

CABINET AGENDA



TUESDAY 21 APRIL 2020 AT 6.30 PM

*** This meeting of Cabinet will be held remotely via the Microsoft Teams application.
Should any members of the public wish to join this meeting, please contact the
Assistant Director (Corporate & Contracted Services) by 5pm on Friday 17th April.**

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Williams (Leader)
Councillor Griffiths (Deputy Leader)
Councillor Elliot

Councillor G Sutton
Councillor Anderson
Councillor Banks

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

1. MINUTES (Pages 3 - 8)

To confirm the minutes of the meeting held on 10 March 2020

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct for Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules as to Public Participation.

5. REFERRALS TO CABINET

There were no referrals to Cabinet

6. CABINET FORWARD PLAN (Pages 9 - 10)

7. DACORUM BOROUGH COUNCIL LOCAL DEVELOPMENT SCHEME (Pages 11 - 38)

8. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3.

MINUTES

CABINET

10 MARCH 2020

Councillors: Williams (Leader)
Elliot
G Sutton
Anderson
Banks

Officers:	Farida Hussain	Group Manager (Legal & Corporate Services)
	James Deane	Corporate Director - Finance and Operations
	Mark Gaynor	Corporate Director - Housing & Regeneration
	Sally Marshall	Chief Executive
	Katie Mogan	Corporate and Democratic Support Lead Officer
	Emma Walker	Group Manager - Environmental and Community Protection
	Fiona Williamson	Assistant Director - Housing

Also in attendance: Councillor Garrick Stevens
Councillor Ron Tindall

The meeting began at 7.30 pm

CA/24/20 MINUTES

Minutes of the meeting held on 11 February 2020 were agreed by Members present and signed by the Chair.

CA/25/20 APOLOGIES FOR ABSENCE

Apologies of absence were received from Councillor Griffiths.

CA/26/20 DECLARATIONS OF INTEREST

There were no declarations of interest

CA/27/20 PUBLIC PARTICIPATION

There was no public participation.

CA/28/20 REFERRALS TO CABINET

There were no referrals to Cabinet

CA/29/20 CABINET FORWARD PLAN

The forward plan was noted.

CA/30/20 Q3 STRATEGIC RISK REGISTER

Decision

That the position on the Strategic Risk Register as at the end of quarter 3, 2019/20 be noted.

Corporate objectives

All. Risk management is an essential part of ensuring that the Council meets all of its corporate objectives

Deputy Section 151 Officer:

This is a Section 151 report and hence S151 comments are included in the body of the report.

Monitoring Officer:

No comments to add to the report.

Advice

Councillor Elliot introduced the report to members. The report has been to Audit committee and they did not raise any material issues.

S Marshall said that the strategic risk register had been prepared in advance of the current coronavirus outbreak and reassured members that it was being dealt with as part of the council's business continuity and emergency plan. The situation will be kept under review and will look at whether it needs to be included on the risk register. The issue was raised at the last council meeting and DBC are working closely with HCC, the Director of Public Health, the local resilience forum and Public Health England. As a precaution, there has been increased cleaning of The Forum until further notice and a review of arrangements for sheltered housing schemes is underway. The primary focus is on hand washing and personal hygiene; reminders have been placed on screen savers, wipes have been placed on desks alongside tissues in main office area and meeting rooms. Each Assistant Director is working with their Group Managers to keep the business continuity plan under review. Staff have been provided FAQs on the Information Station and have liaised with external contractors and strategic partners to gain assurance on their measures. The

approach is calm and measured to avoid creating panic. Members will be kept informed of any changes.

Councillor Banks asked if the message was reaching community centres as they are public facing organisations.

S Marshall said information was being shared with the voluntary sector and would check with the community team to check they are engaging.

Councillor Anderson referred to the cyber-attack risk on the register. Recently Middlesbrough came under a sustained cyber-attack where systems were taken down and asked if the council had learned any lessons.

S Marshall assured members that the plan has been signed off from the National Security Centre.

Councillor G Sutton referred back to coronavirus and asked if wardens of sheltered housing schemes have been given advice on looking after residents.

S Marshall said guidance had been issued to the service from the government and the service is working closely with public health. The government has a four stage plan and currently in the first phase of containment. If instructed to move to the next phase then different arrangements will be put in place.

Recommendations agreed.

CA/31/20 HRA STRATEGIC ACQUISITIONS POLICY

Decision

1. That the policy as set out in the report to Cabinet and Appendices A, 1 and 2, be approved
2. That delegated authority be given to the Corporate Director Housing and Regeneration in consultation with the Corporate Director Finance and Operations and the Assistant Director, Corporate and Contracted Services and the Portfolio Holder Housing and Portfolio Holder Finance and Resources to purchase assets of a value up to £5,000,000 in line with the objectives of this policy.

Corporate objectives

The Strategic acquisition policy contributes to the following corporate objectives:

Providing good quality affordable homes, in particular for those most in need

Building Strong and vibrant communities

Deputy Monitoring Officer:

Local authorities have wide ranging powers to buy and develop land as set out in various statutes including:-

- Section 120 Local Government Act 1972 – power to acquire land by agreement for any purposes for which it is authorised.
- Section 9 Housing Act 1985 – power to erect houses, convert buildings on land acquired or acquire houses in order to provide accommodation.

It is good practice to adopt a policy to which sets out how the above powers are used.

Deputy S.151 Officer:

The authorisation policy and delegated authority as outlined in section 2 and section 3 of Appendix A1, details the requirement for a full cost appraisal and benefit analysis to be undertaken prior to any purchase.

It also details the requirement for officer and member scrutiny of the cost implications prior to approval.

Advice

F Williamson introduced the report. This policy is to supplement the existing development programme and sets out how the council can use other opportunities to purchase properties or land from the open market on a selective basis, similar to the council's disposal policy. This is in response to opportunities that have arisen recently where developers have been unable to sell all their properties and ask registered providers to take on additional s.106 affordable housing. This policy would be used on an exception basis rather than looking proactively for properties.

Councillor Elliot asked what the main changes in the policy were.

F Williamson said this was a new policy. A combined acquisitions and disposal policy was considered but at the time, new build costs were lower than acquiring property on the open market. Now, there has been an increase in land and build costs.

