



Report for:	Cabinet
Date of meeting:	21 September 2021
Part:	1
If Part II, reason:	

Title of report:	Joint Strategic Plan: Statement of Common Ground
Contact:	<p>Cllr Alan Anderson, Portfolio Holder for Planning and Infrastructure</p> <p>Author/Responsible Officers James Doe - Assistant Director, Planning, Development & Regeneration Chris Outtersides – South West Hertfordshire Strategic Plan Director Alex Robinson - Strategic Planning Manager</p>
Purpose of report:	To seek Cabinet's agreement to a Statement of Common Ground (SCG) to support the preparation of a Joint Strategic Plan (JSP) for South West Hertfordshire.
Recommendations	<ol style="list-style-type: none"> 1. That Cabinet recommends to Council that the Statement of Common Ground (SoCG) underpinning the Joint Strategic Plan (JSP) as set out in Appendix 1 is approved. 2. That Cabinet recommends to Council that the Statement of Community Involvement for the Joint Strategic Plan (as set out in Appendix 2) is approved for consultation.
Period for post policy/project review	The JSP will include provisions that would trigger a review. In addition, national guidance requires that the adopted Local Plans are reviewed every five years to determine whether an update is required.
Corporate objectives:	The proposed South West Hertfordshire Joint Strategic Plan (JSP) helps support all 6 corporate objectives:

	<ul style="list-style-type: none"> • Safe and clean environment: e.g. contains policies ensuring safe and clean environment; • Community Capacity: e.g. provides a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc; • Affordable housing: e.g. sets an approach to meeting longer term housing needs, including affordable; • Dacorum delivers: e.g. provides a clear framework upon which planning decisions can be made; and • Regeneration: e.g. guides future planning frameworks for key regeneration projects; • The Climate and Ecological Emergency: e.g. provides a longer term framework to for sustainability across the area.
<p>Implications:</p> <p>'Value for money' implications</p>	<p><u>Financial</u></p> <p>None arising from this report. The JSP programme is funded through contributions from the member authorities and awards of external funding from Government</p> <p><u>Value for money</u></p> <p>None arising from this report.</p>
Risk implications	<p>The JSP has its own detailed risk assessment and is regularly monitored in accordance with the Council's programme management procedures.</p> <p>The key risk is that the JSP is found 'unsound' by an Inspector at Public Examination. To avoid this, the participating Council must ensure that the Plan complies with Government policy and other legislative requirements, including preparing an SCI and ensuring SoCGs are in place.</p>
Community Impact Assessment	A full Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and a Community Impact Assessment will be prepared to support the JSP. This will look at social, environmental and economic impacts in detail and is scrutinised by an independent inspector.
Health and safety Implications	No implications as a result of this report.
Deputy Monitoring Officer/	As a local planning authority, the Council is required to engage constructively, actively on an ongoing basis to maximise the effectiveness of local plan preparation in the context of cross-border strategic planning issues as set out in the Localism Act 2011. This duty is also reflected in the tests of soundness for Local Plan Examination, set out in paragraphs 24 to 27 National Planning Policy Framework 2021.
Deputy Officer comments S.151	No Direct financial implications of this policy.

Consultees:	Mark Gaynor (Corporate Director for Housing and Regeneration) James Doe, Assistant Director – Planning, Development and Regeneration
Background papers:	1. Appendix 1: Statement of Common Ground (SoCG) for the JSP 2. Appendix 2: Statement of Community Involvement for SW Herts Joint Strategic Plan (2021)
Glossary of acronyms and any other abbreviations used in this report:	HCC – Hertfordshire County Council JSP – South West Herts Joint Strategic Plan MHCLG – Ministry of Housing, Communities and Local Government MoU – Memorandum of Understanding SCG – Statement of Common Ground SPMG – Strategic Planning Members Group

