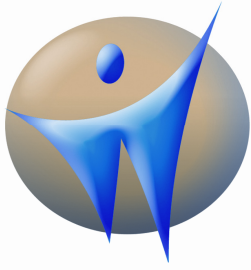


**West Midlands  
Business Council**

**Submission from the West Midlands Business Council**

**RSS Phase Three Consultation**

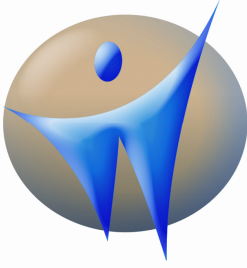
**August 2009**



# West Midlands Business Council

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## West Midlands Business Council

### **Submission from the West Midlands Business Council to the RSS Phase Three Consultation**

**August 2009**

The West Midlands regional business community via the West Midlands Business Council has come together to present its considered response to this consultation.

Further information regarding the West Midlands Business Council can be found under Annex A to this document.

### **Critical Rural Public Services**

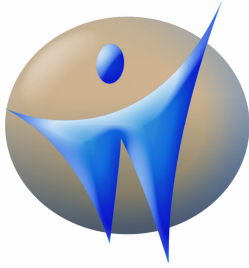
*Question CRC1 – Studies have shown that it is very difficult to define rural services as ‘important’ or ‘critical’, and that pursuing these definitions is unlikely to be of much value. Do you agree with this view?*

#### **Yes**

Rural public services are crucial to the character and diversity of the region and their sustainability is vital. Definition of their importance is therefore critical if decision makers, including local and regional planners, are to recognise and instigate policies that can promote their role and value of rural public services.

This view has been confirmed by a series of studies that clearly highlight how emphasis on the importance of rural public services leads to positive and vital action for the rural economy. The Taylor Review of Rural Affordable Housing went into great detail as to how the definition of rural public services helps guide decision making on rural affordable housing whilst the Commission for Rural Communities has undertaken very detailed analysis of the role, value and definition of rural public services.

Rural public services should not be seen by planners and other decision makers as an optional add on to regional planning policy. Without good quality rural public services the rural economy would be unsustainable leading to serious imbalances in the regional economy as well as rising levels of socio-economic deprivation in rural communities.



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Ensuring a clear definition that focuses on how rural public services are not just “critical” and “important” but also “fundamental” to the regional economy would help to positively guide decision making to the betterment of the economy.

*Question CRC2 – The SQW report identified significant service deprivation issues for people in ‘accessible rural’ areas whose access to transport is limited. Do you think more attention should be given to meeting the service needs of this group?*

### **Yes**

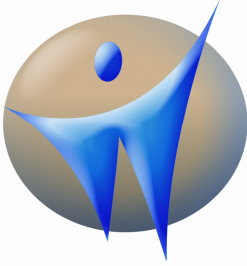
The business community is concerned that without addressing the additional transport needs that will arise from the scale of the housing developments as well as sustaining rural communities, the impact of transport difficulties for the regional economy would only deteriorate. Already, according to the British Chambers of Commerce, problems with the UK’s transport infrastructure are costing each business, on average – nationally - £27,000 per year.

The Federation of Small Businesses state that when they surveyed their members in the West Midlands region, 8% have lost over £5,000 in revenue as a consequence of traffic congestion whilst 15% report losing over 100 person hours in the past year.

Firms in the West Midlands region – at the heart of the country – suffer every day from transport congestion and poor infrastructure despite the fact that their location in the Midlands should provide geographical advantages - from just in time deliveries to development of the logistics and professional services sectors.

The scale of the potential house building programme that is being envisaged does necessitate an overall approach to transport to be taken with the inevitable impact on the network. The Regional Spatial Strategy needs to factor in transport improvements to cope with an increase in house building.

The key determinant for an effective transport infrastructure, particularly in rural areas, is integration between all transport modes. The scale of these developments necessitates a fundamental review of transport requirements in the region.



## West Midlands Business Council

Survey work by the West Midlands Business Council has demonstrated that current rural transport integration is ineffective in the West Midlands region and that these problems would be aggravated if not addressed, if a significant house building programme in rural areas were to take place:

### a) Bus Services

Bus services are not linked effectively to other transport modes.

In Worcestershire, bus services, although having been recently improved, mainly provide access into and out of urban centres. Bus services rarely operate across urban areas and links to rural areas are haphazard. For example, there is no bus service that operates across Worcester. They operate in a similar pattern to rail services in this respect and do not link into rail services to enable passengers to leave the train and travel to different parts of an urban area by bus. Thus links to rural areas from rail services must be considered.

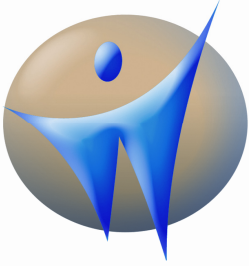
Bus services in some parts of the region start late and end early. In Shropshire, for example, the bus services start at such a late time in the morning, that workers have to find alternative means of transport to get to work in Shrewsbury town centre on time.

For the hospitality sector, there needs to be action to ensure that workers have easy access, when needed, to hotels and other centres. The problems with bus travel means it is a hindrance to the effectiveness of the hospitality sector.

Bus services across the region, in the main, are failing to be an effective and reliable transport mode. The system of bus deregulation may have aggravated these difficulties. Integration of transport services is the key to improvement.

### b) Park and Ride

Park and Ride sites are often cited as an effective way to ease traffic congestion by enabling people to park their cars at convenient sites to a local rail station so that they can gain fast access to their place of work. In theory, Park and Ride sites should provide a valuable contribution to alleviating road congestion.



## West Midlands Business Council

Park and ride sites should also be utilised as nodes where rural bus services are positively connected to the rail network. However, in addition to simply using the physical facility there is the added need to make sure that bus timetables are synchronised with those of the rail services serving each Park and Ride location.

In reality, this policy is not fulfilling its potential. This is often due to very fundamental reasons. For example in many of the shire counties Park and Ride sites are not considered safe after 6pm. This is clearly a peak period for travel and this problem immediately negates the point of establishing Park and Ride sites in the first place.

There is also the problem of a number of Park and Ride sites that are not secure. This leads to cars being vandalized. Without adequate security, people can not feel confident in using these sites so that their impact is greatly reduced.

Car park provision at other key urban centres, such as at Worcester, is not adequate whilst the establishment of a Park and Ride site at Brinsford on the Wolverhampton to Stafford line near to the M54 is still uncertain. Without the proper supply of Park and Ride sites, a valuable method of alleviating road congestion would be lost.

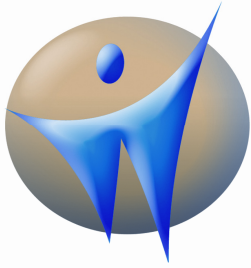
The lack of park and ride sites is a significant hindrance to the development of a joined up transport network for access to rural areas.

### c) Rail

The problems with rail services vary across the region.

Routes from Herefordshire via Worcester to London are currently hampered by the lack of dual tracking via Worcester and Evesham – as well as at Oxford. This restricts the ability to expand rail services on this route.

There is also a need to improve the pace of work to enable the transport of freight by upgrading the routes from Birmingham to Felixstowe and Southampton, especially as a potential rise in business growth may be a consequence of the potential house building programme.



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If regional integrated transport is to be taken seriously, then this must mean an improvement of rail services between Nuneaton and Coventry with through services into the East Midlands.

Rail services in Staffordshire have been severely curtailed – with cuts in local services such as the Stoke to Nottingham service.

Links to regional centres for rural population centres are critical in driving forward economic regeneration. Whilst such services may have led to limited custom in the recent past, this was often related to the unreliability of these services. This is a matter that can be addressed with the need to plan for the potential increase in rail passengers if the Government proceeds with some form of road charging programme either regionally or nationally.

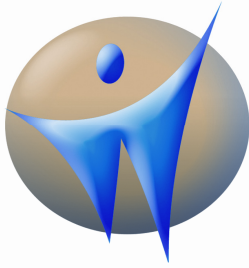
One significant improvement to improve rural rail traffic flows would be the introduction of the European Rail Traffic Management System (ERTMS). This signalling system could greatly increase the number of train paths available on already congested routes and more particularly rural lines. Developments and trialing of this system are already underway on the Cambrian route. We believe that both Network Rail and the Government should be positively encouraged to prioritise the roll out of ERTMS in rural areas ahead of its adoption on the more densely utilised urban sections of the rail network.

### d) Roads

Road congestion is clearly a major issue for business – leading to negative cost implications for the economy.

For example, the need to address congestion on the A5 in Staffordshire does not just relate to this county – but also to ensuring freight traffic gets onto the M1 and through to the east coast ports. Congestion on the A438 in Shropshire is not just a county problem but is also the key link road between Swansea to Manchester.