Councillor Tindall raised the issue of London boroughs purchasing properties in Dacorum.

M Gaynor said they are supposed to inform the council when they do purchase properties in Dacorum.

Councillor Williams queried the £5 million in the recommendation.

F Williamson said this was a limit on any acquisition and is the same delegation as the new build programme. Any acquisition will need to be within the business plan.

J Deane said it makes sense to have delegation in place to respond when required. The budget will need to be approved by Full Council before the portfolio holder signs

off the purchase.

Councillor Williams asked about the purchases subject to the business case and the case for social rent.

F Williamson said there would be a viability assessment on social rent and whether the council could deliver a similar property for that value. New build costs are increasing so has greater relevance now.

M Gaynor said on new builds, the affordable housing grant would discount £90k off the sale price. Developers are unlikely to offer this kind of discount so would only acquire properties if it made financial sense.

Recommendations agreed.

CA/32/20 EVENTS & CDM POLICY

Decision

That the Events Policy be approved

Corporate objectives

To comply with current H&S legislation and Implement Best Practice.

Monitoring Officer:

Both policies will ensure that health and safety law and best practice is complied with when the council is carrying out relevant activities.

Deputy S.151 Officer

No further comments to add to the report.

Advice

Councillor Banks introduced the report. This was an internal policy, setting out the key principles for how officers carry out events and risk assessments.

Councillor Anderson said from his role as Portfolio Holder for Environmental Services, he was pleased to see the requirement for event organisers to provide bins for litter.

Councillor Williams said this collates many policies into one and was pleased to see that it bans the release of balloons and sky lanterns on council property.

Recommendations agreed.

The Meeting ended at 7.52 pm

CABINET FORWARD PLAN

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/ S.151 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
1.	19/05/20	Provisional Outturn Report 2019/20		30/04/20	Nigel Howcutt, Assistant Director of Finance & Resources 01442 228662 nigel.howcutt@dacorum.gov.uk	This report outlines the draft financial outturn position projected for 2019/20.
2.	19/05/20	New Normal Update		30/04/20	Linda Roberts, Assistant Director of People, Performance & Innovation 01442 228979 Linda.roberts@dacorum.gov.uk	To update Cabinet on the progress of the New Normal programme and consider proposals for further activities
3.	19/05/20	Climate Change Strategy and Action plan		30/04/20	Mark Gaynor, Corporate Director Housing & Regeneration 01442 228575 mark.gaynor@dacorum.gov.uk	To set out the Climate Change Strategy and approach and the initial action plan
4.	19/05/20	Strategic Sites Design Guidance Supplementary Planning Document		30/04/20	James Doe, Assistant Director of Planning, Development & Regeneration 01442 228583 James.doe@dacorum.gov.uk Chris Taylor, Group Manager Strategic Planning 01442 228405 chris.taylor@dacorum.gov.uk	To set out the content of a new Supplementary Planning Document to address key issues of urban design guidance on large scale, strategic development sites within the Borough
5.	23/06/29	Homelessness Strategy		04/06/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk	This is a new strategy (2020-2024) to replace the council's 2016-2020 Homelessness Strategy, this strategy developed in consultation with multi-agency stakeholders, will identify the council's priorities in relation to preventing homelessness and eradicating rough sleeping in the borough.
6.	23/06/20	Private Sector Housing Strategy 2020		04/06/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk	This is a new strategy, which will be informed by the outcome of the BRE stock model report and will outline the council's approach to tackling rogue landlords and improving standards in the private sector in Dacorum.
7.	23/06/20	Private Sector Assistance Policy		04/06/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk	New policy to support the use of Disabled facilities grant and Better

	DATE	MATTERS FOR CONSIDERATION	Decision Making Process	Reports to Monitoring Officer/ S.151 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
						Care Fund and links between housing and health
8.	23/06/20	Garages		04/06/20	Linda Roberts, Assistant Director of People, Performance & Innovation 01442 228979 Linda.roberts@dacorum.gov.uk	To update Cabinet on the progress of the Garages Review programme
9.	23/06/20	Berkhamsted Sports Centre		04/06/20	Mark Brookes, Assistant Director Corporate & Contracted Services 01442 228236 mark.brookes@dacorum.gov.uk	To be provided
10.	21/07/20	Appointment of a Principal Contractor for Coniston Road Development, Kings Langley.		02/07/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk David Barrett, Group Manager Housing Development 01442 228252 David.barrett@dacorum.gov.uk	To seek approval to award the main contract and appoint a Principle Contractor to construct 10 Units at Coniston Road
11.	22/09/20	Appointment of a Principal Contractor for Eastwick Row Development, Hemel Hempstead.		03/09/20	Fiona Williamson, Assistant Director Housing 01442 228855 Fiona.williamson@dacorum.gov.uk David Barrett, Group Manager Housing Development 01442 228252 David.barrett@dacorum.gov.uk	To seek approval to award the main contract and appoint a Principle Contractor to construct 10 Units at Coniston Road

Future Items:

- South West Herts Joint Strategic Plan (J Doe)
- The Bury museum project (J Doe) - To update Cabinet on progress on options for delivering a new museum at The Bury, and seek agreement on the next stages of the project.
- Drug and Alcohol Support Commissioning (L Roberts & M Rawdon)
- CCTV service (Part 2) (M Brookes) - To consider proposals to make the CCTV service centre an accredited Alarm Receiving Centre.
- Car parking supplementary planning document (J Doe)
- Local Plan update (J Doe)
- Constitution Update/Protocol on filming (M Brookes)



Report for:	Cabinet
Date of meeting:	21 April 2020
Part:	1
If Part II, reason:	

	DACORUM BOROUGH LOCAL PLAN 2018-2036: REVIEW OF THE LOCAL DEVELOPMENT SCHEME
Contact:	<p>Cllr Graham Sutton: Portfolio Holder for Planning & Regeneration</p> <p>Author/Responsible Officers: James Doe: Assistant Director, Planning, Development and Regeneration Chris Taylor: Group Manager Strategic Planning and Regeneration Alex Robinson: Strategic Planning Manager</p>
Purpose of report:	To seek Cabinet's agreement to a revised Local Development Scheme including an updated timetable for the preparation of the Local Plan.
Recommendations	That Cabinet agree the revised timetable for the Local Plan and other updates to the Local Development Scheme appended to this report and delegate authority to the Assistant Director, Planning, Development and Regeneration to make any final minor editorial and typographical revisions to the document including any necessary to reflect the Cabinet's discussions and decision.
Corporate Objectives:	<p>The Council's Local Plan helps support all 5 corporate objectives:</p> <ul style="list-style-type: none"> • <i>Safe and clean environment:</i> e.g. contains policies relating to the design and layout of new development that promote security and safe access; • <i>Community Capacity:</i> e.g. provide a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc.; • <i>Affordable housing:</i> e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable;