1. Introduction to the Joint Strategic Plan

- 1.1 The South West Herts Authorities (Dacorum Borough Council, St. Albans City and District, Watford Borough Council, Hertsmere Borough Council and Three Rivers District Council, with the support of Hertfordshire County Council) have agreed to work together to produce the South West Hertfordshire Joint Strategic Plan (JSP). This will provide a South West Hertfordshire integrated strategic planning framework and supporting evidence base to support sustainable growth to 2050.
- 1.2 The JSP will be a statutory planning document, prepared under Section 28 of the Planning and Compulsory Purchase Act 2004 (as amended). The Plan will identify the overall quantum of housing and economic growth within South West Hertfordshire to be planned for between 2036 and 2050 and its broad distribution across the area. The plan will identify strategic allocations and priorities, as well as the strategic infrastructure necessary to deliver the spatial strategy.
- 1.3 The JSP will focus on climate change, infrastructure delivery, strategic housing and employment, and Green Belt/AONB and will be about more than just planning and will create a framework for investor confidence in SW Herts.
- 1.4 The benefits of a JSP include:
- Increased potential for unlocking infrastructure investment from Government;
 - Creating a bigger canvas to make decisions about future growth;
 - Allowing an infrastructure-led approach; not ‘planning by numbers’; and
 - Enabling a coordinated approach to investment and delivery of infrastructure giving priority to strategic solutions.
- 1.5 For the avoidance of doubt, the intention will be for all five Local Planning Authorities (LPAs) to retain ‘sovereignty’ over the JSP process, with the plan following essentially the same process as individual Local Plans and therefore needing approval from each of the partner authorities at each key stage of its preparation and final adoption.

- 1.6 The JSP looks at the period beyond the timescale being followed for the five Boroughs' and Districts' emerging Local Plans. The ongoing work on the JSP does not, and will not, affect current work on the new Dacorum Local Plan.

2. Background to the Statement of Common Ground

- 2.1 Under the National Planning Policy Framework (2021 NPPF), local planning authorities are expected to produce, maintain and keep up to date a Statement of Common Ground (SCG) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant bodies.
- 2.2 In accordance with this guidance, the South West Herts authorities agreed a Memorandum of Understanding (MoU) on joint strategic planning in January 2018. This MoU set out how initial cooperation between the authorities would be managed in respect of strategic planning issues. This was followed by an initial Statement of Common Ground (SCG) that was agreed by officers in early 2019. The proposed SCG is therefore the third in a series of documents that has been prepared to guide preparation of the JSP.
- 2.3 In accordance with agreed JSP governance arrangements, the SW Herts JSP Planning Members Group (SPMG) – which comprises the Planning Portfolio Holder for each of the SW Herts authorities - considered the draft SCG at their meeting on 29th June 2021. At that meeting, all Members advised that they were happy with the draft SCG. Advice on the content of the SCG has also been taken from Simon Ricketts and Mary Cook QC at Town Legal.

3 Content of the Statement of Common Ground

- 3.1 The SCG is contained in Appendix 1 and sets the scene for the SW Herts JSP, outlining the area, the authorities, the role of the County Council, the role of the Hertfordshire Growth Board and their commitment to preparing a JSP, including an outline of the Plan and its timetable.
- 3.2 The SCG also sets out the areas of common strategic interest within which the group will work together to prepare the JSP, and the methodology and project management arrangements that they will use to prepare it.
- 3.3 The SCG, and commitment to prepare a JSP, reflects the ongoing strong collaborative working amongst all six partner authorities, and the desire to “place shape” the future growth of the area. As stated previously, the SCG and JSP do not, however, remove the local authority’s sovereignty in Local Plan making.
- 3.4 All of the South West Herts authorities are now being asked to approve the Statement of Common Ground, as endorsed by the Strategic Planning Members Group (SPMG).
- 3.5 The SCG will be a “live” document and will evolve and be updated at key stages in the preparation of the JSP. The signed SCG will also be used by the authorities as a ‘pre-commencement’ commitment document for the JSP.