If not addressed, all these issues would be aggravated, if not addressed, by a large house building programme.



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The use of B roads, especially in shire counties, is strategically important as a number of business parks and industrial estates are based around these roads. Despite their importance, B roads are not as well maintained as A roads. The neglect of B roads hampers regional business traffic flows.

There is a vital need to improve road capacity on the road network at some key junctions and along some link roads such as with the M1 Junction 19 (the junction of the M1, M6 and A14), A46/A45 Junction (Tollbar) and M6 Junction 1 to Junction 4.

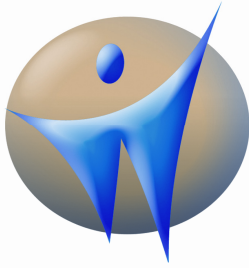
River crossings are of key strategic importance for the region. There is a lack of river crossings across the River Severn in Worcestershire that severely limits road capacity. There are also severe limits on crossings from Herefordshire into Wales over the River Wye. Therefore there should be active work in rectifying these problems.

*Question CRC4 – Three policy options for rural service developments are suggested. Please state if you have a preferred Option and the reasons for your preference.*

### **Option 2 – Community Based**

Rural communities have not developed in a haphazard fashion. They have developed specifically around economic activities and the diverse economic base in rural communities reflects this diverse economic base. According to the Government's Rural Advocate, the English rural economy has the potential of creating £236 billion and £347 billion per annum. And while some peoples' ideas of the countryside may be all about livestock the truth is very different. Newcastle University's Centre for Rural Economy has found that farming takes up just 2.6% of rural employment. 80% of rural employment is in distribution and retailing, business and financial services, public administration, education, training and health and – finally – manufacturing.

The West Midlands rural economic make-up very much reflects the national profile of the rural economy as recorded by these statistics. Therefore, for the rural economy to be sustainable, the planning options described in the consultation document, have to reflect economic and community reality. Anything less than this would not just be impractical to implement – but would go against the grain of the Regional Spatial Strategy and the Regional Economic Strategy to have a balanced regional economy.



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Environmental issues must be acted on and under the 'Quality of the Environment' section of this consultation, we explain how this can be achieved.

*Question CRC5 – For your preferred Option above please suggest how the Option might be delivered at the regional level, taking into account the relevant key issues and implications in the Critical Rural Services chapter*

The provision of rural public services for the 80% land mass of the region devoted to the rural economy is essential.

The West Midlands Business Council has put forward detailed recommendations for the provision of rural public services in relation to two Government established projects – namely the Shropshire Pathfinder and the Peak District Pathfinder. We believe the work of these two pathfinders should be adopted as part of the regional planning regime for rural public services.

Pathfinders, according to the then Environment, Food and Rural Affairs Secretary, the Rt Hon Margaret Beckett MP, in 2004 had a clear aim:

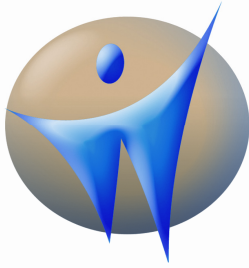
*“Local authorities have a vital role as community leaders in joining up and delivering quality services. I therefore intend to look at innovative mechanisms for devolving delivery even closer to rural communities.*

*Over the course of this year we will set up a pathfinder in each region to explore more joined up and flexible approaches at local level in rural areas, including to join up services and funding at the point of delivery”.*

The Department of Environment, Food and Rural Affairs (DEFRA) has described Pathfinders in the following way:

*“They will investigate how to improve co-ordination of rural delivery at local level, how to get more value out of the wide range of funding streams available and how to bring strong local leadership to bear in tackling rural disadvantage”.*

As indicated in these statements, the aims of the Pathfinders have equal applicability across all rural areas as the rural economy has particular needs which are distinct from



## West Midlands Business Council

those of the urban economy – in particular the diverse nature of rural areas where public services need to be delivered.

Therefore the majority of this answer contains recommendations which have equal applicability in Pathfinder and non Pathfinder rural areas.

In particular the West Midlands Business Council has called for the establishment of one stop shop processes in localities across the rural West Midlands. Simplifying the service provision available to businesses and ensuring that business can play its' full role in the community is fundamental. This service should be linked to the regional business support structure.

The RSS could consider the role of post offices – or at those locations where services typically delivered through post offices can be accessed - as centres for rural one stop shop services.

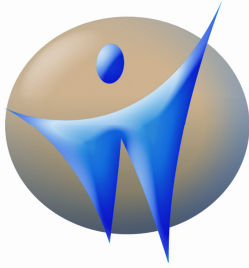
Businesses in rural communities are not just the wealth creators for local prosperity and local jobs – fundamental though that is. It is the rural business community that provides the social glue that tie disparate rural communities together.

Therefore any consideration of the work of rural public services delivery must have the role of the rural business community at the forefront of its consideration.

The West Midlands Business Council would therefore propose that the following issues should be integral actions to be considered in this regard:

- Public Procurement Opportunities
- Skills
- One Stop Shop for Services

Rural businesses are often the best source for fulfilling local public procurement contracts. These businesses are ideally suited to meet orders in areas which – for larger urban based businesses – may be considered as hard to reach localities. The knowledge of the local area means that value added services and products are provided to the public sector. Finally, the business produced by sourcing public procurement contracts locally can help produce local prosperity and jobs in rural communities.



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That is why a one stop shop service – or to recognise the planning implications of this proposal the development of multi use centres - is needed to provide an easy to use access point to gain knowledge of available public procurement contracts.

Poor skills levels are holding back the rural economy – whether in land management, agri-business, tourism or a range of other business sectors.

Recent research undertaken by Harper Adams University College for the West Midlands Business Council also reveals that this skills gap is being accentuated by demographic changes in rural areas with a proportional increase in the number of older people in rural areas. We would propose that this research is considered as part of the draft project plan.

The West Midlands Business Council has already stated its' belief that actions need to be adopted by the public sector and business to utilise the experience and skills base of older workers.

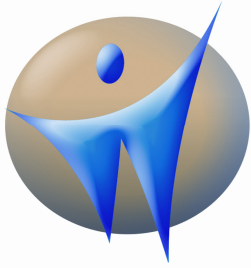
A one stop shop service could bring training providers – including from business representative organisations and higher and further education institutions – to come together to offer an easy to use access point for accessing skills training provision combined with the regional business support structure.

Such a one stop shop service will help develop skills programmes that meet the needs of the demand side in the regional rural economy.

This approach would enable skills training opportunities to be advertised to young people – informing them of the potential high value jobs in the rural economy.

With the continuing trend for young people to leave rural areas, such a one stop shop service can also advertise the training courses that would lead to high value jobs in the rural economy.

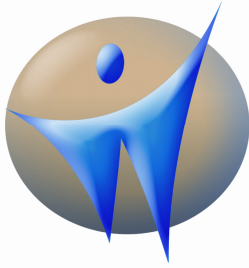
The business community would call for business support services to be an integral part of the facility providing access to public services.



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Marketing is critical to ensure the success of such a service and business representative organisations could be an ideal and cost effective vehicle to publicise this service to the rural business community.

Finally, quality rural transport links, including good rural public transport services, are essential in order to ensure that rural one stop shops for services can be effective. Therefore we propose that the RSS incorporates the inter-play of transport improvements in its widest sense to the aim of improving rural public services.



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### **Culture, Sport and Tourism**

*Question CST1 Which of the Options on page 53 do you think should be used as a basis of revising Policy PA10 Part A and why?*

#### **Update portfolio to include all regionally significant assets**

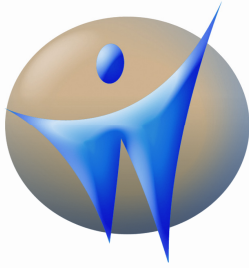
The region has a broad range of cultural assets that are critical for tourism purposes and also for inward investment. Research by Cushman and Wakefield has demonstrated that a strong portfolio of cultural assets is an important aspect for inward investors to consider when considering which global locations to invest in.

Therefore, as a direct consequence, it is an economic imperative in the view of the business community, to retain the portfolio and also to update it to include all regionally significant assets. In terms of additional cultural assets that could be added in the portfolio, there are a number of such sites in the town of Much Wenlock in Shropshire.

Much Wenlock is the historic home of the modern Olympic and Paralympic Games – recognised not just by the Department for Culture, Media and Sport but also by the International Olympic Committee. Much Wenlock will be important in attracting tourists to the region in the run-up to the London 2012 Olympic and Paralympic Games, when visitors to the UK to see the Games will have the chance to see the home of the modern Olympic movement. This attraction to the Shropshire town should continue as a legacy of establishing the UK firmly in the international sporting world after the Games are held in 2012 and in advance of the Glasgow Commonwealth Games that will be held in 2014.

