ul style="list-style-type: none"> • Outstanding actions – Structured brainstorming session • Future Training needs of planners 	<p>It was noted that there was an outstanding action in respect of this item, which was to arrange a structured (brainstorming) 'thought shower' session, possibly to include the RTPI and RICS. It was agreed that Mike Beazley and Dave Carter would endeavour to get this arranged - MB to lead.</p> <p>In relation to the future of training needs of planners, Alister Scott advised that the RTPI had agreed to distribute the questionnaire. He has already received a number of completed ones back. AS stated that the early issues were around sharing knowledge and structured seminars, which relates back to the earlier discussion about the need to emphasise and ensure that there are opportunities for learning. In completing the questionnaire if it would be useful, AS would be happy to talk to people in a forum about organisational training needs.</p> <p>On the supply side, AS identified that work on this hadn't as yet been kicked off, but felt that this should come from the results of the survey.</p> <p>Mike Beazley identified that from uncertainty comes opportunities to get together to talk and share ideas. He felt that the education sector could facilitate this. MB suggested that he would get together with AS to talk this through.</p> <p>David Piper considered that the cost was key to training.</p>	<p>MB to arrange a meeting to progress</p>

	<p>He stated that it was becoming more difficult to send people on courses due to their cost. AS confirmed that this had come through the survey responses to date and that it would be possible for trainers to come to LA;s or a central location. There would also be the possibility to make better use of ICT technology without the need to leave the office. MB felt that now was the time for a programme of low cost training, and that now was not the time to be making money, but to focus exactly on what is needed.</p>	
6. High Speed 2	<p>Andy Cowan advised that the HS2 route from London to Birmingham has recently been changed, and it primarily affects areas in Northamptonshire and Warwickshire. There is a shift of up to 500 metres in some places. AC's view is that this has come about by back door lobbying of MP's by local interest groups, which has seen the route move away from significant well-shod communities. Further, AC considered that a case could be made for judicial review. He went on to stress that he feels the economic and transport benefits are still not clear, and that it will be interesting for RPOG to keep an eye on what the Government are doing on HS2 and how this may come through in the Localism Bill.</p> <p>Mark Willets advised RPOG members that there was a challenge on the economic side and that AWM were hosting a website for the HS2 Regional Steering Group. The website address is : - http://www.highspeed2westmidlands.co.uk/.</p> <p>AC also referred RPOG members to some research by Spanish Professors on the benefits of High Speed Rail. The conclusions were that the cities that were linked derived benefits, whilst those in between become disconnected. Further information can be found on the Warwickshire County Council's HS2 webpages. – link as follows: - http://www.warwickshire.gov.uk/Web/corporate/pages.nsf/Links/B3F59B23664062DB802576E500371DCE/\$file/Lessons+..+from+Abroad'+--+HSTrains+.pdf</p> <p>It was agreed that HS2 be kept on the agenda.</p>	
7. 2011 Census – Dave Carter	<p>Dave Carter advised that the Government had decided to carry on with the 2011 Census. Further, he advised that there was a regional event being held on the 24th September 2010, and that all LA's have been invited. There will be presentations from ONS and DC urged RPOG members to ensure that all census area managers attend.</p>	
8. Local Development	<p>Andy Mortimer advised that Shropshire have submitted and their Examination is due to start in November 2010.</p>	

<p>Frameworks</p> <ul style="list-style-type: none"> • Update on progress 	<p>Their Insepctor is Steven Pratt, and it is expected to last 2 weeks, They received 120 reps.</p> <p>David Piper advised that the Black Country examination took place in July, and the Inspectors report was expected by the 8th October 2010.</p> <p>Matthew Wedderburn advised that the Central Telford AAP was currently at examination.</p> <p>John Wrightson advised that the authorities involved in the South Worcestershire Core Strategy were going through a period of reflection. Whilst they are contiuning to work on their evidence base , the authorities are not sure how policy will be taken forward. Fred Davis considered that they could consult on Preferred Options next summer, but were 12 months away from submission, which will push back adoption till 2012. He advised that the authorities had commissioned technical evidence on housing numbers, and were likely to be producing one DPD now and not 2 as expected. Further, with the revocation of the RSS, members are looking again at the administrative boundaries and the informal agreement in now creaking.</p> <p>Anna Rose advised that Rugby were moving forward with their examination which is due to open in December. They are going with the RSS figures and have had no problems with maintaining Members support for this approach. In terms of the other Warwickshire Districts, AR advised that they too were in a period of reflection and were looking to issue position statements.</p> <p>Maria Dunn advised that Wyre Forest had been through their examination. However, at the beginning the Inspector asked the LPA to clarify it's postion with regards to the RSS figures. The officers advised that their Members were happy to go with the RSS figures. The Inspectors report is expected on the 5th October.</p> <p>Andy Donnelly advised that he understood that Solihull will shortly be out to consultation on their Emerging Core Strategy. Further, AD believed that they had got Member support to go with the RSS housing figure of 11,900.</p> <p>Mark Middleton advised that Redditch and Bromsgrove, who were now under one management structure, were preparing separate core strategies, and that it had been agreed that Redditch would not grow into Bromsgrove. In terms of Worcestershire County, their Waste Core Strategy First Submission Draft Consultation was going to Cabinet on the 16th September for approval. They are</p>	
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	<p>looking to submit in early 2011.</p> <p>Andy Johnson advised that there was an Energy for Waste application in at Four Ashes that was progressing. Further, in terms of South Staffordshire, they were looking to submit their Core Strategy towards the end of 2010. AJ confirmed that they were moving forward with the RSS housing figures, but would be including wording about flexibility in relation to the housing numbers and links to facilities and infrastructure.</p> <p>Tony Lovett gave an update of where the other Staffordshire Districts are as follows: Stoke-on-Trent and Newcastle-under-Lyme have both adopted. Staffordshire Moorlands – Should be submitting shortly. Stafford and East Staffordshire have well advanced technical work, but are not proposing to progress any further consultation until after May 2011. Cannock – They have an issue with the Cannock Chase SAC, but are virtually ready to submit. Tamworth and Lichfield are in a period of reflection.</p> <p>Jim Newton advised that Coventry City have received a sound Inspectors report in respect of their Core Strategy. However, their Members have agreed not to adopt it, and as such the City Centre AAP has been withdrawn.</p> <p>Dave Carter advised that he hopes that a report will be agreed at Cabinet in October to approve consultation on Birmingham's Draft Core Strategy. The housing levels are those in the submitted RSS.</p>	
<p>9. Minutes of last RPOG Meeting (17th June 2010)</p> <p>- Accuracy</p>	<p>Under Item 13, Alister Scott wanted to correct the reference to funding being available from the Research Council. He stated that they had secured funding, and that he could provide further details if anyone wanted further information .</p> <p>Otherwise, the minutes and accuracy were agreed.</p>	
<p>10. Matters arising</p>	<p>Under item 5, Dave Carter asked whether LEA's were likely to be abolished. Ray Colbourne advised that he wasn't aware of any plans.</p> <p>Under item 12, it was agreed that Pam Neal would contact Penny Russell to see if she can attend the December meeting to provide an update on the tourism work.</p>	<p>PN to speak to PR</p>

11. AOB	<p>Dave Carter advised RPOG members that this would be Andy Cowan's last RPOG meeting, as he was retiring at the end of October. On behalf of RPOG he thanked Andy for his contribution, including his time as Chair of the Group, and wished him well for the future.</p> <p>Mark Williets advised Members that this would be his last RPOG meeting too, as he was taking up a new post in South Kesteven. He was leaving the RDA after 6 years and thanked people for their support over that time. DC wished MW well for his future and stated that it was good to see that there was life after regional bodies!</p>	
Date of future meeting	<ul style="list-style-type: none"> Thursday 16th December - 10.00am - 1.00pm – Worcestershire County Council. 	

Regional Planning Officers Group

Minutes of Meeting

Held on 17th June 2010 in Conference Room 2, Building 1, Saltisford Office Park, Warwickshire County Council, Warwick.

Members of RPOG Present : Chairman – Dave Carter (Birmingham), Secretary – Pam Neal (Warwickshire).

LA Members: Mets - Dave Carter (Birmingham), Andy Donnelly (CEPOG Support Team), Rachel Gandolfi (Dudley MBC), Jim Newton (Coventry), Dave Simpson (Solihull MBC)
Shires – Tony Lovett (Staffordshire), Andy Cowan (Warwickshire), Pam Neal (Warwickshire), Andy Mortimer (Shropshire), Mark Middleton (Worcestershire), Peter Yates (Herefordshire), John Wrightson (Worcester City), Andy Johnson (South Staffordshire), Anna Rose (Rugby Borough), Matthew Wedderburn (Telford and Wrekin), Peter Davenport (Shires Advisor)

GOWM rep : Ian Smith

WMRA reps: John Pattinson

Other sector reps: Alister Scott (Birmingham City University), Suzanne Clear (AWM), Paul Williams (RICS & West Midlands Business Council), Roger Stone (BVWM CLA)

Apologies: Matthew Bowers (Tamworth), Amanda Turner (Staffordshire), Simon Rowberry (Centro), Sherman Wong (WMLB), Mike Beazley & Austin Barber (University of Birmingham)

Declaration of Interests: None.

Agenda

Items	Main Points Discussed/Agreed	Action
1. National/Regional Planning Update – GO-WM	<p>Ian Smith advised RPOG members that as the Coalition Government sets out its agenda, Ministers are clear on some things, whilst views on some areas are still emerging. IS confirmed that whilst the proposal is to abolish RS housing targets, housing supply is still important. IS view is that this is in danger of getting lost. The difference is how housing supply is to be delivered.</p> <p>IS also advised that it is clear that Central Government, its agencies and quangos will have limited scope to intervene. It will be over the Local Authorities to do what they see fit with minimum Government interference. Further, IS advised that there is talk about getting rid of targets and performance regimes, with the expectation that LA's performance will be managed by their electorate.</p> <p>In relation to Regional Planning, IS confirmed that the announcement that the Regional Strategy would be</p>	

