

Archie Gall  
Director  
The Boundary Committee  
Trevelyan House  
Great Peter Street  
London SW1P 2HW

Our Ref: PR

14 July 2009

Dear Archie

## **REQUEST TO THE BOUNDARY COMMITTEE TO ADVISE**

Thank you for your letter of earlier today.

In my letter of 9 February 2009 I notified you that the Secretary of State had substituted the later date of 15 July 2009 for the date of 13 February 2009, specified in the request made to the Boundary Committee on 6 February 2008. Following the judgment of Mr Justice Foskett in the case of *Forest Heath District Council and Others v the Boundary Committee* handed down on 10 July, I am writing to you to let you know the approach the Secretary of State is taking pursuant to his powers set out in section 4(3) of the Local Government and Public Involvement in Health Act 2007.

First, the Secretary of State has decided to substitute a later date for the 15 July 2009 and hence the Boundary Committee is no longer requested to provide advice in relation to Devon, Norfolk or Suffolk by that date.

Secondly, in view of the fact that permission to appeal against Mr Justice Foskett's decision has been granted, the Secretary of State intends that the later date which he will specify will be a date which will allow any appeal by the Boundary Committee, against that decision, to be determined. Therefore, to avoid specifying a date which might require advice to be given by the Boundary Committee to the Secretary of State prior to the determination of any appeal, the Secretary of State will specify the new date once it is clear as to when any appeal may be determined.

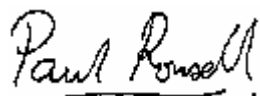
Following the determination of any appeal the Secretary of State will consider whether any further later date should be specified. He recognises however the importance of minimising further disruption and the continuing period of uncertainty for the councils and local communities concerned and he will have regard to this when deciding what, if any, further later date should be specified.

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I am copying this letter, and your letter to me of today, to all affected local authorities and to those who we sent copies of my letter of 29 June 2009 in relation to the Secretary of State's intended approach to statutory decisions.

Yours sincerely,

A handwritten signature in black ink that reads "Paul Rowsell". The signature is written in a cursive style with a horizontal line underneath the name.

**Paul Rowsell**