	<ul style="list-style-type: none"> • <i>Dacorum delivers</i>: e.g. provides a clear framework upon which planning decisions can be made; and • <i>Regeneration</i>: e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.
<p>Implications:</p> <p>'Value For Money Implications'</p>	<p><u>Financial Background</u> Funding to prepare the new Dacorum Local Plan is provided from existing base budgets, however in order to allow for peaks in expenditure in the periods of high activity, pre and post examination, expenditure in excess of the base budget will be funded from a drawdown from the Local Development Framework (LDF) reserve. The budget for 2020/21 has been set at required levels, partly funded from a drawdown from the LDF reserve. Any expenditure over the base budget position in 2021/22 will be reviewed and budget approval agreed.</p> <p><u>Value for Money</u> Where possible, evidence base work is undertaken jointly with other authorities to ensure cost is optimised (through economies of scale). Collaborative working with landowner consultants will continue to help extend the resources available to the Council and avoid the duplication of site specific technical information.</p>
Risk Implications	<p>The Local Plan has its own detailed risk assessment.</p> <p>The key risk is that the new Local Plan is found 'unsound' by an Inspector at Public Examination. To avoid this, the Council must ensure that the Plan complies with Government policy and is founded on robust evidence, particularly on infrastructure, and follow all statutory and local requirements, including on public consultation.</p> <p>If a plan is submitted prematurely and not fully supported and justified by evidence then the Plan will not be found sound and the Council would have to restart plan making, incurring further time and cost to the process. The most significant risks emerging from recent examinations include insufficient evidence demonstrating the delivery of infrastructure to support growth and Councils not satisfying requirements under the Duty to Cooperate. Therefore, the Council considers it prudent to undertake further work in these areas prior to Publishing its Local Plan.</p> <p>The Local Plan is critical to evidencing there is a five-year supply of housing land which is important to ensure that Council is able to control development appropriately and the planning decisions are plan-led.</p> <p>Following adoption of the Local Plan by the Council, the key risk is that the Plan does not deliver as planned. At that stage, continued close working with local communities, developers and infrastructure providers, along with consistent decision making, helps to ensure sustainable development takes place in a timely fashion.</p>

Community Impact Assessment	A full Sustainability Appraisal (SA) must be carried out as part of the Local Plan process. The SA looks at social, environmental and economic impacts in detail and is scrutinised at the Local Plan examination by an independent inspector. The Council will also undertake a Community Impact Assessment (EIA) which is appended to this report
Health And Safety Implications	No implications as a result of this report.
Monitoring Officer/ Deputy S.151 Officer Comments	<p>Deputy Monitoring Officer:</p> <p>Preparation of a Local Development Scheme and Local Plan are statutory requirements pursuant to the Planning and Compulsory Purchase Act 2004 and Town and Country Planning (Local Planning) (England) Regulations 2012.</p> <p>There is a duty to ensure that a Local Development Scheme is maintained as an up to date document.</p> <p>S.151 Officer</p> <p>There are no budgetary implications arising as a direct result of the recommendations in this report.</p>
Consultees:	<p>Mark Gaynor, Corporate Director Housing and Regeneration</p> <p>Consultation on the new Local Plan and other policy documents will be carried out in accordance with the council's adopted Statement of Community Involvement (SCI).</p>
Background papers:	<ul style="list-style-type: none"> • Adopted Local Development Scheme (July 2019) • Adopted Core Strategy (September 2013) • Adopted Site Allocations DPD (July 2017) • Dacorum Borough Local Plan 1991 – 2011 (April 2004) • Authority Monitoring Report 2016/17 • National Planning Policy Framework (NPPF) • Planning and Compulsory Purchase Act 2004. • Planning Act 2008 • Town and Country Planning (Local Planning) (England) Regulations 2012.
Glossary of acronyms and any other abbreviations used in this report:	<p>AMR: Authority Monitoring Report DTC: Duty to Cooperate LDS: Local Development Scheme SCI: Statement of Community Involvement SPD: Supplementary Planning Document NPPF: National Planning Policy Framework PPG: National Planning Policy Guidance SHMA: Strategic Housing Market Assessment now called the LHNA: Local Housing Need Assessment ENS: Employment Needs Study IDP: Infrastructure Delivery Plan JSP: Joint Strategic Plan (for SW Herts) LDS: Local Development Scheme</p>

	LEP: Local Economic Partnership (<i>for Hertfordshire</i>) SoCG: Statement of Common Ground SA: Sustainability Appraisal EIA: Equalities Impact Assessment HRA: Habitat Regulations Assessment SPEOSC: Strategic Planning & Environment Overview & Scrutiny Committee
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Background

1. The Council has a statutory duty to prepare a Local Plan; failure to produce and adopt a Local Plan can leave the Council open to direct intervention and loss of control over the plan making process. The new local plan proposed for Dacorum will replace saved policies in the adopted 2004 Local Plan, 2013 Dacorum Core Strategy, and 2017 Site Allocations DPD and update a range of existing documents. The timetable for the production of the new Local Plan is set out in the Local Development Scheme (LDS) which was approved, in updated form at the July 2019 meeting of the Cabinet.
2. This report is provided to update Members on the progress with drafting the Local Plan against the adopted LDS and seek agreement to a revision to the timetable with short extension to the timetable to reflect the need to undertake further infrastructure planning discussions with key stakeholders and to conclude discussions with landowners, developers and site promoters to ensure that the Council's policy objectives will be delivered. The extension will also allow the proposed consultation to take place during a period where, hopefully, there will be fewer restrictions on public gatherings and the movement of people, due to the COVID-19 crisis, allowing fuller public participation in the process.

