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## **Future Council Scrutiny Committee – 1<sup>st</sup> September, 2021**

### **Report of the Lead for Law and Governance (Monitoring Officer)**

### **Scrutiny Review – Black Country Plan**

#### **Purpose**

1. To consider arrangements for the scrutiny review relating to the Black Country Plan.

#### **Recommendation**

2. That the Committee consider the approach to the scrutiny review relating to the Black Country Plan and that the Lead for Law and Governance, following consultation with the Chair, Vice-Chair and appropriate Directors, be authorised to take any necessary actions to progress the scrutiny review.

#### **Background**

3. On 15<sup>th</sup> July, 2021, this Committee considered a report on the approval of the draft Black Country Plan for consultation. The report and minutes of that meeting are available on the [Council's Website](#). A full recording of the Committee's proceedings is available on the Council's [YouTube Channel](#).
4. Following a detailed discussion, this Committee resolved:
  - That the Cabinet be recommended to consider an extension of the consultation period by up to four weeks.
  - That, following consultation with the Chair, additional meetings of the Committee be arranged, alongside the consultation exercise, for an in-depth scrutiny review to be undertaken in connection with the Draft Black Country Plan.
  - That Members of the Committee be requested to email Democratic Services on specific areas they wished to explore as part of the scrutiny review.

5. On 21<sup>st</sup> July, 2021, a briefing note was submitted to the Cabinet providing feedback on the recommendations from the Future Council Scrutiny Committee. The report and minutes of the Cabinet meeting are available on the [Council's website](#).  
The Cabinet resolved:
- That the briefing note on feedback and recommendations from the Future Council Scrutiny Committee meeting on 15th July, 2021 be received and noted.
  - That the Council continue with the eight-week consultation on the Black Country Plan and that authority be delegated to the Director of Regeneration and Enterprise, following consultation with the Cabinet Member for Regeneration and Enterprise, to take any necessary and consequential action.
  - That the intention for further meetings of the Future Council Scrutiny Committee to be held in connection with the Black Country Plan be noted.
6. Following initial consultation with Members, the following themes have been identified for consideration as part of the scrutiny review:
- Environmental and climate change impact (including wildlife and carbon reduction targets, health considerations - air quality, space for leisure).
  - Socio-economic impact (including reference to housing/affordable housing provision and jobs provision).
  - Infrastructure - focusing on education (including school capacity and need); GP surgeries, health (including hospital capacity), transport and road infrastructure.
7. The following agenda item provides further information on the above topics. In line with the Council's Scrutiny Committee Procedure Rules, the way in which the scrutiny review is conducted is at the discretion of the Scrutiny Committee depending on the item under consideration. Relevant Cabinet Members and Directors have a standing invitation to attend meetings. The Scrutiny Committee may also invite other people to provide information or give submissions. This includes residents, partner organisations, stakeholders and Members and Officers in other parts of the public sector. There is also a standing 'Public Forum' agenda item.
8. Following the scrutiny review, a report and any recommendations from the Scrutiny Committee may be submitted to the relevant decision taker(s).

## **Finance**

9. The costs of preparing the Black Country Plan review is financed and funded jointly by the Black Country Local Authorities and through an external grant from the Ministry of Housing, Communities and Local Government of £560,000. The Council's contribution to the work is being met through mainstream budgets and resources dedicated to the



production of Development Plan documents and other such statutory planning documents.

## **Law**

10. It is necessary to ensure that the Black Country Plan review is undertaken in accordance with various legal provisions as set out in the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework NPPF (and associated guidance) 2012. The Council's scrutiny arrangements are set out in Article 6 of the [Constitution](#) and the associated Scrutiny Committee Procedure Rules.

## **Risk Management**

11. Failure to have a development plan that is based on sound evidence could result in the borough having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area. It could also result in development being placed in inappropriate locations, leading to an inefficient use of resources, traffic congestion and other harm. Having a development plan in place is also essential to defend the Council's position in planning appeals. Without an up to date development plan, the Council/ Black Country Authorities risk intervention from central government and may compromise our ability to make decisions locally.

## **Equality Impact**

12. Preparation of the Draft Black Country Plan includes the carrying out of an integrated Sustainability Appraisal at each formal stage – and at later stages an Equality Impact Assessment. The Black Country Plan seeks to ensure that sufficient homes, shops and employment, social and recreational facilities are planned and provided for in that time to meet the needs of the communities in the Borough. This will include meeting the needs of children and young people by seeking to provide sufficient facilities for them as well as having a positive effect for future generations.

## **Human Resources/Organisational Development**

13. Work on the Black Country Plan is carried out by the Planning Policy Team in the Regeneration and Enterprise Directorate with assistance from officers in other Directorates where necessary.

## **Commercial/Procurement**

14. There are no direct commercial or procurement implications arising from this report. Preparation of the Black Country Plan has involved the commissioning by the Black Country authorities several pieces of evidence from external consultants. All procurement is carried out by Sandwell Metropolitan Borough Council on behalf of the Black Country authorities.



## **Council Priorities**

### 15. The Black Country Plan:

- Supports the priority to ‘*Support stronger and safe communities*’ through Local Plan preparation which will make provision for growth in housing and other land uses informed by public consultation so they can live in healthy places that build a strong sense of belonging and cohesion.
- Supports the priority to ‘*Create a cleaner and greener place*’ through the Local Plan preparation which will make provision of a comprehensive network of green infrastructure and an integrated and well-connected multifunctional open space network delivering opportunities for sport and recreation whilst establishing and supporting a strong natural environment.
- Supports the priority of ‘*Grow the economy and create jobs*’ through the Local Plan preparation which makes provision for land use allocations including employment and residential use, thereby encouraging economic growth, enhancing the district and providing certainty for investment.

16. The West Midlands Combined Authority declared a climate change emergency in July 2019 and committed to net zero carbon emissions by 2041. This means that the Black Country will be working towards meeting these targets through the policies and timescales within the Black Country Plan.

17. A Privacy Impact Assessment in line with GDPR requirements has been undertaken at previous stages of the Local Plan Review process.



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## **Background Documents**

Report and Minutes of the Future Council Scrutiny Committee – 15<sup>th</sup> July, 2021  
Report and Minutes of the Cabinet – 21<sup>st</sup> July, 2021