	<p>abolished is based on strength of feeling that they are seen as imposing targets. The letter sent out on the 27th May will be followed up in a few weeks time and is expected to provide a statement and guidance post the RS abolition . Further, IS confirmed that a Localism Bill is expected in the autumn.</p> <p>IS referred to a press notice expected on the 17th June concerning the funding of Leaders Boards.</p> <p>In relation to the national planning framework, IS stated that it is clearly early days, but that the thinking currently is that there will be a rationalisation of the existing PPS' linking to the expected Bill.</p> <p>In relation to Local Planning, IS advised that the feeling is that the Minister is not expecting to change the local planning system in the short term, and that he expects to see Core Strategies move forward. LPA's will be able to prepare plans with much less interference with the people on the ground responsible for them.</p> <p>IS is aware of a number of myths that are in existence surrounding the impact of the abolition of the RS. The first - that any core strategy that is adopted with RS housing numbers become unsound. IS stated that this is not true. In moving towards adoption the process will be the same. However, LA's may want to review how comfortable they are with the basis of the housing numbers and to ensure that they have the evidence to support them. IS expects this will end up being a Member decision, but that the review should not be a lengthy process.</p> <p>Second, that when the RS goes, there will be a need to include RS policies into Core Strategies. IS stated that this is not necessarily true, as a lot is covered in national guidance. Therefore, LA's need to think carefully about what is covered.</p> <p>IS further advised that with the RS revocation announcement, there will be an announcement about development incentives and reference to modifications to CIL. With the finance squeeze LA's are experiencing, the housing incentives could be important. It will be paid next year in respect of houses built this year.</p> <p>Peter Yates picked up on Ian's last point and asked what is going to happen to S106 and CIL. He explained that Herefordshire are doing a viability study around developer's contributions, but he is concerned that the incentives could change the viability of some schemes. Further, he sought clarification on pooled contributions and whether there would still be the opportunity to use them. IS stated that it was too early to answer PY's question. He did however, advise that CLG are keen to get some LA's</p>	<p>All to contact</p>
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	<p>involved in some work they are doing around CIL to work through the issues that may crop up. IS asked any LA that would be interested in pursuing CIL early to get in touch with GOWM as there may be help available.</p> <p>Mark Middleton asked IS whether he was able to say anything about the role for County Councils in infrastructure planning. IS stated that it was clear that infrastructure planning is done at greater than the local level. However, it is for LA's to decide the basis of sub-regional partnerships – could be county or something else.</p> <p>MM sought clarification on whether at the sub-regional level economic partnerships had to be comprised of more than a single strategic authority, as this had implications for planning. IS had not heard anything from CLG Ministers and considered that it would be up to Local Authorities. MM asked if there could be clarity on this point.</p> <p>Andy Donnelly asked about the incentives for housing and the dilemma about green belt releases. He referred to the Coalition Agreement which effectively stated that the green belt is sacrosanct and wondered if there were any views on how this would work. IS agreed that there were conflicts there, as the Coalition Government had made strong statements about the Green Belt. He considered that LA's may want to use it to back local decisions.</p> <p>Alistair Scott asked about the National Planning Framework and whether it was going to be an amalgamation of the current PPS'. He referred to Scotland and Wales having spatial plans and asked whether there was an opportunity to do the same for England. IS suggested that it was early days, but the thinking at present was that it would be an amalgamation of the existing PPS'. He advised that Ministers were joined up nationally and talking across departments, and across borders with colleagues in both Scotland and Wales.</p> <p>Matthew Wedderburn asked about the overhaul of the plan making system in manifesto's and whether it was implicit or just the PPS'. IS suggested that this was still up for grabs, and that more changes to local planning are expected. Having said that, IS stressed that the SoS does see the importance of having local plans in place.</p> <p>Anna Rose asked whether there were any proposals to change the GDPO? IS stated that whilst he could not be specific at this stage, he expected that the drive to get rid of unnecessary legislation could see further changes, but at this stage it was not clear what.</p> <p>Roger Stone asked whether the RSS Phase 2 review was now wasted? IS stressed that it was not wasted. Whilst the RS/RSS will be abolished, the evidence that underpins it</p>	<p>GOWM if moving forward on CIL.</p>
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	<p>cannot be abolished as it remains valid. IS considered that the evidence will be useful for people working on core strategies until it is updated. Dave Carter asked about what comes with revocation? Particularly DC referred to the PINS advice to the Bristol Core Strategy where the panel report is a material consideration. Will there be new advice given to PINS. IS considered that PINS will be advised by CLG and work through the implications with them. However, until the RS is revoked it is still valid. Further, IS confirmed that legally it is a material consideration as it is part of the development plan. IS considered that a Panel report was difficult, as it would depend on the extent to what you are referring to is evidence or judgement. It will be a case for the decision maker to decide what they do with it.</p> <p>Andy Donnelly asked whether Bristol had published their proposed changes? IS confirmed that they hadn't been published as they had been caught by the SEA.</p> <p>Dave Simpson raised concerns about the principles of the RS unravelling. He stated that the basic principles of the RS underpin what we do. However, there was a danger that the region-wide issues such as urban renaissance could be thrown out. Further DS felt that there was an element of confusion creeping in that some LA's have stopped work on their core strategies, as whilst the basic principles were not flawed, there was now confusion about the level of development. Peter Yates asked whether this scenario was now down to local discretion to decide. IS confirmed that yes it was, and that the need to look across boundaries had always been there. He considered that the CSW sub-region will now need to rely upon it's sub-regional strategy.</p> <p>Andy Johnson asked about the situation where two adjoining LA's have different views of the sub-region that conflict, what would an Inspector do? Andy Cowan asked whether there were any plans to scrap examinations and whether if not would Inspectors reports remain binding? IS acknowledged that there were now questions about the necessity for examinations, but he anticipated that Inspectors reports would not be binding – ie; back to the position of local plans. AC considered that LA's would be concerned about departing from an Inspector's report, as they could end up in the High Court.</p> <p>Peter Davenport asked that in the absence of a national spatial strategy was there any thinking about major transport interventions, as they will have enormous implications on the location and future development. IS stated that he was not close to national policy statements, but his understanding was that they will continue in some guise.</p>	
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	<p>Mark Middleton asked about the future of Government Offices. IS confirmed that the GOWM was being considered as part of the review of other civil servant organisations. GO-London will be wound-up in December 2010. IS suggested that the best case was that GOWM would be affected by major cuts, whilst the worst case would be that GOWM would be abolished.</p> <p>Roger Stone asked whether a defunct RS and the work associated with it is a material consideration in Development Control? IS confirmed that the evidence would be, whilst the regional policies would not.</p>	
<p>2. Regional Update – John Pattinson</p>	<p>John Pattinson provided an update on the following : -</p> <ul style="list-style-type: none"> • Position of the WMLB, • RSS and • Monitoring. <p><u>Position of WMLB</u> : -</p> <p>JP advised that CLG will not be providing any funding to the WMLB from the second quarter of this financial year. Further, relying on just LA subscriptions will not fund all the LB activities. This crisis is being felt by all LB's. JP advised that the East Midlands LB will be wound down at the end of June, whilst the South East LB will cease at the end of July.</p> <p>The WMLB are giving careful consideration to it's future, and consider that LA's need a voice especially now. With this in mind, a paper is to be considered by the WMLB on the 22nd June, which covers three options:</p> <ol style="list-style-type: none"> 1) Total closure, 2) Small scale operation with a central core. This is dependent upon local authority funding, 3) Small function but disaggregated and split amongst friendly LA's. <p>JP also advised RPOG members that all staff at the WMLB were on notice of redundancy. JP has produced a report about future strategic planning arrangements which will be discussed under Item 3.</p> <p><u>RSS</u> : -</p> <p>JP referred to the letter received from Eric Pickles and interim guidance received from PINS which confirms that until the RS is revoked it remains part of the Development Plan. In the meantime, JP hoped that the awaited order and guidance gives clarity, as it is not just about the housing numbers. In the West Midlands the RS sets out important principles about the recovery of the region.</p> <p>JP hoped that LA's didn't put things off in terms of progressing their Core Strategies, and stressed that they</p>	

	<p>needed to find positive solutions in moving forward. He advised that the Black County Joint Core Strategy examination was moving forward and that the WMLB will give helpful guidance to Wyre Forest in terms of moving their Core Strategy forward.</p> <p>JP also confirmed that the conformity function will continue and that he will update further on this under Item 4.</p> <p><u>Monitoring : -</u></p> <p>JP outlined a discussion about the future of monitoring and the views that had emerged at a RMOG meeting on the 15th June 2010. JP stressed the view about the importance of continuing with data collection across the region, and that any break in the data series would be very hard to resurrect. However, he also noted that realistically the ability to convert the data into a full analysis producing the annual document may be a casualty of the disbanding regional structure. Further, JP recognised that the collection of data this year and beyond required the collaboration of all LA's.</p> <p>JP advised RPOG members that in order to ensure the continuity of the monitoring activity, it had been suggested that RMOG become a working group of RPOG, and that Dave Carter who had been at RMOG agreed this as a way forward. Further, JP advised that a joint position statement (RMOG/RPOG/WMLB) was being prepared and would make clear the proposed arrangements for data collection this year and the arrangements for 2011.</p> <p><i>(This position statement was circulated to RPOG Members after the meeting).</i></p> <p>Peter Yates asked whether there was any indication that the AMR was not going to continue to be a statutory requirement. Ian Smith confirmed that there was no indication in the short term. He went on to stress that the AMR is a monitoring report for LA's and that whilst it has to be submitted to GOWM, they don't do anything with them. It is therefore up to LA's to use them how they think fit.</p> <p>Mark Middleton asked about the Coalition Government's attitude to Leaders Boards. Do they not want them to exist or is it up to the local area to decide? IS advised that there was a press notice due out on 17th June about Leaders Boards. The parallel is with the RDA position, in that if the regions want them in LEP then that's OK, it's a local decision, but there will be no CLG money.</p> <p>Peter Davenport reported that he had been to the LGA recently, who had been quite influential in Government thinking in the past. However, he expressed concern that the LGA don't think about the practicalities and focus on</p>	
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	<p>the politics first. PD stressed that it was important therefore to go back to a zero base and to identify what we want to do and how we will work together. If we do have an alliance of West Midlands LA's how will it look and work. PD referred to transport colleagues who see benefits and arguments for working at the West Midlands level. However, the challenge will come if it's voluntary, as this has resource implications for Chief Executives.</p> <p>Dave Carter concluded the discussion by stating that there was a need for us to work together to overcome the future uncertainty. Further in terms of moving forward on monitoring, there is a need to define the specifications of monitoring, possibly around the comparative analysis that can be undertaken, but that it was crucial that we did not let it slip away and we must keep best practice going.</p>	
3. Abolition of RSS and the future of Strategic Planning	<p>John Pattinson tabled a paper that had been drafted by himself and Stefan Preuss which considered options for the future of strategic policy coordination and delivery in the region in light of the announcement to abolish the RS.</p> <p>JP was conscious of its sensitivity and timing and stated that it would be going as at the back of the main paper to the Leaders Board meeting on the 22nd June. The paper spelt out two options for future arrangements at section 4. JP concluded with a plea to RPOG to maintain momentum regionally even if the WMLB does not exist.</p> <p>Dave Carter asked about the status of the paper, as if it were still a draft, he felt that it would be worth changing some of the terminology – for example, should the word 'strategic' be replaced. JP agreed, and advised that he had taken 'regional' out where possible, but apologised that there was not time to get views from RPOG.</p> <p>Tony Lovett asked about the main paper and whether there was anything about resources. He asked about the planning vs. training function of the WMLB and whether there was any scope to integrate planning into WMLGA family? JP confirmed that it did contain statements about resources and will talk about CLG funding, LA subs and the training side of the WMLGA. It identifies choices about the WMLB functions as a whole not just planning. It poses 3 options, as outlined under item 2, ranging from closing down the WMLB and the Local Government services completely, and two further options of a small scale operation. The resource implication of each are discussed, but it is recognised that the only source of funding is LA subs, and there are no other resources available.</p> <p>DC thanked John and advised RPOG members to absorb the contents of the paper and brief as necessary.</p>	