Key Dates and Milestones

3. The current LDS contains the following key milestones and dates in plan preparation:
 - Pre-Submission (draft plan) consultation Spring 2020
 - Submission of plan to Secretary of State Autumn 2020
 - Examination in Public Spring 2021
 - Adoption Winter 2021/2
4. Significant progress has been made on the Local Plan against the current LDS with Plan drafting having reached an advanced stage. Officers are honing in on a preferred spatial strategy with the policies and proposals to support this coming into focus. The Plan will be structured as follows: a) the overarching spatial strategy, including growth requirements and key locations, b) settlement focused delivery strategies, including site specific policies, c) detailed implementation (development management) policies.
5. Officers have been working closely with the Local Plan Task and Finish Group which is a cross party panel of Members that has provided both high level guidance and detailed scrutiny of the emerging plan, its policies and proposals.
6. Officers have also been working across the wider Planning Team and with other key departments within the Council to shape the emerging Plan. This work has been complemented by continuing discussions with adjoining authorities and other stakeholders under the Duty to Cooperate. This work has helped to shape and refine the emerging plan and delivered changes and revisions to take in recommendations and address concerns and issues raised.

Evidence and Evidence Gathering

7. The preparation of the plan requires an extensive and comprehensive evidence base made up of many technical documents that will support the Council's proposals at Examination in Public. All key pieces of evidence are either complete or at an advanced stage and several of these have been commissioned on a joint South West Hertfordshire basis or in partnership with one or more other Councils within the grouping.
8. Another key part of the evidence supporting the policies and proposals in the Plan is the Infrastructure Delivery Plan (IDP). This identifies the nature, quantum, timing, cost and funding of the essential infrastructure to support the Plan. The IDP also supports detailed negotiations with land owners/promoters/developers to ensure that sites can and will deliver the quantum of development allocated in the plan together with the necessary infrastructure.
9. Officers have been supported by a wide range of stakeholders and public bodies, including the County Council, in preparing the IDP and significant progress has been made. Officers have already met with many land owners/promoters/developers to progress discussions and these are generally moving forward positively.
10. However, there are some aspects of infrastructure planning that require further evidence collection and clarification. Officers consider it necessary to undertake further focused technical assessments and to allow sufficient time to conclude discussions with key stakeholders on settlement specific funding and delivery strategies. Officers also need time to obtain satisfactory commitments from site promoters that the required infrastructure will be included as part of proposals. In some instances this has not been forthcoming, requiring Officers to consider alternative spatial options. To ensure these crucial areas of plan making can be finalised the Council is not in a position to publish its Plan under regulation 19 in May 2020 as was intended in the current LDS.
11. Without this information and in the absence of the necessary commitments from site promoters it will not be possible to demonstrate that the Plan can be delivered and is sound. The question of 'soundness' is a key part of the regulation 19 consultation and fundamental to the examination process. Without sufficient evidence to demonstrate the plan is sound this is likely to result in a delay to the examination process whilst the Council gather this evidence, or that the Plan is found to be unsound and Plan drafting has to restart.
12. Despite the significant and positive progress made in developing the plan it is clear that the programme set out in the current LDS cannot be met if a sound plan is to be delivered.

Timing of Publication Consultation

13. At the time of drafting this report the UK is entering a period of unprecedented uncertainty as it responds to the COVID-19 global health emergency. In recent weeks Government has imposed significant restrictions on the movement of people and on public gatherings as it looks to limit the spread of the virus. The current situation therefore limits the Councils ability to undertake consultation

on its Plan in June 2020 as originally intended. It is therefore considered more appropriate to delay the Publication of the Plan until later in the year.

LDS and timescales

14. It is considered that it is not possible to deliver the Local Plan within the currently published timetable due to the reasons set out above. A revised LDS is therefore proposed which repositions the Publication of the Local Plan to November 2020, with consequential changes to the submission of the Plan to the Secretary of State. A draft revised LDS is appended to this report.
15. The recommendation has knock on implications for other elements of the programme, the key dates in the draft revised LDS are:

Action/Milestone	Date
Consultation (Regulation 19) on Draft Plan	November 2020
Submission of Plan to PINS	May 2021
Public Examination	July 2021
Plan Adopted	June 2022

16. Officers consider that the timetable remains challenging but it is deliverable. Once the plan has been submitted to PINS, the timing of the Public Examination and the production of the Inspector's report is in the gift of PINS and the Council can only have limited influence on this part of the process. The timetable set out in the LDS (and above) takes account of the latest timetabling information from PINS but assumes no significant backlog at PINS.
17. The revised timetable assumes that restrictions associated with COVID-19 have eased sufficiently to allow the Council to conduct appropriate engagement on the Plan as currently intended. The Council will monitor the situation closely over the coming weeks and months and take necessary action, including putting in place appropriate measures to ensure public participation during forthcoming consultations and access to Council officers and documentation. The Council is committed to consulting on a Reg.19 Plan and submitting it for examination at the earliest opportunity to ensure it has an up to date and effective suite of policies and proposals to deliver future housing and economic development across the Borough.

Conclusion

18. The Local Plan is a vital statutory document setting the future vision and direction of the Borough. The delivery of the Plan is challenging and requires gathering extensive evidence and further consultation with the public, Town and Parish Councils and a very wide range of other bodies and organisations.
19. Whilst major progress has been made on the drafting of the plan there are key issues around infrastructure and delivery that require additional time to satisfactorily resolve to ensure that the chances of the plan being found sound are maximised.
20. Members are requested to agree the revised timetable set out in the updated LDS appended to this report.

