



GROUP MEETINGS NOTIFIED

In the Council House, Birmingham: -

Conservative	10.00 am	HMS Daring Room
Labour	10.00 am	Committee Room 2
Liberal Democrat	10.30 am	Committee Room 6a

WEST MIDLANDS JOINT COMMITTEE

**TO BE HELD IN COMMITTEE ROOMS 3 AND 4
IN THE COUNCIL HOUSE, BIRMINGHAM ON
WEDNESDAY 23RD OCTOBER 2013 AT 11.00AM**

A G E N D A

1. **APOLOGIES**

Attached

2. **MINUTES**

To confirm the "Public" section of the Minutes of the previous meeting held on 1st August 2013

Attached

3. **DUTY TO CO-OPERATE – CO-ORDINATION OF STRATEGIC PLANNING**

Report of Chairman of the Duty to Co-operate Task Group

Attached

4. **BIRMINGHAM AIRPORT HOLDINGS LTD – ACTION TAKEN
BETWEEN MEETINGS**

Report of District Advisors

5. **DATE OF NEXT MEETING**

Wednesday 29th January, 11– 12.30pm, the Chamberlain Room, the Council House, Birmingham (Group meetings from 10am)

6. **EXCLUSION OF THE PUBLIC**

CHAIRMAN TO MOVE:-

"That in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting: -

Title of Report etc

**Description of
Exempt Information**

(Part 1, Schedule 12A of the Local Government Act, 1972)

1. MINUTES

"Private" Minutes of the meeting held
on 1st August 2013

Paragraph 3

**2. BIRMINGHAM AIRPORT – ACTION
BETWEEN MEETINGS**

Report of District Advisors

Paragraph 3

Contact Officer:
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**WEST MIDLANDS JOINT COMMITTEE HELD AT
THE COUNCIL HOUSE, BIRMINGHAM ON
THURSDAY, 1 AUGUST 2013 AT 11.00AM**

PRESENT:-

Birmingham

Councillor Sir Albert Bore (Voting Member)

Coventry

Councillor A Lucas (Voting Member)

Dudley

Councillor D Sparks (Voting Member)
Councillor P Harley

Sandwell

Councillor D Cooper (Substitute Voting Member)
Councillor M Hughes

Solihull

Councillor K Meeson (Voting Member)

Walsall

Councillor M Bird (Voting Member)

Wolverhampton

Councillor R Lawrence (Voting Member)

West Midlands Integrated Transport Authority

Councillor J McNicholas (Chairman)

West Midlands Fire and Rescue Authority

Councillor John Edwards (Chairman)

WM Police & Crime Commissioner

Bob Jones

1. APOLOGIES

1964 Apologies were submitted on behalf of the following: -

Councillor I Ward - Birmingham
Councillor M Whitby – Birmingham
Councillor J Blundell - Coventry
Councillor P Townshend – Coventry
Councillor P Lowe – Dudley
Councillor S Eling – Sandwell
Councillor R Sleigh - Solihull
Councillor I Hedley - Solihull
Councillors A J A Andrew - Walsall
Councillor T Oliver - Walsall
Councillor P Bilson – Wolverhampton
Councillor N Patten - Wolverhampton

2. MINUTES

1965 The "public" section of the Minutes of the meeting held on 12th June 2013, having been previously circulated, were confirmed as a correct record.

3. WEST MIDLANDS POLICE – PUBLIC PROTECTION/SAFEGUARDING & CHILD SEXUAL EXPLOITATION

Mark Rogers, Lead CEX Solihull MBC gave an overview/context of key issues/priorities for update and discussion.

A verbal update from the West Midlands Police & Crime Commissioner (PCC's) was received in relation to progress on public protection/safeguarding and child sexual exploitation work programme activities and collaborative working with partners/stakeholders.

Key aspects discussed included:-

- The importance of closer collaborative working to ensure the safeguarding of children and adults at member/officer/ multi- agency levels.
- Resourcing of Safeguarding Boards
- Effective prioritisation and community involvement, noted the PCC's approach to community engagement in shaping priorities.
- The proposed Summits planned to take place in the Autumn on the topics of safeguarding and child exploitation. Further, members gave their endorsement for involvement in a "communities against terrorism summit"
- Noted the update on the review of the PPU and the involvement of key LA practitioners in the review to meet wider partnership needs for continuous improvement in safeguarding matters
- The importance of the need to improve collaboration, systems and activity around child sexual exploitation

- Noted that the potential for closer collaboration with School Governor's organisations will be explored
- Emergency Planning and Resilience, suggested potential for further work at a strategic cross boundary level
- That a joint strategic agenda be explored as appropriate (acknowledging the role of the Police & Crime Panel) and future attendance of the PCC is determined.