<p>4. Conformity Update – John Pattinson</p> <ul style="list-style-type: none"> • Conformity arrangements post 1st April 2010 • Update on consultations received and responded to since last RPOG meeting 	<p>John Pattinson reminded RPOG members of the review of conformity arrangements in April 2010, which had been reported to the last RPOG meeting. The focus is now on core strategies and key applications with a reduced WMLB resource. The WMLB Conformity Protocol which had been circulated before the meeting reflects these changes and was agreed by the WMLB on the 13th April 2010. A letter from Rose Poulter dated 30th April outlined the new arrangements which became operative from the 4th May 2010. Any errors in the protocol please advise JP.</p> <p>JP went on to advise that the WMLB secretariat will be continuing the conformity role and will review this when further guidance on the RS is received. At this point the WMLB will advise LA's and Dave Carter as Chair of RPOG.</p> <p>JP advised that since the last RPOG meeting 18th March 2010 the WMRA / WMLB have given formal advice on the general conformity of the following DPD:</p> <ul style="list-style-type: none"> • Coventry City Centre AAP Proposed Submission Document - Formal - Consistent with RSS <p>Informal Conformity advice on DPDs provided in respect of:</p> <ul style="list-style-type: none"> • South Staffordshire LDF Core Strategy Policy Choices Consultation March 2010 Policy H4 – Gypsies, Travellers and Travelling Showpeople • Dudley MBC Stourbridge Town Centre AAP Draft Options report • Warwick DC Warwick Town Centre Plan Issues Paper Spring 2010 consultation <p>Planning Applications responded to:</p> <ul style="list-style-type: none"> • Erection of 28 detached dwellings St George's Park Burton on Trent - not in conformity • Planning Application for outline planning. Birch Coppice Business Park. Dordon, 37.5ha (186,000sm2) of B8 Storage and Distribution industrial development – in conformity • Planning Application for erection 162 dwellings at Three Spring Rd, Pershore, Worcestershire – in conformity • Planning Application 26,696m2 of use class B1(a/b) floorspace Opus 40. Birmingham Rd, Warwick – not in conformity • Maudslay Park, Great Alne. AlcestExtra care development (class C2) 150 Private care units, 50 afford units 10 dementia flatlets, shop, medical centre, allotments, cricket pavilion, manager accomod, visitor accomod, car parking – in conformity • Development 16 Retail units 9,659 sqm. Adjacent 	
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	<p>Milestone way and rear of 29 Cannock Rd Burntwood – in conformity</p> <ul style="list-style-type: none"> • Planning Application development B1,B2 and B8 on Bosch Site, Pershore Lane, Tibberton, Worcester – in conformity with conditions • Clarendon Arcade, Leamington Spa – in conformity • Planning Application for up to 175 dwellings including infrastructure, facilities and allotments/landscaping on land off Cheltenham Rd, Evesham – in conformity • Erection 34,600 sqm Class B1C/B2/B8 at Plot 5000 Birmingham Business Park – not in conformity unless conditions met • Outline Planning Application for residential development on land north of Beaconside Stafford (Site HP13) – in conformity • Outline Planning Application for 3950 dwellings Class C3. Martley Rd, Lower Broadheath. Worcestershire - Capable of conformity subject to more detail <p>Current consultations: Planning Applications</p> <ul style="list-style-type: none"> • Planning Application for Proposed Development of an Energy from Waste (EfW) Facility for the combustion of non-hazardous waste and the recovery of energy • Leaton Quarry - Proposed New Quarry Access and Future Quarry Development • Installation and operation of a wind energy scheme comprising 5 wind turbines and ancillary infrastructure for a period of 25 years for Land East of Bishampton, Sheriffs Lench <p>JP concluded by stating that the WMLB had seen a significant increase in major applications with a slow down in core strategies coming through. He felt that there was a clear pattern emerging, which he felt may continue for a while.</p> <p>Suzanne Clear advised that the RES will also be abolished with the RS. She stressed though that the RDA would be concentrating on it's impact locations and would continue to respond to LA's where anything falls into their areas of interest.</p>	
5. Local Economic Assessments – John Pattinson	<p>John Pattinson advised that the situation around LEA's had changed since the last discussion at RPOG. He reminded members that the LEA stemmed from the Local Democracy Act, which introduced a duty to prepare an LEA on the 1st April 2010. The LEA is intended to provide an evidence base to local DPD's, the RS, SCS, LIP's etc. However, JP stressed that whilst the changes to the RS were happening, it was still important to remember the value to RPOG members.</p>	

	<p>JP advised that REDOG had worked together to get a common approach. A steering group has been set up by REDOG. It was also agreed at Chief Executive level that each LA would produce a summary version of the LEA. He explained the role of REDOG in working together to set a common approach and that the Regional Chief Executives task Group remain committed to their request that the six sub-regions of the West Midlands produce a draft LEA summary, based around an agreed framework document, by the 2nd July 2010. John also stressed the importance of planners getting involved in the LEA process if they aren't already.</p> <p>JP also advised RPOG members of an on-line survey which is looking at the basis of forecasting. Economic Development colleagues have been asked to complete the survey, but there is concern that this may not capture the level and intent to use forecasting models by planning colleagues. RPOG members were asked to encourage planning colleagues to respond to the survey - details of the survey can be obtained from Tim Williams at the WMLB. His telephone number is 0121 - 678 – 1020.</p> <p>Dave Carter advised that he went to an event hosted by REGENWM and was the only planner there. He therefore agreed with JP that it was important for RPOG members to encourage planners to get involved in the LEA preparation process.</p> <p>It was AGREED that RPOG members should encourage this to happen.</p> <p>Alister Scott considered that it was important for the environment to be associated with the economy as we move out of the recession. Planners need to speak to not just economic developers but also environmental groups also. The fragmented approach separating the environment from the economy needs addressing, and AS considered there was an opportunity to have broader dialogue. DC supported this.</p>	
<p>6. Infrastructure Delivery Planning – Mark Middleton</p>	<p>Mark Middleton opened the discussion on this agenda item by asking whether with the current climate authorities could get on with infrastructure delivery. He advised that in Worcestershire there is an agreement to pursue infrastructure delivery. Currently, they are tackling the easy bits of updating consultants reports and making good progress with English Nature. Also, what the County Council asks of developers is being made clear across the board upfront. The key part of how is not so easy set against the uncertainty about the mechanisms, i.e. S106 and CIL. MM concluded that for the record Worcestershire are getting on and doing it.</p>	

	<p>Andy Cowan confirmed that Warwickshire are too, and using consultants AECOM.</p> <p>Tony Lovett asked whether the consultants reports were available. AC advised not yet, and MM confirmed that theirs had been undertaken by Baker Associates and it was available.</p>	
<p>7. Impact of Recession</p> <ul style="list-style-type: none"> Future training needs of Planners – Feedback to draft questionnaire – Alister Scott 	<p>Alister Scott thanked everyone who has provided comments on the training needs questionnaire, and circulated the final draft of the questionnaire to RPOG members at the meeting. He reported that with funding cuts, the University had seen a significant drop in the numbers for their post graduate training course. He considered that it was important to have a good evidence base to enable LA's to lobby for funding, and felt that the survey would provide a good start.</p> <p>He had received feedback from RPOG members, the WMRTPI Branch and the University students on whom he had road tested it, in terms of it's length and content.</p> <p>He asked RPOG members to have one final look at it and asked for final comments to be sent to him by the 28th June 2010. Alister confirmed that he intends to get the questionnaire out at the end of June, and asked RPOG members to encourage as many planners as possible to respond . He stressed that it was important for individuals to respond as opposed to a corporate response.</p> <p>Andy Donnelly asked how it would be circulated. AS confirmed that he intended to contact all Heads of Planning. Matthew Wedderburn suggested that a question around venues may be useful. AS agreed to pick this up.</p> <p>AS advised that he hadn't made much progress on the supply side as yet, but will move this forward as time permits. He also referred to other things that were agreed to be taken forward under this agenda item which hadn't been reported on in recent meetings. It was agreed that Pam Neal would go back through earlier minutes and pull these forward for action.</p> <p><i>(carried forward from December 2009 RPOG meeting the following action was agreed : -</i></p> <p><i>DC considered that a structured brainstorming session should be arranged, possibly including the RTPI and RICS.</i></p> <p><i>Mike Beazley suggested that the Universities could host, and that he would happily work with DC and AS to set something up.)</i></p>	<p>ALL to forward final comments by 28th June.</p> <p>PN to check</p> <p>DC, AS and MB to progress</p>

	<p>Finally, AS advised RPOG members of a seminar being hosted by Centre for Environment and Society Research. The event will be a Research Seminar Tuesday 29th June at 12.30- 14.00. The subject will be: An Economic Review of Urban Regeneration in a Recession to be presented by Dr Stephen Gruneberg from the University of Westminster. PN to circulate further details.</p>	<p>Details were circulated after the meeting</p>
<p>8. High Speed 2</p>	<p>Dave Carter advised that this was on the agenda as it affects a significant part of the region directly, and as such asked whether RPOG should be getting involved?</p> <p>Roger Stone declared an interest at this point and took no further part in this discussion on this Item.</p> <p>Peter Davenport advised that regionally work on pulling together evidence was being funded by AWM and Centro. He advised that JSIB had agreed a statement on HS2 and that an Action Plan and Working Group had been set up to pick up other people's views. Nationally, PD advised that the remit of HS2 Limited was to be revised and will be published shortly. PD thinks this will be around the debate about London connections, across to Heathrow and to Europe. Consultation is expected in the autumn, but this may be in a different form and network from what is expected.</p> <p>PD went on to explain the West Midlands issues were as follows:</p> <ul style="list-style-type: none"> • Advocacy in terms of it being good for the West Midlands, • Thinking about onward connections – eg Manchester, and • Key locations of stations. PD explained that there will be a minimum number of stations but they could connect into other networks. <p>PD reported that the HS2 Chief Engineer saw HS2 as being a service that would involve a mass movement of people, not an elite service. He concluded by suggesting that RPOG should be involved.</p> <p>Andy Cowan expressed his disappointment with the lack of a balanced objective view at the region. He viewed the Action Plan as a marketing plan which reaches the conclusion that HS2 is a great idea. WCC have put questions to HS2 and to Green Gauge 21 and from the information that has come back, it's not possible to identify either regional or sub-regional benefits. AC feels that this is a difficult situation as the region are doing a promotional job and not asking the difficult questions. He felt that the region are not helping authorities come to a conclusion as the facts are not there, this is not helpful to Members who are being pulled in by action groups. As planners we need</p>	

	<p>to understand the issues and the detail, and the region are not helping this process at present.</p> <p>Andy Donnelly asked how people are dealing with it in the plans if the infrastructure falls in their patch. Dave Simpson confirmed that SMBC are not putting anything in their core strategy. AC advised that the Hybrid Bill will provide every consent needed and will by-pass the planning process, and there will be no examination. AC felt that any changes that were needed must be made before the Bill. Peter Davenport considered that at present there was an opportunity to influence the Bill and that in his experience of Hybrid Bill's the most influence on the promoters tended to come from authorities with statutory duties, i.e. the Highway Authority.</p> <p>DC considered that HS2 ought to be kept as an agenda item.</p>	
9. 2011 Census Update - Dave Carter	<p>Dave Carter advised RPOG members that information on the 2011 Census had been sent to all LA's advising that it was still to go ahead. The ONS understand that the Coalition Government are looking at the cost of the process. DC felt that this would be bad for LA's as the cost for publicity etc could be cut, and it would then be down to LA's to raise the profile of completing the Census.</p>	
10. Local Development Frameworks <ul style="list-style-type: none"> Update on progress 	<p>Mark Middleton advised that Wyre Forest were going ahead with their examination, and had presented a letter to their Inspector which confirmed their desire to proceed with the higher RSS figures. Further, he advised that he understood that the Black Country Inspector was minded to delay their examination, and that Bromsgrove and Redditch were still pursuing two separate core strategies.</p> <p>John Pattinson updated that the Black Country Inspector had asked the LA's whether they wanted to go ahead or wait until further guidance had been published. The 4 LA's agreed to go ahead.</p> <p>Dave Carter advised that Birmingham would be consulting on their Core Strategy Preferred Options in the autumn.</p> <p>Dave Simpson advised that Solihull's Core Strategy would be out to consultation in the summer.</p> <p>Peter Yates advised that Herefordshire are revising their LDS and asked whether GOWM would still need to see it? Ian Smith confirmed that GOWM still have a statutory duty in relation to LDS.</p>	

11. Minutes of last RPOG Meeting (15th March 2010) - Accuracy	Under Item 6, Alister Scott pointed out a typo in the action column relating to 'questionnaire'. Otherwise the minutes and accuracy were agreed.	
12. Matters arising	Pam Neal had contacted Penny Russell in relation to the tourism update. Penny had not been able to convene the group, but advised that she hoped she would be able to follow up over the next few months and contact the relevant people who has volunteered to work on this.	PR to update at next RPOG meeting
13. AOB	<p>Alister Scott advised that the Research Council currently have funding available across the UK for rural-urban fringe research. AS will forward the abstract for the research and asked that if anyone had experiences of urban-rural fringe, please let him know. Peter Davenport pointed AS to an Ecotec report on Urban –Rural Interdependencies.</p> <p>Dave Carter raised the name of the group and asked whether in light of all the changes we should be including the 'regional' word, or should it be changed? It was agreed that it should be changed, but a new name was not agreed although a couple of suggestions were made, including West Midlands Planning Officers Group or Planners of the West Midlands (POWM). It was agreed to leave this as an outstanding issue and ask for any suggestions as to what the group should be called.</p> <p>Alister Scott asked whether we should consider anyone else who should be invited along, as planning in the true sense could include environment and economic colleagues or would this corrupt the integrity of the group? DC felt that the main concern was to keep something going. Whilst he didn't disagree, he felt that questions about the make-up of the group should be left for the future, when we see where we end up. John Pattinson endorsed DC's comments and felt that the legacy and continuity was really important, and we should be trying to ensure that all groups continued, and once this was achieved, then we need to look at the connections between them in the future. Peter Yates suggested that maybe a look at the RTPI and POS structures could be useful.</p>	<p>Abstract circulated after the meeting</p> <p>Suggestions to be forwarded</p>
Date of future meetings	<ul style="list-style-type: none"> • Thursday 16th September - 10.00am - 1.00pm – University of Birmingham. • Thursday 16th December - 10.00am - 1.00pm – Worcestershire County Council. 	