Appendix 1

Evidence documents to support the Dacorum Local Plan 2018-2036 and current progress

Appropriate Assessment under the Habitats Regulations Assessment – *underway*

Sustainability Appraisal/Strategic Environmental Assessment – *underway*

Green Belt Review (Stage 3) and Landscape Assessment – *underway and nearing completion*

Urban Capacity Study – *underway and nearing completion*

Gypsy and Travellers Study – *complete*

Greenfield Site Assessment Study – *underway and nearing completion*

COMET (traffic) Modelling – *underway and nearing completion*

Air Quality Modelling – *underway and nearing completion*

Local Plan Viability Assessment – *underway*

Local Plan Strategic Sites Viability Modelling – *underway*

Infrastructure Delivery Plan – *underway*

Herts water cycle study part 1 – *complete*

Herts water cycle study part 2 – *underway and nearing completion*

SW Herts Strategic Flood risk Assessment - SFRA 1 – *complete*

Dacorum Strategic Flood risk Assessment - SFRA 2 – *underway and nearing completion*

Open Space, indoor leisure and playing pitch study – *underway and nearing completion*

Green Infrastructure Strategy – *underway*

Economy Study – *underway and nearing completion*

Employment Land Study – *Complete*

Retail and leisure study – *Complete*

Local Housing Needs Assessment – *underway and nearing completion*



Local Development Scheme 2018-2022

April 2020

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1. Introduction

- 1.1. The Borough Council, as local planning authority, is required to prepare a Local Development Scheme (LDS) under the provisions of the Planning and Compulsory Purchase Act 2004.
- 1.2 The main role of the LDS is to describe the documents that Dacorum Borough Council is preparing, or has already prepared, as part of its Local Plan. It explains the role of the individual documents, how they relate to one another and the timetable for their preparation – highlighting the stages at which public consultation will take place. It also summarises the evidence, resources and risks associated with this review process.
- 1.3 This LDS supersedes the previous version dated July 2019. It will continue to be reviewed on a regular basis, with any necessary adjustments made to the timetable in Chart A through the Council's Authority Monitoring Report (AMR) process.
- 1.4 In terms of managing the Local Plan process, this LDS is supported by a number of other key documents, including the Authority Monitoring Report (AMR) and the Statement of Community Involvement (SCI).
- 1.5 The Authority Monitoring Report (AMR) assesses the implementation of the LDS itself and the extent to which planning policies are being achieved. It also provides a mechanism through which to keep 'saved' policies, schedules and guidance under review and delete any parts the Council no longer considers appropriate or relevant.
- 1.6 The Council's Statement of Community Involvement (SCI) was adopted in July 2019. It sets out arrangements for public consultation in the connection with both the Local Plan and planning applications.

2. Overview of the Development Plan System

- 2.1 The Planning and Compulsory Purchase Act 2004 and The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing a development plan for the Borough.
- 2.2 The development plan is essentially a document, or series of documents, containing the planning policies that the local planning authority will take into account when determining planning applications. The Borough Council is responsible for preparing most, but not all, documents that comprise the development plan.

(a) The current Development Plan

- 2.3 The current development plan for Dacorum Borough Council is made up of the following:

- Dacorum Borough's Local Planning Framework Core Strategy (adopted September 2013);
- Dacorum Site Allocations DPD (adopted July 2017);
- 'Saved' policies from the Dacorum Borough Local Plan 1991-2011 (adopted April 2004), not superseded by the above;
- Grovehill Neighbourhood Plan (May 2018)

and

- Hertfordshire Minerals Local Plan Review 2002-2016 (adopted March 2007);
- Hertfordshire Waste Core Strategy and Development Management Policies (adopted November 2012); and
- Hertfordshire Waste Site Allocations Document (adopted July 2014).

- 2.4 The preparation of Minerals and Waste Plans is the responsibility of Hertfordshire County Council, although the Borough Council is an important consultee. For further detail please refer to the County Council's website:

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/minerals-and-waste-planning/minerals-and-waste-planning.aspx>

- 2.5 All Development Plan Documents (DPDs) are the subject of an independent examination (or inquiry) by an Inspector. As part of the examination an Inspector will examine the "soundness" of the document(s): i.e. whether the proper procedures have been followed; how the document(s) relate to national/strategic planning policy or other relevant strategic advice; whether the document(s) are coherent and stem from a credible evidence base; and whether the policies in the document(s) are effective and deliverable. Whilst the Inspector's report is not formally binding, the Council cannot adopt a DPD unless it has been found 'sound.'

Core Strategy

- 2.6 The Core Strategy¹ sets out the planning framework for the Borough to 2031. Its aim is to deliver sustainable development i.e. new homes, facilities and businesses, whilst maintaining the quality of the environment. It provides a basis for planning for and securing new infrastructure provision, which should be aligned with new development.

Site Allocations

- 2.7 The principal role of the Site Allocations DPD² is to set the Council's detailed proposals and requirements for particular sites and areas in order to assist in the delivery of the levels of growth set out in the Core Strategy. It:
- Allocates sites for future development in the Borough;
 - Defines the boundaries of planning designations; and
 - Ensures appropriate infrastructure is identified and delivered alongside new development.
- 2.8 All designations and allocations are illustrated on a Policies Map.

Dacorum Borough Local Plan 1991-2011

- 2.9 All policies of the Dacorum Borough Local Plan 1991-2011 (DBLP), except Policy 27 relating to Gypsies and Travellers, were 'saved' in 2007 under transitional arrangements. Some DBLP policies have now been superseded by the Core Strategy and Site Allocations DPDs. The remainder will be replaced through the new Dacorum Local Plan, or via the preparation of new supplementary planning documents (SPDs). For a full list of existing policies and replacement arrangements see:

<http://www.dacorum.gov.uk/docs/default-source/strategic-planning/policy-advice-note.pdf?sfvrsn=8>

Neighbourhood Plans

- 2.10 The Localism Act 2011 allows for Town and Parish Councils, and established 'Neighbourhood Forums' to prepare Neighbourhood Plans for their areas. Provided these conform with the strategic planning policies³ for the area and gain a majority vote in a local referendum, these plans will be adopted as part of the Development Plan for Dacorum.