We therefore propose that cultural assets in Much Wenlock are included further to discussions with the Much Wenlock Olympian Society, Advantage West Midlands who continue to invest in the town and Shropshire Council.

*Question CST2 – Do you think that Policy PA10A should ‘protect’ as well as improve existing strategic cultural assets from development?*



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The tourism assets of the region provide great strengths to the regional economy – as outlined in greater detail in answer to question CST4. Therefore it is important that the most important cultural assets are protected so that the tourism and hospitality sector – and the many jobs that depend on it – can continue. Policy PA10A should clearly set out the need to protect key strategic cultural assets and enable developments to grow up from these assets such as hospitality centres and transport links. Such a framework approach to development would enhance the tourism base of the region.

*Question CST3 – Which of the Options on Page 57 do you think should be used as a basis for revising Policy PA10 Parts B and C to address any gaps in strategic culture, sport and tourism assets provision in the region?*

### **Option 3 – Develop a new policy in addition to PA10 B and C**

The business community is relaxed as to whether a new policy is developed to address the strategic gaps in culture, sport and tourism assets provision. While the Option states that such a policy would cover social as well as economic needs, in reality the two are inter-linked as if there is a customer demand for gaps to be addressed this would directly roll in to the economic benefits.

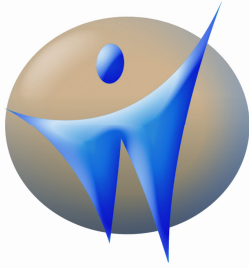
We will go into more detail as to the composition of this policy in answer to Question CST5.

*Question CST4 – Do you agree with the strategic gaps identified in the Burns Owen Partnership (BOP) report?*

### **No**

The statements made in this section of the consultation paper is factually inaccurate and the business community, particularly the hospitality sector, are very concerned that such inaccurate statements have been included in an official regional document that could be read negatively by potential visitors and inward investors to the region.

So, for instance, the consultation paper states there is no 50 metre swimming pool in the region. There is – it is in Coventry. There may well be an argument that there should



## West Midlands Business Council

also be a 50 metre swimming pool in Birmingham but this debate should be accurately reflected in the consultation paper.

The consultation paper states that there is no internationally important collection based museum or art gallery. This is manifestly inaccurate. The world's largest collection of Pre Raphaelite Art can be found at Birmingham Museum and Art Gallery. The Wedgwood Museum in Stoke on Trent is a premium international location for ceramic art – which contradicts the statement in the consultation paper that there is “no asset above sub regional significance in the north Staffordshire conurbation”.

The historic tourism assets are also inaccurate as it excludes:

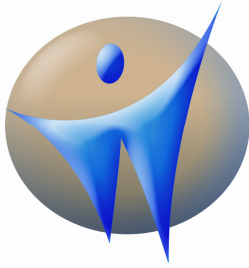
- Much Wenlock (further details in answer to Question CST3);
- Shrewsbury – the birthplace of Charles Darwin which has seen a revival in tourism to this town due to the Darwin anniversary year in 2009;
- Lichfield is the historic centre for the birthplace of Samuel Johnson;
- World famous Mappa Mundi is held at Hereford
- National Memorial Arboretum at Alrewas, Staffordshire
- Clive House where Clive of India is remembered, Staffordshire

– and this is just a snapshot of the historic tourism assets in the region.

Adjacent assets such as those of Stratford upon Avon, Warwick and Kenilworth are also of significance to the region. Other venues, such as the Sikh Gurdwara at Soho Road in the Handsworth area of Birmingham also have national cultural significance.

Therefore the business community strongly recommends that this analysis is undertaken again in conjunction with the hospitality sector so that the strong strengths of the region can be recognised and fully incorporated in the Regional Spatial Strategy. *Question CST5 – Do you think the Options on Page 53 and 57 could help to address poor quality and access issues in relation to culture, sport and tourism assets?*

**Yes**



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*What suggestions do you have as to how the WMRSS can best address quality and access issues, and any others, which you might think are relevant for culture, sport and tourism?*

When the International Olympic Committee President, Jacques Rogge, announced in Singapore on 6 July 2005 that London was to host the 2012 Olympic and Paralympic Games the impact on the West Midlands planning regime may not have been the first thought that would have come to mind.

However, the decision that Britain will host the Games, dubbed as the greatest show on earth, is likely to lead to a greater demand for use of leisure facilities. This demand will not occur by accident but be a direct consequence of public policy relating to the Olympic and Paralympic Games.

For as London 2012 have stated:

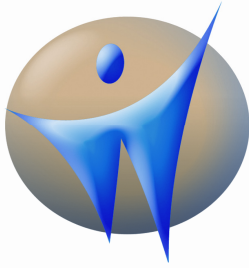
*The country will change and be changed, as the 2012 project and its range of related economic, social and sporting benefits become reality*

While Lord Coe, Chair of the London Organising Committee of the Olympic and Paralympic Games has said:

*Our vision is to stage an inspirational Games that capture the imagination of young people around the world and leave a lasting legacy*

As these statements make clear the aim will be to use the impending Games to encourage people, especially young people, to get engaged in sport and improve their health. With worrying trends of ill health in the West Midlands region this public policy is endorsed by business.

Therefore the demand for leisure facilities will rise and will lead many local authorities across the region to consider locations for new or enhanced facilities to be developed. This was one of the key discussion points, for instance, at the Stoke and Staffordshire 2012 Summit, hosted by the then Stoke on Trent Mayor, Mark Meredith, in November 2006.



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We believe this demand for sporting facilities may also be fuelled by the fact that the United Kingdom will host a major sporting tournament shortly after the Olympic and Paralympic Games – the 2014 Glasgow Commonwealth Games.

We would therefore encourage the West Midlands Regional Assembly to factor in the extension of leisure facilities in the Regional Spatial Strategy.

However, there is also another Olympic issue that will relate to Phase Three – Olympic training camps. The West Midlands Regional Assembly commissioned a study in 2005 that demonstrated that a number of facilities could be adapted to either ensure training camps for Olympic and Paralympic teams are established or at least the venues could be used for specialist training. We would propose that the draft project plan takes cognisance of this study.

In March 2007, Birmingham City Council announced that the United States track and field team would base their training camp for the 2012 Games in the city.

These activities will undoubtedly boost the regional economy and create jobs and, as planning may have a part to play in the development of these activities, we would encourage the West Midlands Regional Assembly to factor in this issue so that the planning regime helps these developments – not hinders it.

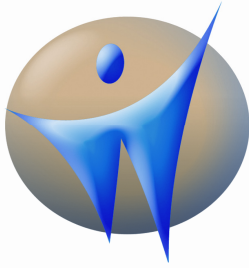
### Leisure and Tourism - Tourism Road Signs

Brown and white road signs – deliberately designed to help guide visitors to tourism venues – are widely recognised to be key to literally driving up tourist numbers.

This is why the continued problems and confusion regarding the siting of brown and white signs has gone on for too long. For people outside the industry the concept of establishing such signs may seem like a matter for common sense.

However, different practices from local authorities and the complex decision making process within the Highways Agency makes this matter far from straightforward. This does not have to be so. For surveys of tourism businesses and visitors have shown the same result – an end to this confusion would help this sector.

From 2003 new criteria were introduced by the Highways Agency regarding the erection of these signs. It stated that signs could be erected if there was:



## West Midlands Business Council

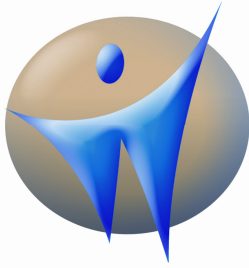
*“a permanently established destination or facility of recognised quality and/or importance that attracts or is used by visitors from outside the local area and which is open to the public without prior booking during its normal opening hours”.*

This criterion should have simplified the process for tourism businesses to apply for the erection of brown and white signs – which are paid for by businesses. However concerns by councils and the Highways Agency that too many signs will clutter the highways and not focus drivers’ attention upon the key signs for good driving means disparate policies exist across the West Midlands region.

That is why we would propose that the Phase Three review provides the opportunity to develop uniform policies that will help with the perception of the region.

This should not be too difficult a task. Gloucestershire County Council has produced *Brown and White Signs – Guidance Notes*. Aimed at businesses it clearly states what signs can and can not be erected. More specifically, instead of a business ploughing through documents with obtuse language, the County Council offers the help of a Divisional Manager to work on the application process with a business.

Therefore best practice is on offer to learn from and delays in addressing this issue are no longer acceptable.



