

11<sup>th</sup> April 2017

Local Government Reform  
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Dear Sir/Madam

### WHITE PAPER; REFORMING LOCAL GOVERNMENT

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of British Precast and the British Association of Reinforcement (BAR), it has a growing membership of over 480 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME quarrying companies throughout the UK, as well as the 9-major international and global companies. It covers 100% of GB cement production, 90% of aggregates production, 95% of asphalt and over 70% of ready-mixed concrete and precast concrete production. Each year the industry supplies £20 billion worth of materials and services to the Economy and is the largest supplier to the construction industry, which has annual output valued at £144 billion. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.

With reference to the above consultation, we have the following comments to make particularly with reference to the planning service and economic development.

Paragraph	Comment
1.1.7	We note that the reform “ <i>must continue to be developed in partnership with those delivering public services</i> ”. However, the views of those using the public services should be taken in to consideration, not just those delivering the services.
1.1.9	It is not clear what the term “ <i>de-escalate demand</i> ” means in the context of the planning service. Is this to be achieved by reviewing legislation to reduce the regulatory burden? Over recent years, changes to the Development Management Procedure Order for example, could be considered to have had the opposite effect.
2.1.4	We believe that some matters would be better retained at the local level, whilst others such as matters relating to minerals allocations, development, safeguarding, etc. and their associated infrastructure, would benefit from a strategic overview at the regional level.

<b>Consultation Question 1:</b>	The Welsh Government believes that it is appropriate to consider ‘tests’ to frame thinking around regional working. Do you think the ‘tests’ set out are helpful in guiding thinking? What other tests or considerations might also be used?
<b>MPA Response</b>	Yes, we believe the tests are helpful, but it is not clear how these will be applied.
2.3.1	It is imperative that any scheme of delegation is clear and transparent. However, it would be preferable to have a clear definition of which services <u>will</u> be dealt with at the regional level rather than leaving this to individual local authorities. This is necessary to avoid confusion and maintain consistency. We ask what would happen at the regional level if some local authorities delegate, but others choose not to.
2.3.2	Specifying the areas of regional working is necessary to avoid confusion and inconsistency.
2.3.4	We support the regional overview for economic development. We trust these will be given clarity
2.3.5	We believe strategic economic growth proposals should give full consideration to the supply chain and resource demands.
2.3.8	We support proposals that land use planning is undertaken on a regional basis, but are concerned that the resources devoted to the planning function have declined by 53%. It is clear that the planning function is now under resourced and recommend that <u>all</u> planning fees are ring fenced to the service. Sharing of <u>skills</u> at the regional/strategic level, particularly in minerals and waste, is critical.
2.3.9	We suggest that the existing regional boundaries based upon the existing and established North Wales and South Wales Regional Aggregates Working Parties are adopted for all minerals matters. This will retain consistency across the function. However, calculation of landbanks must remain at the local level to ensure a sustainable supply of local minerals.
2.3.10	All matters, including those within the National Parks should be considered by the Joint Planning Boards, but delivered locally. We support the preparation of Strategic Development Plans, but feel these should give the full and proper assessment of resource requirements identified within the SDPs
2.3.11	We believe that SDPs should be adopted across the whole of Wales to ensure consistency and avoid differing planning regimes. It is also noted that reference is made natural resource management but would seek clarity as to how this relates the NRW's Natural Resources Policy which gives little regard to the benefits of natural resources development such as minerals development.
2.3.12	We believe that the basis for the regional management of minerals developments in the land use planning system should be based upon the existing Regional Aggregate Working Party boundaries, but with supply requirements for landbanks, based locally upon LPA boundaries as is currently the case. Minor applications such as small housing developments and extension, minor retail applications, etc., could be dealt with at the sub-regional level. However strategic matters such as minerals should be considered at the regional level but with landbanks based locally.
2.3.13	Specialist advice on minerals and waste should be considered at the Regional Level. However, the link between regional and sub-regional

