

Date: 29 September 2009

Report: REGIONAL AND SUB REGIONAL ARRANGEMENTS FOLLOWING  
THE SUB NATIONAL REVIEW (SNR)

### **Purpose of the report**

1. To present to Members the current position as regards the NPA's role in the developing regional and sub-regional arrangements post SNR; to seek approval for a course of action in relation to those arrangements; and, to make Member appointments to a number of sub-regional bodies.

### **Strategic Planning Framework**

2. The information and recommendations contained in this report are consistent with the Authority's statutory purposes and its approved strategic planning framework:

- ***National Park Management Plan objectives***

The issues identified in this paper cut across the 7 themes of the Management Plan but specifically relate to the aim set out under the Economy and Employment Section:

*'The National Park's special qualities will help to support a local economy that provides secure, diverse and sustainable high quality jobs, maintains thriving, balanced communities and a healthy cared for environment'.*

### **Background**

3. In March 2008 the Government published its paper on the Sub-National Review of Economic Development and Regeneration (SNR). The scope of the review was broad, with wide ranging implications.
4. The Review was established to consider:
  - *'how to further improve the effectiveness and efficiency of existing sub-national structures in England – including governance, incentives and powers – and identify options going forward that maximize value for money and deliver changes on the ground to:*

- *strengthen economic growth so that the Government achieves its ambitions as set out currently in the Regional Economic Performance PSA target; and*
- *deliver regeneration and neighbourhood renewal to meet the Government's objectives for tackling disadvantage as set out in the neighbourhood renewal PSA target.'*

5. The desired outcomes from the review included:

- *local authorities and Regional Development Agencies (RDAs) empowered to spread economic well-being and opportunity to everyone in their region;*
- *sub-national structures are simplified, with strengthened accountability;*
- *objectives for promoting growth and tackling deprivation are clear, focused and relevant; and*
- *policy decisions that affect economic well-being are taken at the right spatial levels.*

6. The SNR contains a number of recommendations, the most significant of which is probably the proposal to replace the plethora of strategies at a regional level with just one – the Single Integrated Regional Strategy (SIRS). Responsibility for producing this would fall to the RDAs. They would have an enhanced role that embraced spatial planning. The SIRS would set out each region's economic, social and environmental objectives. RDAs would be expected to work closely with 'local authorities and other partners'.

7. The review has far-reaching implications for NPAs in terms of planning, rural sustainable development and our relationship with local authorities and RDAs. Consequently, it is critical that we are able to influence this developing agenda and be represented, as appropriate, within the new regional and sub-regional structural arrangements. At present there is concern among officers that this is not being achieved.

8. Members will be aware that the NPA does not have the staff or Member capacity to compare with our partners in local government. We do not seek representation merely for its own sake. The Authority's involvement in any new arrangements has to be targeted and relevant to our role. The reason we seek appropriate representation can be summed up as follows:

- In order to carry out our statutory purposes effectively;
- As a planning authority, so that we can contribute to the emerging SIRS to ensure that the NPA can play a positive role in developing an appropriate strategy for the area;
- The adopted Regional Spatial Strategy will form part of the 'Development Plan' for the area;
- We have knowledge and expertise in the areas of climate change, sustainable tourism and sustainable development which means we can contribute positively to the regional debate around these issues;
- To ensure that the communities of the National Park have a 'voice' in order that they may contribute to the wider sustainable development of their areas.

## **The role of ENPAA**

9. ENPAA has played a significant role in lobbying Government to ensure that NPAs are represented in the new arrangements. All English NPAs contributed to a formal response to the consultation. This can be seen at [http://www.enpaa.org.uk/snr\\_-\\_response\\_by\\_english\\_national\\_park\\_authorities\\_association\\_june\\_2008\\_.pdf](http://www.enpaa.org.uk/snr_-_response_by_english_national_park_authorities_association_june_2008_.pdf). This can be summarised as follows:

- highlighted the need for the Government to recognise that prosperity can flow from the active maintenance and enhancement of high-quality environments;
- stressed the role of NPAs as sole local planning authorities, explained the expertise that NPAs could bring, and called for NPAs to have a seat on the Leaders Boards;
- urged the Government to make the pursuit of sustainable development the central theme of the SNR and its implementation;
- urged the Government to ensure that the RDAs have sufficient expertise on the role of National Parks and rural regeneration and can delegate funds to NPAs as well as local authorities;
- called for the preparation of the Single Integrated Strategy to include policies covering the natural and historic environment and to recognise the distinctiveness of places – and for NPAs to be involved in its preparation from the outset; and
- supported a duty being placed on local authorities to assess the economic conditions of their local areas, for this to be supported by guidance, and for NPAs to be statutory consultees.

