

## Breaking News: Revocation of Regional Strategies

The immediate revocation of Regional Strategies (RS) was announced yesterday, the 6<sup>th</sup> July by the Rt Hon Eric Pickles MP, Secretary of State for Communities and Local Government. Guidance explains that abolition through primary legislation will be pursued over the longer term through the Localism Bill, which is currently being introduced in Parliamentary Session. In the interim, Mr Pickles has employed his executive powers to revoke RS under s79(6) of the Local Democracy, Economic Development and Construction Act 2009. The only exception relates to the London Plan, which is being reviewed to take account of decentralisation.

The guidance covers the transitional period between the revocation and abolition of RS and confirms that they shall no longer form part of the development plan under the provisions of s38(6) of the Planning and Compulsory Purchase Act 2004. The Planning Policy Statement on RS (February 2010) is also cancelled and all references to RS in other Policy Statements are no longer valid.

Whilst the preparation of Local Development Frameworks (LDF) will continue, Local Planning Authorities (LPAs) are advised that they may wish to expediently review their emerging LDF and extant development plan documents following the revocation of RS.

LPAs will now be responsible for establishing and justifying a 5 year housing supply as well as broader areas for development (for up to 15 years) for their area. LPAs will have to advise as soon as possible whether they will uphold or amend their housing figures, so as to provide a level of certainty to the public and developers. For all other issues, such as travellers' sites, waste management, flooding, renewable energy and transport, the guidance is clear that this will be the responsibility of the LPAs, in partnership with other agencies.

This is the first step in achieving the Coalition Government's commitment to 'rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils', as first outlined by Mr Pickles in a letter to Local Authorities on the 27<sup>th</sup> May.

Whilst the revocation makes clear that RS should be discounted when determining applications and appeals, it is not clear as to what extent RS evidence should be taken into account as a material planning consideration.

Rapleys has already observed that a number of LPAs are taking a more restrictive approach to housing allocations and we also anticipate that there will be a clear impact and uncertainty for developers whose applications are either at pre-application, planning or appeal stage and which depend upon the housing figures set out within RS. Delay and uncertainty is likely to follow, however the extent and management of this will be the responsibility of individual LPAs, as they report on the impact of the revocation on their extant or emerging LDF's and Local Plans.

**Should you wish to discuss the implications of the revocation on your business, please do not hesitate to contact one of our nationwide specialists on 0870 777 6292, or directly as below:**

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