	on matters such as landbanks, minerals safeguarding and the safeguarding of wharves, rail sidings and other minerals infrastructure must be reinforced.
2.3.14	We firmly believe the Joint Governance Committee approach would be most appropriate to avoid parochialism and ensure consistency.
2.3.34	We would support matters such as pollution control, health and safety and noise control also being the responsibility of the regional body
<b>Consultation Question 2:</b>	In this White Paper the Welsh Government has set out a number of areas which it believes should be required to be delivered on a regional basis. Do you agree that these areas should be delivered regionally? What practical considerations should we consider in taking these proposals forward? What other ‘ancillary’ powers would be required to ensure the effective exercise of the functions exercised regionally?
<b>MPA Response</b>	For the reasons identified above, we agree that minerals planning matters should be regional functions based upon the existing RAWP boundaries, but with landbanks requirements delivered locally. We also believe that planning fees and business rates associated with such facilities should be ring-fenced to the planning service dealing with minerals matters.
2.3.42	We would support waste matters being dealt with at the regional level
<b>Consultation Question 3:</b>	In this White Paper the Welsh Government has set out a number of areas which it believes could also be delivered on a regional basis. Do you think that Local Authorities should also be required to work regionally to deliver these functions? Are there any other practical considerations we should be aware of?
<b>MPA Response</b>	We would support the regional working on mineral planning matters and would recommend that this is based upon the existing RAWP boundaries, but with landbanks calculations based upon individual local authority boundaries.
<b>Consultation Question 4:</b>	Are there any other functions that would benefit from a systematic approach to regional working?
<b>MPA Response</b>	No comment
<b>Consultation Question 5:</b>	Welsh Government believes that, subject to engagement with local government and other partners, there should be flexibility to enable Welsh Ministers to mandate additional functions to be undertaken regionally. Do you agree or disagree? Why?
<b>MPA Response</b>	Matters for regional working should be set out clearly. We do not believe that mineral planning matters should be dealt with regionally in one area and not in others. This lacks consistency, could cause confusion and would lead to split levels of service.
<b>Consultation Question 6:</b>	The Welsh Government believes that the new arrangements should not prevent Local Authorities using their existing powers to undertake additional functions regionally. Do you agree or disagree? Why?
<b>MPA Response</b>	Whichever powers are used by LAs to work regionally, this should be consistent.
<b>Consultation Question 7:</b>	The Welsh Government believes that some back office and transactional services ought to be organised and delivered regionally or nationally. Which services do you believe could best be organised and delivered in these ways?
<b>MPA Response</b>	Some back-office planning and transactional services including those associated with the mineral planning function could be organised and delivered regionally.

<b>Consultation Question 8:</b>	The Welsh Government believes that overcoming data sharing issues is key to taking forward greater regional working of back office functions. What legislative obstacles have made progress on sharing services difficult? How have they been or could they be overcome? What challenges does data sharing pose?
<b>MPA Response</b>	No comment.
<b>Consultation Question 9:</b>	<p>The Welsh Government believes sharing more back office functions would be helpful. There are a number of options:</p> <ul style="list-style-type: none"> <li>• Enable the NHS Wales Shared Service Partnership for providing services to local government (and others)</li> <li>• Establish a similar model to provide back office services to local government (and others)</li> <li>• Establish an alternative model to provide back office services to local government (and others)</li> </ul> <p>Which do you believe would be most appropriate to best support regional working? Why? What other alternative models could work effectively and what steps could the Welsh Ministers take to enable or encourage local government-led alternative models to be implemented?</p>
<b>MPA Response</b>	No comment.
<b>Consultation Question 10:</b>	The Welsh Government believes that joint understanding and planning of public sector assets is essential to maximize their impact and that this requires regional mapping of estates assets and future intentions. How can this joint governance and decision making best be achieved? Is the larger economic footprint the right one?
<b>MPA Response</b>	There may well be opportunities for improvements to asset management based upon regional working. Whilst we have no comments about the specific models to be adopted, we would recommend a consistent approach across the authorities.
2.5.2	Accountability at the elected member level within the regional structure is critical.
2.5.3	Any delegation of services must be clearly defined and transparent.
2.5.8	A “Joint Governance Committee” would assist in determining strategic matters with thinking at the regional and where appropriate, national level. This should alleviate parochial decisions being made on matters which have a wider public benefit.
2.5.9	We would welcome the “rulebook” for the Joint Governance Committee being clearly defined for clarity and accountability.
2.5.13	Whatever structural arrangements are adopted for the Joint Governance Committee, Members should be given the appropriate levels of training to allow them to fulfil their duties on the specific areas being covered, e.g. mineral planning matters routinely have national implications and an understanding of this is critical. The Mineral Products Association is well placed to assist in Member training.
<b>Consultation Question 11:</b>	The Welsh Government believes a strengthened joint committee (a ‘Joint Governance Committee’) offers an appropriate governance model for regionally delivered services and intends to set out a framework for local government to use to deliver this. What should the democratic accountability and scrutiny arrangements be for such a model? Should each participating Local Authority have equal voting rights or should they be weighted in some way?