10. Other related activity has involved:

- Chairs raising the matter of representation on Leaders Forums with the Secretary of State, Hilary Benn MP in September '08;
- the Lead NPO and Director meeting One North East (ONE - the RDA with lead responsibility for the SNR);
- submitting evidence to the House of Commons Business, Enterprise and Regulatory Reform (BERR) Select Committee inquiry into RDAs; and raising our concerns with senior officials.

## **The Government response to the consultation**

11. The Government published its response to the consultation in November 2008. [Government response to Prosperous Places: taking forward the review of sub-national economic development and regeneration](#) Overall, this confirms the Government's direction of travel with a strong emphasis on economic development.

12. Key features of the Government's response are:

- the Government has opted to place an economic assessment duty on upper tier and unitary local authorities, underpinned by guidance (as supported by ENPAA). In undertaking this assessment they will need to work closely with district councils in their area;
- the Government has decided to legislate to enable (but not require) the creation of Economic Improvement Boards (EIBs) which will effectively be sub-regional partnerships for economic development that are put on a statutory footing. Government will be able to specify the functions of EIBs over time;
- RDAs and Leaders' Boards are to have joint responsibility for preparing a Single Integrated Strategy, its implementation plan, and for monitoring its delivery. Ministers will then sign these off. In cases of disagreement, Ministers will be able to intervene with the expectation that RDAs will be 'holding the pen' when it comes to strategy preparation;
- the SIRS should contain policies on mitigating and adapting to climate change, though the Government's response is weak on other environmental challenges;
- Statutory Guidance on what should be contained within a SIRS is to be published;
- certain agencies will be encouraged to align their decisions towards the SIRS and its Implementation Plan;
- those preparing the SIRS will have a duty to consult and engage stakeholders; and
- the SIRS will be subject to an Examination in Public.

13. The government response allows for the English regions to develop their own arrangements in relation to the structures they establish, but with guidance to assist them in the process. For Members information the proposed groups (with their remit) for Yorkshire and the Humber are shown at **Appendix A**.

### **Current Government guidance affecting National Park Authorities**

14. Following on from an initial Policy Document on Regional Strategies in January this year, draft Government Guidance on the establishment of Leaders' Boards was published on 6 August for consultation. This is quite helpful to NPAs, in that NPAs and the Broads Authority are specifically referenced in the draft guidance as "participating authorities", of which Leaders' Boards should be representative.

15. The draft guidance states that a Leaders Board should be:

*"streamlined, representative and authoritative bodies, comprised of elected members drawn from participating authorities, which will enable local government to act collectively at regional level to fulfil their responsibility in relation to the revision and implementation of the Regional Strategy jointly with the RDA"*

16. Prior to the publication of the draft Government guidance, clarity on the position of NPAs had been sought from CLG, by an eminent peer, Lord Judd. In the Government response, dated 16 April 2009, John Healey MP, then Minister for Local Government, states, without reservation, that the principle is agreed that *“Where a Regional Strategy is to cover a National Park or the Broads, NPAs should be guaranteed one seat on the Leaders’ Board.”* The letter refers to the preparation of *“early guidance about Leaders’ Boards in which we would clarify that the Secretary of State would not approve a scheme for a Leaders Board unless any NPA interests are guaranteed at least one seat on the Board.”*
17. The August draft guidance represents the latest formal Government position on NPA involvement in new regional structures and, whilst it does not specify a requirement for NPAs to have a seat on Leaders’ Boards, it does clearly state 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 Leaders’ Board.”* The draft guidance does not suggest that National Parks and the Broads authorities should only be present when the Single Integrated Regional Strategy is discussed.
18. The draft Guidance states that the participating authorities in each region will be responsible for drawing up a scheme and agree amongst themselves what mechanism they will use to allocate seats on the Leaders’ Board. This scheme will need to be issued for consultation after the Local Democracy, Economic Development & Construction (LDEDC) Bill, which introduces the relevant legislative provisions, is enacted in mid-late October.