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

APPENDIX 29

**Initial template for a Duty to Co-operate or Memorandum of Understanding relating to the Duty
to Co-operate (vMarch 2012)**

DRAFT Duty to Co-operate Protocol & Checklist TEMPLATE

Local Planning Authorities and other bodies party to this agreement/ understanding:

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Development Plan Document(s) covered by this agreement/ understanding:

--

Stage in the process forming part of this agreement:

--

Checklist criteria <small>NB: this is a starting point, list to be mutually agreed</small>	Full agreement	Areas for discussion <small>NB: Refer to attachments if required</small>
Overall strategy incl. relationship to urban and rural renaissance		
Level of housing provision		
Distribution of housing provision		
Appropriate provision made for migration		
Level of employment land provision		
Distribution of employment land provision		
Level of office provision		
Distribution of office provision		
Level of retail provision		
Distribution of retail provision		

Appropriate provision made for public and private transport incl P&R and commuting patterns		
Consistency of planning policy and proposals across common boundaries		
Other identified matters		
Other identified matters		
Other identified matters		
Other identified matters		

Log of meetings, reports and other records to substantiate the collaborative working:

We, the undersigned, agree that the above statements and information truly represent the joint working that has taken place under the 'Duty to Co-operate'.

Authority A*

Authority/ Organisation B (& C, D etc)*

* Must be signed by either Council Leader or responsible Cabinet Member or responsible Chief Executive or Chief Officer only. For non-local authority organisations signatory should be at equivalent level.

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

APPENDIX 30

Package of papers relating to the Regional Technical Advisory Body (RTAB)

Contents

Documents are reproduced in the order set out below. There is no page numbering of this appendix.

- RTAB and the Duty to Co-operate – signed agreement
- Minutes of the Meeting of West Midlands Resource Technical Advisory Body held 24 January 2014
- Minutes of the Meeting of West Midlands Resource Technical Advisory Body held 25 September 2013
- Minutes of the Meeting of West Midlands Resource Technical Advisory Body held 8 July 2013
- Minutes of the Meeting of West Midlands Resource Technical Advisory Body held 12 March 2013
- Minutes of the Meeting of West Midlands Resource Technical Advisory Body held 25 September 2013
- Minutes of the Meeting of West Midlands Resource Technical Advisory Body held 10 May 2012

West Midlands Resource Technical Advisory Body

RTAB and the Duty to Co-operate

The Localism Act 2011 introduced a Duty to Co-operate, which is designed to ensure that all of the bodies involved in planning work together on issues that are of bigger than local significance. The bodies bound by this duty include local planning authorities, county councils, LEPs and the Environment Agency. Inspectors are looking for evidence of co-operation when considering the soundness of Development Plan documents. Such evidence might include joint plans or policies, a memorandum of understanding, or jointly prepared informal strategies.

The West Midlands Resource Technical Advisory Body (RTAB) is a group comprising waste planning and management officers of the Waste Planning Authorities (WPAs) in the West Midlands, the Environment Agency, representatives of industry including the waste management industry, and representatives of environmental organisations.

The role of the RTAB was given formal status in the Government's Planning Policy Statement (PPS) 10. Briefly, this role was to advise the Regional Planning Body on technical strategic waste planning issues. Consistent with this role, RTAB has in the past been proactive in commissioning technical work and preparing technical contributions to planning at the strategic level on behalf of constituent organisations. PPS10 is being reviewed and will be replaced by new planning policy guidance entitled 'Planning for Sustainable Waste Management'. This is likely to continue to stress the importance of close co-operation between WPAs.

RTAB continues to meet regularly (currently 3 times a year, but this is flexible according to demand), providing an invaluable opportunity for stakeholders to inform and involve each other regarding progress on waste plans and developments in the West Midlands. As such it brings together a wide range of expertise in what is a very specialist area of planning. RTAB also monitors waste management and planning trends, focussing on wider than local patterns and setting the context for plan making and monitoring at the local level.

RTAB's revised terms of reference and current membership (attached), adopted October 2013, include the following:

To 'support co-operation between waste planning authorities and others by providing objective and authoritative technical advice to waste planning authorities' and others;
also – 'where requested, provide informal comment and feedback on waste and sustainable resource management plans and proposals within the West Midlands and adjacent areas';
and 'work with individual local authorities, West Midlands Councils and Local Economic Partnerships (LEP's) to identify and address cross-boundary waste planning and waste management issues, including movements of waste, in a co-ordinated way'.

WPAs are invited to bring to RTAB at the appropriate stages in the plan-making process any significant cross-boundary issues, and to give notice of such matters and provide any relevant information in advance of the meeting. In its consideration of such issues, RTAB will explore to what extent the plan has analysed the available data to demonstrate that appropriate provision is being made for an amount of waste equivalent to that generated in its area, allowing for known imports and exports; and whether specific sites or areas are identified to make provision for waste management.

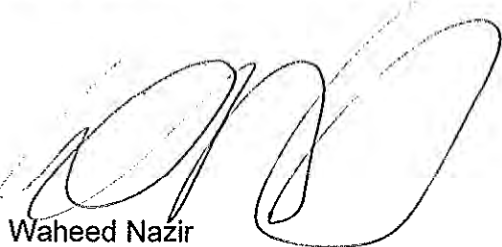
Technical secretary - Peter Field
0121 353 0903/ 07717 708349
field@clara.co.uk

West Midlands Resource Technical Advisory Body
Chair: Adrian Cooper, Shropshire Council

This activity is currently on an informal basis. It continues because of its perceived value amongst participant stakeholders. If it is to add full value in terms of the Duty to Co-operate, however, RTAB's role should be formally recognised by WPAs (and preferably others to whom the Duty to Co-operate applies).

Each WPA is therefore requested to confirm its commitment to support the work of RTAB as outlined above and set out in the attached terms of reference, by regular and active involvement in its meetings and agreeing to share relevant information.

I confirm that Birmingham City Council endorses the role and will support the work of RTAB as set out above and in the attached terms of reference.



Waheed Nazir

On behalf of Birmingham City Council

Position in Organisation: Director of Planning & Regeneration

Technical secretary - Peter Field
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**Minutes of the Meeting of West Midlands Resource Technical Advisory Body
24th January 2014**

Birmingham City Council offices, 1 Lancaster Circus, Birmingham

1. Attendance

Adrian Cooper	Shropshire Council - Chair
Brian Dore	Birmingham City Council
Chris Crean	Friends of the Earth
Christelle Harrison	Birmingham City Council/ Aston University/ EBRI
Clifford Hill	Birmingham City Council
David Piper	Dudley MB Council
Dawn Harris	Walsall MB Council
Harjot Rayet	Telford & Wrekin Council
Ian McLeod	Birmingham City Council
Jim Davies	Environment Agency
Julie Castree-Denton	Staffordshire County Council
Martin Everett	Environment Agency
Mark Watkins	Sandwell MB Council
Nick Dean	Worcestershire County Council
Rachel Lombardi	International Synergies/ NISP
Tom Pond	Wolverhampton City Council
Tony Lyons	Warwickshire County Council
Peter Field	Technical Secretary

Apologies

Bruce Braithwaite, Bryn Walters, Debby Klein, Jeff Rhodes, Peter Hopkins, Rob Haigh, Susan Juned.

2. Minutes of the Meeting on 25th September 2013.

2.1 The minutes were agreed.

3. Duty to Co-operate

3.1 So far, 5 Waste Planning Authorities have 'signed up' to the Agreement. Remaining WPAs are encouraged to sign up as quickly as possible. Nobody anticipated any difficulties.

3.2 The tendency for some WPAs to consult all other WPAs, even where the scale of waste movements between respective areas was very small, was generally felt to be a time-wasting and unnecessary reaction to the rejection by PINS of some Plans because of failure to co-operate in plan preparation. Attempts so far to get PINS to provide guidance on the interpretation of the Duty to Co-operate (DtC), including advice on what constitutes a significant impact, have so far failed. The Chair will continue to push for this at national RTAB Chairs meetings; ME suggested that it could also be raised at the forthcoming RTPI national waste planning event.

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3.3 It was noted that North London has proposed thresholds of 1,000 tonnes of waste and 100 tonnes of hazardous waste pa. Walsall's proposed thresholds are 5,000/ 1,000 tonnes pa. Walsall is also considering setting up a web page detailing its interpretation of significant movements, and inviting responses. The group felt that 'significant impact' is a function of the overall scale of activity in a particular WPA as well as the total scale of movements, and therefore thresholds might not be applicable across all WPAs. Nevertheless, without such thresholds there remains the prospect of widespread, unnecessary and time-wasting consultation from WPAs across the country.

3.4 It was therefore agreed that, in the West Midlands RTAB area, thresholds will be adopted in determining significant waste movements for the purposes of consultation in relation to the DtC. These will be as proposed by Walsall – see annexed, and will be reviewed as part of the regular monitoring process. All possible steps will also continue to be taken to encourage a national approach.

4. Government consultations on waste policy

4.1 The Chair reminded the Group that responses to government consultations on the National Waste Plan and revised waste planning guidance had been submitted by Walsall on behalf of RTAB. These responses were well-received, and the Chair thanked Dawn Harris on behalf of RTAB. The status of the revised waste planning guidance in relation to the National Planning Policy Framework continues to be unclear yet crucially important, and the Chair will continue to press for clarification at national level.

4.2 Martin Everett reminded members of the need to take into account the Waste Prevention Programme for England, adopted in December 2013, when preparing Plans. (See <https://www.gov.uk/government/publications/waste-prevention-programme-for-england>.)

5. Birmingham Development Plan

5.1 Ian McLeod gave a presentation on Birmingham City Council's Development Plan. The Plan has been substantially reviewed since the Draft Core Strategy was published in 2010, in response to the abolition of regional planning, the adoption of the NPPF, and new population/ household projections. It identifies 8 key locations for growth to 2031 to help to accommodate the requirement for 80,000 dwellings and 400 ha of employment land. Much of the extra housing will need to be provided in adjoining areas.

5.2 The Plan encourages waste reduction and aims for equivalent self-sufficiency in waste management provision. It includes policies to protect existing waste management facilities; encourages new technologies and district heating; designates the Tyseley Environmental Enterprise District and supports expansion of the Tyseley Energy Recovery plant; gives support for waste treatment facilities in industrial areas, including core employment areas; and sets out criteria for determining waste planning applications.

5.3 The Waste Capacity Study, prepared by Enviros in 2010, identifies the key priorities for waste management provision as additional MRF and organic waste treatment capacity. An update of the Study is being commissioned, to be completed by Easter 2014. This will take account of the revised growth requirements set out in the pre-submission draft Plan and up to date information on waste management and movements.

5.4 The City Council has consulted neighbouring Waste Planning Authorities (and held specific discussions with Staffordshire and Warwickshire). Public consultation will take place January – March 2014, submission Spring 2014, Examination Autumn 2014. The aim is to adopt the Plan in early 2015.

5.5 The group welcomed the Plan's ambition for equivalent self-sufficiency, and particularly the progress being made with the Tyseley project (including 2 major investments in waste capacity with a combined value of some £100m). It was noted that self-sufficiency depends significantly on the continuing operation of the Tyseley plant, the current contract for which ends in 2019 and is therefore likely to be under review in the near future. Ian confirmed that the municipal waste strategy is currently being reviewed.

5.6 Following further detailed discussion, it was agreed that the Plan's approach to identifying and meeting waste requirements takes appropriate account of available data on waste arisings and movements, and makes appropriate provision through either specific proposals or criteria to identify suitable sites.