¹ <http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/local-planning-framework/core-strategy/core-strategy-adopted-sept-2013>

² www.dacorum.gov.uk/siteallocations

³ Definition of Strategic Policies available at: <http://www.dacorum.gov.uk/docs/default-source/strategic-planning/policy-advice-note.pdf?sfvrsn=8>

- 2.11 A Neighbourhood Plan for the Grovehill neighbourhood in Hemel Hempstead was supported at a local referendum on 15th February 2018, and Made (adopted) by Dacorum Borough Council on 16th May 2018. It now forms part of the area's statutory development plan. It is available at:

<http://www.dacorum.gov.uk/home/regeneration/grovehill-future-project/neighbourhood-planning> or via:
[http://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-neighbourhood-plan---examination-version-\(pdf\).pdf?sfvrsn=0](http://www.dacorum.gov.uk/docs/default-source/regeneration/grovehill-future-neighbourhood-plan---examination-version-(pdf).pdf?sfvrsn=0)

(b) The emerging Development Plan

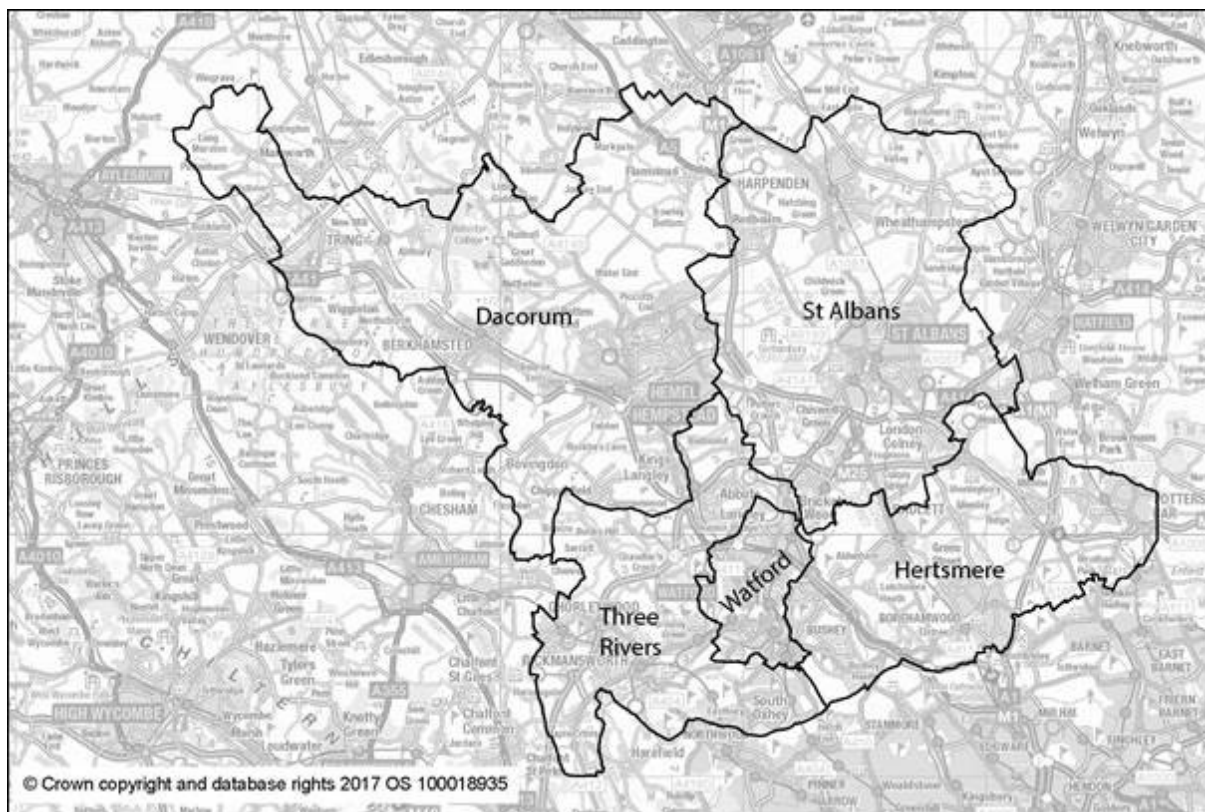
New Dacorum Local Plan

- 2.12 The Council has made significant progress on its new Local Plan, beginning with an Issues and Options document published for consultation in November/December 2017. Following detailed consideration of the responses to that consultation and the completion of further evidential work to inform preparation of the Local Plan, the Council is working towards a Pre-Submission Draft Consultation commencing in late 2020. When completed, the new Dacorum Local Plan will comprise a single document, containing site allocations and development management policies in addition to strategic policies covering the development of the Borough of Dacorum. Existing policies and designations will be reviewed and updated as appropriate, taking into account new evidence and the outcome of discussions under the duty to co-operate.
- 2.13 It is envisaged that the new Dacorum Local Plan will cover a 18-year timeframe (2018-2036) to reflect the guidance of the National Planning Policy Framework (NPPF). A summary of expected plan content and governance arrangements for the Local Plan is set out in Appendix 1.

Joint Strategic Plan

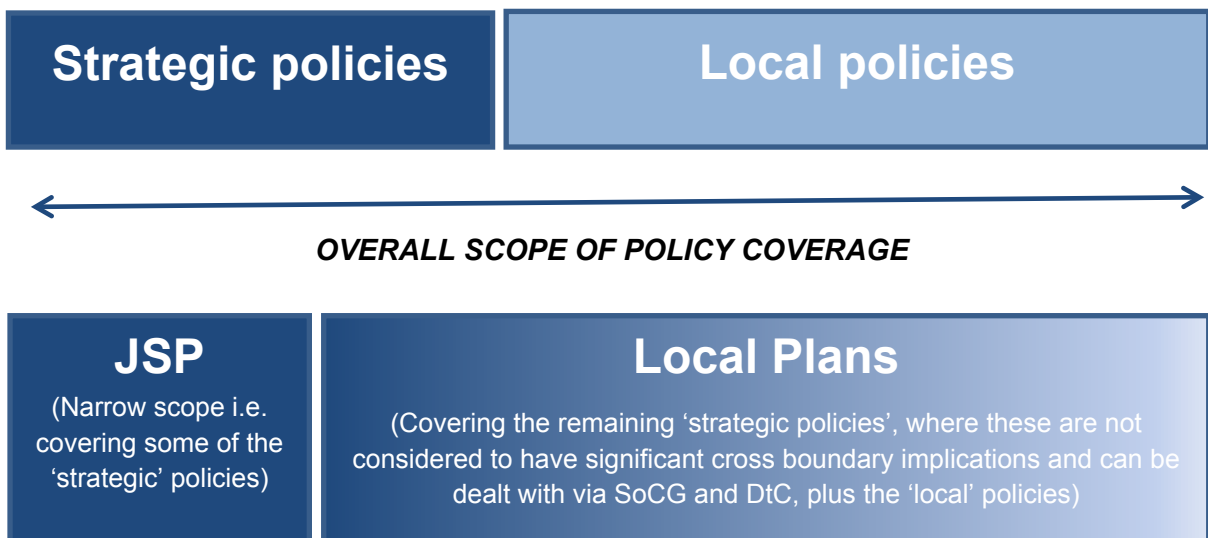
- 2.14 Neighbouring authorities are increasingly being encouraged by Government to work together to provide the homes, jobs and infrastructure where people want to live.
- 2.15 In Spring 2018, Dacorum, Hertsmere, St Albans, Three Rivers, and Watford Councils gave formal endorsement to begin work on a Joint Strategic Plan (JSP) for South West Hertfordshire (see Figure 1 below). Work on the JSP will progress aligned to an agreed Statement of Common Ground (SoCG), which is currently being prepared by the joint authorities.