### **The position in other NPAs**

19. There is no consistent position across the country. Different regions are taking different approaches. The current position, as we understand it at the moment is:

**Northumberland NPA** – discussions ongoing.

**Lake District NPA** – Member of North West Regional Leaders’ Board.

**North York Moors NPA** - Same position as the YDNPA

**Peak District NPA** – Member of the East Midlands Leaders Board for discussions on the SIRS.

**Broads Authority** – Full member of the Leaders Board.

**Exmoor NPA** – discussions ongoing. Offered place on Leaders Board to engage in all regional planning matters, and the opportunity to participate in other matters at their own choosing.

**Dartmoor NPA** – As Exmoor.

**New Forest NPA** - have been offered a place on the Leaders Board.

### **Regional structures and arrangements**

20. These are complex! For members information the current structure is shown at **Appendix B.**
21. An “interim” Leaders’ Board for Yorkshire and Humber has already been in existence for almost 12 months. This consists of 8 Local Authority leaders, with two leaders

nominated by Sub-Regional Leaders' Boards to represent each of the four functional sub-regions – i.e. Leeds City Region, Sheffield City Region, Hull & Humber Ports and York & North Yorkshire. The Leaders' Board forms half of the Joint Regional Board (JRB), which is responsible for the preparation of the SIRS and represents the Regional Planning Body, following the closure of the Yorkshire & Humber Assembly.

22. Until the relevant provisions in the LDEDC Bill comes into force in mid-late October, which will formally establish regional Leaders' Boards, in order for the current transitional arrangements to comply with existing legislation, the NPAs are co-opted onto the JRB for any regional planning issues.
23. NPAs are now full members of Local Government Yorkshire and Humber (LGYH), alongside the 22 local councils, 4 police authorities and 4 fire and rescue authorities that the Leaders' Board must represent. The decision to join LGYH was taken at the Authority meeting on 31 March 2009, so that we might, as a participating Authority, play an appropriate part in the developing regional picture.
24. It was also expected, however, that the NPAs would be represented on the Regional Spatial Planning Board – one of four "Thematic Boards" established by the JRB to inform the development and delivery of the SIRS. This has not yet been confirmed, but represents a further option, alongside a presence on the Leaders' Board, for the NPAs to have a strategic input to the new arrangements and SIRS.

### **Role of the YDNPA**

25. As it stands, the draft Government guidance states that the NPAs – as a type of participating authority in the region - should be offered a position on the Leaders' Board for Yorkshire and Humber. As participating authorities, the NPAs will also need to be involved in the drawing up of the final scheme that sets out how the formal Leaders' Board will operate. LGYH will lead on the preparation of this scheme on behalf of the participating authorities in the region.
26. The Authority is not represented on the existing "interim" Leaders' Board; nor has it been offered a place on the Sub-Regional Leaders' Board for York & North Yorkshire, the body which selects the two representatives from the sub-region for inclusion on the Leaders' Board. Representations have been made to the leadership of the sub-region to rectify this situation but the response has been unequivocal: the NPAs are not elected bodies so they should not be on the Sub-Regional Leaders' Board. In circumstances where a planning matter is being discussed at the Sub-Regional Leaders' Board, the NPA may be invited to attend and may speak – but not vote. This applies in all situations, even if the issue is one that only applies to the National Park e.g. the siting of a waste incinerator in the National Park.
27. As noted at paragraph 22 above, in the circumstances where a planning matter is being discussed, under current arrangements at regional level, NPAs are invited to attend the JRB in their capacity as co-opted members.
28. Discussions are still continuing with LGYH over the NPA involvement in the new regional arrangements and the issue was raised formally, by the Deputy Chairman, at the recent meeting of LGYH's Full Membership on 10 September – the first meeting of

this group that has taken place since the NPAs joined LGYH. At this meeting four key options for NPA involvement were tabled, which are enclosed at **Appendix C**. These options range from the NPA being offered a place on the Leaders' Board; to formalising the current arrangement whereby NPAs attend the JRB when planning matters are being discussed; and membership of the Regional Spatial Planning Board. It also makes reference to the York and North Yorkshire Sub-Regional Leaders' Board reconsidering NPA involvement, but this is a matter for the sub-region to discuss.