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RESOLVED:-

- (i) That the progress update in relation to public protection, safeguarding and child sexual exploitation work activity undertaken by WM Police in collaboration with partners and stakeholders is noted.
- (ii) That further updates are received from the Police & Crime Commissioner on joint strategic matters going forward, the issues and basis for attendance to be determined as appropriate.
- (iii) That the PCC's proposal to arrange a Summit for communities against terrorism is endorsed.

4. DATE OF NEXT MEETING

1967

RESOLVED:-

That the next meeting to be held on Wednesday 23rd October at 11am – Committee Rooms 3 & 4, the Council House, Birmingham (Group meetings from 10am) is noted.

5. EXCLUSION OF THE PUBLIC

1968

RESOLVED:-

That in view of the nature of the business to be transacted, which includes the following exempt information, the public be now excluded from the meeting: -

1. MINUTES

"Private" Minutes of the meeting held on
12th June 2013

Paragraph 3 (Part 1, Schedule
12A of the Local Government
Act, 1972)

WEST MIDLANDS JOINT COMMITTEE

23rd October 2013

Report of Duty to Cooperate Group

DUTY TO CO-OPERATE – CO-ORDINATION OF STRATEGIC PLANNING

1. PURPOSE OF REPORT

- 1.1. To seek endorsement of an approach for coordination of strategic planning activity that assists individual local authorities discharge their Duty to Cooperate responsibilities.

2. RECOMMENDATIONS

- 2.1. That Joint Committee:
- (i) Agrees the proposed way forward as set out in paragraphs 4.8 and 4.9

3. BACKGROUND

- 3.1. Following the abolition of the West Midlands Regional Strategy (WMRS) in May 2013, strategic planning and cross boundary infrastructure matters must now be dealt with via the Duty to Cooperate ('the duty') as set out in the Localism Act 2011.
- 3.2. Following the abolition of Planning and Transportation Sub Committee (P&TSC), responsibility for the coordination of strategic planning activity at Metropolitan level has been included within West Midlands Joint Committee's (WMJC) Terms of Reference.

4. REPORT DETAILS

- 4.1. In anticipation of the WMRS being abolished, WMJC endorsed an updated Strategic Policy Framework for the West Midlands Metropolitan Area (June 2012). This reiterated support for the established urban renaissance strategy and has thus far proved useful demonstrating compliance with 'the duty' to the Planning Inspectorate. In process terms it is also consistent with Government policy as contained within the National Planning Policy Framework, which identifies Joint Committees as a possible body for taking relevant matters forward.
- 4.2. Whilst Local Plans are sovereign, Government is clear that certain issues can only be addressed through cross boundary cooperation; for example housing market and travel to work areas, river catchments and ecological networks. There is no 'one size fits all' approach and recent Government advice states that *local planning authorities may well work in different groupings for different strategic matters*.
- 4.3. There remains, however, a clear Metropolitan Area dimension to many of the issues, in terms of overlapping housing markets, a relatively young and fast growing population, a lack of jobs, the West Midlands Green Belt and a predominance of brownfield sites.
- 4.4. The GBSLEP has recently published consultation draft Spatial Plan for Recovery and Growth and is in the process of commissioning a housing study inform its future development. The Black Country authorities have expressed a desire to participate in

this study to provide evidence for future review of the Joint Core Strategy. The Coventry and Warwickshire authorities (Stratford upon Avon excepted) are undertaking a similar exercise. The findings of these studies cannot be viewed in isolation when developing policy as housing markets overlap,

- 4.5. LEPS are not directly party to the 'the duty' but local authorities are required to have regard to their activities. Other public bodies, including ITAs are subject to it (see appendix), and it is the responsibility of local planning authorities to engage them.
- 4.6. There are clear economies of scale and added value in working jointly, particularly where there is a commonality of interest. This has been apparent in making representations on neighbouring Local Plans such as Lichfield, South Worcestershire and North Warwickshire and also in collectively supporting the Solihull Local Plan proposed modifications.
- 4.7. A failure to effectively discharge 'the duty' will mean that a local authority cannot adopt its plan leading to abortive work and associated costs, a loss of control over where development is located and lost investment due to uncertainty. Having an adopted plan does not exempt local authorities from 'the duty'; Government is clear that plans need to be kept up to date and responsive to changing circumstances beyond their boundaries.