## West Midlands Business Council

### Quality of the Environment

*Question ENV1 Do you agree with the suggested list of issues a – f on page 65 that a revised Policy QE2 could include?*

**Yes**

*Question ENV2 Which option on page 65 would you prefer Policy QE2 to follow and why?*

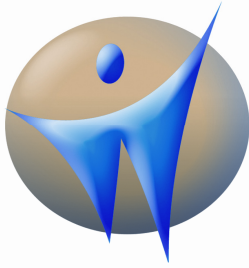
### Competitiveness Led/Growth Led

The business community considers both growth led and competitiveness led issues must be considered when developing contaminated land and degraded areas. Despite the request in the formulation of this question, we can consider that one option cannot be chosen over another. This is in line with our consistent approach to Settlements of Significant Development (SSD) in the Phase Two review.

To avoid the unsustainable sink estates of tomorrow, instead of just focusing on immediate housing need important though that is, employment land and housing land needs to go together so that land for homes is linked to land for jobs. In respect of this question, this includes the utilisation of degraded land for these twin objectives in the SSD.

However, competitiveness issues in reclaiming land are also critical. The West Midlands region has one of the worst records of contaminated land due to its industrial legacy. It is critical to close the £10 billion productivity gap in the regional economy as identified in the Regional Economic Strategy. By bringing degraded land back into use is a fundamental part of addressing this productivity gap and, therefore, we support local authorities to be encouraged with others to take steps in accordance with a revised Regional Spatial Strategy to bring land back into use that will aid the wider economy.

Neglected land does not just cause environmental blight for local people – it holds back the creation of local jobs. Much of the necessary infrastructure is already in place to service such sites and hence re-development can often take place and the benefits to



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the community and transport congestion realised more rapidly than on previously undeveloped areas.

There is also an urgent need for clarity from the Environment Agency on environmental issues so that developers can confidently plan for redevelopment and technologies for innovative remediation can be encouraged. If only so called green field sites are developed, dereliction will remain and such sites will become the brownfield sites of the future.

The revised RSS has a key role to change this.

*Question ENV3 Are there any other strategic options that you think we should consider in relation to restoring land and managing and creating high quality new environments?*

**No**

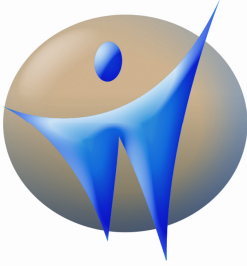
The approach described in the consultation paper seems to describe the full gamut of social, environmental and economic issues relating to this issue.

*Question ENV4 Which, if any, of the means for implementing Policy QE2 outlined in a – c on page 66 do you think would be most appropriate and why?*

We do not believe a one size fits all approach as appropriate or even desirable in addressing this matter. A combination of policy delivery vehicles is required to bring degraded land back into use as various policy interventions over the years have not been as effective as the business community and local people would have hoped.

Therefore brownfield land action plans are critical and go alongside phasing policies that will be required as part of the Phase Two review on housing and employment land. Concentrating resources to help the market address this blight is also important and we would encourage the Homes and Communities Agency to build on its early work in this area.

*Question ENV5 Do you agree with the issues a – j on page 68 that it is suggested Policy QE5 could include?*



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**Yes**

*Question ENV6 Do you agree with the list of issues a – j on page 68 that it is suggested Policy QE5 could include?*

**Yes**

*Question ENV7 Do you agree with the list of issues a – i on page 69 that it is suggested Policy QE6 could include?*

**Yes**

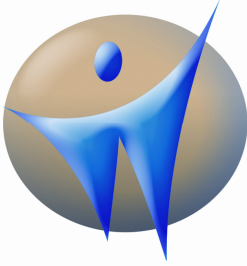
We agree with points a – h that are listed under Policy QE6. Point i includes a reference to landscapes that are ‘changing in a way that is inconsistent with their character’. Landscapes, particularly in rural areas are continually changing and evolving. The varied landscape of the West Midlands has evolved due to agricultural and in some cases industrial management of the landscape (e.g. Severn Gorge).

Landscape assessment is a very subjective process and therefore ‘changes inconsistent with character’ need to be defined. We are concerned that without guidance this text could be used to curtail legitimate development in the countryside. Farms and many rural businesses have a key role in managing and maintaining the quality of the surrounding landscape.

However in order to invest in countryside management the main business must be profitable. Even routine activities like hedge trimming are a significant business cost, hedge planting and restoration can become a very costly project, particularly in the uplands. If businesses are not allowed to develop and diversify, the surrounding landscape that planners are keen to protect may end up suffering due to a lack of investment and neglect.

*Are there any additional issues which you think a revised Policy QE6 should include? If so, please tell us what issues you think should be included and why?*

Policy QE6 should include an acknowledgement that the landscape has been shaped



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by agricultural activity and that agricultural businesses and landowners are the primary providers of landscape management. It should also acknowledge that landscapes may change due to changing agricultural practices and that this is consistent with the history and evolution of the British landscape.

*Question ENV8 – Do you agree with the proposed targets for improving priority habitats set out in Annex C on page 123 and if not why not?*

### **Agree**

Many BAP habitats associated with farmland are under positive management as a result of historical management practices and involvement in agri-environment schemes. The targets for habitat associated with farmland are likely to be achieved via a combination of best practice, voluntary management initiatives by individual farmers and via participation in agri-environment schemes.

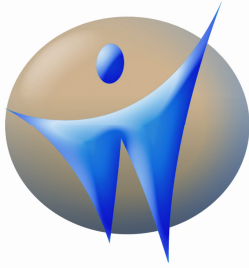
It is worth noting however that the majority of BAP management activity falls outside of the scope of the planning system. Therefore the inclusion of this aspect of land management appears to be gold-plating and it is unclear what the RSS intends to achieve by including habitat targets.

*Question ENV9 Do you agree with the list of issues a – i on page 70 that it is suggested Policy QE7 could include?*

### **No**

It is important that planners understand the pressures on biodiversity and the natural environment and that it is protected for the future. However this is an aspirational list of policy issues. In many cases it is unclear how they are linked to and can be delivered via the regional planning system.

The Regional Opportunities Map identifies areas for potential biodiversity enhancement. Business has been supportive of the development of the project as farmers may benefit from a greater understanding of where our best and most diverse biodiversity is located (i.e. via agri-environment scheme targeting). The map can also be used as a tool to



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inform future development control activity and economic development. However its use must be balanced with the need for social and economic developments in rural areas. Areas of high biodiversity value must not be excluded from economic and housing development, in fact a high quality landscape can often be an advantage.

Local sites are often non-statutory designations of privately owned and managed land. They are often managed by farmers and therefore the Local Authority and planning system has limited influence on their management. We are concerned that in some cases sites could be deemed not to be under beneficial management because they do not have a formal Management Plan. In most cases these sites retain their special ecological interest precisely because they have been managed with traditional agricultural systems (often by the same family) for many generations. If a site is in good condition there is little merit in adding another (often unwanted) layer of management bureaucracy.

*Question ENV10: Should the focus of Policy QE7 be mainly on the existing Biodiversity Enhancement Areas, or alternatively those areas identified in the Regional Opportunities Map (on page 72), and why?*

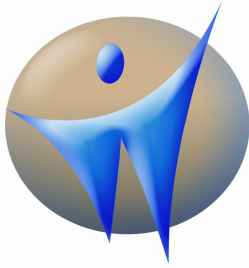
### **Areas identified in the Regional Opportunities Map**

Much of the regions environmental enhancement activity is not currently influenced or guided by BEA's. From a rural perspective Natural England targeting of agri-environment schemes and RDPE activity has more of an influence. The policy should recognise that environmental opportunities exist throughout the region.

*Question ENV11 Do you agree with the list of issues a – i on page 73 that it is suggested Policy QE8 could include?*

### **Yes**

We are supportive of the issues outlined under Policy QE8. It is vital that woodland owners and managers are given the tools they need to develop the biomass and renewable heat/energy sector.



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The policy should recognise that when landowners consider woodland planting the locations is more influenced by the suitability of the land and the availability of grant funding.

The links between woodlands and flood mitigation and management are not well understood. The Study should take account of the impacts of woodland planting on flood risk management. Floodplain land is often valuable agricultural land and the impacts of land use change on food production must be well understood.

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*Question ENV12 Do you agree with the list of issues a – f on page 74 that it is suggested that the text relating to the Protection of Agricultural Land could include?*

It is unclear what ‘any variations in agricultural importance across the Region’ means. It could refer to changes in agricultural land classification, differences in agricultural sector or economic outputs? This issue should be clarified or omitted.

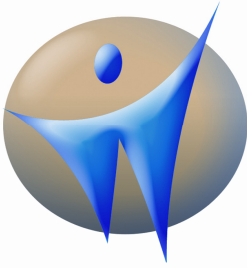
Policy makers must understand that farmers and landowners chose the most appropriate sectors and outputs for their land. In the West of the region the high rainfall, hilly terrain and heavier soils mean that grass grows particularly well. Therefore these areas specialise in livestock (beef and sheep) and dairy production. In the east of the region lower rainfall and soils suited to cultivation mean that land is more suited to arable production. The West Midlands also has some areas of very fertile soils and microclimates that make them particularly suited to horticultural crops.

