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## REPORTS FROM THE EXECUTIVE AND COMMITTEES TO COUNCIL

### 1 REPORT OF THE EXECUTIVE

#### Draft Corporate Plan 2011-16

- 1.1 This item of business was referred by the Executive on 22 June 2011 to Full Council with a recommendation relating to approval of the draft Corporate Plan. An extract of the key elements of the report of the Chief Executive to the Executive is attached at appendix 1. A copy of the draft Corporate Plan, amended to incorporate the observations of the Executive, is attached at appendix 2.
- 1.2 It is proposed that Council **RESOLVES** that the revised Corporate Plan for 2011-16 be adopted. (CE)

### 2 REPORT OF THE PORTFOLIO HOLDER FOR PLANNING AND TRANSPORTATION

#### Rochford Core Strategy – Way Forward

- 2.1 This item of business was referred by the Portfolio Holder for Planning and Transportation on 7 July 2011 to Full Council with a recommendation relating to requesting the Inspector that the examination into the Core Strategy be suspended until December 2011. A copy of the decision containing the recommendation is attached at appendix 3. A copy of the related report from the Head of Planning and Transportation to the Portfolio Holder is attached at appendix 4.
- 2.2 It is proposed that Council **RESOLVES** that a formal request be made to the Inspector that the examination into the Core Strategy be suspended until December 2011, and that in the meantime work is undertaken to identify and consult on the amendments required to ensure the Core Strategy has regard to the likely adoption date of 2012 (option A). (HPT)

If you would like this report in large print, Braille or another language please contact 01702 318111.

## **DRAFT CORPORATE PLAN 2011-2016**

### **1 DECISION BEING RECOMMENDED**

- 1.1 To recommend to Council that the revised Corporate Plan for 2011-2016 be approved.

### **2 REASON/S FOR RECOMMENDATION**

- 2.1 Since 2006, the Council has re-introduced the production of the Corporate Plan as a key document to be reviewed on an annual basis. The format and content around the Corporate Plan continues to be reviewed and updated since its re-introduction and the latest draft plan attempts to build on the format and content of the 2010-2015 Corporate Plan.
- 2.2 The draft reflects the decisions taken as part of the 2011/2012 budget process and the content of the Council's Key Plans and Actions Report.

### **3 OTHER SALIENT INFORMATION**

- 3.1 The Plan brings together the Council's main priorities; it picks up the key elements from the 2011/2012 budget. Subject to Member consideration and comment, the Plan, once approved, will be one of the main reference documents for the Council.
- 3.2 The Corporate Plan is a working document which, along with the Annual Report, explains what the Council is about, what it is focusing on and what it is aiming to do over a period. The Plan is seen as a key element in cementing linkages between service planning and the budget process and in particular the Medium Term Financial Strategy (MTFS) 2011/12 – 2015/16 which covers the same period.

### **4 RESOURCE IMPLICATIONS**

- 4.1 The content of the Corporate Plan is in line with the decisions taken as part of the budget process and its production is funded from the Chief Executive's budget head.
- 4.2 The preparation of the Corporate Plan impacts upon and will continue to require senior officer time as it is produced and reviewed.

# Corporate Plan 2011 – 2016



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## Rochford District Council – Corporate Plan 2011 – 2016

	<b>Page</b>
What is the Corporate Plan .....	3
Our Vision for Rochford .....	4
A Picture of our District .....	5
Consultation and Engagement.....	6
Our Services .....	6
Governance .....	7
Our Finances .....	7
Our Council – staff and leadership.....	9
Our Successes from 2010 – 2011.....	11
Key Policies 2011 – 2012 .....	12
Achieving our objectives from 2011 – 2016 .....	14
Making a difference to our people .....	14
Making a difference to our community.....	15
Making a difference to our environment .....	16
Making a difference to our local economy .....	16
Corporate Plan – Action Plan 2011 – 2012.....	18
Appendix 1 – Organisational Chart .....	22
Appendix 2 – Executive Appointments – 2011/12.....	23

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### What is the Corporate Plan

The Council’s Corporate Plan sets out Rochford District Council’s short and medium term priorities, over the next five years or so, and is linked into the Council’s Medium Term Financial Strategy (MTFS) and budget process.

The Corporate Plan and its delivery plan is reviewed and updated annually. It has not been developed in isolation and takes into account national, regional, county-wide and local priorities. To inform the Council in setting priorities we use a range of information and intelligence, including the results of public consultation exercises undertaken in the District.

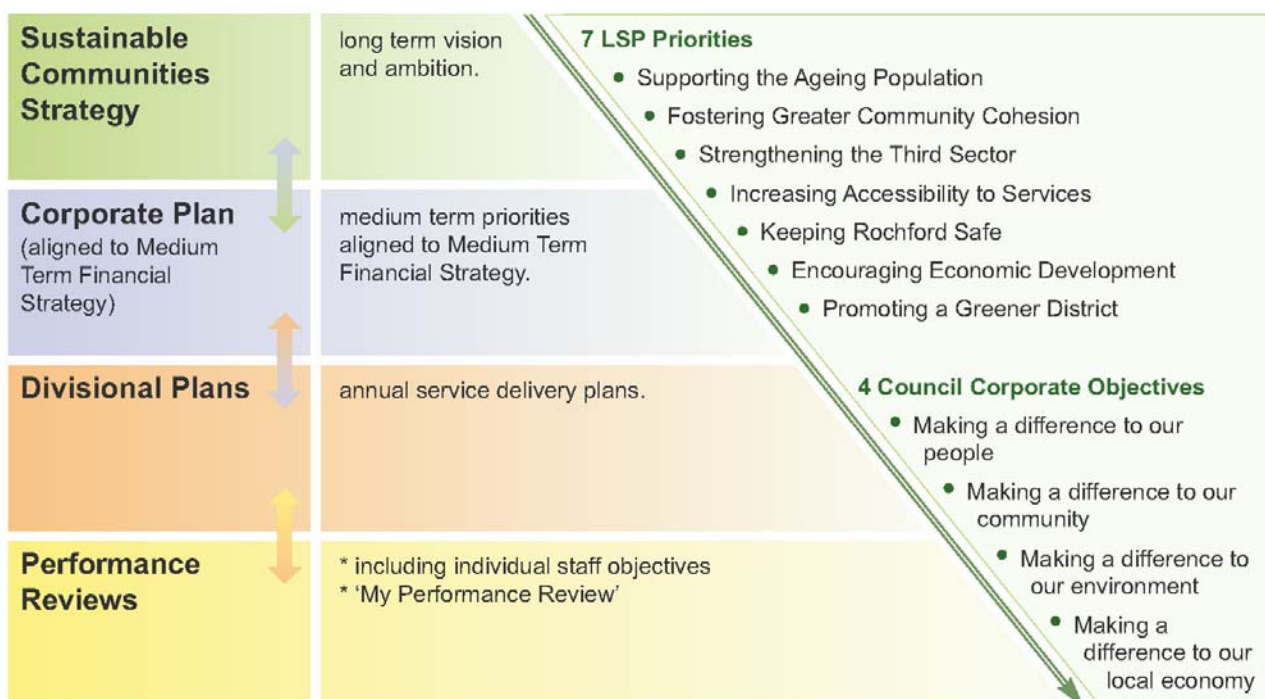
Most importantly the plan provides the Council’s link to the key partnership structures operating in the District. The main partnership operating locally until recently was the Rochford Local Strategic Partnership, although proposals have now been agreed to combine the Rochford Local Strategic Partnership with the Castle Point Local Strategic Partnership. The diagram below demonstrates how the

District Council’s objectives support those of the Local Strategic Partnership through its Sustainable Communities Strategy.

Internally, the Corporate Plan is underpinned by Divisional Plans and individual staff and team priorities are picked up through the Performance Review process. The Corporate Plan does not set out everything the Council does. However, it attempts to focus on the ‘headline’ items and provides clarity around where the Council plans to concentrate its activity. The Plan should be read in association with the Council’s Annual Report, which is published in July, and gives details of how we have performed over the last year.

We describe this linkage between partnership and Council priorities, our Corporate plan and Annual Report and ultimately to divisional plans and individual employee’s personal development reviews as our golden thread. This means that everything the Council does can be related to the priorities of our community and our staff understand their role in delivering our priorities.

## Rochford’s ‘Golden Thread’ – Cascading Objectives



## Our Vision for Rochford

The Council's vision is shared with that of the Local Strategic Partnership:

***To make Rochford District a place which provides opportunities for the best possible quality of life for all who live, work and visit here***

The Council cannot deliver all services and improvements without its partners. To that end we are involved in a range of partnerships. The overarching partnership for Rochford will be the Joint Local Strategic Partnership (LSP) for Rochford and Castle Point which includes a range of partners. This LSP will take on the responsibility for delivering the Rochford Sustainable Communities Strategy 2009 – 2021 which identifies shared priorities for the District.

To support its vision, the Council has four main corporate objectives for 2011 – 2016, these are:

-  **Making a difference to our people**
-  **Making a difference to our community**
-  **Making a difference to our environment**
-  **Making a difference to our local economy**

Our vision and our four corporate objectives translate into the things that we do; our key strategic documentation such as this Corporate Plan, the Local Plan and the emerging Local Development Framework (LDF); the services we deliver and the facilities we provide. It is our intention that these are complementary with the Rochford Sustainable Community Strategy and other partnership documentation.