<b>MPA Response</b>	The Welsh Government are better placed to inform the debate on the governance model. However, the make-up of the committee must be fair to reflect the regional political make-up. Local Authorities should have equal voting rights.
<b>Consultation Question 12:</b>	The Welsh Government believes that in order to put in place arrangements which reduce complexity for Authorities and their partners the position for Bridgend needs to be considered. Although Bridgend is fundamentally concerned in this, other partners including other Local Authorities and the Local Health Boards also have valid interests. We are therefore seeking views on how best to address the issues set out here.
<b>MPA Response</b>	Whilst we have no specific views on the Bridgend situation, we believe that regional working arrangements for mineral planning matters should be based upon the existing RAWP areas, with the service based at this level
<b>Consultation Question 13:</b>	<p>The Welsh Government believes that ‘Option 3: A framework and a footprint’ is the most appropriate model for future regional working.</p> <ul style="list-style-type: none"> <li>• What are your thoughts on the proposed mandatory economic development footprint for ‘Joint Governance Committees’?</li> <li>• How could a framework approach for sub-regional working in other services areas operate in practice?</li> <li>• Is it appropriate for there to be flexibility for regional working to cross economic development boundaries in exceptional circumstances? Which circumstances would they be?</li> </ul> <p>How should the governance arrangements at the mandatory economic development ‘Joint Governance Committees’ have oversight of sub regional working?</p>
<b>MPA Response</b>	We reiterate our views that mineral planning matters should be based upon the existing RAWP boundaries with landbanks based upon local provision.
<b>Consultation Question 14:</b>	The Welsh Government would welcome comments on the appropriateness of seeking powers to create a Combined Authority. In particular, views on what minimum expectations there should be in considering the appropriateness of creating a Combined Authority are welcomed.
<b>MPA Response</b>	No comment
<b>Consultation Question 15:</b>	<p>The Welsh Government believes that a mandatory financial framework should be developed to ensure the expenditure of each ‘Joint Governance Committee’ is met through pooled contributions from the constituent Local Authorities.</p> <ul style="list-style-type: none"> <li>• Should the expenditure of ‘Joint Governance Committees’ be met by constituent Local Authorities, in proportions to be agreed locally, to ensure the most flexible approach?</li> <li>• Should the framework provide for a default position if local agreement cannot be reached, and how such a process might be triggered?</li> </ul> <p>What further considerations might relate to, or need to be included in, a financial framework?</p>
<b>MPA Response</b>	We agree that a mandatory financial framework should be developed to ensure the expenditure of each ‘Joint Governance Committee’ is met through pooled contributions. The expenditure of the ‘Joint Governance Committees’ should be met by constituent Local Authorities, in proportions to be agreed locally, to ensure the most

	flexible approach. However, the framework should provide for a default position if local agreement cannot be reached. We would also suggest that planning fees for the planning service are ring fenced for regional matters. The financial framework should be transparent.
<b>Consultation Question 16:</b>	The Welsh Government believes that to support organisations to move to a more consistent and regional approach to delivering services it will be necessary to issue statutory guidance where there is an identified need. Do you agree or disagree? If you agree, what types of advice, guidance and support on leadership and workforce matters might lead to greater local, regional and national consistency?
<b>MPA Response</b>	We support the need for guidance to ensure delivery of a more consistent regional service for mineral planning matters. We would also recommend the higher profile appointment of Chief Planning Officers to raise the profile of the planning service. This is a statutory function which has over recent years been undermined.
<b>Consultation Question 17:</b>	The Welsh Government believes it would be helpful if Public Services Boards could collaborate or merge across Local Health Board Boundaries. Do you agree or disagree? Why?
<b>MPA Response</b>	The function of the Public Service Boards is unclear in the context of regional working and there is a danger that these would create a further tier of governance which may not be justified. Until there is a clearer and more defined function for these PSBs we reserve judgement on their usefulness. Economic, environmental, social and cultural well-being are already a function of sustainable development upon which planning decisions are made. It is not clear why a PSB should duplicate this role.
<b>Consultation Question 18:</b>	The Welsh Government believes Public Services Boards should be allowed to demerge as well as merge. Do you agree or disagree? Why?
<b>MPA Response</b>	See comment above (Question 17)
<b>Consultation Question 19:</b>	The Welsh Government would welcome comments on what minimum expectations there should be in considering the appropriateness of voluntary merger.
<b>MPA Response</b>	The voluntary merger of LAs is a matter for those authorities. However, regionally defined functions should be retained at the regional level and not delegated to any merged authority.
<b>Consultation Question 20:</b>	The Welsh Government would welcome comments on any of the proposals set out previously in the draft Local Government Bill and associated consultation paper, Annex One refers.
<b>MPA Response</b>	No comment.
<b>Consultation Question 21:</b>	The Welsh Government believes that Part 1 of the Local Government (Wales) Measure 2009 should be repealed for all 'Improvement Authorities'. Do you agree? Why?
<b>MPA Response</b>	No comment.
<b>Consultation Question 22:</b>	The Welsh Government believes there should be minimum expectations on Councillors for interacting with their local constituents. Do you agree or disagree? If so, what should these minimum expectations be?
<b>MPA Response</b>	We believe this would be helpful and should be inclusive. The business sector is a constituent part of local communities providing employment, services and goods, as well as business rates which all