29. Although not a member of the Sub-Regional Leaders' Board, the NPA has been offered membership on a number of the advisory sub-regional thematic partnerships (Housing; Planning; Work and Skills; and, Transport). Some of these are being newly established, while others use existing sub-regional partnerships. Housing is an existing partnership and Mrs Peacock represents the Authority (as Member Champion of Forward Planning). Work and Skills is the new name for what was previously known as the Development Board. The Authority's representative has been the Chairman. On the other two sub-regional partnerships, we have sought membership and this has been accepted. The Chairman of the Authority has represented the NPA prior to any appointments being made today.
30. We have officer representation, on the sub-regional Work and Skills Board. We are still awaiting details of the role of the officer Planning group. A decision on membership will be made once we have considered these.
31. The Chairman has written a joint letter with the Chairman of the North York Moors NPA to Councillor Roger Stone, Chair of the LGYH, and Councillor John Weighell Co-Chair of the Regional Board, seeking a meeting to discuss concerns over the new regional arrangements. The options set out at Appendix C represent an initial response to the NPAs' concerns and a formal response is expected shortly.

## **Appointments**

32. Whilst the current arrangements may not be satisfactory, the Authority still needs to take a decision whether to accept the invitation to join the various sub-regional thematic partnerships to which we have been invited. The Chairman is of the view that we should take up these offers in the first instance, and take a view on their effectiveness after a year or so. If Members accept this point the following appointments are suggested:

Housing – Member Champion for Forward Planning

Planning – Member Champion for Planning

Work and Skills – Chairman of the Authority

Transport – Member Champion for Recreation Management

## **Conclusion**

33. Clarity is still required with regard to how the developing new arrangements at regional and sub-regional level need to reflect the NPAs' role. The recent draft Government Guidance talks of the NPAs being offered representation on the regional Leaders' Board; and there are further options shown at Appendix C.

34. Along with the North York Moors NPA we have actively sought a position on the Sub-Regional Leaders' Board but have been unsuccessful to date.
35. The NPA, therefore, needs to consider all the options available to ensure our appropriate involvement in the new regional and sub-regional structures.

## **RECOMMENDATION**

36. That the Authority:

- 1) continues to lobby, as necessary, to gain appropriate representation on regional and sub-regional bodies;
- 2) emphasises to regional and sub-regional bodies the role of NPAs set out in the current draft government guidance; and,
- 3) in the interim, appoints Members to the sub-regional thematic partnership in line with paragraph 26.

**David Butterworth**  
**Chief Executive**

16 September 2009

### **Background documents:**

- Sub-National Review of Economic Development and Regeneration (SNR). (March 2008).
- ENPAA response to Sub-National Review of Economic Development and Regeneration. (June 2008).
- Government response to Prosperous Place: taking forward the review of sub-national economic development and regeneration. (November 2008).
- Establishment of Leaders' Boards: draft guidance on the preparation of schemes. (Aug 2009).

### **Local Government Yorkshire and Humber (LGYH)**

Local Government Yorkshire and Humber (LGYH) is the regional partnership of local authorities, which promotes and facilitates collaborative working between authorities on issues of common purpose. It is the regional democratic voice for Yorkshire and Humber and its key objectives are:

- To support councils to improve how they deliver services.
- To contribute to and influence Government on the future of local government.
- To work with local authorities to help them improve as employers.
- To improve the public perception of local government.
- To ensure that local government is engaged in preparation and implementation of the Single Integrated Regional Strategy (SIRS).

LGYH involves all its member authorities in membership, however, the governance arrangements are built upon representation from the functional sub-regions and this includes the Leaders' Board, Joint Regional Board and Thematic Boards.

### **LGYH Full Membership**

Membership consists of all 22 local authorities in the region, 4 Fire Authorities, 4 Police Authorities and 2 National Park Authorities. The overall aim and responsibility of the full membership is to act as an integrated regional local government body enhancing the role of local government in determining priorities, allocating resources and delivering priorities to shape the future of the region in securing outcomes for people, places and authorities. It also promotes effective working between authorities and their employees, co-ordinating and driving a collaborative approach, providing political and executive leadership.

### **LGYH Leaders' Board**

The LGYH Leaders' Board is made up of 8 local authority Leaders (2 from each functional sub region – Sheffield City Region (the 4 South Yorkshire Authorities), Hull and Humber Ports City Region, Leeds City Region and Local Government North Yorkshire and York).

Its main purpose is to conduct the business of LGYH, provide political leadership across the region and maximise the influence of authorities in Yorkshire and Humber on regional, national and international issues. It ensures that LGYH supports and adds value to functional sub-regional aspirations and activity to secure outcomes for people, places and authorities.

The LGYH Leaders' Board also forms the Joint Regional Board alongside 8 Members of the Yorkshire Forward Board (see below).