As a Council we have been asked what we envisage the District looking like under our vision. Over the **next five years**, we see a number of projects coming to fruition or making considerable progress to being delivered. These projects will contribute to the Council achieving its vision and its aims.

We want to improve the quality of life for the people in our communities and play a full role in the sustainable growth and prosperity of our county. In particular, we wish to utilise our position within Thames Gateway South Essex to promote the District as the 'green part' of the sub-region.

By the 'green part' we mean woodlands; coast and areas for outdoor recreation and leisure – all the things which fit well with our overarching vision. To this end, there will be improvements in the provision and upgrade of green space, resulting in increased usage. Enhancement of heritage sites and local facilities will improve opportunities for leisure and free time activities, improving the quality of life for residents, workers and visitors to the District and providing quality places to visit.

Following its expansion and the completion of the new car park entrance at the eastern end of the site, together with improved footpath and cycle links, residents will be able to take full advantage of the resource offered by Cherry Orchard Jubilee Country Park. In addition, the environmentally sympathetic Wallasea Wetlands Project, will have commenced. This will become a popular destination for bird watchers and others, particularly during the winter months.

We see us developing our services and improving their access to meet the changing needs and expectations of our communities. Our emphasis will be on quality and cost effectiveness whilst ensuring that Rochford District will remain one of the safest places in the country and the fear of crime will be reduced.

Our Planning Core Strategy will provide clarity as to where and how the housing needs of our communities will be met. The new homes to be provided will offer high quality design and include water retention and renewable energy features. There will be growing emphasis on responding to and meeting the needs of a community which is ageing. At the same time, engagement with and facilities for young people across the District will have improved. We have been very successful in helping residents to increase their recycling rate and will aim to make steady progress towards a target of 70%.

The automotive development on Rochford Business Park will be complete. London Southend Airport will have been upgraded with modern passenger friendly facilities and passenger flights to and from the airport will have increased, resulting in new jobs for the area. Further employment land will also be under construction in the environs of the airport.

Lastly, in working to achieve our vision and ensure delivery against our corporate objectives the Council will carry out its work in accordance with a set of values which it thinks are important.

- Be an open, accountable, listening, responsive Council
- Put the customer and citizen at the heart of everything that we do, delivering services in a caring and sensitive manner.
- Co-ordinate the management of resources with an emphasis on sustainability.
- Value the contribution of partners, employees and citizens, trusting each other and working collaboratively.

## A Picture of our District

### The Place

Rochford is a small District located in south east Essex. It is bounded by the River Crouch to the north and the urban areas of Southend and Castle Point to the south. The District has three main towns, Rayleigh, Rochford and Hockley. Much of the remaining area is green belt with a large area around Foulness under Ministry of Defence control. London Southend Airport straddles the District's southern boundary with Southend.

### The People

In the 2001 census Rochford District had a population of approximately 79,000 people.

The Office for National Statistics (ONS) 2009 mid-year population estimates showed Rochford District as having a population of 83,100.

The area is relatively affluent, ranking 314 out of 354 authorities nationally, where 1 is the most deprived and 354 the least deprived. The most deprived ward, Foulness and Great Wakering East, ranks 2,680 of 8,414. Owner occupied homes constitute 86% of households. Private renting accounts for approximately 6%. House prices are higher than the average for England and Wales. The proportion of the resident working age population who are in employment in Rochford is high, with the area ranking in the top 40% of Districts nationally. The proportion of the working age population who are unemployed in Rochford is very low, with the District ranking in the bottom 20% of Districts nationally. In Rochford, 2.1% of people are claiming job seekers allowance, compared to a regional average of 3% and a national figure of 3.8%.



## The Council

The Council employs 207 full-time equivalent staff, with key services contracted to the private sector, for example, refuse collection, recycling, street cleansing, grounds maintenance, leisure management and the IT service.

The Council has a flat management structure headed by a Chief Executive, supported by 6 Heads of Service. These Heads of Service lead the management of a particular service area. A copy of the Council's organisational structure is included as Appendix 1.

The Council has 39 elected Members, has a Conservative administration and the political composition is as follows:

- 31 Conservative;
- 4 Liberal Democrat;
- 2 Rochford District Residents;
- 2 Green.

For the past three years the Council has operated a 'strong leader' model of government, with the Leader appointing seven members to the Executive and allocating portfolios to those members. The members of the Executive and their portfolios are included as Appendix 2.

## Consultation and Engagement

Consultation across the District, both as a Council and as part of a wider group of public sector partners is an important aspect of delivering community focused services. The Council carries out regular consultation exercises and events throughout the year on a range of issues.

Rochford also has a duty to consult with its residents under 'the duty to involve' which aims to ensure that local people have regular opportunities to comment and shape local government services.

Examples of our consultation work in Rochford include:

- The RDC Youth Council.
- The 'Have Your Say' Citizens Panel Group.
- The business breakfast and local development plan events.
- Planned public information events held across the District with other Local Strategic Partners around particular themes e.g. the elderly.

The Council also uses its District newspaper, **Rochford District Matters**, which is a quarterly publication, and website to engage, inform, and respond to those who live, work and visit within the District.

## Our Services

Local Government in Essex is structured into what is commonly termed largely as a 'two-tier' structure. What this means is that responsibilities and service provision is shared between District and county Councils.

For Rochford, Essex County Council, Rochford District Council and the Town and Parish Councils work together with a range of other partners to provide a large range of services to the public.

Rochford District Council includes:

**Environmental Services** which includes; Refuse Collection, Recycling, Public Open Spaces, Environmental Health and Licensing

**Community Services** which includes; Leisure and Culture, Benefits, Council Tax, Community Safety and Strategic Housing

**Planning & Transportation Services** which includes; Development Management, Building Control, Spatial Planning Policy, Planning Enforcement, Taxi Licensing, Car Parking and Economic Development and Regeneration.

**Legal, Estates and Member Services**

which includes; Committee services, Legal, Asset Management, Land Charges and Burials.

**Information & Customer Services**

which includes; Elections, Customer Services, office support, Information and Communication Technologies.

**Finance** which includes; Audit, Financial Services and Performance Management.

**Chief Executive** services which include human resources, policy development, partnerships, health and safety, emergency planning and business continuity, internal and external communications and staff engagement.

**Governance**

Rochford District Council is committed to the principles of good governance. Governance for the Council is about how our management ensures the Council does things properly. Rochford does this by producing its code for corporate governance and by producing an annual governance statement.

The Council recognises that effective local government and the success of the authority relies on the public having confidence in both the elected members and officers of the Council.

Rochford District Council's monitoring Officer is the Head of Legal, Estates and Member Services. The role of the monitoring officer is to ensure lawfulness and fairness of Council decision making, ensuring that the authority complies with codes and protocols whilst promoting high standards. In addition the monitoring officer provides an annual report which provides information about work from the previous year.

In addition to its commitment to good governance, Section 151 of the Local Government Act 1972 requires the Council to make arrangements for the proper administration of its financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs.

Rochford District Council's Section 151 Officer is the Head of Finance. The Section 151 officer has a number of duties which include; administration of financial affairs, giving financial advice and ensuring lawfulness and prudence in all financial matters.

Finally, until recently Rochford Council has been subject to an independent annual review of its business and services through the use of resources inspection and through the Comprehensive Area Assessment by the Audit Commission. These assessments covered a whole range of Council activities but included assessing the Council's compliance with sound accounting principles and effectiveness.

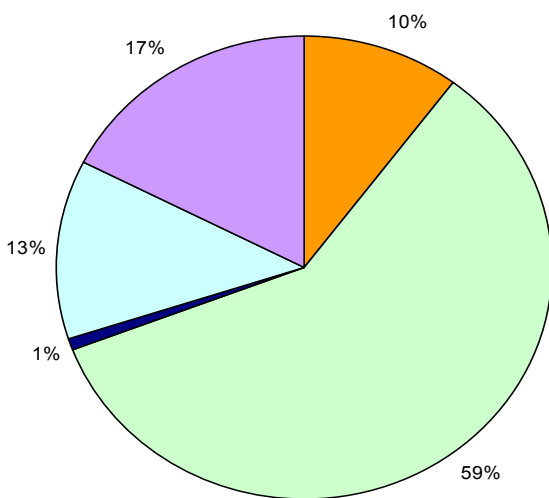
Under these inspections the Council has been identified as performing well.

**Our Finances**

Rochford District Council is keen to keep local people informed about how it spends their money. In this section we explain how we raise income and where we spend money. In 2011/12 the Council will have to deliver savings and additional income totalling £1.4 million.

### Where our money comes from

Source	£m
Government Grant	3.8
Benefit Subsidy	21.5
From the Council's Savings	0.4
Fees and Charges	4.6
Council Tax	6.4
<b>Total</b>	<b>36.7</b>



- Government Grant
- Subsidy
- From the Council's Savings (General Fund)
- Fees and Charges
- Council Tax

**Council Tax** – Rochford District Council collects the Council Tax charge, on behalf of Government, not only for itself but also for Essex County Council, Essex Fire & Rescue Service, Essex Police and the local town and parish councils.