Figure 1: Extent of South West Hertfordshire Joint Strategic Plan Area



2.16 Each council will still be responsible for preparing its own Local Plan, but the JSP will provide the platform to consider how the challenges of growth in the wider South West Hertfordshire area can be addressed longer term (i.e. to 2050). Figure 2 below illustrates how these two key planning documents will fit together. A summary of expected plan content and governance arrangements is set out in Appendix 1.

Figure 2: Relationship between the JSP and the Local Plan



- 2.17 By working together, the South West Herts Councils will also be in a stronger position to deliver, and better fund essential local transport links, health services and educational facilities that local people want to see alongside new homes and jobs.
- 2.18 Preparation of the Joint Strategic Plan will take place alongside the local plans being undertaken by each respective council and will provide a platform to consider the growth challenges in the wider South West Hertfordshire area can be addressed in the long term.
- 2.18 Chart A (below) sets out the expected programme for production of the Dacorum Local Plan.

3. Additional Guidance

- 2.19 A range of Supplementary Planning Documents (SPD), Supplementary Planning Guidance (SPG) and Advice Notes has been prepared to support policies and proposals within the existing Development Plan. A full list is available online at:

[http://www.dacorum.gov.uk/home%5Cplanning-development/planning-strategic-planning/supplementary-planning-documents-\(spds\)](http://www.dacorum.gov.uk/home%5Cplanning-development/planning-strategic-planning/supplementary-planning-documents-(spds))

- 2.20 New Supplementary Planning Documents and other supporting documents will be developed to support the new Plan. These documents will replace the existing suit of documents, however, there may be a transition period between adoption of the new plan and completion of the supporting documents where weight will still be given to the older documents where they are not in conflict with the up to date policy framework in the NPPF and Local Plan 2018-36.

4. Evidence, Resources and Risks

(a) Evidence

- 3.1 A range of technical studies have been prepared, or are being prepared, to use as the evidence base to support production of the Local Plan, Joint Strategic Plan and Supplementary Planning Documents (SPDs):

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>

- 3.2 Land Position Statements for employment and housing are prepared annually. They, together with other sources of information, are used to prepare the Council's Authority Monitoring Report. The most recent report is available online at:

<http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/monitoring-reports-and-land-position-statements>

Historic reports can also be found using the link.

- 3.3 If the timetable within this LDS is revised as part of the AMR process, the revised timetable will supersede that contained in Chart A of this LDS and will provide the most up-to-date work programme.

(b) Resources

- 3.4 The Council attaches high priority to the expeditious delivery of both the Dacorum Local Plan and SW Herts Joint Strategic Plan process, and despite financial stringency is maintaining the necessary mainstream funding. Budgets will continue to be reviewed on an annual basis and appropriate provision made. Where necessary some of the Local Plan budget will be used to bring in additional temporary staff resources, or consultancy support. Opportunities for additional funding sources such as grants from the Government's Planning Delivery Fund will also continue to be pursued.
- 3.5 Some 'pump-priming' funding has also been secured from Government to help take forward the Joint Strategic Plan, with a most recent award in March 2020. This is initially funding a Project Director, but further funding will be required in due course from both Government and Council budgets to support the completion of the JSP through to adoption.

(c) Risk

- 3.6 The timetable for the production of the new Dacorum Local Plan has been modified to take account of progress to date. The programmes has also had regard to the emerging indicative programme being established for production of the new South West Herts Joint Strategic Plan. It will continue to be managed to ensure that it remains both realistic and achievable, with the most recent update being made in April 2020. The Authority's Monitoring Report (AMR) will track performance and highlight any amendments required to the work programme set out in this LDS. This will be supported through monthly reporting on milestones via the Council's in-house project management software (Rocket).
- 3.7 There are however a number of sources of risk that could impact upon the delivery of the work programme set out within Chart A. These risks, together with appropriate mitigation measures are set out in Appendix 1.

5. Contact information

For further information regarding planning policy matters please contact:

Email: Strategic.Planning@dacorum.gov.uk

Phone: 01442 228660

Address: The Forum
Marlowes
Hemel Hempstead
Hertfordshire
HP1 1DN

Appendix 1

Summary of DPD content and governance arrangements

Title		Dacorum Local Plan
Description	Single composite plan incorporating the early partial review of the Core Strategy, together with the Site Allocations and updated development management policies (currently within the 'saved' Dacorum Borough Local Plan 1991-2011).	
Area Covered	Borough wide, with some site specific elements.	
Status	DPD	
Chain of Conformity	In general conformity with the NPPF	
Priority	High	
Key milestones		
Issues and options consultation	November/December 2017	
Publication	November 2020	
Submission	May 2021	
Examination	July 2021	
Adoption	June 2022	
Arrangements for Production		
Lead	Strategic Planning Team	
Management arrangements	Corporate Growth and Infrastructure Group, Strategic Planning and Environment Overview and Scrutiny Committee, Cabinet and Council. Corporate Management Team.	
Studies/evidence required	To include update of key technical studies relating to housing, employment, retail, Green Belt, infrastructure, open space, leisure and site assessment matters.	
Resources required	See section 3.	
Stakeholder/community involvement	To comply with adopted Statement of Community Involvement. Strong emphasis on close liaison with adjoining local planning authorities and others regarding strategic planning matters, as required under the duty to co-operate.	
Monitoring and Review Arrangements		
Review of policy performance carried out as part of Authority Monitoring Report (AMR) process.		

