



CLG and BIS Consultation on Policy Statement on Regional Strategies and Guidance on the establishment of Leader's Boards

A response by the English National Park Authorities Association October 2009

Introduction

1. The English National Park Authorities Association (ENPAA) exists to provide a collective voice for the nine English National Park Authorities. It is governed by the Chairs of the nine Authorities, and our response represents the collective view of the Authorities. It has been prepared by officers, working within the policies established by the National Park Authorities (NPAs). Individual NPAs may submit separate comments, which will draw on the specific issues for their particular area. Our response provides answers to the specific questions where pertinent but also covers other points considered to be important to National Park Authorities which may not be raised in the consultation questions.

1. DRAFT POLICY STATEMENT ON REGIONAL STRATEGIES

1.1 Do you consider that the scope of the Policy Statement enables regional flexibility while providing sufficient certainty and consistency about how new Regional Strategies should be prepared?

2. Yes, it is considered that the statement strikes the right balance between encouraging an objective and consistent approach to regional planning whilst recognising that each region is different and that a prescribed specific model for what regional strategies should look like is not appropriate.

3. We are concerned however over the balance of the policy statement in terms of the weight and focus it gives to economic development. This is especially evident in the introductory sections which set the context. For example the first sentence on page 10 should include reference to environments (*The strength of our national economy depends upon the viability, flexibility and resilience of our regional and local economies **and environments***). Research undertaken by SQW Consultants for the Campaign for National Parks found, for example, that £1.8 billion was generated every year by the three National Parks in the Yorkshire and Humber Region; spend by visitors in the National Parks amounted to £400 million annually, 34,000 jobs were supported across the region. And in a survey of 400 businesses, it found that 69% of them believed a high landscape quality had a positive impact on their business performance. This relationship has been reinforced by more recent work undertaken by the East Midlands RDA. Separate work undertaken in Exmoor revealed that the two million visitors they receive spend around £80m every year within the local area.

4. A further example of this occurs on page 11, the last sentence of the third paragraph states: *Policies will provide a flexible supply of land for business by identifying the most appropriate locations for development.....*The regional strategy should also include policies that provide a flexible supply of land for other important uses such as housing, education, health etc.

5. It is considered that this focus on economic development sits uneasily with the government's stated policy to deliver sustainable development through the planning system which is based on integrating the three equally weighted pillars of sustainable development; the economy, communities and the environment.

6. The statement refers to the replacement of existing strategies (p9, pp4 and p11, pp1) and includes reference to culture, sport, housing and biodiversity. For sake of completeness and clarity it should list all existing regional strategies that will be replaced by the integrated strategy.

7. It is made clear (p11, pp1) that the new single integrated regional strategy approach will lead to more streamlined working arrangements allowing shorter timescales, which is to be welcomed. We believe some caution may be required here following experience of implementation of the LDF process where subsequent revisions to the process were found to be necessary as the reductions in timescale originally envisaged did not occur in reality.

1.2 Do you agree with the scope of Regional Strategies set out at Paragraph 3.6. If not, what do you think needs to be improved?

8. We agree with the scope and the clear references to environmental protection and enhancement as a guiding principle for regional strategies is welcomed. The recognition that sustainable economic growth should take place within environmental limits is also welcomed, and pp3.2 on p19 should include reference to the need for responsible regional authorities to ensure their strategy and its policies work within these limits (and not just 'consider them').

1.3 Do you agree with the sub-regional approach at Paragraph 3.6? If not, what do you think needs to be improved?

9. Yes – and it is very encouraging to see the statement make clear reference to AONBs and National Parks as examples of cross boundary issues, as is clarification that each National Park that falls within more than one region will be covered by a specifically mentioned Regional Strategy.

1.4 Is the policy framework at Paragraphs 4.8 and 4.9 on the content of regional Strategies appropriate to ensure Regional Strategies focus on the key priorities?

10. It is considered that there is a need for further clarity on the relationship between national and regional policy. It is accepted that to merely repeat or reformulate national policy in a regional context could be regarded as otiose but there should be acknowledgement that national policy is, by its nature generalised, and subject to frequent change. There are, in relation to National Parks also areas of potential policy gap that fall between local (LDF) and national (Circular 12/96, statutory purposes, PPS7 etc.) policies, such as the need to give recognition to the sensitivity of National Park purposes to potentially harmful development that is proposed outside National Park boundaries. The major development test, set out in PPS7 that presumes against such development within National Parks is not

applicable to development outside but impacting on them. Unless this issue is considered within the regional planning context there is a potential policy gap.

11. There is clear reference to environmental protection, enhancement and access to the built and natural environment in 4.8 and 4.9 and this is welcomed. We would like clarity, however, that 4.9 (7) includes the historic environment and landscape. The European Landscape Convention, that the Government has signed up to, requires planning policies to explicitly address landscape we believe the inclusion of 'landscape' in this section would assist the ELC's implementation.