6. RTAB presence on CLG-WM web site

6.1 The Chair confirmed that arrangements have been made for RTAB minutes and other information to be maintained on the CLG-WM web site. These arrangements were noted. NB Following the demise of CLG-WM, RTAB's web presence is now to be found at <http://www.westmidlandsiep.gov.uk/index.php?page=891>.

7. Environment Agency – update

7.1 Martin Everett briefly outlined key changes and developments in the work of the Environment Agency. These included:

- a) Budget and headcount cuts and a major restructuring of the Agency by October 2014, which will see the Midlands region cease to exist as part of the move towards local delivery focussing on river catchments.
- b) Moving data to the .gov website, which will reduce access to useful information; feedback on the new site will be welcome.
- c) Lifting of the statutory 'planning bar' for waste facilities. Group members expressed concern that this could lead to unauthorised development on contentious sites unless measures (such as a 'weekly list') were put in place to alert WPAs.
- d) Introduction of charges to developers for pre-application advice, which will also apply to advice provided to WPAs over and above that required under statutory procedures (statutory responses will be free of charge).

8. Progress on Plans and Developments

Worcestershire: no challenges as yet to the adopted waste plan, and no significant waste planning applications. Consultation currently taking place on options in the Minerals Local Plan, which takes a restoration-led approach. Nick Dean raised the potential future issue of difficulty in securing quarry restoration because of a shortage of suitable materials; this would be a material consideration when considering quarrying applications in the future. A

related issue is the current debate between the Minerals Products Association and the Environment Agency about the status of 'inert' materials.

Dudley: Cabinet consideration of the consultation draft of the Development Strategy DPD has slipped to June 2014. A speculative waste planning application in Brierley Hill has been refused on amenity grounds and is going to appeal.

Wolverhampton: 2 Area Action Plans have been submitted, Hearings into which will be dealt with by written representations.

Telford & Wrekin: the Site Allocations document will be out to public consultation in April 2014. The Ironbridge Power Station site is due to close in 2015; the future use of this large site will be a significant issue for debate.

Birmingham: There is an emerging need in Birmingham for a local clearing house to bring together those with waste to dispose of and those who have a use for such waste. The Chair suggested that RTAB may be able to act as a clearing house if details of what is required could be provided.

Walsall: preferred options for the SAD, which safeguards existing sites and allocates new ones, will be published in summer 2014. Disappointingly, only one response was received from the waste industry to earlier consultations. Detailed discussions have taken place with Staffordshire.

Staffordshire: the Four Ashes energy from waste plant is now operational. Districts in the county area are taking the lead on preparing municipal waste strategies. The county is receiving a large number of applications for minerals quarrying.

Warwickshire: no challenges yet to the adopted Plan. No major applications to report. The draft local aggregates assessment is almost complete, and consultation on preferred options is planned for summer 2014. A reduction in quarrying is proposed to be offset by an increase in recycled aggregate from construction and demolition waste.

Shropshire: the pre-submission draft of the Site Allocations Plan will be considered by members in February 2014, with consultation taking place in March and April and submission in July, Examination in October/ November, and adoption early 2015. The Battlefield EfW plant is under construction, and planned to be operational in mid/ late 2015.

International Synergies: are now approaching LEPs offering 'off the shelf' low carbon growth programmes to local partnerships, which offer the possibility of business and job creation, CO₂ reductions, resource efficiencies, inward investment, innovation, diversification and a shift to the low carbon economy.

9. Update on the BioEnergy Support Centre and European Bioenergy Research Institute

9.1 Christelle Harrison reminded the group that the West Midlands Bioenergy Support Centre (BSC) was established in March 2012 as one of 5 regional BSCs in NW Europe through a European Inter-reg project. The West Midlands BSC is run by the European Bioenergy Research Institute (EBRI) at Aston University in collaboration with Birmingham City Council.

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9.2 The project focuses on the promotion and adoption of small-scale bioenergy schemes. The West Midlands BSC brings together companies, organisations, academia and local authorities who all have an interest in the green agenda. Members are able to access a wide range of free services and support provided by the EBRI and other organisations throughout NW Europe who are part of the BioenNW project. Membership of the BSC is free and is available to all private and public organisations based in the West Midlands who have an interest in bioenergy or who wish to be part of the bioenergy supply chain. The Pyroformer plant developed by EBRI combined heat and chemical treatment in a sealed environment, and uses multiple waste sources to generate cost-effective heat and power and biochar which can be used as a fertiliser to increase crop yields.

9.3 Discussion focussed on the importance of securing feedstock, the benefits of a technology that can meet local, small scale needs, and – conversely – the feasibility of ‘upscaling’ for example to a city-wide scale.

9.4 The Chair thanked Christelle for her presentation, and invited members to join her for a tour of the EBRI facilities at the end of the meeting.

10. Next meetings:

10.1 The next meeting will be held in the week commencing 12th May 2014, and will include a site visit to the new facilities at Robert Hopkins Ltd.

PF 29/1/14

**Minutes of the Meeting of West Midlands Resource Technical Advisory Body
25th September 2013**

Lower House Farm Household Waste Recycling Centre
and Waste Transfer Station, North Warwickshire

1. Attendance

Adrian Cooper	Shropshire Council - Chair
Charlotte Harper	International Synergies/ NISP
David Piper	Dudley MBC
Dawn Harris	Walsall MBC
Harjot Rayet	Telford & Wrekin Council
Michael Dinn	Staffordshire CC
Susan Juned	Greenwatt Technology
Tony Lyons	Warwickshire CC
Peter Field	Technical Secretary

Apologies

Bryn Walters, Chris Crean, Clifford Hill, Debby Klein, Jeff Rhodes, Martin Everett, Maurice Barlow, Nick Dean, Peter Hopkins, Tom Podd.

2. Minutes of the Meeting on 8th July 2013.

2.1 The minutes were agreed, subject to a correction to section 7 to state that Dudley's site allocations document will 'identify existing waste sites to be safeguarded'.

2.2 The training workshop on waste treatment processes and related amenity issues had taken place on 10th September. Martin Everett has requested feedback from participants; David Piper requested that copies of the Powerpoint presentation are distributed as promised.

3. Government consultations on waste policy

3.1 The chair confirmed that responses on behalf of RTAB (copies of which had been circulated for comment prior to the meeting) had been sent to Defra and DCLG regarding consultations on the draft 'Waste Management Plan for England' and the draft 'Planning for Sustainable Waste Management'. He stressed that it helped to raise RTAB's profile to make comment on these matters, which impact on the group's terms of reference and relate to matters that cross local authority boundaries. The group felt that the update to PPS10 in particular was a missed opportunity to confirm that, rather than being a problem that has to be dealt with, waste is an important economic and employment opportunity to be embraced and planned for. It would be helpful for the final version to also acknowledge the important role of RTABs.

4. Duty to Co-operate

4.1 There was general agreement that the group's terms of reference should be revised to include reference to Waste Planning Authorities as well as Local Authorities. The group's

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membership and terms of reference should be appended to the protocol. The title of the protocol should include reference to the Duty to Co-operate, which should also include the broad issues which would be addressed by RTAB when considering WPA plans. A revised draft of the protocol will be circulated. Once finally agreed, WPAs and others to whom the DtC relates should seek formal endorsement from their organisation.

4.2 The chair agreed to explore whether the Centre for Local Government – West Midlands could provide a web presence for RTAB's minutes, the Monitoring Report, and other documents.

4.3 After some discussion about changing the pattern and frequency of meetings, it was agreed to continue with the present pattern of 3 per year, but that in future the May meeting will be combined with a site visit and the other meetings will be held in a central location or at the offices of a WPA requesting a DtC discussion.

4.4 There was general support for seeking a 'de minimus' figure for the scale of waste imports/ exports below which consultation between WPAs would be unnecessary, and recognition that a national agreement would be very desirable. It was also acknowledged, however, that the figure may have to be proportional to the scale of waste facilities and/ or waste arisings in a WPA. As a starting point, Walsall had produced some figures and it was agreed that these would be circulated for comment.

5. Developing consistency and best practice in the use of available data

5.1 The group agreed that the 'Waste Planning and Management Trends in the West Midlands 2011/12' report should be formally 'signed off', and that the final version of the Report, Appendices and covering report should be circulated.

5.2 It was recognised that resource constraints have dictated that progress on preparing WPA Annual Monitoring Reports across the West Midlands is uneven. The key area where RTAB could help to secure consistency is in the way in which waste management capacity is estimated and monitored. It was noted that Bryn Walters had agreed to make a presentation about Derbyshire's approach to estimating capacity, and that this would help to move the matter forward.

6. Progress on Plans and Developments

Staffordshire: now beginning to monitor the adopted plan.

Walsall: now considering responses to the SAD.

Warwickshire: the Plan was adopted on 9th July 2013.

Telford & Wrekin: preparation of the Strategy and Options stage of the plan continues.

Dudley: the consultation draft of the Development Strategy DPD is due to be considered by Cabinet in early 2014.

Shropshire: little comment has been received on the proposed site allocations (9 employment sites are identified as being suitable for waste development); the pre-submission draft is due to be considered by Cabinet in spring 2014 and the examination is anticipated in summer 2014.

7. Any Other Business

8.1 Susan Juned explained that she had been commissioned by the Royal Agricultural Society of England to prepare a study into the opportunities for sustainable rural and farm transport, focusing on the potential to use renewable energy, such as wind and solar electricity, bio-methane, biofuels and energy from biomass processes such as gasification and pyrolysis. She invited comment on problems and opportunities, including suggestions for case studies, from RTAB members. The Chair noted that there are some 8 or 10 farm based AD plants in Shropshire, varying in size from 5k – 50k tonnes, and that farms are increasingly seeking to reduce energy bills by using materials produced on-farm and by importing food by-products. He agreed to provide the names of farms to Susan.

8.2 Charlotte Harper informed the Group that International Synergies is now CIWM approved and will be offering training courses in October and December 2013.

8.3 Dawn Harris noted that the government is now seeking views on a revised process for consulting communities on the location of sites for geological disposal of radioactive or nuclear waste.

9. Next meetings:

9.1 Dates and venues to be agreed for January, May (including site visit) and September 2014.

Visit to Lower House Farm Household Waste Recycling Centre and Waste Transfer Station

The Chair introduced Laura Vesty, Area Contracts Manager at Warwickshire County Council and responsible for the Lower House Farm Household Waste Recycling Centre and Waste Transfer Station. He thanked her for agreeing to host the meeting and provide a tour of the Centre.

Laura explained that the Centre is located on a former colliery site and adjacent to a large industrial estate. Use of the Centre is shared between Warwickshire County Council, Biffa, and North Warwickshire, Nuneaton and Bedworth and Tamworth District Councils. Historically, most of Warwickshire's waste has been sent to landfill. The County Council has now entered into a contract to send residual waste to the Four Ashes EfW facility. This site will provide for the transfer of waste collected by the district councils to Four Ashes. It also accommodates a large public household waste facility and includes a re-use shop.

Minutes of the Meeting of West Midlands Resource Technical Advisory Body
8th July 2013
Birmingham City Council Offices, 10 Woodcock Street, Birmingham

1. Attendance

Nick Dean	Worcestershire CC – in the chair
Andrew Christelow	Staffordshire CC
Brian Dore	Birmingham CC
Bryn Walters	East Midlands RTAB
Bushra al-Duri	University of Birmingham
Chris Crean	FoE
Christelle Harrison	Aston University/ Birmingham CC
Clifford Hill	Birmingham CC
David Piper	Dudley MBC
Dawn Harris	Walsall MBC
Jeff Rhodes	Biffa/ ESA
Martin Everett	Environment Agency
Matt Wedderburn	Telford & Wrekin Council
Maurice Barlow	Solihull MBC
Mohammed Salim	Sandwell MBC
Peter Hopkins	Robert Hopkins Ltd
Rachel Lombardi	International Synergies Ltd
Tony Lyons	Warwickshire CC
Peter Field	Technical Secretary

Apologies

Adrian Cooper was unable to attend, and Nick Dean took the chair. Apologies were also received from Bruce Braithwaite, Ian Humphreys and Mark Rowley.