	contribute to a sustainable community. The duties and expectations on councillors to interact should include the business community.
<b>Consultation Question 23:</b>	The Welsh Government believes it could be helpful to make some minor changes to existing area committee legislation to increase their flexibility. What do you believe these changes should be?
<b>MPA Response</b>	Again, these Area Committees should be inclusive and should involve members of the business community.
<b>Consultation Question 24:</b>	The requirement for Local Authorities to work on a regional basis will require Councillors, the Local Authority and employees to balance the responsibilities they have to their local area, with those for the larger region. How best could this be achieved?
<b>MPA Response</b>	Many professionals employed in Local Government are duty bound by professional institutions, e.g. the Royal Town Planning Institute. Any codes of conduct applied to professional officers must reflect any professional institutional requirements. For Members, their role must be clear, transparent and accountable. Decisions should be based upon what is best for the well-being of the wider communities and not upon party politics.
<b>Consultation Question 25:</b>	The Welsh Government intends to make a return to a form of the committee system available to Local Authorities where it best meets local circumstances. How would this option best work within the context of the proposals for new regional arrangements?
<b>MPA Response</b>	The Committee structure may best serve the regional structure. We suggest the Welsh Government consults more widely than just with local government.
<b>Consultation Question 26:</b>	The Welsh Government believes it may be appropriate to limit future designation of relevant statutory Senior Officer posts to a regional level where the functions are being delivered regionally. Do you believe this is appropriate? Why? If so, how might this best be delivered?
<b>MPA Response</b>	We believe the function of a Chief Planning Officer should be re-established to help raise the profile of this function across the region. The powers of this post should be clearly defined.
<b>Consultation Question 27:</b>	The Welsh Government believes there are things that can be done now to help build resilience and renewal in the sector in the short to medium term and would welcome comments on the list of actions at paragraph 6.1.6 that could be taken in the short term to help the sector be more effective/ resilient views on any other actions which could be taken?
<b>MPA Response</b>	A mandatory function of Community Councils should be to represent the wider business community, not just individuals. This way they will truly reflect their local community.
<b>Consultation Question 28:</b>	The Welsh Government is seeking initial views on all of the proposals set out in Chapter 7 on elections and voting.
<b>MPA Response</b>	No comment
<b>Consultation Question 29:</b>	The Welsh Government would welcome any views on the potential financial and nonfinancial benefits and costs associated with the proposals in the White Paper.
<b>MPA Response</b>	No comment.
<b>Consultation Question 30:</b>	The Welsh Language Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on the opportunities for people to use the Welsh language and treating the Welsh language no

	less favourably than the English language. The Welsh Government seeks views on that assessment. Are there any other positive or adverse effects not identified in the assessment? Could the proposals be reformulated so as to increase the positive effects or reduce any possible adverse effects?
<b>MPA Response</b>	No comment.
<b>Consultation Question 31:</b>	The Children's Rights Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on children and young people. The Welsh Government seeks views on that assessment. Are there any other positive or adverse effects not identified in the assessment? Could the proposals be re-formulated so as to increase the positive effects or reduce any possible adverse effects?
<b>MPA Response</b>	No comment.
<b>Consultation Question 32:</b>	The Equalities Impact Assessment published alongside the White Paper outlines the Welsh Government's view of the effect of the proposals contained in the White Paper on protected groups under the Equality Act 2010. The Welsh Government seeks views on that assessment. Are there any other positive or adverse effects not identified in the assessment? Could the proposals be re-formulated so as to increase the positive effects or reduce any possible adverse effects?
<b>MPA Response</b>	No comment.
<b>Consultation Question 33:</b>	Please provide any other comments you wish to make on the content of this White Paper.
<b>MPA Response</b>	No comment.

We trust the above comments will be taken in to consideration and are keen to engage during the development of local government reform. As indicted above, we would be happy to contribute to mineral planning training matters for officers and members.

Yours faithfully



Mr Nick Horsley  
**Director of Planning, Industrial Minerals and MPA Wales**