

Letter to Rochford District Council
FAO Sam Hollingworth, Head of Policy, Rochford District Council.
Friday 21 February 2014

Dear Mr Hollingworth,

Rochford Area Action Plan (AAP) Examination

As you know, I raised my initial concerns over the fact that the Council presented two separate options for the Market Square in my note via the Programme Officer on 12 December 2013. I drew the Council's attention to the requirement in paragraph 182 in *the Framework* which states that for a Plan to be sound, it needs to be justified, i.e. that it should be the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.

The failure in the submitted AAP to determine which strategy for the Market Square is preferred also leads to uncertainty, which could undermine investors' confidence and decision making, thereby adversely affecting the Plan's effectiveness, which is another soundness concern.

The Council responded to my initial concerns by suggesting a modification to the AAP which removes the two examples of intervention from the Plan. Whilst I consider that this is a step in the right direction, it does not overcome my soundness concerns, as the submitted AAP would still refer to further studies to explore the possible options for the Square. The uncertainty would therefore remain for what is, arguably, the most important location and issue in the town centre.

AAPs need to provide a level of certainty and not delegate strategic decisions to a further round of plan making further down the line.

As I explained at the Hearing on 19 February 2014, in order for the Examination to progress with the possibility that I will find the Plan sound, it is necessary for the Council to come to a view on which of the two options in the submitted AAP would be appropriate for inclusion in its suggested modifications to make the Plan sound.

At the Hearing, one way forward is for the Council to consult with the local community into the options which are set out in the submitted Plan. It would then decide on the most appropriate option for inclusion in the AAP.

Once the Council reached its decision, this suggested modification would be added to the other proposed modifications which have arisen during the Examination. The Council, of course, would also be required to publicise all the modifications (i.e. including any relating to the Square), with an additional consultation period.

My estimate of the likely programme for progressing the AAP on the basis of the above suggestions would be as follows:

- Council to prepare the Market Square options for consultation – by 21 March
- Market Square consultation exercise – by 2 May
- Council to agree preferred Market Square option – by 30 May
- Council to consult on all the proposed modifications following a note from the Inspector – by 11 July
- Inspector's Report for the Council to 'fact check' - by 25 July
- Inspector's final Report – by 1 August

I should be grateful if the Council would respond to my letter as soon as possible, preferably by Friday 28 February 2014, in order for a timetable of work to be established. Any delay beyond 28 February runs the risk of significant delay, as it might clash with other examinations I am conducting or with my leave arrangements.

However, if there is anything in my letter which you would like to discuss via the Programme Officer, please do not hesitate to write.

Yours faithfully

Mike Fox

INSPECTOR