1.8 Is the policy framework on the role of Sustainability Appraisals and the appraisal of issues and options in relation to the Regional Strategy process appropriate?

12. The consultation document (at pp 5.51) indicates that the Implementation Plan is unlikely to require SEA or SE. ENPAA would question this as the Infrastructure Plan will provide the detail of how the policies will be implemented.

13. It is unclear what level of consultation there will be on the Implementation Plans. The government's principle of 'effective engagement with stakeholders and the public' should apply as much to these plans as the overall strategy.

1.9 Appendix A describes the broad stages of the Regional Strategy revision process. Does this provide the appropriate level of detail to guide responsible regional authorities in preparing their strategies? If not, how can it be improved?

14. It is considered that the reasons for reviewing a regional strategy should also include evidence of changes in environmental limits, particularly as there will be a need to monitor environmental changes arising from climate change over the period of the regional strategy.

15. There is a query over the issue of conformity of local development documents with the Regional Strategy as set out in pp 5.56 & 5.57. The consultation states that the general conformity test will be applied by Inspectors, appointed by the Secretary of State, through the examination of development plan documents. Previously, conformity issues were dealt with by the Regional Planning Body and a certificate of conformity is issued to the local planning authority by the RBP as evidence to be submitted to the Inspector as part of the soundness test in the EIP.

Economic Assessment Duty

16. It has been made clear that National Park Authorities are statutory 'partner bodies' for the assessments that principal local authorities will be completing and this is welcomed. The Bill contains a provision, however, that the statutory duties of district councils should be taken into account and there should be clarity that this applies also to the National Park Authorities and the Broads Authority as well.

2. DRAFT REGULATIONS

2.1 Do you have any comments on the proposed scope and detail of the proposed regulations set out at Annex 2?

17. The explicit reference under Interpretation of the Regulations to a National Park Authority and the Broads Authority as a "relevant authority" is welcomed.

3. ESTABLISHMENT OF LEADER'S BOARDS: DRAFT GUIDANCE ON THE PREPARATION OF SCHEMES

18. The strong view of ENPAA is that National Park Authorities should, as 'sole planning authorities' be represented on the Leader's Boards. The clarity which the Paper provides on this is very much welcomed and there is strong support for ppA3.9 which states that Participating authorities include National Park Authorities and the Broads Authority. Again in pp2(b) on page 45 it is made clear that "*Each type of participating authority (including National Parks and the Broads authorities, where they exist) must be offered at least one seat on the Leader's Board.*" Furthermore, we are encouraged by statements made in Parliament that demonstrate the Government's position. In particular, Baroness Andrews (in taking the Local Democracy, Economic Development and Construction Bill through Parliament) said:

"That is why the Bill provides the safeguard of Secretary of State approval for the scheme. The points that are **non-negotiable** and will be made crystal clear in guidance are that there must be representation on leaders' boards from all types of authorities in the region and a reciprocal relationship between the leaders' board and each individual authority....Let me be clear: the **Secretary of State will not approve a scheme that does not meet those non-negotiable criteria.**"

(Source: House of Lords, 29 Apr 2009 : Column 248, emphasis added)

19. It is accepted that this representation will consist of one NPA/BA representation per region where these Authorities exist.

20. There is concern however, over ppA3.3 which makes it clear that Leader's Boards will be... "*comprised of elected members drawn from participating authorities...*". This is an issue for NPAs as at least one third of member representation is through appointment by the Secretary of State to reflect national and local (parish level) interests. All members, whatever their method of appointment represent the NPA.

21. Recent consultation by the Government has resulted in it concluding that the current structure of National Park Authority membership is the most appropriate for the delivery of its statutory purposes and duty (Written Ministerial Statement by Defra Minister, Huw Irranca-Davies MP, 16.07.09). The stipulation that Leader's Boards can only include 'elected' members therefore precludes a significant proportion of NPA representation and is likely to cause problems of selection specifically for those Authorities who's Chairs are Secretary of State appointees rather than local authority members. It is acknowledged that there needs to be a strong democratic input to regional strategy preparation, however, as NPAs already operate effectively as local planning authorities with their existing governance composition, including representation on regional planning bodies, the need for this change is questioned.

22. ENPAA can accept the requirement that the representative of each Authority should be a member of the Authority rather than an Executive post, however, the current wording in the draft guidance is problematic for national park authorities as it specifically states that "members of Leaders Boards must be elected members" (pp3a p43).

23. To date, the participation of a non elected Secretary of State National Park Authority member in meetings between local authority leaders and the RDA has not been perceived as a problem in practice, such as through some of the existing interim arrangements in the North East region. Our concern is that the current

wording in the guidance would preclude such an approach being taken across all regions if Leaders Boards wished to be in accordance with approved guidance.

24. We would suggest the following wording changes;

A3.3 and A3.12 3(a) - remove the word 'elected' before the word 'members'

A3.3 – replace the word 'councillor' with 'local authority member'

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