



PINS NOTE 10/2018

To: All Inspectors, All Casework Managers

Relevancy: Planning and Enforcement casework (all England only)

Date of Issue: **19 September 2018**

Review Date: 19 March 2019

East Hertfordshire Holding Direction; Stevenage Holding Direction & Withdrawal of Ashfield Local Plan

East Hertfordshire Holding Direction

1. On **11 September 2018** the Secretary of State for Housing, Communities and Local Government [issued a Holding Direction to East Hertfordshire District Council](#), directing the Council to pause work on their Local Plan whilst the Secretary of State considers whether to call in the Local Plan. The examiner's Report had been sent to the LPA and the examination had ended.
2. The direction prevents the Council from taking any step in connection with the adoption of the Plan. The direction will remain in place until withdrawn or the Secretary of State gives a direction under section 21 of the Planning and Compulsory Purchase Act 2004 ('the 2004 Act') in relation to the Plan. Section 21A of the 2004 Act states that a document to which a direction relates has no effect while the direction is in force. Therefore **no weight** can be attributed to the District Plan whilst the holding direction remains in force.

Stevenage Holding Direction

3. Similarly, Inspectors should be aware that on **13 November 2017** the Secretary of State for Housing, Communities and Local Government [issued a direction under section 21A of 2004 Act to Stevenage Borough Council](#), directing the Council not to take any step in connection with the adoption of the Stevenage Local Plan, and therefore **no weight** can be attributed to the Stevenage Local Plan. The examiner's Report had been sent to the LPA and the examination had ended.

Ashfield DC: Withdrawal of emerging Local Plan

4. On **6 September 2018** Ashfield District Council [withdrew their emerging Local Plan](#) and consequently the emerging policies now have **no status**. Consultation had taken place on main modifications. However, the Inspector's Report had not been sent to the LPA.

Action

5. Inspectors are requested to review any cases in the areas of East Hertfordshire District Council, Stevenage Borough Council, and Ashfield District Council, taking the above information into account, and to decide whether you need to go back to the parties for their comments. If you are unsure, please contact your Sub-Group Leader in the first instance to discuss.
6. Appeal decisions relating to East Hertfordshire District Council and Ashfield District Council were stopped from being despatched from 12 September 2018. Therefore, Inspectors are also asked to speak to your Case Officer to review any cases that might have been held for your review.

Contacts for further information

7. Please contact XXXX if you have any general queries on this Note.
8. In the first instance please contact your SGL for advice on specific appeal casework, as appropriate. If necessary, queries may be escalated further for a GM view (SGLs should contact XXXX to arrange in those circumstances).
9. Non-salaried Inspectors should approach XXXX with any queries in the first instance, on which XXXX will liaise with XXXX.