Each authority sets its own charge that contributes to the total. For 2011/12 the total average charge, at Band D, for all these authorities is:

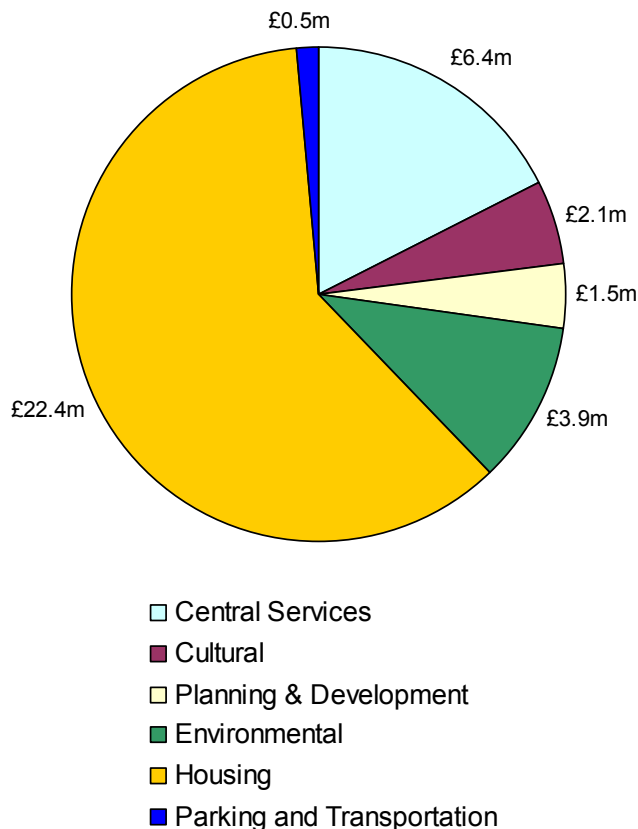
Precept	2011/12 £
Essex County Council	1,086.75
Essex Fire Authority	66.42
Essex Police Authority	132.03
Town and Parish Councils	34.67
Rochford District Council	201.15
<b>Total</b>	<b>1,521.02</b>

Rochford District Council's part of the charge is £201.15, 13% of the total. Rochford did not increase its Council Tax in 2011/12.

**Government Support** – Of the 12 District Councils in Essex, Rochford District Council receives the 2<sup>nd</sup> lowest grant from Government per head of population. For 2011/12 Rochford District Council gets £42.76 per head of population. The Essex average is £54.88 and the highest grant is £77.88. The Government grant has decreased by 16.5% and will be reduced by a further 10.5% In 2012/13.

### How the money is spent

	£m
Central Services	6.4
Planning & Development	1.5
Environmental	3.9
Cultural	2.1
Parking and Transportation	0.5
Housing	22.3
<b>Total</b>	<b>36.7</b>



**Our Strategy** – Our five year Financial Strategy is reviewed, updated and rolled forward each year. Our Financial Plan coincides with this Strategy and is managed in the same way. The Strategy for 2011 – 16 is updated to include the 2011/12 budget and sets out the key financial policies, risks and assumptions. Although Council finance can be complex, Rochford District Council is keen to help keep stakeholders informed about how we manage money.

Our Financial Strategy aims to:

- Support our vision, aims and priorities.
- Set out the Council's future financial prospects.
- Assist the Council's strategic planning and policy making.
- Ensure a strategic approach is taken to the management of the Council's finances, Council Tax, and budget setting.

**Timing** – The Council has detailed budgets for revenue expenditure for 2011/12 and for capital investment for five years. It also has a summary Financial Plan to 2015/16.

### Our Council – staff and leadership

The Council recognises that it is a major employer and that both members and officers have a duty to serve the public. We do this by ensuring that members and officers work together to achieve our vision and priorities. We ensure officers have the skills and confidence to deliver our priorities and members are fully informed to provide challenge and scrutiny in the way services are managed and delivered.

We achieve this through identifying corporate and service specific themes within our Workforce Development Plan, where Heads of Service drive the priorities identified.

To achieve our objectives and best serve our public we recognise that the Council must be a rewarding and motivating place to work. We work through an established pay structure which follows equal pay principles and provide transparent career pathways within which to develop and provide opportunities for staff. We strive to be a flexible employer who put staff welfare and wellbeing at the heart of our organisation and work within a robust policy framework to ensure consistency across the Council.

The Council has recently been awarded Investors in People – Gold status, one of only 297 companies nationally to achieve such recognition. We are proud of the commitment and hard work of our staff in achieving this national recognition. We will celebrate their achievements and successes appropriately to ensure they are supported in their roles. We canvas their views via the quarterly Staff Forum meetings and test staff engagement through our staff survey which provides key feedback on areas where more work is

needed; the annual staff awards process was a direct result of staff feedback and these awards are now embedded as an annual event.

The Council also recognises the need to support our members. We offer member training and support in order to further develop members' skills and have recently achieved Charter status for our member training and development programme, which is seen as best practice amongst District Councils.

### Working in Partnership

Rochford District Council works with many partners including other public sector bodies, parish councils, voluntary groups, local faith organisations, local business and the private sector.

Partnership arrangements vary, from the delivery of day to day public services to the long term strategic planning for our District, county and region. The Council aims to be transparent in its partnership working and details about our partnership activity are available from the Council or from its website. The Council reviews its partnership arrangements through the Overview and Scrutiny process. The Council has a partnership guide for officers entering into strategic partnerships and prepares governance guidance for strategic partnerships to adhere to.

### Performance Management

Successful performance management ensure that the Council's aims and objectives are achieved. It requires the Council to:

- Prioritise what gets done and ensure there are sufficient resources to do it.
- Ensure the authority provides value for money.
- Motivate and manage staff.

- Identify and rectify poor performance at an early stage.
- Learn from past performance and improve future performance.
- Increase user and public satisfaction.

Effective performance management requires a co-ordinated approach to planning and review, to enable key decision makers, both political and managerial, to take action based on both facts about performance and the public perception of performance, encompassing consultation with service users and residents.

To effectively manage performance, the Council ensures that there is:

- A systematic approach to deciding and communicating what needs to be done (aims, priorities and targets).
- A plan for ensuring that it happens (Divisional and service plans).
- A means of assessing if this has been achieved (performance measures).
- Information reaching the right people at the right time (performance monitoring and reporting) so that decisions are made and action taken.
- Review of performance by Senior Management, Line Management and Members.

The main components of our Corporate Performance Management Framework are:

- Our Corporate Plan
- The Local Development Framework (LDF)

- Partnership Plans
- Our Medium Term Financial Strategy (MTFS).
- Divisional and Service Plans (including Risk assessments).
- Performance Indicators and targets
- Individual performance objectives set for each officer.
- A target challenge which takes place as part of the business planning process.
- Maintain effective control of public funds.
- Promote the reputation of the Council.
- Support the quality of the environment.

These objectives are attained by systematically identifying, analysing and evaluating, effectively controlling and monitoring risks, which may endanger the people, property, reputation and financial stability of the Council.

The culture of risk management is embedded into all operations and service planning processes. Risk Registers and the Risk Action Plans are regularly reviewed and updated and are presented to the Council's Audit Committee for approval on a bi-annual basis.

Monitoring and reporting of outcomes is achieved by:

- Council/Executive and Management reviews of Quarterly Performance reports.
- Ongoing review of performance via regular team and one to one meetings.
- Formal review of individuals' performance via My Performance Reviews (MPR).
- An Annual Report of the Council's performance.

### Risk Management

It is the policy of the Council to adopt a proactive approach to Risk Management consistent with the various conventions and best practice.

The Council acknowledges that risk cannot be totally eliminated, the Council is however committed to the management of "significant" risks in order to:

- Ensure compliance with statutory obligations.
- Preserve and enhance service delivery.