Agricultural systems have evolved to produce the best outputs from the local natural environment. Food production cannot therefore be judged in purely economic returns. The returns from an arable enterprise in Warwickshire could be much higher than those from a livestock unit in the Marches. However both enterprises produce food by making the best use of the land and local conditions. Therefore it is not simple to make judgements about the agricultural importance of sectors across the region.

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*Are there any additional issues which you think revised text on the Protection of Agricultural Land should include?*

Agricultural land is a key resource which must be protected. We know that the population of the West Midlands will rise and that they will require access to safe nutritious food. We do not know how climate change will impact upon our ability to import food from abroad. Fuel availability and concerns about carbon emissions may mean that it is uneconomic to import fresh produce and production may fall as climate



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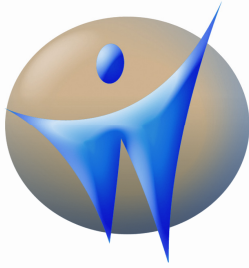
change impacts upon farmers elsewhere in the world. Therefore policy makers should recognise that an ability to feed the local population will be very important for competitive sustainable regions in the future – as well as ensuring there remains a strong local rural economy.

Farmers are also investigating opportunities for producing fuel on agricultural land. There are opportunities from a range of technologies including biomass, biodiesel and anaerobic digestion. Therefore it is important that agricultural land is valued for its fuel production potential as well as its vital role in food production.

The debate on the role of agricultural land and flood risk management is ongoing. A key consideration is the food produced on the land and the economic outputs associated with productive agriculture. Our best and most versatile land is often on the floodplain and this is where our most high value crops (potatoes, onions, salad crops etc) are grown. Even short term inundation by flood water can be devastating for these crops. Therefore we need to identify a solution that makes space for productive agriculture and for flood risk management. The farming Floodplains for the Future Project in Staffordshire has identified many low cost opportunities for improving water management without compromising the productive capacity of agricultural land.

Some policy makers favour the creation of large scale wetlands on agricultural land for biodiversity enhancement and the perceived benefits for flood risk management. Flood storage areas are best when they are only subject to temporary flooding thereby optimising their storage capacity. Wetlands with high water tables have limited flood storage potential as the high water levels can severely compromise storage capacity. (To use a common analogy a wet sponge cannot absorb more water.) Breeding waders look for seasonal wet areas, therefore permanently wet wetlands are unlikely to fulfil all of their habitat and lifecycle needs.

Funding must be in place to support flood risk management activity on farmland. This must recognise the income forgone from food production. It must also recognise the dramatic change in land use (it would be very expensive to reclaim land for agriculture once it has been abandoned). Government must work with partners to develop a scheme that would provide adequate compensation for income forgone from the creation of seasonal water storage areas or wash lands. It should also be noted that a very large budget would be needed to accommodate large scale wetland schemes. Limited funding is currently available via agri-environment schemes, but this is highly



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targeted and often does not offer adequate compensation for the long term income forgone.

There are many existing initiatives that encourage the management of land for biodiversity. Farmers are very aware of their role as custodians of the land and their responsibilities towards maintaining and enhancing biodiversity. Agri-environment schemes have been very successful in enhancing the biodiversity and habitat provision on West Midlands farms, it is likely that participation in these schemes will increase in the near future. Uptake of the Entry Level Environmental Stewardship Scheme stands at 54.2% of the agricultural land area of the West Midlands and this delivers a range of environmental benefits.

New industry led initiatives such as the Campaign for the Farmed Environment also encourage farmers to work together to provide habitats for farmland birds and wider biodiversity.

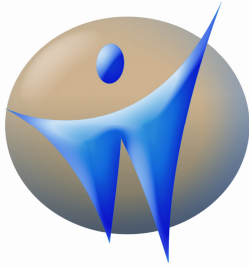
The policy should acknowledge that adequate drainage and river maintenance is necessary to maintain food production on our best and most versatile land. Current reductions in EA main river maintenance has resulted in impeded agricultural drainage as water cannot escape from land drains into blocked main channels. This is an area of key concern to farmers and landowners in the West Midlands.

*Question ENV13 Do you agree with the list of issues a – i on page 75 that it is suggested Policy QE9 could include?*

**Yes**

*Are there any additional issues which you think a revised Policy QE9 should include?*

Water, be that portable supplies or sewerage is clearly a basic prerequisite in any planning strategy. Certainly this is a fundamental issue and has been recognised as such by the UK Green Building Council. We recommend as part of the development of policy that consideration be given to engaging with this body.



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However, the decision by the Government to signal a major house building programme in the region could lead to severe strains on water supply if forward planning is not undertaken. The nearby development of the Milton Keynes South Midlands (MKSM) growth area could also impact on water supply.

That is why the work of the West Midlands Regional Assembly with the Environment Agency and Severn Trent Water plc to consider how water supplies can be maintained if there was an increase in house building in the region is critical. We await the report of this working party with interest.

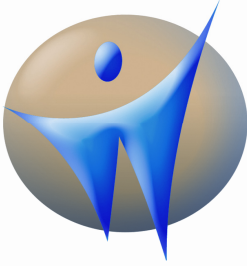
However, it is the Government that may have to intervene to ensure that water supplies can be maintained if the signals that the Government has sent out on house building are practically met. One way forward has already been indicated by the recent Panel Report for the East of England Regional Spatial Strategy (RSS). It stated:

*The Government will work with the Environment Agency, water companies and regional stakeholders to ensure that the development provided for in the Spatial Strategy is matched with improvements in water efficiency so as to effect savings of at least 25% compared with 2006 levels of water use in all new development and savings of at least 8% in existing development. This will be pursued through a co-ordinated programme of measures including changes to the Building Regulations and other appropriate regulatory regimes, fiscal measures, incentive schemes and other measures to reduce water consumption and wastage.*

Clearly such a strategy would be needed in the West Midlands region and we await with interest the proposals that the Government has which are indicated in this report.

However, it is not just the possible house building programme that could lead to strains with the water supply in the region. The Milton Keynes South Midlands (MKSM) growth area, which is discussed in further detail in this submission, is a large housing led development that stretches toward the Warwickshire border across to Milton Keynes. It is planned that the population of this growth area will eventually be twice the size of Birmingham.

The Environment Agency has acknowledged that the issue of the impact of the MKSM growth area upon the water table needs to be addressed:



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*Water resources for the Milton Keynes and South Midlands Growth Area are currently being examined through the review of the East Midlands Regional Spatial Strategy. We are recommending that further studies are undertaken in areas of growth to determine existing capacity and additional resources. Current proposals are to increase the use of Rutland Water reservoir to supplement supplies to Northamptonshire and surrounding growth areas*

We propose that the West Midlands Regional Assembly considers the overall water supply – and disposal/treatment - issue in conjunction with the potential impact of the MKSM growth area upon water supply in the West Midlands region as the potential impact of water supply being impacted by the twin issues of a house building programme in the region and a house building programme next to the region is significant.

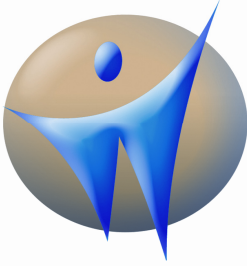
Innovative thinking is needed as a consequence of pressures being placed on the water table. This could include technical work on the view that effluent water reuse is a relatively untapped way of providing drinking water to meet growing long term needs – where methods of treatment and safety issues would be paramount issues in the technical work.

Safety issues will also need to be considered with the idea of water transfer from the canal network.

### Summary of Recommendations:

- 1) Direct Government intervention, including via the use of building regulations, to help ensure water supply needs
- 2) West Midlands Regional Assembly to work with the Environment Agency to consider the impact of the Milton Keynes South Midlands growth area upon the water supply needs of the West Midlands region
- 3) Technical work needed on viability of effluent water re-use and potential of water transfer from the canal network

*Question ENV14 Do you agree with the list of issues a – d on page 76 that could be included in text relating to air quality?*



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**Yes**

### **Flood Risk**

*Question ENV17 – Do you agree with the suggested list of issues a – I on Page 84 that a new Flood Risk Policy could include?*

**Yes**

*Are there any additional issues which you think a new Flood Risk Policy should include? If so, please tell us what issues you think should be included and why*

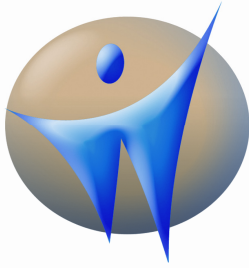
The floods of summer 2007 demonstrated how planning policy has largely failed in many areas to address the problems of flood risk.

In the West Midlands region and in Gloucestershire it became clear that certain infrastructure facilities such as electricity power stations were not planned and built in a way that reduced the potential impact of floods upon the need for the continuity of operations.

