



The  
countryside  
charity

Cllr Mike Bird FICM  
Leader  
Walsall Metropolitan Borough Council  
Council House, Lichfield Street  
Walsall WS1 1TW  
(by e-mail)

**West Midlands**  
*From the acting regional  
chairman*

49 Stourbridge Road,  
Hagley  
Stourbridge  
West Midlands  
DY9 0QS  
peterkingiron@blueyonder.co.uk

01562-720368

31 August 2022

Dear Councillor Bird,

### **Black Country Plan**

CPRE West Midlands Region has made detailed submissions on the Regulation 18 stage of the Black Country Plan. We understand that that Walsall Council is now planning to pass the Black Country Plan for Regulation 19 (final) consultation by the Association of Black Country Authorities (ABCA) on 19 October 2022.

A second Regulation 18 consultation on additional housing sites in Walsall on land which is in the Green Belt closes on the 5 September. This timetable does not seem to give sufficient time for your council's officers adequately to consider and respond to the Regulation 18 responses on additional Green Belt housing sites for Walsall, including those submitted by West Midlands CPRE and local residents,

In particular this would not allow adequate time to consider local constraints identified in the consultation or to properly establish whether 'exceptional circumstances' exist for their removal from the Green Belt. 'Exceptional circumstances' is a strict test, emphasised in the Green Belt chapter of the National Planning Policy Framework (NPPF).

CPRE is very concerned that as a result the second Regulation 18 consultation will be rushed to an extent that it will be in law, not a consultation at all. Yet it is the essence of a consultation that the consulting authority listens to the responses received and provides a reasoned response to them in advising elected members on what decisions to make following the consultation.

It was very welcome that your Council's Oversight and Scrutiny Panel had scheduled a full hearing on the Regulation 18 consultation, which was going to take public evidence on 22 September. That would have enabled councillors on the Panel to consider the evidence that residents and groups such as CPRE presented and recommend changes to the Plan as it affects Walsall, before the Regulation 19 stage was reached.

However, this Panel meeting has now been postponed to 10 November. This means that your Cabinet and the Full Council will not have been able to consider the result of the scrutiny panel's investigation before being asked to approve Regulation 19 publication of the Black Country Plan.

This will render the panel unable to influence the content of the submitted plan and seriously undermines the value of their work.

We are, therefore, extremely concerned that your council, along with others in the Black Country, appear to be rushing headlong into a formal consultation before the ground has been properly prepared for it. Such a failure of preparation is likely to render the whole plan unsound, for want of your Council having followed the fair and inclusive procedure of an Oversight and Scrutiny Panel session, which was announced, and widely welcomed, earlier this summer.

There is also a new and important reason for not moving to the Regulation 19 stage of the Black Country Plan at present. The Plan is based on the current Government policy of housing number calculations based on a national housing target of delivering 300,000 new houses per year in England. Both candidates for the Conservative Party Leadership, one of whom will become Prime Minister on 5 September, have stated that they will not be keeping the national housing target of 300,000 per year. Accordingly, we may expect an early change to the Standard Methodology for calculating local housing. This methodology, which the Black Country Plan has used, can be expected to be replaced soon.

CPRE's estimate is that the actual housing requirement for the four Black Country authorities together is of the order of 230,000 per year. We CPRE's calculation of this was sent to your officers about a year ago. The Standard Method only achieves this target by an artificial 35% uplift to the targets for certain cities including Birmingham and Wolverhampton. This is supposed to be about extra development on Brownfield land, but what we have seen of the Black Country proposals suggests that this is merely having a knock-on effect on the targets for adjoining boroughs (such as yours).

Relevant to that, our representations on the second Regulation 18 consultation on the Council's proposed additional sites also included calculations which we asked your officers take into account on

- (i) the potential impact of adopting more realistic housing need figures (consistent with the 2021 Census results published in June 2022) and
- (ii) the potential additional supply resulting from the Chilmark Study of Brownfield land in the Black Country. That also needs proper consideration by your officers before the Regulation 19 Draft Plan is completed and submitted to your Council for approval for statutory publication.

Both of which suggest the need for Green Belt housing sites is being exaggerated.

For all these reasons, CPRE West Midlands Region asks that Walsall Council delays the Regulation 19 publication and consultation stage until your Cabinet has the report of the Scrutiny Panel and your officers have fully considered and responded to the current (second) Regulation 18 consultation. CPRE would request that the Oversight and Scrutiny Panel meeting is held in September as originally scheduled.

We appreciate that the other three Black Country Boroughs may wish to go ahead with the Regulation 19 consultation this Autumn, because they have not needed to undertake a second Regulation 18 consultation, whereas Walsall has needed one. However, both Regulation 18 consultations were undertaken on behalf of all the Councils and it is important that all residents across the Black Country, including your own, are treated equally.

In view also of the expected Government policy change highlighted above, we do not believe you or the other three Councils have good reason to press for early publication of the Regulation 19 Plan in the next few months.

Yours Faithfully,

***P.W. King***

Acting Chairman,  
CPRE West Midlands