4. New SW Herts Joint Strategic Plan Statement of Community Involvement

- 4.1 There is a legal requirement to undertake public consultation on Local Plans, including statutory Joint Plans. In addition, effective and meaningful community

involvement will give people the opportunity to say what sort of place they want South West Herts to be and explain how their views can make a difference.

- 4.2 The arrangements for engagement in Plan making are set out in the Statement of Community Involvement (SCI). Dacorum's adopted SCI provides some information on how the community will be involved in the JSP but it is considered necessary for a more detailed and separate SCI to be in place for the JSP. In accordance with the Regulations, the proposed SCI for the JSP is limited in scope – covering only the consultation that will be carried out as part of the strategic plan-making process. Development Management matters will remain the responsibility of the local authority area in which they are located and consultation on planning applications will therefore continue to be governed by the SCI for the relevant council area.
- 4.3 The content and structure of the SCI reflects the requirements of relevant national planning regulations governing statutory plan consultation, whilst also highlighting the increasing importance of online messaging, through social media and other platforms, in raising awareness of plan consultations.
- 4.4 The statutory JSP SCI will be supplemented by a more detailed and public facing Communications and Engagement Strategy that will be drawn up to support the JSP. This strategy will run alongside the SCI and will be updated for each plan-making stage, setting out the detailed consultation arrangements. It is not considered appropriate to cover these detailed arrangements within the SCI itself, as they will be tailored to the nature of each consultation, and insofar as time and resources allow, thereby allowing the evolution of the JSP to reflect and respond to emerging best practice in terms of approaches to engagement.
- 4.5 In accordance with the JSP governance structure, the SW Herts JSP Planning Members Group (SPMG) – which comprises the Planning Portfolio Holder for each of the SW Herts authorities - has considered the draft SCI, and the principle of having more detailed consultation strategies for each consultation stage. All have advised that they are happy with this approach.
- 4.6 Informal, high-level advice has also been taken from Simon Bird QC and Mary Cook QC at Town Legal. They have advised that a separate SCI for the JSP is required and have also advised that the document should set out how the councils will meet the necessary regulatory requirements and ideally exceed these – especially through the use of online engagement and social media.
- 4.7 Hertfordshire County Council do not need to formally endorse the SCI but have confirmed their support for the approach set out within it.

5. Consultation

- 5.1 There is no longer a legal requirement to consult on the content of SCIs. However, this Council, and a number of the other Councils within the SW Herts area, have previously chosen to carry out targeted engagement on their documents. For consistency it is therefore recommended that this approach is applied to the SCI for the SW Herts JSP.
- 5.2 The SW Herts JSP Director will co-ordinate consultation with statutory consultees. These are listed in Appendix 1 of the document. Individual districts

will be responsible for carrying out any consultation they feel is appropriate with relevant local consultees. For Dacorum this will comprise town and parish councils, local residents' associations and relevant action groups.

6. Next Steps

- 6.1 Provided that approval to consult on the SCI is granted by all five SW Herts districts, targeted consultation will be carried out on the SW Herts JSP SCI for a 6-week period. This is currently scheduled for autumn 2021.
- 6.2 Following the consultation, the SCI will then be brought back to Cabinet and full Council to seek formal approval for the final version of the document – incorporating any changes required as a result of the consultation process. Members should note that formal approval for the SCI from all five districts that make up the SW Herts JSP area must be in place before any statutory consultation on the SW Herts JSP takes place.
- 6.3 The next major milestone for the JSP will be the preparation of Regulation 18 consultation, earmarked for early 2022. This will set out high level visioning for the JSP area. This document will need to be approved by all partner authorities before it is consulted on.
- 6.4 A SWH JSP website to host all JSP related materials and the future public consultations is also planned. This is likely to be ready by the end of Summer 2021.

Appendix 1 – Statement of Common Ground (SoCG) for the JSP

Appendix 2 - Statement of Community Involvement for SW Herts Joint Strategic Plan (2021)