



## **Court reverses ban on RSS abolition consideration**

Court correspondent, PlanningResource, 16 December 2010

### **Order that prevented local planners taking into account proposed abolition lifted**

The move follows an undertaking given by Communities Secretary Eric Pickles to inform planners of a pending legal challenge to the decision.

In November, following a challenge brought by developer Cala Homes, the court ordered that the decision by communities secretary Eric Pickles to revoke the strategies with immediate effect was unlawful.

However, following that ruling, Pickles and the government's chief planning officer, Steve Quartermain, wrote to all local planning authorities on 10 November to tell them to "still regard" the decision to abolish regional strategies as a material consideration.

Quartermain added that planners should still have regard to the letter of 27 May 2010 announcing the revocation of regional strategies in any decisions.

Lawyers for Cala then returned to court, making a further application to court to challenge the lawfulness of that statement and Mr Justice Lindblom, in a preliminary ruling, granted a stay on the effect of that statement.

Now he has lifted that stay, on the basis of an undertaking from the Secretary of State that he will write to all local planning authorities and the Planning Inspectorate to inform them of the pending judicial review challenge to his statement.

An expedited hearing of the judicial review is scheduled for the week beginning 17 January 2011.