### **Joint Regional Board (JRB)**

In response to the Government's review of Sub National Economic Development and Regeneration (SNR), LGYH and Yorkshire Forward established new regional governance structures on 1 April 2009 and this led to the abolition of the Yorkshire and Humber Assembly.

The new arrangements established a Joint Regional Board which is the joint regional strategic partnership between LGYH and Yorkshire Forward, and is the Regional Body for Planning, Housing and Transport.

It provides leadership to the region on the preparation and delivery of an Integrated Regional Strategy, which will outline how the region will work across policy areas in pursuit of Sustainable Economic Development.

The Joint Regional Board is made up of 8 local authority Leaders (the LGYH Leaders' Board) and 8 Members of the Yorkshire Forward Board and is jointly chaired by the chair of LGYH and a member of the Yorkshire Forward Board.

Upon enactment of the Local Democracy, Economic Development and Construction Bill, the Joint Regional Board will exercise the joint responsibilities of the LGYH Leaders' Board and Yorkshire Forward for:

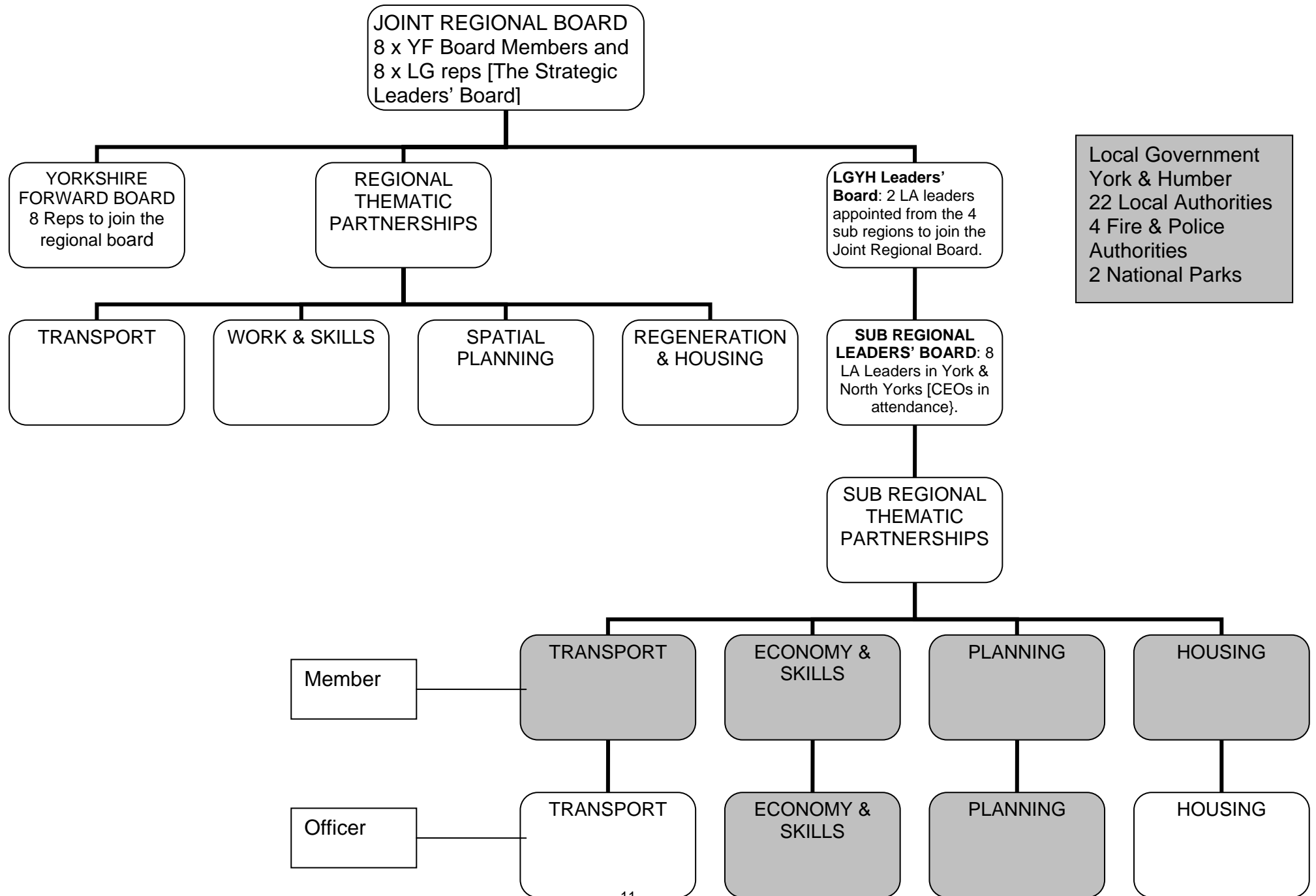
- Drafting the SIRS, which will be subject to an Examination in Public (EiP).
- Preparing (and complying with) a published statement setting out how they will consult and engage with stakeholders and communities on developing and delivering the regional strategy.
- Receiving the recommendations of an EiP Panel, considering the Panel's recommendations and explaining how they have done so.
- Submitting an agreed draft Strategy to Ministers for approval (or submitting statements Outlining areas of disagreement).
- Jointly producing an implementation plan setting out how the Strategy will be delivered (which will not require ministerial approval).
- Producing an annual monitoring report to Government on delivery of the Integrated Regional Strategy.