### Our Successes from 2010 – 2011

Over the last twelve months Rochford District Council has achieved a number of notable successes, these include:

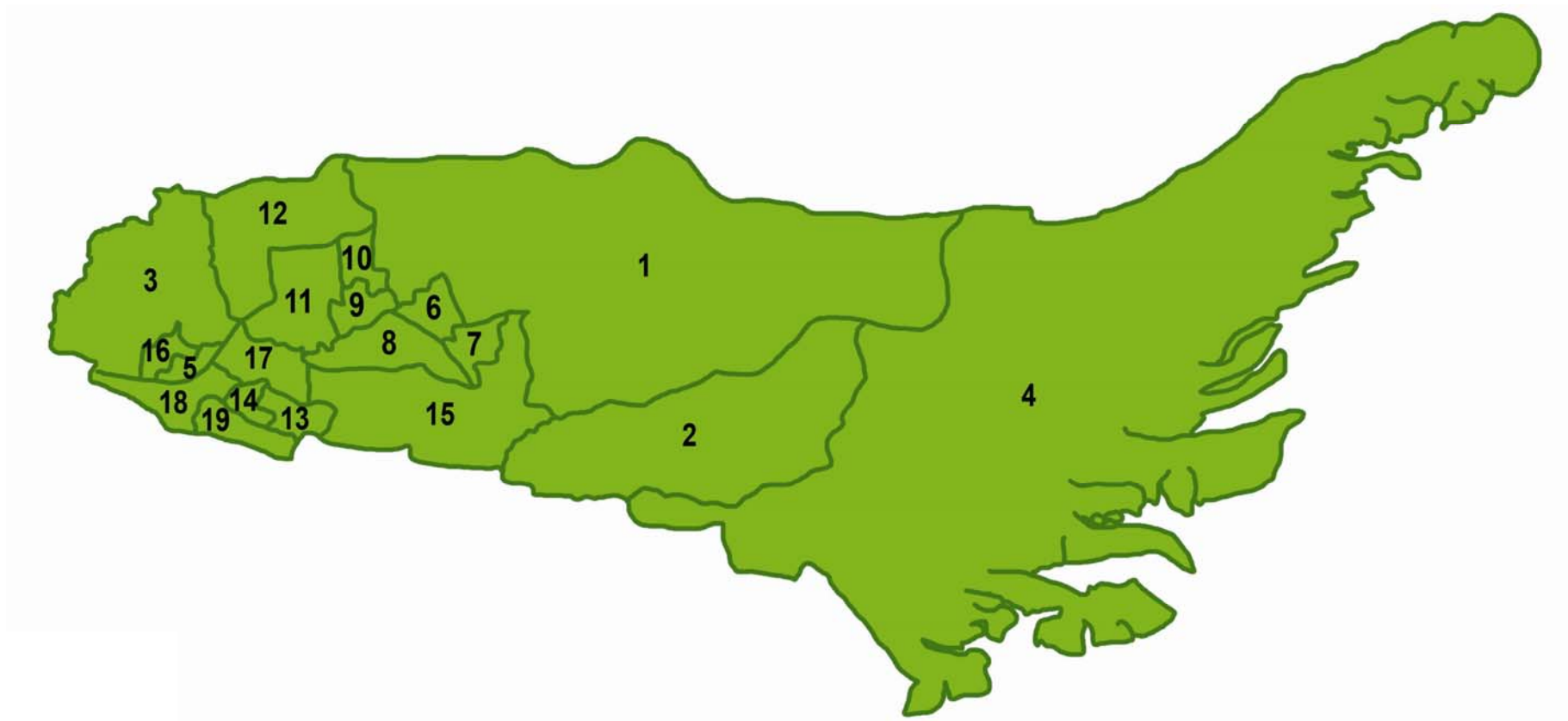
- Achievement of efficiency savings.
- Gaining the Member Development Charter Award.
- Gaining the Investors in People (IIP) Gold Award.
- Significant progress towards the Excellence standard for the Equality Framework for Local Government.
- Provision of a new car park and play facility improving access to Cherry Orchard Country Park.
- Improving service access and delivery by holding five public information days.
- Continuing to improve our award winning recycling scheme by extending it to cover more flats and

- delivering a performance of 65% of domestic waste recycled or composted.
- Further refurbishment of our open spaces by improved fencing at Hockley Woods and improved drainage at Sweyne Park.
  - Progress with our three Town Centre action plans.
  - Continuing good performance in determining planning applications on time (majors 85%, minors/others 93%).
  - A reduction in the number of successful appeals against the decision to refuse planning permissions (2009/10 – 34%, 2010/11 – 28%).
  - Reduction in the overall average time to process and deliver Disabled Facilities Grants and complete the works from 52 to 40 weeks.
  - A 9% reduction in overall crime levels. Rochford Community Safety Partnership are currently based on end of year performance the best performing CSP in the County.
  - A significant reduction in the level of detritus on public land and highways.
  - Continuing growth of Rochford Business Network to 362 members.
  - Continuing growth of the Rochford Shop at my Local to 406 Businesses and 545 shoppers.
  - Agreeing the provision of services for other Councils on Payroll and Fraud prosecutions.
  - Completion of new mini and junior football pitches to the rear of Rayleigh Leisure Centre.
  - Gaining accreditation (with 100% compliance) in the new Customer Service Excellence inspection for the Revenues and Benefits service.
  - Dealing with the rise in benefit claims without increasing staff.

### Key Policies 2011 – 2012

The following list highlights the main policies and strategies of the Council that will require review over the next twelve months.

- The Corporate Plan 2011 – 2016.
- The Local Development Framework.
- The Joint Area Action Plan for London Southend Airport.
- Individual Action Plans for Hockley, Rochford and Rayleigh Town Centres.
- The Asset Management Plan.
- The Capital Strategy.
- The Annual Report.
- Workforce Development Plan.



**Legend**

**Wards**

1	Ashingdon and Canewdon	8	Hawkwell West	15	Rochford
2	Barling and Sutton	9	Hockley Central	16	Sweyne Park
3	Downhall and Rawreth	10	Hockley North	17	Trinity
4	Foulness and Great Wakering	11	Hockley West	18	Wheatley
5	Grange	12	Hullbridge	19	Whitehouse
6	Hawkwell North	13	Lodge		
7	Hawkwell South	14	Rayleigh Central		



## Achieving our objectives from 2011 – 2016

Through the work around the budget process, the Council has identified its key priorities for 2011/2012 and the period up until 2015/2016. These are described below and are aligned to one or more of the Council's four key objectives. The focus and detail is very much on those things to be delivered or started in 2011 – 2012, recognising that the action plan is reviewed and updated on an annual basis.

The Council provides a wide range of services, functions and facilities. Our key targets for the year are listed under our four objectives, but in terms of absolute priorities, those listed below are seen as paramount for the year ahead:

- Continuing to deliver efficiency savings and identifying opportunities for increasing income.
- Continuing to focus on Workforce Development to improve the Council's leadership capacity, the skills and capacity of the workforce and the organisation as whole.
- Continuing to ensure the Council's asset base remains fit for purpose to meet the Council's organisational, service and budgetary requirements.
- Continuing the procurement work for the new ICT contract, a joint project with three other authorities, which will be awarded from April 2011.
- Planning and preparing for the impact of the introduction of Universal Credit.
- Securing the delivery of 950 houses by 2016, which equated to 190 units in 2011/12, including up to 35% affordable units (social rented and intermediate housing).
- Continuing to develop and consolidate our partnership arrangements around the Local Strategic Partnership and other partnership structures to ensure more effective and efficient delivery.
- Adopting the Core Strategy as the Council's key land-use planning document and progressing the Allocation and Development Management Development Plan Documents to inquiry.
- Implementing the Action Plan that supports the Council's Climate Change and Sustainability Strategy – Climate CO2de.
- Continuing to improve recycling rates with the new Materials Recovery Facilities contract and completing the roll out of the recycling scheme to flats and mobile home sites.
- Continuing to improve customer facilities and access arrangements at Cherry Orchard Jubilee Country Park.
- Progressing the three town centre studies for Hockley, Rochford and Rayleigh to detailed Action Plans for each centre.
- Implementing the Action Plan associated with the Council's new Economic Development Strategy, particularly those measures highlighted to combat recession and encourage regeneration of the local economy.
- Progressing the Joint Area Action Plan in partnership with Southend Borough Council, covering London Southend Airport and its environs.

### Making a difference to our people

A key challenge for the Council is to continue to improve and meet the increasing and changing expectations of our customers, whilst at the same time having a much reduced level of grant funding from

Central Government. For many of our customers there is no choice but to use the service on offer by the Council and therefore it is important that we deliver our services in the most cost effective way to a standard which is recognised as excellent. If we wish to deliver our vision '**To make Rochford District a place which provides opportunities for the best possible quality of life for all who live, work and visit here**' it is important we get our service offer right and ensure it continues to meet the ever changing demands placed upon us.

#### **Our key targets for the next 12 months are:**

- Continuing to deliver efficiency savings and identifying opportunities for increasing income.
- Continuing to focus on Workforce Development to improve the Council's leadership capacity, the skills and capacity of the workforce and the organisation as whole.
- Continuing to ensure the Council's asset base remains fit for purpose to meet the Council's organisational, service and budgetary requirements.
- Continuing the procurement work for the new ICT contract which will be awarded from April 2013.
- Planning and preparing for the impact of the introduction of Universal Credit.

#### **Our longer term targets for 2016 are:**

- To retain the Investors in People Gold Status we have been awarded at our next re-assessment in 2014/15
- To maintain our Member Development Charter Status at our next re-assessment in 2013/2014.

### **Making a difference to our community**

In order to achieve the Council's vision we recognise that we must have an inclusive community where residents are not only safe but feel they are safe. Although the District already has a very low crime rate compared to the rest of the Country and other parts of Essex, the Council (as part of the LSP) aims to make the District even safer by actively playing its part in the Local Community Safety Partnership (CSP), which involves a wide range of statutory and voluntary agencies. The Council appreciates the link between high levels of community involvement and the feeling of safety and is therefore keen to promote vibrant communities.

Also important to the Council is the caring aspect, aiming to progress services and initiatives which deal with the more vulnerable sections of our community, either alone or in partnership with other public agencies, the private sector or the voluntary and community sector.

#### **Our key targets for the next 12 months are:**

- Securing the delivery of 950 houses by 2016, which equated to 190 units in 2011/12, including up to 35% affordable units (social rented and intermediate housing).
- Continuing to develop and consolidate our partnership arrangements around the Local Strategic Partnership and other partnership structures to ensure more effective and efficient delivery.

