



Ministry of Housing,
Communities &
Local Government

Councillor Colin Riley
Leader, Castle Point Borough Council

The Rt Hon Sajid Javid MP
*Secretary of State for Housing, Communities and
Local Government*

**Ministry of Housing, Communities and Local
Government**

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23rd March 2018

Dear Councillor Riley

LOCAL PLAN INTERVENTION

Following your Council's persistent failure over many years to get a Local Plan in place, on 16 November 2017, I expressed concerns about the lack of progress your authority has made on plan-making. The housing White Paper set out that intervention in Local Plans will be prioritised where:

- the least progress in plan-making has been made
- policies in plans had not been kept up to date
- there was higher housing pressure; and
- intervention would have the greatest impact in accelerating Local Plan production

We also made clear that decisions on intervention will be informed by the wider planning context in each area (specifically, the extent to which authorities are working cooperatively to put strategic plans in place, and the potential impact that not having a plan has on neighbourhood planning activity). I gave you the opportunity to put forward any exceptional circumstances by 31 January 2018, which, in your view, justifies the failure to produce a Local Plan under the Planning and Compulsory Purchase Act 2004 regime.

I have considered carefully the submission accompanying your letter of 31 January 2018. The Council has failed to meet its deadline for publication of a Plan between January – March 2018, in accordance with your July 2017 Local Development Scheme. There has been a consistent failure to produce a Local Plan since the last Plan was adopted in 1998. The Council has failed to meet milestones in published Local Development Schemes at least five times since 2004 and two failures to take a plan through examination.

I note the exceptional circumstances given by your Council are that it is constrained by Green Belt, that the previous plan should not have been found unsound and that you are pursuing a Joint Plan in South Essex. These do not appear to be exceptional circumstances. Green Belt challenges are not unique to Castle Point; I have not seen any convincing evidence as to why I should dispute the Inspector's decision to find the previous plan unsound which is in line with decisions on the twelve other authorities who failed the duty to co-operate. The work on the preparation of a joint plan does not appear to be exceptional circumstances, as the other constituent authorities of Basildon and Brentwood are proposing to submit plans ahead of the Joint Plan.

In terms of the intervention criteria, Castle Point appears to have failed to make progress on plan-making, the policies do not appear to be up to date and there is high housing pressure. Given that your Council has said it will not produce a Local Plan until after the Joint Plan has been produced and that the Joint Plan is not due to be submitted until 2020 it appears possible that Plan production could be accelerated through intervention.

Having considered your representations and the Government's policy set out in the November 2017 Written Ministerial Statement and housing White Paper I have decided to continue with the intervention process. This will involve a team of experts, led by the Chief Planner, providing me with further advice on next steps. My officials will be in contact with your officers to discuss the next steps.

My officials will also begin formal discussions on the options of inviting Essex County Council to prepare a Local Plan for Castle Point and with the neighbouring authorities on the possibility of directing an accelerated Joint Plan, as part of considering whether to use my statutory powers and if so which ones.

A handwritten signature in black ink, appearing to read 'S. Javid', with a small comma at the end.

RT HON SAJID JAVID MP