



Councillor John Mason

Representing the Hawkwell West Ward

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Member Correspondence

Date: 20 February 2011

Miss Laura Graham BSc MA MRTPI
Planning Inspector
C/O The Programme Office
Rochford District Council

Dear Miss Graham

I am making a representation to you on behalf of residents in response to your request and a closing date of 24 February 2011.

Your question is “What weight should be given to the Secretary of State’s intention to abolish Regional Spatial Strategies, and what are the implications for the Inspector’s consideration of the proposed changes?”

The fact that The Government has embarked on a process to abolish regional strategies by means of provisions incorporated in the Localism Bill cannot be ignored and is bound to be a material consideration.

What weight should be given to the impending revocation of the Regional Strategy in this case is, of course, still a matter for the Inspector also taking such guidance as is required from PINS and legal counsel as determined to be necessary.

But as the Inspector has asked for my view I hurry to submit this to be of assistance.

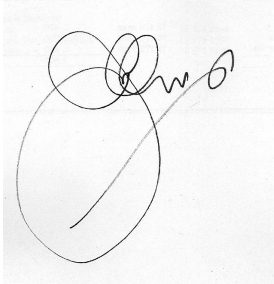
The Localism Bill itself may well have reached the statute book by the time that the Inspector’s recommendation is actually published and then the Regional Strategy will definitely have gone.

However if that is not the case then the question is whether the Inspector’s recommendation made before The Localism Bill itself has reached the statute book is fully legally retrospective in that the Localism Bill can render such a decision/recommendation lawful as when it was made at the time when the regional strategies still applied.

But there are, of course, other material considerations for the Inspector to deal with, including unmet housing need as quantified in the Regional Strategy which has not been met by the Rochford Core Strategy, and these considerations which led to the adoption of the Regional Strategy must still apply, even after it is abolished. Then again there are still many of the other considerations which led to the Regional Strategy that must also still apply after abolition.

My view is that the Rochford Core Strategy will remain UNSOUND for the reasons set out above, together with other material considerations as submitted, even after the Regional Strategy has been abolished by the Localism Bill and that the Inspector must take this into account when considering a recommendation and not look solely to the Localism Bill and its timing of Royal Assent to make a sound legally based judgement on the Rochford Core Strategy because the weighting issue remains post abolition in favour of UNSOUNDNESS for fundamental reasons which by the evidence of the Regional Strategy has not been changed with the further evidence that has been put forward by the Council.

Sincerely

A handwritten signature in black ink, appearing to read 'J. Mason', written over a large, faint circular stamp or watermark.

Councillor John Mason BSc FLS ACIB