



Department for  
Communities and  
Local Government

# Environmental report on the revocation of the regional spatial strategy for the West Midlands (2011)

Consultation outcome

The government is updating the earlier environmental reports on the proposed revocation of the regional strategies and undertaking additional consultation. A written ministerial statement made by Baroness Hanham on **25 July 2012** sets out the background and explains why the reports are being updated:

**The Parliamentary Under-Secretary of State, Department for Communities and Local Government (Baroness Hanham):** It is the Government's policy to revoke existing regional strategies outside London, reflecting manifesto commitments made by both coalition parties in the 2010 general election and subsequently incorporated into the coalition agreement. The Localism Act 2011 provides for the abolition of regional strategies in a two-stage process. The first stage, to remove the regional planning framework and prevent further strategies from being created, took effect when the Localism Act received Royal Assent on 15 November. The second stage would be to abolish the existing regional strategies by secondary legislation. However, any final decision on this must take account of assessments of, and consultation on, the possible environmental effects of revocation of each of the existing regional strategies.

The strategic environmental assessment process is set out in an EU Directive (Directive 2001/42/EC). In March 2012, the European Court of Justice issued a significant ruling on the interpretation and application of the Directive (Inter-Environment Bruxelles ASBL and Others v Government of the Brussels-Capital Region).

As part of the strategic environmental assessment process, and before the decision of the European Court of Justice, there has already been consultation with the statutory consultation bodies on the scope and level of detail of the environmental reports. Public consultation took place between October 2011 and January 2012 on the basis of environmental reports published in October 2011. Detailed responses were provided in the course of this exercise.

Following the decision of the European Court of Justice, in the light of planning policy and legislation that have been put in place since January 2012, in light of the earlier consultation responses, and in order to be meticulous in observing the requirements of the directive, the Government are now updating the environmental reports and undertaking additional consultation. We are publishing the first of the updated environmental reports: the report in respect of the proposed revocation of the East of England Regional Strategy shortly and will place a copy in the Libraries of both Houses. This report builds on and is intended to supersede the previous report.

The period for consultation responses will remain open for eight weeks. We welcome and encourage all interested parties to respond. At the end of that period we will consider all consultation responses, including those already submitted during the October 2011 to January 2012 response period.

In the coming weeks my department will publish updated environmental reports relating to the proposals on each of the other regional strategies, so that those proposals too can be the subject of additional consultation. In each case there will be an eight week period for consultation responses. All updated environmental reports will be placed in the Libraries of both Houses as they are published.

The proposed revocation of the regional strategies may be regarded as a material consideration by decision makers when determining planning applications and appeals.

In respect of plan-making, the National Planning Policy Framework implementation period provides councils with the incentive to get their plan policies up to date and in doing so they can have regard to the policy to revoke regional strategies and the new National Planning Policy Framework policies. A local plan document must be in general conformity with the regional strategy at the stage that the plan is submitted for examination but it is open to councils when preparing local plans to take account of the policy to revoke up to the time of submission. Local authorities can also bring forward proposals (for example on housing targets) which have a local interpretation to them in their plans, based on their own sound evidence base where that is justified by the local circumstances. That evidence base is likely to be more up to date than that included in the regional strategies. Each case will depend on its particular facts.