We therefore propose that the Regional Spatial Strategy considers the need for additional land to be allocated to existing as well as larger sites for new facilities so that flood risk security can be in-built from the outset or – if facilities already exist – created. This would enable facilities, including water treatment centres, not to face an imminent flood risk and would give time to utilities companies and the emergency services to ensure continuity of supply in the event of floods taking place.

The 2007 floods also highlighted another area where planning policy had failed to limit the impact of the floods. The problems in transporting flood defence equipment to some localities led to flooding and damage to local communities which, if the equipment had been in place in time, would not have occurred.

Therefore, this demonstrates a need for depots for flood defence equipment throughout areas which are deemed to have a high flood risk. Such areas for depots could be set aside within Local Development Plans under guidance set within the RSS.



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One of the clear lessons from the 2007 floods is that careful consideration is needed before any building takes place on flood plains. Therefore we propose the RSS includes a full cost – benefit ratio analysis to ascertain the various factors to building on flood plains that can then be considered in the further stages of the Phase Three review.

Birmingham is potentially an area of major concern. It is not only those areas next to rivers which can be flooded. Birmingham has a fairly high natural water table, which was controlled by the abstraction of millions of gallons for industrial use. With the change in the city's economic base, heavy industry using huge amounts of water has gone (eg Longbridge) and replacement light industry uses far less water. The water table is therefore rising and a series of exceptionally wet summers saturating the surrounding area could create very serious problems upon the economy of the city. Specific research into this prospect would be prudent and consideration given to tapping in to this resource for an expanding population whilst at the same time addressing the problem of rising ground water.

We would propose that all of these proposals are included in the Regional Spatial Strategy.

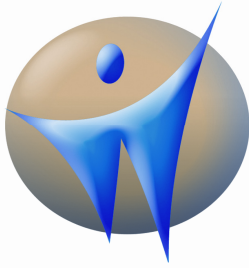
Finally, we recommend that due consideration be given in the RSS to the need to make appropriate provision to protect those parts of the transport infrastructure, such as the railways, that are – or with climate change – will become prone to flooding.

### **Energy**

*Question ENV18 – Do you think that Policy EN2 in the existing WMRSS should be revised to encourage improvements to the energy efficiency of existing buildings as opportunities arise?*

### **Yes**

A pragmatic approach needs to be adopted in this regard as the construction sector is currently facing one of its worst economic downturns in living memory. The need to reduce costs goes beyond normal everyday economic pressures to simple survival for many construction businesses. Therefore the introduction of standards that are higher in



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the region than in the rest of the United Kingdom would not lead to economic revival of the sector.

However some energy efficiency measures in buildings can be cost effective in terms of installation and implementation. Therefore, we propose a pragmatic approach with the industry which would not lead to new terms and conditions that will raise cost levels relative to the rest of the UK.

We also support the move to insulate homes and feel that all new builds should be effectively insulated to prevent thermal losses (which are otherwise counted by increased fuel usage). Further-more we support the Combined Heat and Power initiatives as whilst not being singularly as efficient as centralised energy produced , CHP actually saves energy because being in the home, there are very small distribution losses (as opposed to 30% losses from centralised power stations). There is a need, due to the nature of CHP operations for a regional policy to help with the strategic planning of CHP operations. This would aid local authorities in their consideration and would be a major advance for the region to meet its obligations in reducing CO2 emissions.

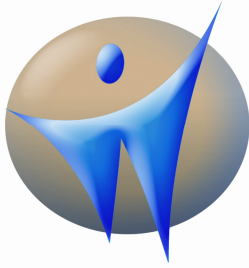
*Question ENV19 – Which of the Renewable Energy Target Options do you think should be used in the WMRSS to promote the development of renewable energy and low carbon technologies in the West Midlands?*

### **Option 3 – Sub regional targets for renewable energy**

We agree that the best way of delivering renewable energy opportunities is to analyse and recognise the capacity and potential in each sub region. Business is aware, for instance, of the important strides being made in respect of renewable energy in Lichfield and these good examples of best practice can be passed on to other local authorities and promoted via the RSS.

*Policy ENV20 – Do you think that the WMRSS should set regional targets for specific renewable energy and low carbon technologies such as biomass, combined heat and power, ground source heat, landfill gas, solar, wind etc?*

**Yes**



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Further to our answer to Question ENV19, such an approach would be effective if it was implemented in such a way that it reflected local capacity and potential.

We believe the approach taken in each of these areas should be as follows:

Bio-energy is an energy source that could be ideally suited to the West Midlands region – with 80% of the land mass of the region devoted to the rural economy.

The Institution of Civil Engineers (ICE), for instance, sees biomass as a potential energy source for West Midlands' regional businesses. In their *State of the Region* report (2005), ICE West Midlands states:

*The region does offer 50,000 hectares of set aside land that could be converted to biomass production.*

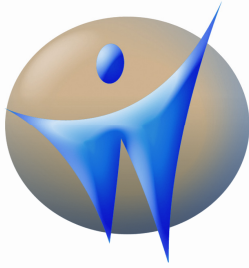
The Food and Farming Team of Advantage West Midlands – based in Worcester – with Marches Energy Agency – has produced a highly recommended report in June 2005 which clearly lay out the potentially large biomass opportunities for business.

That is why we support and welcome the England Rural Development Programme's Energy Crop Scheme and the Renewable Transport Fuel Obligation in developing this market.

The potential for a long term sustainable bio-energy sector in the West Midlands is considerable. We believe the regional planning regime should address the infrastructure developments for the growth and sustainable development of the sector, especially as the need to secure energy supplies to a growing regional population will be critical.

We would therefore encourage specific reference in the revised Regional Spatial Strategy to the need to develop the biomass sector and for practical work to develop with the industry the capacity for the development of the sector.

Nuclear



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We support the Government's view that new nuclear generation needs to be considered as a practical solution to providing a diverse and secure mix of energy generation sources in addition to increasing all renewable sources of generation.

The potential future growth of this industry could be a positive benefit to the West Midlands not only for secure energy supply but increasing manufacturing employment opportunities. We, again, encourage the West Midlands Regional Assembly to embrace the potential for this market by including reference for employment land capacity to address this need.

### Renewables

In the present climate, low carbon technologies are essential and should be pursued. Whilst there is little opportunity for 'wave power' or 'tidal' in the West Midlands, we support the active adoption of other technologies.

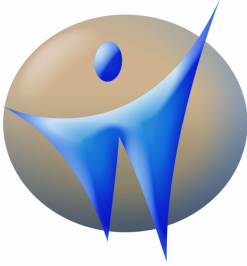
We also foresee the potential for suitably placed community wind turbines – where these are applicable. One technology that should be considered would be the new range of omni-directional wind turbines such as that produced locally.

Solar PV suffers from the issue of cloud cover – and this might be expected to become more of a problem in future years; however for new builds, we support the uptake of underground temperature differential heating system and personal wind turbines (where a survey shows suitability) and therefore support inclusion of the employment land and energy generation opportunities within the RSS.

### Contingency Energy Supplies

This is the nearest question that allows the business community to make firm recommendations on contingency energy supplies. This is a critical issue for the economy with threats to supplies being a constant hindrance to the regional economy.

The most pressing energy issue is the contingency of supply. For the land locked West Midlands, which can not fully benefit from the immediate effects of wind and wave power and the region widely seen as the centre for UK manufacturing, any disruption in



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energy supplies is detrimental not just to the regional economy but also to the national economy.

The need for adequate contingency energy supplies is also complicated by concerns as to future power sources for the region. As the Institution of Civil Engineers report, referring specifically to the West Midlands region, states of the Regional Energy Strategy:

*Another is its failure to tackle the issue of how West Midlands' coal fired power stations should be replaced. The bulk of the region's energy needs will have to be met by either carbon fuelled power stations or nuclear facilities. This needs to be acknowledged by both national and regional government if they are to develop a clear strategy for securing future power supplies*

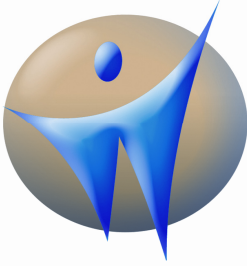
The West Midlands regional business community is concerned at the threat to power supplies for energy intensive manufacturing businesses and these concerns could be accentuated, if matters are not addressed, by pressures on the national grid by a potential house building programme and that is why the business community would welcome the opportunity to work closely with regional bodies and Government to explore how the lack of adequate contingency energy supplies could be addressed.

In particular we would encourage the West Midlands Regional Assembly, as part of its work in the review of the Regional Spatial Strategy (RSS) to include provisions for public agencies and local authorities to undertake an analysis of the geological features of the region to ascertain whether there are any features that could act as storage for contingency energy supplies.