### **Interim Regional Planning Functions**

Whilst the parliamentary process is progressing with the Local Democracy, Economic Development and Construction Bill, interim planning arrangements were established from 1 April to ensure that there is full compliance with existing legislation within the new arrangements.

Therefore, for this interim period and for any decisions relating to planning which may need to be made by the Joint Regional Board acting as Regional Planning Body, a member of the National Parks and an additional member of the Yorkshire Forward Board, who is not a member of a local authority, will be co-opted onto the Joint Regional Board.

**APPENDIX B**



Local Government  
York & Humber  
22 Local Authorities  
4 Fire & Police  
Authorities  
2 National Parks

## LGYP FULL MEMBERSHIP: AGENDA ITEM 10

### REGIONAL STRATEGIES AND GUIDANCE ON THE ESTABLISHMENT OF LEADERS' BOARDS

#### SUPPLEMENTARY BRIEFING PAPER – NATIONAL PARKS INVOLVEMENT IN THE NEW REGIONAL ARRANGEMENTS

##### **Background:**

The North York Moors National Park Authority (NPA) has written to the Joint Chairs of the Joint Regional Board to raise issues about NPA involvement in new regional structures, which are due to be formalised through new legislation later this year. Particular concerns relate to NPA absence from the *Regional Spatial Planning Board* membership; and absence from the North Yorkshire & York *Sub Regional Leaders' Board*.

Until new legislation comes into force, it has been agreed that NPAs will be formally co-opted onto the Joint Regional Board (JRB) when regional planning matters are due to be discussed. NPAs will also be engaged informally throughout the Integrated Regional Strategy process.

##### **Principles of National Park Authority Engagement in New Arrangements:**

North York Moors and Yorkshire Dales National Park Authorities are now full members of LGYP. Alongside the 22 councils, 4 police and 4 fire & rescue authorities, this provides an opportunity to participate in regional strategic discussions and decision-making, ensuring that the Leaders' Board reflects and represents individual authorities' interests. Meetings of Full LGYP have been timed to take place in advance of the JRB to reflect this accountability role.

The Leaders' Board itself must be representative of the Full LGYP Membership and, under the current Draft Government Guidance, all 'types' of local authority in the region (including Counties, Unitaries, Districts & NPAs) need to be offered a place *and/or* be content with the representative structure of the Leaders' Board, which will be set out in a formal 'scheme'.

In order to ensure such a representative structure, members of the Leaders' Board are nominated by Functional Sub Regional Leaders structures (2 per Sub Region). NPAs are not currently represented on the North Yorkshire and York Sub Regional Leaders' Board, though they have been offered roles on sub regional thematic boards (planning, housing, transport and skills).

##### **Options for Increasing the Role of National Parks in Regional Structures**

Given their areas of responsibility and expertise, there appear 4 main options for the ongoing role of the National Parks in the new regional arrangements:

1. ***Continue as at present – but formalise the NPAs 'co-opted' role on the Joint Regional Board for planning purposes.***
2. ***North Yorkshire & York Authorities reconsider the NPAs' role on the Sub Regional Leaders' Board.***
3. ***NPAs offered an additional place on the Regional Spatial Planning Board; either (a) as a voting member; or (b) as an ex officio advisor.***
4. ***NPAs given a position on the full Leaders' Board.***

The Full LGYP Membership may wish to discuss these 4 options collectively, for the NPAs to reconsider how they can best and most appropriately ensure their planning role and wider expertise is reflected in the new regional and sub regional arrangements.