Appendix 2

Risk Assessment

Key

Red = high impact / likelihood

Amber = medium impact / likelihood

Green = low impact / likelihood

	Risk	Comment	Likelihood	Impact	Mitigation Measures
1	Preparation of Local Plan fails to meet key project milestones.		Green	Red	Programme and individual Project management and monitoring of progress against the detailed Local Plan Project Plan and key milestones in the Local Development Scheme. Progress discussed regularly and action taken as necessary. Progress on LDS timetable reported as part of Authority Monitoring Report and any necessary changes made to timetable.
2	Changes in national policy and regulations which require a significant alteration to emerging plan content.	A White Paper looking at a comprehensive review of all aspects of the Planning system is anticipated in Spring 2020. Whilst not expected to have immediate implications for this Plan it is possible that short term changes the National Planning Policy Framework (NPPF) are	Amber	Red	The programme set out within this LDS takes account of the latest iteration of the National Planning Policy Framework. If any further significant changes are introduced mid-way through the plan production process, depending on their implications for the plan this might require significant amendment to the plan and a further stage of consultation. Advice from the Planning Officers' Society (POS) who are providing support to the process as a critical friend will be taken to help mitigate these risks.

	Risk	Comment	Likelihood	Impact	Mitigation Measures
		made. These will need to be reflected when preparing the new Local Plan.			
3	Delays to decision making process	In the short term decision making could be delayed as a result of the COVID-19 outbreak.			Regular Task and Finish Group meetings have been programmed to ensure ongoing engagement/review/challenge of the Plan. The Group includes senior Councillors including: Portfolio Holder for Planning, Chair of the Strategic Planning Overview and Scrutiny Committee and Leader of the opposition. The membership is politically balanced and geographically spread to cover urban and rural parts of the Borough. Officers are exploring ways for the Group to continue to be fully engaged over the short term in the absence of face-to-face meetings.
	Failure to agree critical cross boundary strategic planning issues with prescribed Duty to Co-operate bodies.				<p>A comprehensive programme of Duty to Cooperate meetings are underway to discuss strategic issues for plan making. These meetings have identified key issues and potential opportunities and solutions to address the issues identified.</p> <p>Risks relating to how these issues will be addressed will be reduced through the production of a Statement of Common Ground with adjoining authorities. Regular meetings with other DtC bodies will help minimise any wider issues arising, or enable them to be addressed early on in the plan-making process.</p>
5	Pressure on financial resources				Budgetary provision has been made for plan-making work, however the length of public examinations and cost of defending any subsequent legal challenges could add significantly to the amount required. New Homes Bonus

	Risk	Comment	Likelihood	Impact	Mitigation Measures
					and 'Additional Burdens' payments from Government may help to mitigate any shortfall, although due to financial pressures this money may not all be available to support the Council's planning functions.
6	Capacity of Planning Inspectorate (PINs) and other statutory consultees	The capacity of the Planning Inspectorate is finite and is outside the Council's control. In recent weeks PINs have cancelled or postponed existing examinations in response to COVID-19 and there is uncertainty around the length of disruption this may cause.			Public examinations could take longer than anticipated or be delayed against the PINS indicative timetables. This will be mitigated through ensuring appropriate evidence is prepared and submitted and there is close liaison with the Programme Officer. Critical Friend and Legal Support has been retained to ensure that any issues or gaps in the plan coverage, evidence base or legal challenge are mitigated prior to submission of the plan to ensure that the Examination can be rapid and any delays minimised.
	Failure of external parties to meet project deadlines	There is a need to bring in specialist skills and for some work relating to the Local Plan. Such work is carried out by external consultancies and/or organisations			Work quality and project work timetables will be controlled through normal procurement processes and contract conditions. This will be supplemented by Project/Programme management and close working with the specialist organisations and individual team member
8	Local Plan found 'unsound'	Local Plans must be underpinned by detailed evidence. This evidence will face detailed scrutiny from the Planning Inspector and other stakeholders during the independent examination process.			Evidence has been commissioned jointly across South West Hertfordshire and between two or more of the SW Herts authorities to ensure that wider impacts are acknowledged and addressed. This will ensure that evidence is robust and consistent across the wider area. The Council is also commissioning further work to mitigate this risk.

	Risk	Comment	Likelihood	Impact	Mitigation Measures
					Specialist external legal advice will be taken as and when necessary to help guide key decision-making.
9	Legal challenge	This would result in financial costs, and if successful, could result in all or part of the plan being quashed.			<p>The likelihood of a successful legal challenge is substantially reduced where the Local Plan is prepared in accordance with relevant regulations, is strongly aligned to the conclusions of the evidence that underpins it and the plan-making authority can demonstrate it has met the necessary 'tests of soundness'.</p> <p>Specialist external legal advice will be taken at key stages and if any threats of challenge are made through the plan-making process.</p>
10	Infrastructure Planning	<p>The Council considers that further evidence is required in specific areas in order for the information to satisfy a Local Plan Inspector.</p> <p>Any delays by infrastructure providers and other key stakeholders in completing their assessments and delays to decision making from key stakeholders could delay the Plan or leave gaps in the evidence.</p>			Discussions with key stakeholders are ongoing through the Duty to Cooperate process to ensure that third parties are aware of Local Plan Deadlines and identify strategies to ensure targets to be met.

	Risk	Comment	Likelihood	Impact	Mitigation Measures
11	Developer negotiations	Prior to completing the Plan the Council needs to obtain commitments from developers on certain policy requirements and infrastructure. If this process is delayed or sites are not able to deliver essential infrastructure then the Council may need to reconsider its strategy.			Discussions are underway with landowners and developers to set out and agree the precise requirements they need to include on their sites (inc. affordable housing numbers, schools, highways improvements, climate change mitigation). Officers do require sufficient time to ensure all of the site requirements are known and can be agreed with individual developers. A comprehensive engagement programme with developers and infrastructure providers is in place and is being adapted to be carried out remotely.
12	COVID-19 Virus	The UK has entered a period of unprecedented uncertainty as it responds to the COVID-19 global health emergency. Significant restrictions are in place to reduce the spread of the virus and (at the time of writing) it is currently not clear when these may be eased. This will impact the Local Plan timetable if the current situation continues for a significant period of time.			Officers are continuing with Plan drafting, evidence gathering and engagement wherever possible through home working and virtual meetings and electronic communications. Officers are also looking to continue to engage with the Task and Finish Group on the Plan to minimise delays and disruption.