#### **Our longer term targets for 2016 are:**

- Through the local CSP, to continue to achieve sustainable levels of crime reduction and fear of crime by tackling crime and the causes of crime, targeting specific issues and particular problem areas where appropriate.

- Implement a series of initiatives aimed at providing more and/or alternative facilities specifically for young people, with the intention to secure at least one new/improved facility per year.

### **Making a difference to our environment**

We are committed to looking after the environment of the District; protecting the amenities of residents and preparing plans for future development that are well designed and sustainable.

Growing awareness of the impact of climate change means that the work we do for the benefit of the District and the plans we prepare for the future must be carefully considered, be sustainable, and balance the needs of residents, workers and visitors against our long-term ambition to protect and enhance the environment.

#### **Our key targets for the next 12 months are:**

- Adopting the Core Strategy as the Council's key land-use planning document and progressing the Allocation and Development Management Development Plan Documents to inquiry.
- Implementing the Action Plan that supports the Council's Climate Change and Sustainability Strategy – Climate CO2de.
- Continuing to improve recycling rates with the new Materials Recovery Facilities contract and completing the roll out of the recycling scheme to flats and mobile home sites.
- Continuing to improve customer facilities and access arrangements at Cherry Orchard Jubilee Country Park.
- Continuing to seek improvements in local air quality.

#### **Our longer term targets for 2016 are:**

- To ensure that community facilities provision and access to these is considered in all new major residential developments.
- Achieve a 70% recycling rate.
- To work on reducing the Council's own carbon dioxide emissions by 10% (based upon 2008 baseline).
- To continue to improve and upgrade our parks and open spaces through a rolling programme of open space refurbishment.
- To support the Royal Society for the Protection of Birds (RSPB) in its proposals to secure the Wallasea Island wetlands project for bird watching and other recreation.
- To improve public access to the rivers Crouch and Roach.
- To utilise the LDF process to support and enhance our built heritage of listed buildings conservation areas and locally important buildings.

### **Making a difference to our local economy**

The Council seeks to work with partners to support local businesses through the recession. In addition the Council will seek to maximise and encourage economic growth for the benefit of the communities in the area.

The District of Rochford is located within the Thames Gateway South Essex sub region. Within South Essex, considerable change to the economy and social environment is planned with an increase of 55,000 net additional jobs across the sub region by 2021 – approximately 20%. There are currently 21,000 jobs in the District and very low rates of unemployment. However, outward migration is high with 68% of workers commuting out of the District to work.

To meet the aspirations of our communities and to begin to sow the seeds for more dynamic and sustainable employment locally, we need to further develop the regeneration of our employment areas and town centres. At this first stage, key to this process will be the planning policies contained in our Local Development Plan (LDF).

**Our key targets for the next 12 months are:**

- Progressing the three town centre studies for Hockley, Rochford and Rayleigh to detailed Action Plans for each centre.
- Implementing the Action Plan associated with the Council's new Economic Development Strategy, particularly those measures highlighted to combat recession and encourage regeneration of the local economy.
- Progressing the Joint Area Action Plan in partnership with Southend Borough Council, covering London Southend Airport and its environs.
- To work with the County Council as highway authority, specifically in making improvements to Sutton Road, Watery Lane and access to Baltic Wharf.
- Continue to implementing the Action plan associated with the new Economic Development Strategy.
- Through the LDF process, to seek to develop policies which result in the replacement of the old and poorly located industrial estates within the District. At the same time, to identify the provision of new employment areas.
- To use the LDF process to secure the long-term future of the wharfage at Baltic Wharf as an employment area and ensure that appropriate access infrastructure is put in place.

**Our longer term targets for 2016 are:**

- To work with the County Council as highway authority, to look at potential solutions to the current congestion problems across the District to ensure the highway infrastructure becomes 'fit for purpose' and at the same time, discuss with them the public transport network to ensure a more frequent, reliable and comprehensive system with better linkages between bus and rail.

**Corporate Plan – Action Plan 2011 – 2012**

The Corporate Plan Action Plan highlights our key targets that the authority will be working towards over the next twelve months.

<b>Making a difference to our people</b>			
<b>Key Targets</b>	<b>Deadline</b>	<b>Key Activities &amp; Actions</b>	<b>Portfolio Holder</b>
<ul style="list-style-type: none"> <li>Continue to deliver efficiency savings and identify opportunities for increasing income</li> </ul>	<b>March 2012</b>	<p>Each Head of Service to come forward with savings and income suggestions. Savings incorporated into revised estimates by December 2011.</p> <p>Report on achievement of savings for 2011/12 as part of the final accounts.</p>	<b>Leader &amp; Finance &amp; Resources</b>
<ul style="list-style-type: none"> <li>Continue to focus on Workforce Development to improve the Council's Leadership capacity &amp; skills and the capacity of the workforce as a whole</li> </ul>	<b>March 2012</b>	Deliver the key themes identifies in the Workforce Development Year 2 action plan	<b>Finance &amp; Resources</b>
<ul style="list-style-type: none"> <li>Continue to ensure the Council's asset base remains fit for purpose to meet the Council's organisational, service and budgetary requirements</li> </ul>	<b>March 2012</b> <b>March 2012</b> <b>August 2011</b>	<p>Apply a structured programme for inspection of the authority's assets.</p> <p>Continue the development of the Hall Road cemetery</p> <p>Re-let the building maintenance contract.</p>	<b>Finance &amp; Resources</b>
<ul style="list-style-type: none"> <li>Continue the procurement work for the new ICT contract</li> </ul>	<b>Dec 2011</b>	Work with 3 partner authorities to undertake joint procurement in tender process. Award contract.	<b>Service Development / Improvement &amp; Performance Management</b>
<ul style="list-style-type: none"> <li>Plan &amp; prepare for the impact of the introduction of Universal Credit.</li> </ul>	<b>March 2012</b>	Monitor information & guidance coming out from Central Government on implementation and action accordingly.	<b>Council tax collection, benefits and strategic housing functions</b>

Making a difference to our community			
Key Targets	Deadline	Key Activities & Actions	Portfolio Holder
<ul style="list-style-type: none"> <li>Continue to develop and consolidate our partnership arrangements via the LSP and other partnerships such as the Community Safety Partnership (CSP) to develop and improve service provision to our communities, particularly around the ageing population</li> </ul>	<p><b>September 2011</b></p> <p><b>March 2012</b></p> <p><b>October 2011</b></p>	<p>Finalise restructuring of Local Strategic Partnership arrangements.</p> <p>Ensure progress against a range of smart targets for all partnerships under the Local Strategic Partnership.</p> <p>Review and refresh CSP strategic assessment partnership plan and membership of CSP steering group and sub groups.</p>	<p><b>Leader &amp; Young Persons, Adult Services, Community Care &amp; Well-being, Health and Community Safety</b></p>
<ul style="list-style-type: none"> <li>Continue to improve our council tax and benefits service</li> </ul>	<p><b>Ongoing</b></p>	<p>Explore the potential opportunities for joint working or the provision of shared services with other public agencies to ensure resilience.</p>	<p><b>Council Tax Collection, Benefits and Strategic Housing Functions</b></p>
<ul style="list-style-type: none"> <li>Continue to improve service access and delivery for our community</li> </ul>	<p><b>March 2012</b></p>	<p>Progress services and initiatives which deal with the vulnerable sections of our community, including implementation of the ageing population strategy.</p>	<p><b>Leader &amp; Young Persons, Adult Services, Community Care &amp; Well-being, Health and Community Safety</b></p>
<ul style="list-style-type: none"> <li>Secure delivery of 190 housing units including up to 35% affordable units.</li> </ul>	<p><b>March 2012</b></p>	<p>Adoption of the Core Strategy and implementation of approved planning applications in line with an agreed policy framework.</p>	<p><b>Planning and Transportation</b></p>