*Question ENV21 – Do you think that the WMRSS should retain the existing Policy EN1 on Energy Generation or should it set out clear regional criteria to assess whether planning applications for renewable energy and low carbon technologies are appropriately located?*

### **Option 1 – Retain existing Policy EN1**

We believe our answer to Question EN20 would provide the framework for suitable amendments to Policy EN1. There needs to be a clear regional framework to assist



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local authorities in their drafting of their Local Development Frameworks so that a cross regional approach to energy can be attained. However issues such as distance to residential properties of energy generation sites is very much an issue that would vary from one locality to another, depending on the make-up and approach of each locality – so local interests to this micro extent should be respected here.

*Question ENV22 If you think the WMRSS should include clear criteria for assessing applications for renewable energy and low carbon technologies please tell us which are the most important factors in assessing where renewable energy and low carbon technologies would be most appropriately located.*

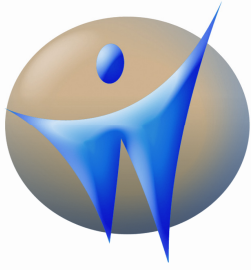
Score (0 is not important, 1 is the least important and 5 is the most important).

- 4 Contribution to the global environment
- 5 Contribution to the local economy
- 2 Impact of fauna, flora and animal life
- 2 Noise
- 2 Odour
- 4 Traffic Implications
- 2 Visual Impact

*Question ENV23 Should the WMRSS develop a policy to secure positive use and improvements of the Green Belt and urban fringe or rely on the guidance in national green belt policy and the environmental enhancements and why?*

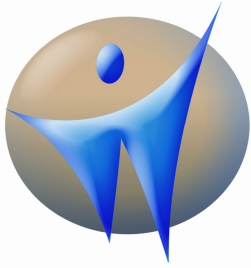
### **Develop a regionally specific green belt policy**

Allowing appropriate use of land within the green belt, particularly renewable energy, will allow sustainable reinvigoration of green belt areas. Farmers and rural businesses in these areas often find themselves disadvantaged as it is difficult for them to expand, invest in new technology, replace redundant buildings or diversify into new businesses areas. Allowing a more flexible approach will help to reconnect urban areas and the



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countryside. Policies should enable farms and rural businesses to innovate to meet the needs of urban communities by providing farm retail, energy, leisure and opportunities to access the natural environment.



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### **Minerals Policy**

*Question M1 Which option on page 103 do you think will provide the most effective means of safeguarding the minerals the Region needs for the future?*

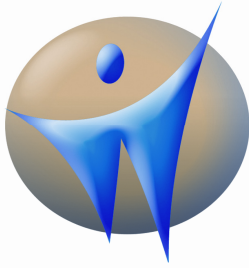
We understand that the means of safeguarding proposed would be through a policy in the RSS requiring MPAs to include minerals safeguarding areas in local development frameworks for minerals identified in the RSS itself. Given the facts that sterilisation of minerals by development is generally irreversible in practice, that the ultimate need for minerals will extend indefinitely beyond any plan period, and that the perception of what minerals are regionally important may alter over time, there is a clear case in principle for safeguarding all mineral resources as under Option 2.

However there is already a general requirement prescribed in MPS1 paragraph 13 for RPBs, MPAs and LPAs to define mineral safeguarding areas in local development documents. The value of a policy at regional level would be to identify minerals that may be adequately available locally but for which demand at regional or national level is likely to be stretched or where cross-border supply between MPAs is likely to be required. In that respect there is a clear case for restricting the minerals for which a regional safeguarding policy is prescribed to those identified in Option 1. Fireclay should be included as indicated in the explanatory text on page 101 of the consultation document.

Extension of the policy to all minerals would arguably undermine its impact in practice and thus provide no higher degree of protection to minerals the supply of which is under pressure.

*Question M2 Do you think that the WMRSS should provide for a higher level of policy protection for Etruria Marl through the designation of a specific regional safeguarding area?*

We understand that designation of a “specific regional safeguarding area” means that the geographic area for the safeguarding of Etruria Marl would be determined at regional level rather than by MPAs. We also note the comments on page 102 of the consultation document regarding the doubtful value of defining areas at regional level,



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the inference being that a regional designation would simply mirror or duplicate the sum of those defined at lower levels.

Our view is that the key requirement is that safeguarding areas covering the Etruria Marl outcrop are clearly established and that the RSS prescribes such a requirement by whatever the means. MPS1 Annex 2 Paragraph 3a) 3.1 identifies Etruria Marl as a brickclay that may be nationally, regionally or locally scarce. As the West Midlands is the principal source of supply of Etruria Marl, it is incumbent on the regional authority to ensure that effective policies for its safeguarding are implemented throughout the region.

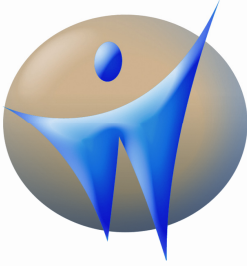
*Question M3 In relation to issues relating to safeguarding areas should there be a different approach for safeguarding in rural and urban areas?*

Our understanding of the purpose of mineral safeguarding areas as explained in the guide produced by the British Geological Survey 2007 is to ensure that mineral resources are adequately and effectively considered in land use planning decisions. They do not imply that extraction of minerals in them will ultimately be sanctioned or environmentally acceptable. Equally mineral consultation areas prescribe only a requirement for planning authorities to consult on proposals that might sterilise minerals, not a presumption in favour or against extraction.

Whether or not the mineral will be exploited in any area will be determined according to the circumstances and merits of a particular application. We do not therefore see why there should be a different approach to safeguarding in rural areas as far as the establishment of MSAs or MCAs is concerned.

*Question M4 What should the threshold for development be when consulting on non mineral developments in Minerals Safeguarding Areas/Mineral Consultation Areas?*

The threshold for consultation on non mineral applications in a MSA or MCA should not ideally be based on just area and/or end use since both of these could fail to deliver the correct analysis. It is not just the size but also the location of any non mineral development in an MSA or MCA that can cause a problem. For example, a planning application for a small stand alone rural dwelling might have the potential to sterilise vast quantities of valuable mineral if it is located in the middle of a large potential



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reserve. Similarly a single house which impacts on the sight lines for a site access can sterilise the whole site.

Therefore in addition to the suggested criteria for the size of a non mineral development, we would suggest the following:

- Any non mineral development which is located, or extends beyond, a distance of more than 50 metres inside the boundary of the MSA or MCA.
- Any non mineral development which has the ability to adversely affect the highway access to an MSA or MCA.
- Any proposed development that has the potential to significantly affect future planning prospects for mineral development in the area.

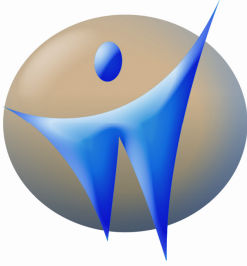
The level of protection for different minerals should be related to their scarcity, Etruria Marl being a good example of a particularly scarce mineral. This is a concept central to mineral planning policy, where the need for a particular mineral, which can only be worked where it naturally occurs, is balanced against the social and environmental impacts of working it.

The nature of the proposed development is also relevant. For example a hospital or a nursing home would be of more significance regardless of size. In that regard we suggest a specified list of "sensitive" developments should be developed to which reference might be made.

We also suggest that guidance should be provided on consultation required where a nature conservation or other similar statutory designation impacts land comprising an MSA or MCA.

### *Question M5 What minerals related infrastructure should be safeguarded in the region?*

We are not aware of any infrastructure related specifically to clay provision that currently warrants safeguarding. However in principle safeguarding if required should not be restricted to handling facilities for recycled and secondary aggregates as suggested in the third bullet point, but should extend to any existing infrastructure with the potential for minerals handling, processing or related manufacture.



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The examples of minerals related infrastructure listed for safeguarding include building materials manufacturing sites such as concrete batching plants, other concrete products, etc. It is essential that if such a list is to be produced and utilised it should also include brick manufacturing facilities.

It is also important that all parties recognise that the safeguarding of infrastructure is something that should be subject to regular review. It would be inappropriate to safeguard a facility if it became outdated, or otherwise surplus to need, or when an alternative re-development might be more appropriate.

*Question M6 Do you think that minerals resources should be safeguarded in areas covered by national designations for landscape, wildlife conservation and cultural heritage?*

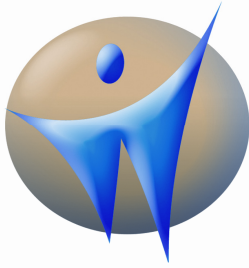
As regards safeguarding mineral resources in areas covered by national designations, the same arguments as advanced in the answer to M3 above apply. As safeguarding is usually to prevent sterilisation by other development, such incidents should in fact be less likely in areas covered by national designations but safeguarding should nevertheless be undertaken. The principles to be applied to determine whether such minerals are actually exploited are clearly defined in MPS1 paragraph 14.