2. Minutes of the Meeting on 12th March 2013.

2.1 The minutes were agreed, subject to an amendment to reflect the status of the Solihull Plan – hearings were complete, but the examination itself was not yet finished. It was noted that there had been no legal challenge to the Staffordshire plan.

3. Presentation by Dr Bushra Al-Duri, University of Birmingham - The Noxyclean process for the treatment of hazardous waste

3.1 Bushra explained that the Noxyclean process uses ‘supercritical water technology’ to convert organic based hazardous wastes into benign gases, liquid water and mineral salts, leaving metals to be recovered. The process is effective in treating 99% of the waste. It is rapid, produces zero emissions and is very energy efficient; recovered heat is used to pre-heat and treat the waste and energy is left over for other uses. As examples, she quoted the costs associated with medical waste treatment by the NHS and the treatment of sewage sludge, and illustrated the potential cost savings which Noxyclean could achieve. Problems with the technology include corrosion and blockages due to salt precipitation, which have led to plant closure in the past. Bushra concluded by stressing the need for time and technical

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knowledge to be invested in addressing the engineering issues associated with new techniques.

3.2 Discussion focussed around

- a) The scale at which a plant would be viable – the inherent flexibility of the process means that plants could range from 5 tonnes pa to 70k tonnes pa. A facility could potentially be provided for individual hospitals or apartment blocks, for example – though full construction costs would need to be known and viability demonstrated for funding to be secured.
- b) The need for testing at scale, for which a waste stream has to be secured. Hazardous wastes tend to arise in relatively small and disparate quantities, which poses viability issues.
- c) Potential water pollution from the liquid remaining after treatment – discussion with the EA would be desirable.

4. RTAB Monitoring Report, 2011/12

4.1 The draft report and appendices were discussed. The main issues raised were:

- a) The impact of the economic recession on the level of arisings, and the uncertainty regarding the likely trajectory of arisings as economic recovery takes place. Is there any evidence of actual waste reduction by industry and the decoupling of waste and economic growth? This is an issue which RTAB could look at further, perhaps when considering Defra's forthcoming Waste Prevention Programme.
- b) How to measure and monitor existing capacity, and what account to take of approved but not operational capacity. It would be desirable to arrive at an agreed method of calculating existing capacity which might be based on actual inputs over time. Bryn Walters agreed to share the approach taken by Derbyshire at a future meeting.
- c) The desirability of agreeing a 'de minimus' figure below which waste movements could be disregarded from the point of view of the Duty to Co-operate. This might for example be in the region of 1,000 tonnes pa for wastes other than hazardous wastes.

4.2 It was agreed:

- a) that any further comments on accuracy would be provided to the Technical Secretary, following which the reports and appendices would be formally 'signed off';
- b) to receive a presentation from Bryn Walters on Derbyshire's approach to assessing existing capacity, and to consider further the possibility of promoting an approach which could be agreed across the West Midlands and beyond;
- c) to consider further a 'de minimus' figure for waste movements in connection with the Duty to Co-operate at the next meeting.

5. Duty to Co-operate

5.1 The draft protocol was given further consideration. It was noted that RTAB's role is supported in PPS10, which is under review. The Group felt that the effectiveness of RTAB's

involvement in assisting with the Duty to Co-operate would be greatly enhanced if the protocol were to be agreed at high level by individual WPAs.

Telford & Wrekin Council - Shaping Places Local Plan - Strategy and Options

5.2 Matt Wedderburn summarised the waste policy aspects of the plan. The aim is to provide for a level of capacity equivalent to self-sufficiency, to identify appropriate locations, and to include sufficient employment land to meet these requirements. He sought guidance on who to consult with, and asked whether RTAB supported the approach adopted in the Plan.

5.3 RTAB agreed with the way in which the Plan assesses required capacity and the approach adopted to identify appropriate locations for waste development and allocate sufficient employment land. RTAB also stressed the importance of cross-boundary consultation, particularly regarding Telford's possible reliance on landfill outside its area and whether the receiving authorities are in agreement.

Walsall Site Allocations Document (SAD) and Walsall Town Centre Area Action Plan (AAP)

5.4 Dawn Harris explained that the purpose of this Plan is *inter alia* to deliver the Black Country Core Strategy to 2026, which sets diversion targets for waste but does not identify locations or sites for waste-related development. The key waste-related issues which are addressed are: how much and what type of additional capacity is required; how to safeguard existing infrastructure; whether to identify specific sites; and whether further locational guidance is required. Three sets of options relating to these issues have been identified, on which views were sought during the consultation process, which took place between April and June 2013.

5.5 Consultations have been initiated with all those parties identified under the Duty to Co-operate, and an analysis of waste movements is being used to identify others who need to be consulted regarding waste matters. Letters have been received from distant authorities regarding the Duty, and it is apparent that there are considerable differences in the way authorities are approaching the Duty. Dawn stressed that Walsall was very willing to meet with any party who wanted to discuss the Plan. Public consultation on Preferred Options is programmed for July 2014.

5.6 RTAB confirmed its support for the approach being taken by Walsall.

6. Workshop on waste treatment processes and related amenity issues

6.1 Martin Everett confirmed that the EA are offering a free workshop on 10th September 2013 which will explore the waste technologies needed to replace landfill, their role in the waste hierarchy, and some of the issues these activities can cause. It will also address the increased risk of new housing encroachment on existing waste facilities, with greater potential for conflict. The workshop may be of most interest to anyone relatively new to waste planning, and to lower tier authorities (eg to help them identify "sham" landspreading and infilling proposals). It is not available to non-LA staff.

7. Progress on Plans and Developments

Solihull (Maurice Barlow): Modifications to the draft Local Plan will include additional text regarding waste.

Staffordshire (Andrew Christelow): the Joint Plan has been adopted by Staffordshire CC.

Warwickshire (Tony Lyons): the Plan is due to be adopted on 9th July. It is no longer intended to prepare a site specific allocations document. An application has been received for a 50k tonne AD plant at Coleshill, and a revision to the 300k tonne development at Rugby Cement Works has been submitted.

Sandwell (Mohammed Salim): the EMR project at Oldbury is still under construction.

Worcestershire (Nick Dean): planning applications are now coming forward, and the EfW plant at Hartlebury is progressing. However, facilities have been lost as a result of fires at 2 sites, and there are circumstances where a fire can lead to the loss of planning permission.

Dudley (David Piper): the site allocations document will identify existing waste sites for safeguarding.

Birmingham (Brian Dore): Consultation on the Birmingham Development Plan Options was completed in December 2012. (This consultation was as a result of Birmingham being potentially not able to meet its housing growth needs up to 2031. By 2031 Birmingham's population is projected to grow by 150,000 which is far greater than previously envisaged in the previous Issues and Options (Core Strategy) draft.) The results from the consultation will feed into a 'Publications draft' which will also undergo a period of consultation during the later part of 2013. The Publication draft will contain waste policies as it did with previous drafts. No specific sites for waste management are allocated within the document as new or expansion of waste management facilities will only be considered on appropriate 'employment land sites' during the plan period. The City Council is willing to enter into discussions with Waste Planning Authorities under the Duty to Co operate on issues of concern relating to Minerals and Waste provision.

Tyseley Information Exchange (Clifford Hill): seminars are planned to help bring people together to talk through alternatives to incineration.

Derbyshire (Bryn Walters): the preferred options consultation will take place in late summer/autumn 2013.

FoE (Chris Crean): It would be useful if RTAB could take an overview of the impact/implications of the spate of fires affecting waste sites in the West Midlands; issues include insurance (Peter Hopkins confirmed the difficulties now faced), the effect on costs of recycling, and the impact on the ongoing debate about alternative methods. (Martin Everett confirmed that the EA is doing some work on the recent fires.)

8. Any Other Business

8.1 The Chair thanked Birmingham City Council and the EBRI for agreeing to host the meeting and the site visit.

9. Next meeting:

10.1 It was noted that a venue and site visit is still required for the next meeting, which will be on 25th September 2013.

Visit to the European Bioenergy Research Institute (EBRI) Pyroformer waste treatment plant

Jim Scott, a researcher at EBRI, explained that the project was an innovative bioenergy process that uses waste products to generate cost-effective heat and power. The Pyroformer process coupled with gasification can convert a wide range of waste and residues into oil, gas and char. The process provides energy for the University campus, feeds into the national grid, and supports a district heating scheme. It is carbon negative since carbon can be returned to the soil in the form of fertiliser.

The EBRI works closely with the West Midlands Bioenergy Support Centre, which has been established through an Interreg project and is part of a network of excellence (other centres are located in France, Belgium and the Netherlands). The Centre seeks to promote the transfer of knowledge through site visits and provides a range of free advice to its members.

PF 17/7/13

Minutes of the Meeting of West Midlands Resource Technical Advisory Body
12th March 2013
International Synergies, Kings Norton

1. Attendance

Adrian Cooper	Chair; Shropshire Council
Chris Crean	FoE
Clifford Hill	Birmingham CC
Charlotte Harper	International Synergies
David Piper	Dudley MBC
Ian Humphreys	International Synergies/ NISP
Martin Everett	Environment Agency
Maurice Barlow	Solihull MBC
Michael Dinn	Staffordshire CC
Mohammed Salim	Sandwell MBC
Nick Dean	Worcestershire CC
Owen Dimond	Veolia
Rachel Lombardi	International Synergies
Rhiann Harris	Shropshire Council
Tony Lyons	Warwickshire CC
Peter Field	Technical Secretary

Apologies

Brian Dore (Birmingham), Dawn Harris (Walsall), Debbie Klein (Herefordshire), Jeff Rhodes (Biffa), Mark Rowley (Sandwell), Peter Hopkins (Robert Hopkins Ltd), Tom Podd (Wolverhampton). It was noted that Craig Rowbottom had left Wolverhampton CC to take up a new role with Birmingham CC - the Group thanked him for his contribution and wished him well.

Our hosts – International Synergies Ltd

The Chair welcomed representatives of International Synergies and thanked them for their hospitality in hosting the meeting.

2. Minutes of the Meeting on 25th September 2012.

2.1 The minutes were agreed.

3. Tyseley Environmental Enterprise District

3.1 Clifford Hill (Birmingham CC) explained that the Tyseley Environmental Enterprise District (TEED) was a product of the City Council's 'Green Ambitions' which include reducing carbon emissions by 60% by 2027. The TEED covers 100ha and embraces some 230 businesses within a traditional industrial area of inner Birmingham, and was designated in 2012. Projects within the TEED include an ERDF funded Property Assistance Programme targeting SMEs, support for businesses seeking top-up funding for projects from the Regional Growth Fund, and infrastructure and other investments funded from the DCLG's Growing Places Fund.

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3.2 The industrial symbiosis project within the District looked at how waste streams can best be managed and utilised for investment, regeneration and employment creation. Clifford gave examples of how initiatives with metal recovery and low carbon fuel technologies might help achieve these objectives now and in the future. He identified one constraint as the difficulty in securing feedstock to test innovations at scale, because of the City Council's long-term waste management contract with Veolia.

3.3 In discussion, the Chair commented that it was encouraging to see a practical application of many of the principles that the Group had been promoting, for example through RSS. In response to a question about contact with LEPs, Clifford observed that making such contact was not always easy, and that LEPs tend to follow rather than intervene in markets. They support marginally unviable projects rather than getting involved in the regeneration agenda, which seeks to address market failure.

3.4 Asked for advice to others seeking to promote similar projects, Clifford stressed the importance of proper market orientated research, and that markets do not respect local authority boundaries. He observed that it was surprisingly difficult to engage SMEs and to get them to accept grant aid.

3.5 The Chair thanked Clifford for his presentation, a copy of which accompanies these minutes.

4. Duty to Co-Operate

4.1 The Chair reminded the Group of its role in helping local authorities work together on issues that cross administrative boundaries, and observed that the Planning Inspectorate now expected planning authorities to demonstrate that these had been addressed. There were several examples of where the failure to engage had led to plans being found to be unsound. The draft protocol seeks to provide a framework to assist authorities to address these issues. It requires a more formal approach to the Group's consideration of progress on Plans in the West Midlands, and recognises the importance of contextual data monitoring. If the Group supports the protocol, a formal letter of agreement from participants will be required.