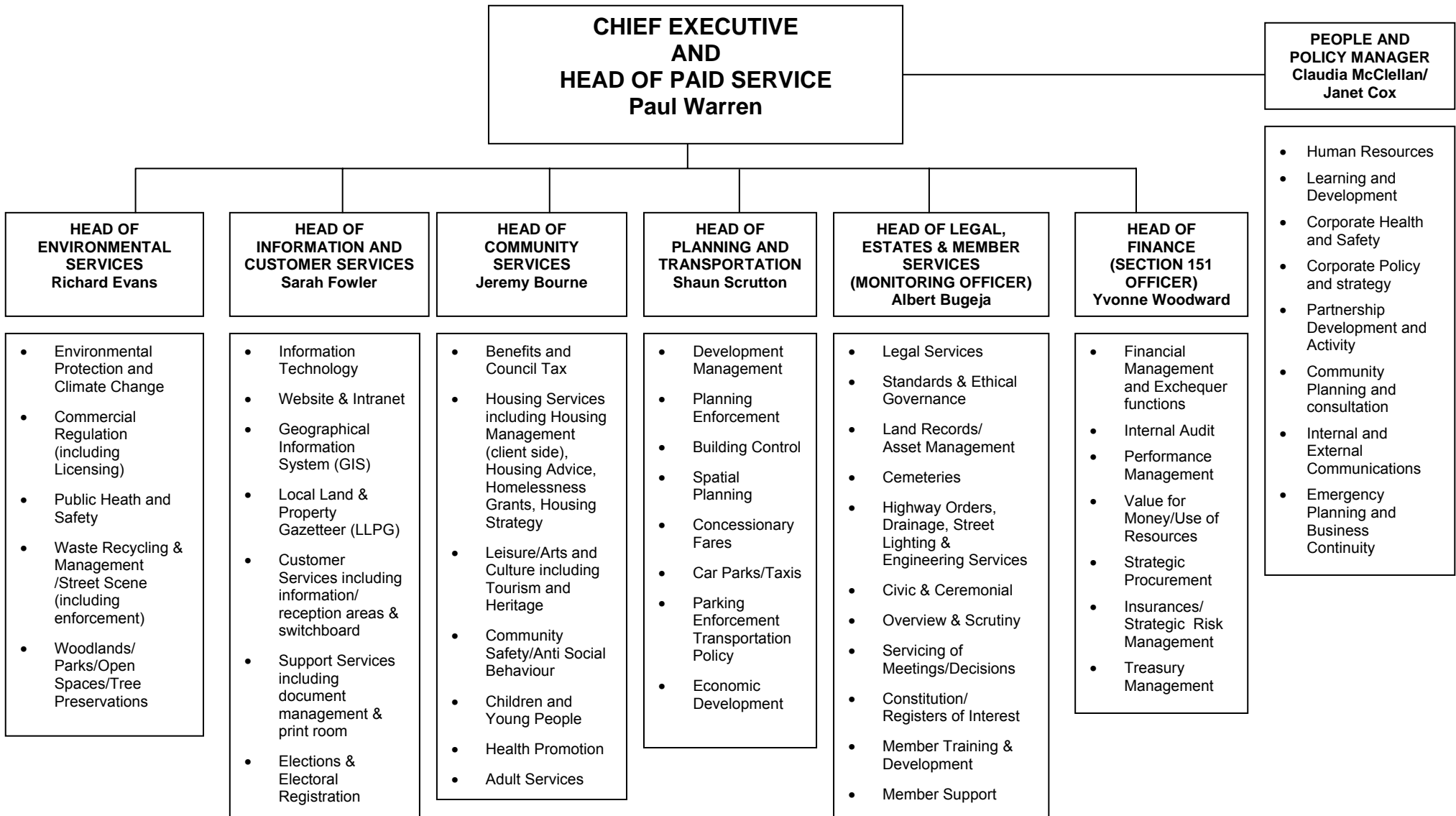
Making a difference to our environment			
Key Targets	Deadline	Key Activities & Actions	Portfolio Holder
<ul style="list-style-type: none"> <li>Progressing the LDF Core Strategy through adopting the Core Strategy as the Councils key land-use planning document and progressing the allocation and development management plan document to inquiry.</li> </ul>	<b>Ongoing</b>	Complete programme of hearing sessions.	<b>Planning and Transportation</b>
<ul style="list-style-type: none"> <li>Implementing the Action Plan that supports the Councils Climate Change and Sustainability Strategy – Climate Co2de</li> </ul>	<b>Ongoing</b>	Deliver the agreed programme of community and Council based activities; review plans and policies and instigate any necessary improvements	<b>Environment</b>
<ul style="list-style-type: none"> <li>Improve customer facilities and access routes in and around Cherry Orchard Jubilee Country Park</li> </ul>	<b>March 2012</b>	Provide customer facilities and access routes.	<b>Environment</b>
<ul style="list-style-type: none"> <li>Continue to improve recycling rates</li> </ul>	<b>March 2012</b>	Complete the roll out of the new scheme to flats and mobile home sites. Educate local businesses to recycle via advertising/leaflet material.	<b>Environment</b>
<ul style="list-style-type: none"> <li>Continue to monitor and seek improvements in local air quality</li> </ul>	<b>Ongoing</b>	Following declaration of an Air Quality Management Area for the Rawreth Industrial Estate, an Action Plan will be developed by July 2011. The action plan will be submitted to DEFRA for their approval.	<b>Environment</b>

## Corporate Plan – Action Plan

Making a difference to our local economy			
Key Targets	Deadline	Key Activities & Actions	Portfolio Holder
<ul style="list-style-type: none"> <li>Implement the Joint Area Action Plan in partnership with Southend Borough Council, covering London Southend Airport and its environs.</li> </ul>	<b>March 2013</b>	Finalise the submission version of the plan, followed by a public examination and adoption following the receipt of the inspector's report.	<b>Planning and Transportation</b>
<ul style="list-style-type: none"> <li>Implementing the Action plan associated with the new Economic Development Strategy, particularly those measures highlighted to combat recession and encourage regeneration.</li> </ul>	<b>Ongoing</b>	Improving the business support offer by issuing quarterly newsletters, developing further the business forums and running the business breakfasts. Conducting the young entrepreneur of the year awards Continue to develop and manage the delivery of shop at my local. Continue to deliver Low Carbon Business in partnership with Groundwork and TGSE local authorities through the Low Carbon Action Plan.	<b>Leisure, Tourism, Heritage, the Arts, Culture and Business</b>
<ul style="list-style-type: none"> <li>Progressing the three town centre studies for Hockley, Rochford and Rayleigh to detailed action plans for each centre</li> </ul>	<b>April – June 2012</b>	Preparation of the submission version of each town centre area action plan. It is anticipated that each plan will be subject to a public examination following submission in 2011/12, leading to adoption in early 2012/13.	<b>Planning and Transportation</b>



Appendix 1 – Organisational Chart



## Appendix 2 – Executive Appointments – 2011/12

Portfolios	Appointee
Overall Strategy and Policy Direction (Leader)	Cllr T G Cutmore
Planning and Transportation (Deputy Leader)	Cllr K H Hudson
Council Tax Collection, Benefits and Strategic Housing Functions	Cllr M Maddocks
Environment	Cllr M J Steptoe
Finance and Resources	Cllr C G Seagers
Leisure, Tourism, Heritage, the Arts, Culture and Business	Cllr K J Gordon
Service Development/Improvement & Performance Management	Cllr Mrs G A Lucas-Gill
Young Persons, Adult Services, Community Care and Well-Being, Health and Community Safety	Cllr Mrs J E McPherson



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**INVESTORS  
 IN PEOPLE** | Gold

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**EXECUTIVE DECISION BY PORTFOLIO HOLDER FOR PLANNING  
AND TRANSPORTATION****SUBJECT: ROCHFORD CORE STRATEGY – WAY FORWARD****1 DECISION MADE**

- 1.1 It is recommended that a formal request be made to the Inspector that the examination into the Core Strategy be suspended until December 2011, and that in the meantime work is undertaken to identify and consult on the amendments required to ensure the Core Strategy has regard to the likely adoption date of 2012 (option A).
- 1.2 Under the Council's constitution, the decision to make such a request to the Inspector is within the remit of the Portfolio Holder. However, given the significance of the Core Strategy, the Portfolio Holder considers it appropriate for all Members to have the opportunity to discuss the way forward at this crucial juncture. As such, the above recommendation will be considered at Council.

**2 REASON FOR DECISION**

- 2.1 The attempts by government to change national planning policy, the statements issued, and the subsequent decision that such actions were unlawful have caused considerable delays to the Core Strategy process and placed the Council in a difficult position vis-à-vis its planning framework for the District. There is a considerable lack of clarity in respect of the national position. It is hoped that the Localism Bill will provide clarity going forward.
- 2.2 The affect of the delay in proceeding to adoption has resulted in the need to undertake review and undertake amendments to the plan to accord with an expected adoption date in 2012.
- 2.3 It is considered to be essential that a clear, sound framework for the future development of the district is put in place without further delay. The implications of not doing so are the likelihood of planning applications for development in locations that are not considered to be acceptable to the Council, but without a demonstrable five year supply of housing land would be difficult, if not impossible to resist.

**3 WAY FORWARD****Option A**

- 3.1 Submit a request to the Inspector that the Core Strategy examination be suspended and undertake the required minor changes to the Core Strategy to have regard to the delays in the adoption date, proceeding on the basis of the retention of the 190 dwellings per annum housing delivery rate.

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- 3.2 Minor policy revisions would be required due to the delays in the examination. Such changes would require some additional work on the Core Strategy.
- 3.3 This approach is not currently permissible (as clarified by the Inspector), but is expected to be once the Localism Bill has achieved Royal Assent. As such, it is suggested that the Core Strategy examination be suspended until December 2011. The Council may request that the Inspector suspend the examination until December 2011 in order to allow the outcome of the Localism Bill to be considered, and to enable the Council to undertake other minor changes on the Core Strategy to ensure the plan period has regard to the likely new adoption date.
- 3.4 The Council has already prepared a timetable for the Core Strategy which addresses the separate issue of the Core Strategy SA Addendum and need for additional consultation if the SA Addendum<sup>1</sup> were to suggest changes to the Core Strategy are required (the “Scenario 2” timetable). The Inspector has already agreed to this timetable in which further public consultation on changes could take place from 3 August until 26 September 2011. The Inspector also stated that this consultation period could be used to make further amendments to the Core Strategy aside from those engendered by the SA Addendum. Although not referring to the types of changes envisaged if this option were to be pursued, in principle, this provides a potential timeframe in which consultation could be undertaken and the Core Strategy finalised by November 2011.
- 3.5 The Inspector may require further hearing sessions and / or written representations on revisions to the Core Strategy.
- 3.6 If this option were to be pursued, the Council would draw up a revised timetable for the Core Strategy. It is envisaged that the Core Strategy would be adopted in early 2012.