*Question M7 Is there a need for a regional safeguarding policy on coal?*

**Yes**

The Staffordshire and Warwickshire coal fields are one of this region's greatest natural resources. However, the industry has gone through a steep decline but the pressing energy needs of the country provide new opportunities for coal.

The commercial requirements for coal production relate to the calorific value of the coal and its chemical characteristics particularly in relation to chlorine and sulphur contents. The markets seek to reduce to reduce the contents of both chemicals to minimise corrosion of heating systems and carbon emissions levels. This normally leads to a process where coal from different sources is blended to meet the quality criteria and avoid unnecessary waste of high quality minerals.



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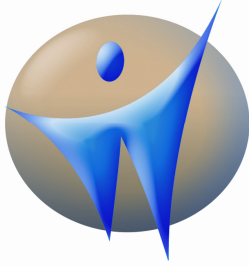
Therefore from a commercial potential perspective there are real opportunities to be gained from the coal fields. This is especially so as a result of concerns regarding energy shortages combined with the need to secure energy supplies to an increased regional population.

The decision of the Government to convene a Coal Forum – bringing together electricity suppliers and coal producers to help find solutions to secure the long term future of domestic coal production could be a significant step forward for the commercial viability of the coal fields. This development followed the 2006 Comprehensive Energy Review where the Government stated the importance of the long term contribution of coal fired energy generation.

However, concerns have been expressed about coal due to carbon emissions causing climate change. Nonetheless, clean coal technology now exists to address these issues and in November 2006 plans for a new clean coal fired power plant in Norway was announced which, it was claimed, would capture 95% of all greenhouse gases that are emitted.

In the light of these developments we would encourage the West Midlands Regional Assembly and other regional public bodies with the business community to positively engage with the new Coal Forum to see if there is any actions – from the point of view of the planning regime – to help fulfil the potential of the coal fields which would help meet the country's energy needs. In particular, we propose that a regional safeguarding policy on coal is included for the sake of ensuring much needed energy supplies that may be required during the lifespan of the RSS.

Past coal extractions have left a legacy of problems associated with collapse of old workings which will need to be addressed in new development. This can be addressed in many instances by the use of power station residues provided that legislation on waste disposal and environmental concerns do not inhibit their use. Hence the workings can be regarded as a resource as well as a liability. Future extraction of coal and associated energy will have to address subsidence concerns and will probably impact on techniques of extraction adopted.



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*Question M8 In updating Policy M4 in the existing WMRSS is there a need a need to place more emphasis on realising the opportunities available from existing technologies to release energy sources from worked and unworked coal seams in the coalfields of the West Midlands? Are there any other matters which an updated Policy M4 should address?*

### **Yes**

There are commercial opportunities for the coalfields for coal seams that are unminable. In an attempt to address the issue of carbon emissions from energy generation, the concept of carbon sequestration has been developed. This means that carbon dioxide is injected into deep, unminable coal seams.

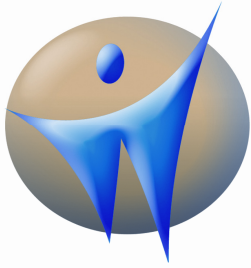
A particular advantage of coal seam sequestration is that coal seams can store several times more carbon dioxide than the equivalent volume of a conventional gas reservoir because coal has a large surface area. Another advantage is that as this process displaces methane this can be recovered as an energy source and sold to offset costs.

We would therefore encourage the West Midlands Regional Assembly to allow the development of this sector within the RSS and thereby help with the wider regional economy and reduce carbon emissions, especially in terms of developing the correct planning regime for this sector to develop and meet environmental needs as part of the revised RSS.

*Question M14 What policies do you think would best ensure that separate long term off site stockpiling of Etruria Marl and fireclays can be provided in the region?*

The acceptability and practicality of offsite stockpiling of Etruria Marl and fireclays will depend largely on the economic viability of any such proposal. Such considerations are generally beyond the scope of planning policy. For that reason the most important policy consideration is the inclusion of effective safeguarding to ensure that the minerals are available for extraction as and when required. It is difficult to see how the policy in MPS1 quoted on page 116 regarding stockpiling can be further advanced.

*Question M15 Which of the Options for meeting the shortfall in brick clay supplies would provide the most sustainable way of meeting the industry's future needs?*



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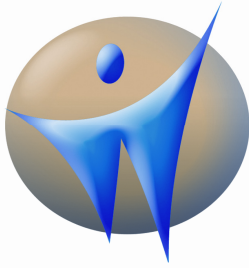
MPS1 Annex 2 paragraph 3.4 states quite clearly that planning authorities, in developing policies, should take into account the need for provision of brick clay from a number of different sources to enable appropriate blends to be made, and the need to provide a stock of permitted reserves to support levels of actual and proposed investment required for each new or existing manufacturing plant and the maintenance and improvement of existing plant and equipment sufficient to provide for 25 years of production. It also draws attention to the need for separate provision for particularly scarce clays such as Etruria Marl and fireclay that will serve a number of works sometimes over longer distances. Paragraph 3.2 stresses that it is desirable that brick clay should be extracted as close as practicable to the brickworks that it is supplied to. However where supply is needed from more distant sources these may exist in an MPA's area other than that where the brickworks is located. The relevant local planning authorities should therefore liaise in planning for appropriate sources of provisions. Where a works is likely to require supplies from more than one region, the relevant regional planning bodies should assist in the necessary discussions.

These should also be the most important considerations in determining policies in this RSS.

Option 1 as worded appears to imply that the regional requirement for brick clay should be aggregated to ensure that adequate provision is made at regional level only. This is in total contradiction to the principles and specific of MPS1 Annex 2 stated above. Moreover it might result in either a shortfall of supply for an individual factory, or the need to transport minerals unnecessarily, or both. The proposed approach appears to mirror that for aggregates apportionment and fails to accommodate the requirements for clays of particular specifications to produce individual products. It is therefore completely unacceptable.

Option 2 appears to meet the requirements of MPS1. However it should be strengthened to emphasise the requirement to cater for cross-boundary supply between MPAs within the region and in neighbouring regions wherever necessary. Cross reference in policy to MPS1 Annex 2 would provide clarity.

The meaning of Option 3 is unclear. The specific requirement described under this option for an MPA with mineral resources to release those resources where there is a

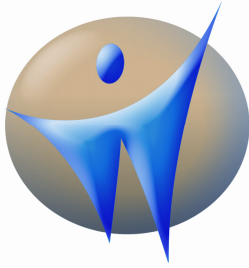


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shortfall in supplies elsewhere in the region, which reflects national policy in MPS1 Annex 2, should apply in any event under Option 2. Moreover there is a clear requirement prescribed in paragraph 3.2 of MPS1 Annex 2 for liaison between MPAs to ensure cross-border provision where necessary, and on RPBs to assist where a works is likely to require supplies from more than one region. This obligation should be reflected in RSS policy to ensure delivery in practice.

*Question M17 What planning and environmental criteria should be used to identify broad locations for the development of long term stockpiles of clays (including fireclays)?*

The overriding consideration in assessing the feasibility of stockpiles for clay and fireclay will be proximity to the original source of supply and /or proximity to existing brickworks. Any other location is likely to involve a degree of double handling and transport costs which will render the proposal uneconomic whatever the other planning merits of it. We believe the correct solution is to protect the natural resource insitu.



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### **Annex A – West Midlands Business Council**

The West Midlands Business Council (WMBC) is a UK First – the first time independent business representative organisations have chosen to come together to speak with one voice on the key regional business issues. No other region of the UK has such an organisation;

WMBC is an umbrella organisation for the whole West Midlands region – covering Herefordshire, Shropshire, Staffordshire, Warwickshire, & Worcestershire together with Birmingham/Coventry/Wolverhampton and the West Midlands conurbation.

The member organisations of WMBC are:

- Asian Business Forum
- Association of Colleges
- Birmingham Law Society
- British Ceramic Confederation
- Business in the Community
- Chartered Institute of Building
- Civil Engineering Contractors Association
- Co-operatives West Midlands
- Country Land and Business Association
- Engineering Employers' Federation
- Federation of Small Businesses
- Institute of Chartered Accountants in England and Wales
- Institute of Directors
- Institution of Civil Engineers
- Midland Association of Restaurants, Caterers and Entertainment
- National Farmers' Union
- National Federation of Retail Newsagents
- National Housing Federation
- Royal Institution of Chartered Surveyors
- Stratford upon Avon Town Management Partnership
- UK IT Association
- West Midlands Chambers of Commerce
- West Midlands Developers Alliance
- West Midlands Higher Education Association
- West Midlands Minority Ethnic Business Forum