Going Forward

- 4.8. Previously P&TSC delegated authority to officers to deal with matters that support extant policy as set out in the Strategic Policy Framework for the West Midlands Metropolitan Area.
- 4.9. In order to embed arrangements and to ensure that they will stand up to scrutiny by Government Inspector's and examination and appeal it is proposed that:
 - Support for officer delegations as set out in para 4.8 is reiterated. Responsibility for the briefing of Members on these matters in individual authorities lies with their officers.
 - Any major review of policy, position changes or responses to Government or other consultations of strategic importance are reported via Chief Executives to WMJC for decision
 - Any grey areas are referred to Chief Executives as a 'gatekeeper' prior to further action being taken
 - Matters also continue to be addressed bilaterally or at other geographic levels as dictated by evidence.

5. FINANCIAL IMPLICATIONS

- 5.1. Local authorities are continuing to support this crucial area of work through their existing agreed resources. See paragraphs 4.6 to 4.7 also.

6. CONTACT

David Carter, Chairman of the Duty to Cooperate Task Group: 0121 303 4041
e-mail: david.r.carter@birmingham.gov.uk

Background Paper(s)

Report to West Midlands Joint Committee, 13th June 2012 – National Planning Policy Framework and the Duty to Cooperate (inc. Strategic Spatial Planning Framework for the West Midlands Metropolitan Area)

Appendix

Other Public Bodies subject to the Duty to Cooperate

Other public bodies, in addition to local planning authorities, are subject to the duty to cooperate under the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) as amended by [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013](#)

These bodies are:

- the Environment Agency
- the Historic Buildings and Monuments Commission for England (known as English Heritage)
- Natural England
- the Mayor of London
- the Civil Aviation Authority
- the Homes and Communities Agency
- each clinical commissioning group established under section 14D of the National Health Service Act 2006
- the National Health Service Commissioning Board
- the Office of Rail Regulation
- Transport for London
- each Integrated Transport Authority
- each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority)
- the Marine Management Organisation.

These organisations are expected to cooperate with local planning authorities, county councils that are not local planning authorities and the other prescribed bodies to make local plans as effective as possible on strategic cross boundary matters. They should be proportionate in how they do this and tailor the degree of cooperation according to where they can maximise the effectiveness of plans.

WEST MIDLANDS JOINT COMMITTEE – 23rd October 2013

Report of Birmingham City Council and Dudley MBC District Advisers

BIRMINGHAM AIRPORT

1. Purpose of Report

- 1.1 To note an action taken under the Districts' Side Agreement since the last Meeting of Joint Committee

2. Background

- 2.1 Under Section 5.4 of the Districts' Side agreement, Joint Committee may arrange for the discharge of their functions by each of the Districts' Chief Executives or anyone authorised by any District to act in the Chief Executive's absence acting in consultation with the Chair or Vice Chair of Joint Committee
- 2.2 Paragraph 3 below set out an action taken since the last meeting of Joint Committee

3. Aeronautical Adviser- action taken under Districts' Side Agreement

- 3.1 Following an interview process, Sir Michael Hodgkinson from Nyra Capital was appointed in January 2009 as Aeronautical Adviser to the 7 West Midland Districts in relation to Birmingham Airport at a cost of £25k per annum plus expenses. This contract has been extended annually since this time at the fee level agreed in 2009 of £25k plus expenses. Derek Stevens from Nyra has also been engaged to provide advice in relation to Remuneration issues at no additional cost.
- 3.2 It is felt that Sir Michael Hodgkinson provides important insight and knowledge and it is useful to have continuity of knowledge in the role. Approval has been given under Section 5.4 of the Districts' Side Agreement to appoint Sir Michael Hodgkinson from Nyra Capital as aeronautical adviser to the West Midland Districts for a further 12 months from December 2013 at a cost of £25k per annum plus expenses. Derek Stevens will continue to provide advice in relation to remuneration issues. In addition, David Priseman from Nyra Capital will act as an alternate in the absence of Sir Michael Hodgkinson. The Director of Legal and Democratic Services at Birmingham City Council

has been given authority to negotiate and complete all necessary legal documentation to give effect to the appointment

4. Recommendation

It is recommended that:

- 4.1 the action taken under the Districts' Side Agreement set out in paragraph 3 above be noted

Elaine Peach
Airport Adviser

Philip Tart
Airport Adviser

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