#### **4 ALTERNATIVE OPTIONS CONSIDERED**

##### **Option B**

- 4.1 Undertake revisions to the Core Strategy to restore the original minimum housing targets of 250 dwellings per annum, so as to be in general conformity with the East of England Plan 2008.
- 4.2 This would constitute a change to the Council’s agreed approach of 190 dwellings per annum. It would not simply be a case of reverting back to the Core Strategy as originally submitted, as the original housing policies ran until 2025 and the Core Strategy is required to set policies for the delivery of

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<sup>1</sup> This report is not intended to address the issue of whether changes to the Core Strategy are required as a result of the SA Addendum work. This issue will be addressed separately.

housing for at least 15 years. Given the delays, policies which set out the distribution until 2027 would be appropriate.

- 4.3 Revisions to the Core Strategy, once agreed, would need to be subject to public consultation and appraisal.

**5 NAME OF PORTFOLIO HOLDER**

- 5.1 Cllr Keith Hudson

**6 LEAD OFFICER**

- 6.1 Shaun Scrutton, Head of Planning and Transportation

I confirm that the above decision does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

Portfolio Holder Signature: \_\_\_\_\_



Date of Decision: 7<sup>th</sup> July 2011

**Note:** Please ensure that Member Services are provided with the original of the decision on the day it is taken (or by 10.00 am the following morning at the latest) to enable publication.

**REPORT TO PORTFOLIO HOLDER FOR PLANNING AND  
TRANSPORTATION**

**REPORT FROM HEAD OF PLANNING AND TRANSPORTATION**

**SUBJECT: ROCHFORD CORE STRATEGY – WAY FORWARD**

**1 DECISION BEING RECOMMENDED**

- 1.1 That the Council make a formal request to the Inspector that the examination into the Core Strategy be suspended until December 2011, and that work is undertaken to identify and consult on the amendments required to ensure the Core Strategy has regard to the likely adoption date of 2012.

**2 REASON/S FOR RECOMMENDATION**

- 2.1 The attempts by government to change national planning policy, the statements issued, and the subsequent decision that such actions were unlawful have caused considerable delays to the Core Strategy process and placed the Council in a difficult position vis-à-vis its planning framework for the District. There is a considerable lack of clarity in respect of the national position. It is hoped that the Localism Bill will provide clarity going forward.
- 2.2 The affect of the delay in proceeding to adoption has resulted in the need to undertake review and undertake amendments to the plan to accord with an expected adoption date in 2012.
- 2.3 It is considered to be essential that a clear, sound framework for the future development of the district is put in place without further delay. The implications of not doing so are the likelihood of planning applications for development in locations that are not considered to be acceptable to the Council, but without a demonstrable five year supply of housing land would be difficult, if not impossible to resist.

**3 SALIENT INFORMATION**

- 3.1. The Core Strategy is a key part of the Local Development Framework – a collection of documents which set out how development will be managed in the District over the next 15 years, and beyond.
- 3.2 The production of the Core Strategy was an iterative process with the submission version being agreed at Council on 9 September 2009. This version set out the Council's strategy for delivering a minimum of 250 dwellings per annum, in accordance with the requirements of the East of England Plan 2008 (the relevant Regional Spatial Strategy for Rochford District).
- 3.3 The next stage in the Core Strategy process was for the document to be subject to pre-submission consultation, in which members of the public and

other stakeholders were given the opportunity to make representations on whether they felt the Core Strategy was sound and legally compliant. The results of this consultation, together with the submission version of the Core Strategy and other evidence documents, were submitted to the Planning Inspectorate for examination in January 2010.

- 3.4 The role of the Planning Inspectorate is to conduct an examination into the soundness and legal compliance of the Core Strategy on behalf of the Secretary of State. Guidance from the Planning Inspectorate states that the time period between submission and their final report on soundness and legal compliance is six months. That being the case, it was anticipated the final Core Strategy could be adopted in autumn 2010.
- 3.5 However, on 27 May 2010 the Secretary of State for the Department of Communities and Local Government wrote to Local Planning Authorities informing them of his intention to abolish Regional Spatial Strategies. Importantly, the letter also stated this intention to abolish Regional Spatial Strategies should be regarded as a material planning consideration by Local Planning Authorities and the Planning Inspectorate.
- 3.6 The Inspector conducting the examination into the soundness of the Core Strategy wrote to the Council and other Core Strategy participants on 14 June 2010 inviting representations in light of the Secretary of State's actions.
- 3.7 On 6 July 2010 the Secretary of State for the Department of Communities and Local Government issued a statement revoking Regional Spatial Strategies under s79(6) of the Local Democracy Economic Development and Construction Act 2009. This meant that Regional Spatial Strategies, including the East of England Plan, no longer formed part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004. In short, the Rochford District Core Strategy was no longer required to conform to the East of England Plan, including the housing allocation of 250 dwellings per annum.
- 3.8 The government issued advice alongside the revocation of the Regional Spatial Strategies which stated that Local Planning Authorities should continue with the production of their Local Development Frameworks, but may wish to review them in light of the revocation of Regional Spatial Strategies.
- 3.9 The Inspector in the Core Strategy examination wrote to the Council and asked for a response to the aforementioned letter (in addition to other changes). Accordingly, having regard to the government's decisions and advice, the Council proposed that the housing policies in the Core Strategy be amended to deliver a maximum of 190 dwellings per annum over an extended plan period to 2031. The justification for this approach was set out and submitted as part of the examination<sup>1</sup>. In short, this approach was felt to be

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<sup>1</sup> Core Strategy Topic Paper 3 – Sustainable Housing Allocation for Rochford District.

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an appropriate balance between addressing identified need, as evidenced through a Strategic Housing Market Assessment report, and consideration of the environmental constraints the District is subject to. It is the figure that was agreed at the regional level, as part of the draft review of the East of England Plan (RSS31). RSS31 was agreed by the Regional Assembly and submitted to government for approval in March 2010. The draft plan proposed revised housing figures for the period 2011 – 2031, having regard to the view of stakeholders (including Rochford District Council) and supported by Sustainability Appraisal and Habitats Regulations Assessment. However, it was never formally approved as part of the Regional Spatial Strategy by government, as the government sought to revoke and abolish this tier of the plan making process.

- 3.10 The aforementioned amendments to the Core Strategy were approved by Council on 14 October 2010, and subject to public consultation from 18 October 30 November. The amendments were subsequently submitted, along with supporting documents<sup>2</sup>, to the Inspector for examination.
- 3.11 Public hearings to consider the proposed amendments to the Core Strategy took place in February 2011.
- 3.12 Meanwhile, whilst the Council was undertaking changes to the Core Strategy in light of the Secretary of State pronouncements, a third party (CALA Homes) challenged the legality of the Secretary of State's decision to revoke Regional Spatial Strategies. On 10 November 2010, the High Court determined that the revocation of Regional Spatial Strategies by the Secretary of State was unlawful.
- 3.13 However, on the same day, the Secretary of State issued a statement, and wrote to all Local Planning Authorities, claiming that the Court's ruling "changed very little" and that advice from the letter of 27 May 2010 still stood.
- 3.14 CALA challenged this stance, but following a series of court hearings was eventually defeated in February 2011 when the High Court ruled that Councils should regard the letter from the Secretary of State, and the intention to revoke Regional Spatial Strategies, as a material consideration.
- 3.15 CALA appealed this decision. On 27 May 2011 the Court of Appeal dismissed the claim that the government's intention to revoke regional strategies could never be a lawful material consideration in planning decisions. However, this was something of a pyrrhic victory for the Secretary of State, as the Court of Appeal clarified two key points in its judgment:

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<sup>2</sup> See under *Related Documents* at [http://www.rochford.gov.uk/planning/policy/local\\_development\\_framework/core\\_strategy\\_dpd.aspx](http://www.rochford.gov.uk/planning/policy/local_development_framework/core_strategy_dpd.aspx)



