

KC/1027

24 June 2011

Lissa Higby
Programme Officer
Council Offices
South Street
Rochford
Essex
SS4 1BW

Dear Lissa

Rochford Core Strategy Examination

We are writing to seek some clarification regarding the on-going Examination in to the Rochford Core Strategy, and we would be grateful if you could forward this correspondence to the Inspector for comment.

On 13th June, a series of exchanges between the Council and the Inspector were we understand published on Rochford District Council's website, alongside the publication of a new SA Technical Report.

This exchange of correspondence starts on 10th May 2010, when the Inspector gave the Council warning of her concerns in respect of RS compliance, and extends through to RDC's latest response of 10th June.

Although we have now read this correspondence, we do note that the Inspector asked the Council to make the material available back in May, and even now the information is hard to find on the Council's website (we have only had sight of the 10th June response from RDC because you provided me a copy in response to my request). The information is still not easy to find on the Council's website.

As a first observation, as the Examination continues, could we ask that, as per the Inspectors original request, further exchanges of correspondence are posted on the website as soon as possible, and in a position where they can easily be found?

Turning to the substance of the chain of correspondence, we note as follows:

- The Inspector's letter of the 11th May essentially notes that the agreement to hold back the already completed fact check report and keep the Examination open was solely on the basis of allowing time for the Council to bring forward "additional evidence", i.e. the additional SA work;
- The Inspector in her letter of 2nd June sought assurance from the Council that any proposed changes to the Core Strategy would ensure that it was in fact in general conformity with the RS. RDC in its response of the 6th June gave no such assurance, stating only that they would "have regard" to this matter in producing the SA review (in the event, the published SA document makes no mention and has no relevance to

the issue of RS). In addition, we note that in a statement by Councillor Hudson published on RDC's website on the matter of the delay caused by the current consultation, he states:

"Whilst this [delay] is frustrating it will have the advantage of ensuring that our core strategy coincides with the Royal Assent of the Coalition Government's Localism Bill thus revoking the Regional Spatial Strategy once and for all"

This does not sound like a Council ready to give an assurance that any Amendments to the Core Strategy will be RS compliant.

- The Inspector's 8th June letter raises additional concerns about how the Council will deal with extending the Plan period, and the potential need to hold further hearing sessions after November (which would suggest to us no adoption until Spring 2012 at the earliest, which means any extension should cover 2 years so that the plan runs from 2012 to 2017).

Following this chain of correspondence through, our confusion is essentially this – since the new SA that has been published is only being accepted as 'additional evidence' in support of the already submitted Plan, why is there now an additional stage for the Council to consider Amendments to the Core Strategy in July?

The Council's letter of 10th June suggests two issues that the Amendments will address, being firstly any issues arising from the SA process, and secondly, issues relating to extending the Plan period.

Dealing with the first point, the new SA Technical Appraisal itself raises no recommendations for changes to the Core Strategy, and is simply a fuller account explaining the process and decisions that underpin the existing Core Strategy. We understand that the Inspectorate would no doubt wish to take account of any further comments that parties might want to submit in relation to that document (although having read it, it frankly raises nothing of great substance that has not already been debated at the Examination), but we cannot understand how the submission of this SA document has created a need for a further stage of Amendments, since it is not proposing any.

Secondly, the need to extend the Plan period only arises as a result of this further delay, if we understand the Inspector's letters correctly. It cannot of itself be a reason to cause delay to undertake Amendments.

Interestingly, the one thing the Council's letter of 10th June fails to mention in terms of the content of the Amendments is anything in relation to addressing the RS non-conformity issue, which at the end of the day, was the principle issue which generated the chain of correspondence in the first place.

The inevitable outcome of undertaking further Amendments in July of this year is that there will be a need for additional Hearing sessions and a re-opening of the Examination. Bearing in mind that the Government has recently re-emphasised the need for Plan making to progress without delay, it is difficult to see how the inevitable re-opening of this Examination helps the delivery of much needed development.

We would welcome any guidance that the Inspector may be able to give as to what the scope of the further Amendments should be at this stage, and perhaps clarity as to exactly what events/evidence are the trigger for this exercise, since presumably the Amendments should be limited to the matters that trigger the need for them, rather than being a general opportunity for RDC to re-write bits of their Plan after the Examination process.



We note that the Inspector has sought assurances that the Council will produce an RS compliant plan, but we would welcome clarification as to what happens in the event that (as Councillor Hudson's comments suggest) the Amendments in July result in a Plan that persists in non-compliance with RS.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Coleman'.

Kevin Coleman
Associate Director
kevin.coleman@jbplanning.com