4.2 In supporting the proposed protocol, Nick Dean commented that the Duty to Co-operate is the first test to be applied, and that in Worcestershire's case the fact of RTAB's existence had been material in demonstrating that issues had been addressed appropriately. Maurice Barlow informed the Group that Solihull had just completed the examination of its Plan, and that joint work on RSS and with Warwickshire had been important in satisfying the Inspector on the 'Duty'. He supported the proposed approach.

4.3 The Chair stressed that it will be important to manage expectations of the process. Resource constraints inhibit the extent to which RTAB can provide technical support for example to update the RSS work on targets and infrastructure needs – though the scope to fund such work from grant aid would be worth pursuing. It was suggested that RTAB might seek to establish a 'de minimus' level below which waste flows between authorities become insignificant, which would be of practical help in terms of the 'Duty'.

4.4 It was agreed that

- a. local authorities and others involved in the Duty to Co-operate are invited to give formal support for the principles established in the protocol;
- b. the Chair will explore the scope for external funding to update the technical work underpinning RSS targets and report back to the next meeting;
- c. a report on establishing de minimus levels of waste movements will be submitted to the next meeting; and
- d. authorities wishing to raise cross boundary issues in connection with their plan-making at the next meeting should give advanced notice to the secretary and provide any relevant information in advance of the meeting.

5. Recent Policy Guidance and consultations

5.1 Regarding the DCLG guidance on implementing the WFD, Nick Dean commented that it usefully stresses the need for all planning authorities (including Districts) to assist in ensuring compliance with the Framework. Maurice Barlow commented that their Inspector had asked for their Plan to be modified to comply with the checklist in the document.

5.2 The Chair commented that 'streamlining the consent process' provided some welcome removal of the bureaucratic burden, but there was a danger that some valuable steps could be lost in the process. The LGA Waste Review was more relevant to local authority waste management, and he understood LARAC were responding – a copy of their response will be circulated if it becomes available.

6. Update on Waste Data Sources and Monitoring

6.1 Annual Monitoring Reports: all local authority representatives confirmed that their 2011 AMRs are posted on their web sites; 2012 reports are at various stages in preparation, with those of Staffordshire, Stoke and Worcestershire already posted.

6.2 The secretary confirmed that the West Midlands Monitoring report for 2012 is well advanced and includes information on waste movements. Information on new capacity/permissions up to 2010/11 will be included.

6.3 There is nothing further to report on the national initiative.

6.4 Martin Everett updated the Group on significant developments including the Industrial Emissions Directive, which rationalises 7 separate directives into 1, extending the range of regulated activities, and in the longer term providing for a simpler, more consistent and clear regulatory regime. He also signposted the Group to the Defra consultation on waste prevention, the information on landfill waste density on the Agency web site, and commented on the recent prosecution case involving export of waste to Brazil.

7. Workshop on waste treatment processes and related amenity issues

7.1 Martin Everett agreed to liaise with East Midlands and provide dates to the secretary.

8. Progress on Plans and Developments

Solihull (Maurice Barlow): the examination hearings into the Solihull Plan are complete; now awaiting feedback from the Inspector. Permission granted recently for a biomass centre at the NEC.

Staffordshire (Michael Dinn): Joint Plan found sound by the Inspector, subject to some modifications; a recommendation has been made to the Council to adopt the Plan, but a letter challenging the Plan (in relation to RSS matters) has been received. NB the Joint Plan was adopted on 15th/ 21st March.

Warwickshire (Tony Lyons): the Plan contains policies including 'preferred areas' for waste development (no sites are identified); the Inspector asked 83 questions which have been answered and further questions are now being considered. 11 main modifications are being consulted on. Hazardous waste was an issue, raised by Northamptonshire, and a policy for the assessment of proposals has been included. Tony noted that the Northamptonshire policy regarding hazardous waste is restrictive and includes the establishment of need as a requirement (contrary to guidance in PPS10). The Packington AD plant has been approved.

Sandwell (Mohammed Salim): the Site Allocation Plan has been adopted.

Shropshire (Adrian Cooper): as a unitary council, the proposed Site Allocation Plan will replace 8 whole plans, including the 'saved' minerals and waste plans, which will be replaced by 5 policies and specific allocations. There are no landfill proposals; instead, growth in the materials and resource sector is promoted on employment sites, 15 of which are identified as appropriate. The Plan seeks to encourage rather than restrict waste infrastructure provision, both to counterbalance the current pattern of waste export and to increase the amount of waste available to the local economy as a resource. Submission is expected in late 2013, adoption in late 2014. Battlefields efw plant (90k tpa) is under construction. The county is experiencing increasing interest in AD as a commercial waste technology, at this stage largely farm-based: 6 are operational a further 5 applications under consideration.

Worcestershire (Nick Dean): the Plan has been found sound and adopted.

Dudley (David Piper): Allocations DPD – preferred options soon to be published for consultation; the Plan contains locational criteria but no specific allocations for waste infrastructure developments, which are considered suitable in principle on employment sites. Coseley eco-park, a mixed use scheme, now has planning permission. An enquiry has been received via the Black Country Consortium from an Israeli company looking for a source of plastics which Dudley; David agreed to send details to Ian Humphreys.

Veolia (Owen Dimond): Four Ashes plant expected to be commissioned Sept/ Oct 2013; Battlefields plant under construction; application for Telford composting plant was refused by Telford & Wrekin Council.

NISP (Ian Humphreys): undergoing commercialisation as grant funding is reduced; this provides opportunities to extend activities into new projects and other sectors, for example the NISP network membership programme. NISP has a wealth of data collected as part of its activities, particularly on Commercial and Industrial and Construction and Demolition waste, which it may be possible to use for waste planning purposes.

FoE (Chris Crean): the Tyseley Incinerator contract ends in 2019. Other incinerators are coming to the end of their contracts. The contract/ procurement processes will be underway and ought to take into account changed circumstances. The large AD plant at Cannock has given rise to bad news reports (Martin Everett explained that this was largely due to smell).

What is the status of the gasification proposals on the EMR site in Sandwell (Mohammed Salim will find out and inform the secretary).

9. Any Other Business

9.1 The Chair referred to an enquiry he had received regarding the need for locations/sites for disposal of surplus excavated material in connection with the HS2 route development, which could provide potential for reprocessing or site restoration. Solihull, Warwickshire and Staffordshire have also been approached and will be meeting the consultants.

10. Next meeting:

10.1 It was agreed that the next date planned for May should be put back to late June/early July. The following date, 25th September, is confirmed. Suggestions for venues and site visit opportunities are welcome.

PF 20/3/13

**Minutes of the Meeting of West Midlands Resource Technical Advisory Body
25th September 2012
Walsall Council House, followed by Interserve Aldridge**

1. Attendance

Adrian Cooper	Chair; Shropshire Council
Adam James	Warwickshire CC
Bryn Walters	East Midlands RTAB
Bill Hughes	Shropshire Council
David Piper	Dudley MBC
Jo Cornock	Environment Agency
Julie Castree-Denton	Staffordshire CC
Martin Everett	Environment Agency
Mohammed Salim	Sandwell MBC
Nick Dean	Worcestershire CC
Peter Hopkins	Robert Hopkins Ltd
Phil Johnson	International Synergies
Adrian Green	Waste and Transport Manager, Interserve
Peter Field	Technical Secretary

Apologies

Craig Rowbottom, Debbie Klein, Ian Humphreys, Jeff Rhodes, Mark Rowley, Richard Hammersley, Susan Juned. It was noted that Richard Hammersley, a long-time member of RTAB, had now retired – the Group thanked him for his contribution and wished him well.

Our hosts – Walsall Council and Interserve

Mike Smith (Walsall MBC) welcomed the Group to Walsall and explained that Dawn Harris was unable to attend because of a family bereavement. The Group extended their sympathy and best wishes to Dawn.

The Group welcomed Adrian Green (Interserve) to the meeting and expressed their thanks to him for arranging the forthcoming visit to his premises.

2. Minutes of the Meeting on 10th May 2012.

2.1 The minutes were agreed, subject to corrections to para 3.1 and section 6 relating to Worcestershire.

3. Duty to Co-Operate

3.1 The Chair introduced the item by underlining the importance of engagement before and during plan preparation and of establishing a track record of engagement as part of the evidence base. He suggested that this is particularly important for waste in view of its strategic, cross-boundary nature and that RTAB has a role in meeting these requirements.

3.2 Nick Dean outlined Worcestershire's experience; the Duty was introduced after the plan was prepared and this necessitated a retrospective process in which the role of regional

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bodies, including RTAB and RAWP, as well as specific correspondence with others, had been accepted by the Inspector as satisfying the requirement. He noted, however, that the approach adopted and outcomes elsewhere were inconsistent. The North London Waste Plan process had failed the test. Northamptonshire had adopted a 'scatter-gun' approach regarding hazardous waste, and it might be expected that others will do the same for example regarding radioactive waste. Discussions with a senior Inspector suggest that it is not sufficient to demonstrate that consultation had taken place; it is also necessary to show that effort has been made to accommodate views. Mohammed Salim questioned how far WPAs have to go in consulting other WPAs who receive or send waste to them; it was agreed that this will depend on the scale or significance of those movements and that lack of data is an issue here. Bryn Walters underlined the confusion arising from the different approaches adopted and inconsistency in PINS. He suggested that the provision made in plans needs to reflect and be in balance with the movements of waste and the co-operation agreements entered into.

3.3 Julie Castree-Denton stressed the importance of monitoring the actions taken under the Duty. In response to the Inspector's requirement, Staffordshire has introduced indicators relating to active involvement in RTAB (or its successor if it ceases to exist) and data on waste movements. She also noted that east Sussex and Derbyshire had asked Staffordshire to accommodate waste. Nick Dean observed that new regulations require AMRs to detail action taken under the Duty. This might help to address problems such as those faced by Gloucestershire when Natural England refused to attend their PLI.

3.4 Peter Hopkins stressed that economies of scale in the provision of waste management infrastructure, and increasing specialisation, mean that waste has to travel distances and this contradicts the concept of limiting provision to meet local needs.

3.5 Martin Everett commented that the Agency had to be careful to ensure that the resource implications of entering into agreements or protocols were properly assessed.

3.6 In summing up, the Chair suggested that there was broad agreement that a protocol would be helpful, and that there may be scope for agreements with other RTABs and the EA. **It was agreed to pursue the preparation of a protocol, and to refer the matter to the forthcoming National RTAB Chairs meeting. It was further agreed to invite Natural England to join the West Midlands RTAB.**

4. Landfill diversion targets and RSS additional infrastructure requirements

4.1 Julie Castree-Denton explained that at the Staffordshire PLI the Inspector argued that the targets for diversion of C&I waste should be more ambitious, in anticipation of revised national targets. He also considered the RSS figures to be out of date. The WPA therefore proposes to raise its target to 100% diversion and make provision accordingly.

4.2 The Chair observed that securing the funds to update the RSS figures in the present economic climate was impractical.

5. Update on Waste Data Sources and Monitoring

5.1 The Secretary reminded WPA members of the request for them to provide him with data on planning applications for new waste capacity and new operational waste capacity. He also suggested that future additions to the RTAB AMR should include a statement on

actions taken with respect to the Duty to Co-Operate, and (so far as this is practical) a comparison of actual provision and the projected requirement. **This was agreed.**

5.2 Martin Everett updated the group on several of the current activities of the EA, including consideration of the impact on waste trends and behaviour patterns of the Controlled Waste Regulations 2012 and progress with the integrated planning approach. The Agency is interested in establishing the level of interest in a workshop on the technical aspects of the amenity impact of waste development. He announced that the 2011 data interrogator information would be available imminently. **The Group generally supported the proposed workshop and agreed to encourage attendance. They also supported the proposal that Natural England should be invited to participate and Martin agreed to contact them accordingly.**

6. Progress on Plans and Developments

Shropshire: construction of the Battlefield incinerator is to start shortly; there is a legal challenge regarding assumptions made about waste management matters. The Council has to demonstrate consistency between the Core Strategy and the NPPF by March 2013, and is confident of doing so. Progressing the Site Allocation Plan is proving very staff intensive as a result of the 'localism compliant' approach but it is hoped that the final plan will be published shortly after the local elections in 2013. Waste management site requirements are met through employment land allocations, to which there have been few objections. There is a discernible trend in the county towards farm-based energy related developments; an interesting application for a wood chip bio plant at a Wenlock Edge quarry; and a proposal to import 2-3 mt pa of wood pallets for use at the Ironbridge Power Station.