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- The proposed abolition of Regional Spatial Strategies was capable of being material in the determination of planning applications, but only in very limited circumstances;
  - The proposed abolition of Regional Spatial Strategies is not a material consideration at all in plan-making (e.g. the preparation of Core Strategies) and that it would be unlawful for a Local Planning Authority preparing, or a Planning Inspector examining, Development Plan Documents to have regard to the proposal to abolish Regional Spatial Strategies.
- 3.16 The judgment suggests that, whilst the Council's decision to amend the Core Strategy such as it no longer sought to deliver 250 dwellings per annum as per the requirements of the East of England Plan was in accordance with government advice at the time, the Inspector who must determine the soundness of the Core Strategy now cannot lawfully have regard to the proposal to abolish Regional Spatial Strategies in reaching her decision.
- 3.17 On 10 May 2011 the Inspector wrote to the Council, clarifying her views on the implications of the appeal on the Core Strategy:
- “As you will be aware from the hearing sessions, an area of concern is the relevance of the RS [Regional Spatial Strategy] housing figures. In this regard I have to take into account the fact that the RS remains part of the development plan and that your strategy has to be in general conformity with the RS. Accordingly, as you will see in my report which you will shortly get for fact check purposes, I have not been able to support your proposed changes which were published for consultation last autumn.”
- 3.18 At the same time, the Council was also made aware of a recent High Court Ruling in the case of *Save Historic Newmarket v. Forest Heath District Council* in relation to a separate matter, namely the format of Sustainability Appraisals. Rochford District Council requested that the issuing of a decision on the soundness of the Core Strategy be delayed to enable the Council to undertake a review of the Core Strategy Sustainability Appraisal. The Planning Inspectorate accepted this request and, as such, no report from the Inspector has yet been received.
- 3.19 Notwithstanding the various pronouncements from the Secretary of State and the legal challenges, the Localism Bill is proceeding through parliament and clause 89 provides for the abolition of spatial strategies. Royal Assent of the Localism Bill is expected by November 2011.
- 3.20 The Core Strategy is therefore out of sync with the legal position in relation to the status of the East of England Plan. In order to ensure the plan can be found sound prior to the enactment of the Localism Bill, it would be necessary to revert to a housing allocation which requires the delivery of a minimum of 250 dwellings per annum over the period to 2027 (to allow for a plan period of 15 years). This is not however the Council's preference for housing delivery, the plan amendment proposing a reduced, maximum provision of 190

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dwellings per annum, though over a slightly longer plan period. The preferred option could be adopted once the East of England Plan is revoked.

- 3.21 The Council is currently undertaking additional work on the Sustainability Appraisal in light of the Forest Heath case. The results of this will have to be considered in the Core Strategy. The draft out to public consultation until 11 July 2011 suggests that the current proposed housing locations and employment locations in the Core Strategy are sustainable locations when compared to alternatives.
- 3.22 The additional work on the SA addendum is important, but in considering the timetable for the possible adoption of the plan it has become apparent that the delays to date mean that a further review is required to take account of the delayed adoption date.

#### **4 ALTERNATIVE OPTIONS CONSIDERED**

##### **Option A**

- 4.1 Submit a request to the Inspector that the Core Strategy examination be suspended and undertake the required minor changes to the Core Strategy to have regard to the delays in the adoption date, proceeding on the basis of the retention of the 190 dwellings per annum housing delivery rate.
- 4.2 Minor policy revisions would be required due to the delays in the examination. Such changes would require some additional work on the Core Strategy.
- 4.3 This approach is not currently permissible (as clarified by the Inspector), but is expected to be once the Localism Bill has achieved Royal Assent. As such, it is suggested that the Core Strategy examination be suspended until December 2011. The Council may request that the Inspector suspend the examination until December 2011 in order to allow the outcome of the Localism Bill to be considered, and to enable the Council to undertake other minor changes on the Core Strategy to ensure the plan period has regard to the likely new adoption date.
- 4.4 The Council has already prepared a timetable for the Core Strategy which addresses the separate issue of the Core Strategy SA Addendum and need for additional consultation if the SA Addendum<sup>3</sup> were to suggest changes to the Core Strategy are required (the “Scenario 2” timetable). The Inspector has already agreed to this timetable in which further public consultation on changes could take place from 3 August until 26 September 2011. The Inspector also stated that this consultation period could be used to make further amendments to the Core Strategy aside from those engendered by the SA Addendum. Although not referring to the types of changes envisaged if this option were to be pursued, in principle, this provides a potential timeframe

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<sup>3</sup> This report is not intended to address the issue of whether changes to the Core Strategy are required as a result of the SA Addendum work. This issue will be addressed separately.

in which consultation could be undertaken and the Core Strategy finalised by November 2011.

- 4.5 The Inspector may require further hearing sessions and / or written representations on revisions to the Core Strategy.
- 4.6 If this option were to be pursued, the Council would draw up a revised timetable for the Core Strategy. It is envisaged that the Core Strategy would be adopted in early 2012.

### **Option B**

- 4.7 Undertake revisions to the Core Strategy to restore the original minimum housing targets of 250 dwellings per annum, so as to be in general conformity with the East of England Plan 2008.
- 4.8 This would constitute a change to the Council's agreed approach of 190 dwellings per annum. It would not simply be a case of reverting back to the Core Strategy as originally submitted, as the original housing policies ran until 2025 and the Core Strategy is required to set policies for the delivery of housing for at least 15 years. Given the delays, policies which set out the distribution until 2027 would be appropriate.
- 4.9 Revisions to the Core Strategy, once agreed, would need to be subject to public consultation and appraisal.

## **5 RISK IMPLICATIONS**

### **Risk Implications of Option A**

- 5.1 There is recent precedent for an Inspector to allow the suspension of a Core Strategy examination, including at Luton and Bedfordshire where the issue of concern related to the consideration of the revocation of Regional Spatial Strategies. However, the Inspector would be under no obligation to accept the request to suspend the examination.
- 5.2 The figure of 190 dwellings was agreed at the regional level, as part of the draft review of the East of England Plan (RSS31) and as such formed part of a plan that was supported by Sustainability Appraisal and other evidence. However, this plan was not formerly implemented and as such there is no guarantee the figure would be accepted by government.
- 5.3 The approach relies upon the Localism Bill achieving Royal Assent and abolishing Regional Spatial Strategies; the current version of the Bill proposes the latter, but both matters are beyond the Council's control.
- 5.4 The Council is also reliant on the government competently and lawfully abolishing Regional Spatial Strategies through the Localism Bill, and for the abolition to be enacted relatively swiftly after the Bill. It is a possibility that further regulations will be required to be implemented before the abolition of

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Regional Spatial Strategies can take place. It is also a possibility that the Localism Bill itself will be further delayed.

- 5.5 Of crucial importance is that the Council is reliant upon the Core Strategy to ensure it has a five-year supply of housing. Failure to ensure a five-year supply of housing may leave the District exposed to applications for development within the District in locations not considered to be the most sustainable, which do not conform to the Council's vision for the development of the District, and through which wider and cumulative impacts are not addressed.
- 5.6 The Council cannot adopt a Core Strategy until it has been found sound and legally compliant by the Planning Inspectorate.

### **Risk Implications of Option B**

- 5.7 This option would require: changes to be made to the Core Strategy; these changes to be agreed by Council; consultation and appraisal to be undertaken on said changes; the results of consultation and appraisal to be analysed and fed into the decision-making process; and, depending on the outcome of the consultation / appraisal, a final Core Strategy to be agreed. This would cause a delay in the Core Strategy process as, unlike Option A, it would not be feasible to be in a position to be out to consultation in August due to the degree of change to the Core Strategy that would be required.
- 5.8 To adjust the Core Strategy to deliver 250 dwellings per annum would require more time. The less time the Council is left without a Core Strategy, the less it is vulnerable to applications for development that do not conform to the Council's vision for the future of the District.
- 5.9 Furthermore, it is likely that the process would not be clear before the Localism Bill is enacted. As such, by the time the Council has amended the Core Strategy to be in conformity with the Regional Spatial Strategy, it may no longer be required to do so. However, as discussed above, it is not entirely clear at this juncture whether the Localism Bill will, on its own, completely revoke / abolish Regional Spatial Strategies.
- 5.10 Under the current planning regulations<sup>4</sup>, if the Council were to submit changes to the Core Strategy with a view to conforming to the East of England Plan, the Council would be required to write to the Regional Planning Body to request its opinion as to the general conformity of the Core Strategy with the Regional Spatial Strategy. However, Regional Planning Bodies no longer exist, having been successfully abolished by the government. Further advice from the Planning Inspectorate would be required in this respect – it is currently unclear how the Council would be required to proceed.

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<sup>4</sup> Regulation 29 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008

**6 ENVIRONMENTAL IMPLICATIONS**

- 6.1 There is little doubt that delays in putting in place a clear planning framework for the future development of the district will increase the likelihood of planning applications being sought for development on land that is not considered to be acceptable for development, and will have unacceptable environmental impacts. The key test will be the availability of a five year supply of housing and, as explained, this is dependent on the adoption of the Core Strategy.

**7 RESOURCE IMPLICATIONS****Resource Implications of Option A**

- 7.1 If the Inspector were to accept the request to suspend the examination, additional examination time, plus potentially additional hearing sessions, would be required which would engender a cost to the Council. This could be met from existing resources.

**Resource Implications of Option B**

- 7.2 Similar situation to Option A, albeit requiring more officer time and resources.

**8 LEGAL IMPLICATIONS**

- 8.1 There are clear tests for the assessment of the soundness of a Core Strategy. The legal challenges to the government's stated intention to abolish spatial strategies means there is considerable uncertainty for the Council in progressing the preferred Core Strategy to final adoption, until such time as the Localism Bill becomes law.

I confirm that the above recommendation does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

SMT Lead Officer Signature:  \_\_\_\_\_

Date: 7 July 2011

**Background Papers:**

Rochford Core Strategy as amended, October 2010.