Staffordshire: additional modifications to the Joint Waste Strategy will be published in October/ November 2012. The Inspector's report into the PLI is anticipated in November 2012. (Julie Castree-Denton informed the group that she was transferring to a Development Management role whilst Matt Griffin prepared the Minerals Plan.)

Dudley: preparation of the Development Strategy DPD, involving site allocations and development control policies, continues.

Sandwell: The Inspector found the Sites Allocation document to be sound; adoption is anticipated in late 2012/ early 2013.

Warwickshire: hoping to submit the Waste Core Strategy in October, with the PLI in January/ February 2013. A planning application has been submitted for 50kt AD capacity at Packington.

Worcestershire: adoption of the Waste Core Strategy will be considered by Council in November. Work is beginning on the Minerals Plan with consultation on the start of the process in October; a key issue is likely to be the shortage of recycled material to meet the 29% requirement under Government policy. Planning permission has been granted on appeal for an incinerator on an industrial estate in the green belt. The County now has 3 facilities with 250kt pa capacity (Sims Metals MRS - "automotive shredding", The Forge, Kidderminster- mixed recycling and Hartlebury EfW, MSW). This is a marked change in the structure of the industry locally - 65% of sites in the County are less than 0.5Ha in size.

East Midlands: preparation of the Derbyshire Waste Plan has been held up by a series of appeals and a High Court challenge regarding a large waste treatment facility at Sinfin, Derby, permission for which has now been granted. The decision is of interest in relation to The treatment of the waste hierarchy; health impact, perception and the role of the EA & HPA; and the current status of policy, specifically RSS versus Waste Plan/Core Strategy.

International Synergies: funding from WRAP is being progressively reduced and the drive is towards more commercially funded activities. This will give freedom from WRAP constraints on materials and allow involvement with the construction industry. More projects and services are being developed, eg licensing a database for marketing resources, working with LAs on economic development projects, supporting companies and their supply chains, and a climate change project in Poland.

Robert Hopkins Ltd: the company has invested £150K in new plant for energy generation and is increasingly moving into treatment of difficult wastes. This involves both adapting machinery and establishing connections with other specialists.

7. Presentation by Adrian Green, Interserve Aldridge

7.1 Adrian explained that Interserve has been in Aldridge since 1977. With a capacity of 25kt pa, in its early days the 'low spec' plant achieved diversion rates of around 60%. After a £2m relocation was approved in 2008, the new MRF opened in May 2012. It has a 250kt pa capacity, is currently managing about 28kt pa, and is averaging diversion rates of around 90%. The plant currently mainly handles construction and demolition wastes. The Aldridge plant is envisaged by Interserve as being one in a national network of 10, with the timing of further developments being dependent on market conditions.

7.2 In contrast to earlier experience, the permitting and planning process for the new plant was speedy and uncontroversial: the license was issued in 4 days, and planning permission was granted quickly following effective pre-application discussions and a recognition by the LPA of the local employment generation promised by the development.

7.3 Adrian highlighted two issues as particularly problematical: the difficulty of dealing with plastics, and uncertainties in the market for secondary materials.

8. Any Other Business

8.1 Nick Dean raised the question of consistency of interpretation when LPAs advise on the status of small control kiosks; whilst most LPAs advise that these are subject to planning control, some accept them as permitted development. **It was agreed to raise this at the next National RTAB Chairs meeting.**

8.2 David Piper suggested that the lack of consistency in Inspectors reports on Waste Plans, for example in relation to diversion targets, was a matter of wider concern and **it was agreed that this would also be raised at the next national RTAB Chairs meeting.**

9. Next meeting:

9.1 It was **agreed to hold at least 3 meetings in the next year, in January, May/ June and September/ October 2013; and to fix the dates of these meetings well in advance.**

PF 10/10/12

Minutes of the Meeting of West Midlands Resource Technical Advisory Body
Thursday 10th May 2012
Brown Recycling Ltd, Burslem, Stoke on Trent ST6 2DZ

1. Attendance

Adrian Cooper	Chair; Shropshire Council
Adam James	Warwickshire CC
Bryn Walters	East Midlands RTAB
Craig Rowbottom	Wolverhampton CC
David Piper	Dudley MBC
Dawn Harris	Walsall MBC
Gerald Owen	Cory Environmental/ ESA
Jeff Rhodes	Biffa/ ESA
Julie Castree-Denton	Staffordshire CC
Martin Everett	Environment Agency
Matthieu Evans	Stoke on Trent CC
Mohammed Salim	Sandwell MBC
Nick Dean	Worcestershire CC
Peter Hopkins	Robert Hopkins Ltd
Susan Juned	Greenwatt Technology
Tony Lyons	Warwickshire CC
Ian Hancock	Director and General Manager of Brown Recycling Ltd
Peter Field	Technical Secretary

Apologies

Bruce Braithwaite, Brian Dore, Dave Coxill, Debbie Klein, , Ian Humphreys, Richard Hammersley, Rob Haigh. It was noted that Derek Greedy, a long-time member of RTAB, had recently retired – the Group wished him well.

Our hosts - Brown Recycling Ltd

The Chair thanked Ian Hancock for agreeing to host the meeting, and welcomed him to the meeting.

2. Minutes of the Meeting on 27th September 2011.

2.1 The minutes were agreed.

3. Update on Waste Data Sources and Monitoring

3.1 Martin Everett brought the meeting up to date with the ongoing dialogue between the EA and East and West Midlands RTABs regarding WPA data needs and the EA's policy towards meeting them in the future. The EA will be focusing on enhancing the utility of the annual Waste Data Interrogator. He stressed the need to recognise the limitations imposed by the data gathering methodology when using this and other data sets, such as the Defra C&I survey. Bryn Walters emphasised the significance of the 'Duty to Co-operate' to the WPAs and the benefits to the EA of a co-ordinated approach as advocated by the RTABs.

On other EA matters, Martin referred to work with Birmingham/ Solihull and Leicestershire LEPs on a proportional and integrated approach to regulation.

3.2 Discussion focused on recent experiences in Public Inquiries into Waste Plans, including the status and relevance of RSS targets/ projections – the question of updating had been raised at the Staffordshire/ Stoke Inquiry; the importance of considering and difficulty in quantifying cross-boundary waste movements; and the evolving views of PINS regarding best available data. All these were viewed as further emphasising the importance of RTAB's continuing role.

3.3 Peter Field introduced the work on the West Midlands Monitoring paper and Data appendices. It was noted that Defra had not been able to produce LA level data from WasteDatFlow, and it was agreed that WPA reps would send their data to Peter for inclusion in the appendix. Similarly, WPA reps are asked to provide copies of their data on waste planning application monitoring – PF to supply a specification as guidance. It was agreed that future monitoring should look at the relationship between the projections used in the RSS work and actual trends.

4. National RTAB Chairs meeting

4.1 The Chair referred to the circulated notes of the meeting and highlighted the recognition of Defra and DCLG of the RTAB role and their support in principle for their continuation. He anticipated there would be opportunity in the future for RTABs to comment, through their Chairs, on national policy for example the replacement of PPS10.

5. Progress on Plans and Developments

5.1 National Planning Policy Framework: it was noted that the waste content was limited and would be addressed through the replacement for PPS10. The NPPF including the 'presumption in favour of sustainable development' is regarded as a material consideration in planning decisions, and Plan Inquiry Inspectors are requiring the 'presumption' to be written into plans.

5.2 Duty to Co-operate: the Inspector at the Staffordshire Plan Inquiry argued the need to monitor action taken under the duty to co-operate. The group debated RTAB's role in supporting cross-boundary co-operation and providing an interface between WPAs, the waste management industry, the EA and environmental organisations, and (going forward) the LEPs.

5.3 It was agreed to review the RTAB revised Terms of Reference with specific regard to the 'Duty' – any comments to PF. It was also agreed to consider preparing a 'protocol' under the Terms of Reference, setting out the role of RTAB in supporting the 'Duty', for example in providing data for contextual monitoring and a forum for technical discussion of cross-boundary waste issues. The standard agenda of RTAB meetings could reflect this protocol, which will be discussed at the next meeting.

6. Progress on Plans and Developments in the West Midlands

Worcestershire (ND): awaiting the inspector's Report. The Core Strategy takes the 'criteria' approach, does not identify specific sites but identifies broad locations as evidence of

deliverability. It is notable that of 10 permissions granted for composting, only 5 are operational.

Warwickshire (TL): Consultation on publication stage of the Waste Plan finishes on 15th June; submission expected in Autumn; identifies broad locations for waste development.

Staffordshire (JC_D): Hearing into Joint Waste Strategy took place in April, but a further session to address relationship to NPPF is to be held; now working on modifications including a policy map showing all 253 existing waste sites.

Shropshire (AC): preferred options for site allocations (waste included as use on employment land) published, consultation period runs to 20th July. Submission likely to be early 2013.

Birmingham: Core Strategy publication stage planned for October 2012, adoption expected in 2013. SHLAA 2011 likely to be published in June.

Black Country (DH): validation checklist currently out to consultation.

Dudley (DP): preparing a Development Strategy DPD. A planning application has been submitted for 'Coseley Eco-park' but the EfW element has been dropped from it. Considering a separate unrelated EfW proposal on rail siding land.

Walsall (DH): waste management uses are included in a sub-zone of the Darlaston Enterprise Zone under the Local development Order.

Wolverhampton (CR): progressing site allocations plan to address the capacity gap identified in the Core Strategy - expect consultation on Options later in 2012. The Express Energy proposal submitted an EIA Scoping Opinion Report at the end of 2011, and a planning application is expected.

Sandwell (MS): anticipate adopting site allocation document in September.

Neighbouring authorities:

Derbyshire (BW): – Waste Plan has been delayed because a strategic waste application is still under consideration (now at its 3rd appeal).

Other developments:

Planning Aid casework and hotline operates, funded by RTPI. Community Planning/ Neighbourhood Plans activities continuing until August pending CLG review of community consultation programme.

Sustainability Live (May 2012): Susan Juned is giving a presentation aimed at stimulating debate about the needs of small businesses within the resource efficiency/ waste debate after the Waste Review and ahead of the National Waste Management Plan. (Small businesses employing less than 50 people account for 35% of the waste going to landfill, yet struggle for a recycling infrastructure that meets their needs and knowledge of the costs and solutions available to them. They are also less likely to have looked at other resource efficiency measures despite rising costs.)

7. Next meeting:

Agreed that the next meeting will be held in September/ October 2012, and that the aim will be to hold 3 meetings each year. Suggestions for venues to PF.

Presentation by Ian Hancock, General Manager of Brown recycling Ltd.

Ian explained that Browns is a long-established company, first formed in 1926 and involved in waste management since 1954. The company is the largest waste firm in Staffordshire, employing 80 people at 3 depots and processing some 150,000 tonnes of waste pa. The company's operations extend across Staffordshire and into south Cheshire, major customers including Newcastle Council and Alton Towers. The company aspires to recycle 80% of all waste received and zero to landfill, and has studied European approaches to waste management extensively. A recently completed £1m + development has provided state of the art facilities. He noted that in parts of Europe waste was a much sought after resource.

Ian argued that the most effective model for waste collection is the 3 bin approach – one for each of green waste, food waste and general waste. With appropriate processing facilities, this would support a zero landfill ambition.

The Chair thanked Ian for his presentation and once again for his hospitality. The Group then took a tour of the site.

PF 9/10/12