



STRATEGIC PLANNING & ENVIRONMENT

Overview and Scrutiny Committee

Report for:	Strategic Planning & Environment Overview and Scrutiny Committee
Title of report:	South West Hertfordshire Joint Strategic Plan: Adoption of Statement of Community Involvement and approval of Regulation 18 document and associated Sustainability Scoping Report for consultation
Date:	6 th July 2022
Report on behalf of:	Councillor Alan Anderson, Portfolio Holder for Planning and Infrastructure
Part:	I
If Part II, reason:	N/A
Appendices:	<p>Appendix A – Statement of Community Involvement (Final)</p> <p>Appendix B – Schedule of organisations consulted</p> <p>Appendix C – Summary of Consultation Responses</p> <p>Appendix D – Joint Strategic Plan ‘Realising our Potential’ - Regulation 18 Consultation document</p> <p>Appendix E – Sustainability Appraisal Scoping Report</p> <p>Appendix F - Community Impact Assessment</p>
Background papers:	<ol style="list-style-type: none"> 1. SW Herts JSP: Statement of Common Ground (November 2021) 2. Realising our Potential – A vision for SW Herts, Prior and Partners (March 2022). 3. SW Herts ‘Your Future’ – Initial Engagement results, Icenl Projects (July 2020) 4. Consultation and Engagement Strategy (May 2022) <p>All documents are available on https://www.swhertsplan.com/</p>
Glossary of acronyms and any other abbreviations used in this report:	<p>CIA: Community Impact Assessment</p> <p>DLUHC: Department of Levelling Up, Housing and Communities</p> <p>EqIA: Equalities Impact Assessment</p> <p>HIA: Health Impact Assessment</p> <p>JSP: Joint Strategic Plan</p> <p>LPA: Local Planning Authority</p> <p>SA: Sustainability Appraisal</p> <p>SAC: Special Area of Conservation</p> <p>SCI: Statement of Community Involvement</p> <p>SoCG: Statement of Common Ground</p>

	<p>SPOG: Strategic Planning Officers Group</p> <p>SG: Steering Group</p> <p>SPMG: Strategic Planning Members Group</p> <p>SPD: Supplementary Planning Document</p>
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Corporate Priorities	<p>Building strong and vibrant communities</p> <p>Ensuring economic growth and prosperity</p> <p>Climate and ecological emergency</p>
Wards affected	ALL
Purpose of the report:	<ol style="list-style-type: none"> To consider the Statement of Community Involvement for the Joint Strategic Plan. To consider the Joint Strategic Plan ‘Realising our Potential’ - Regulation 18 Consultation document and associated Sustainability Scoping Report.
Recommendation (s) to the decision maker (s):	<ol style="list-style-type: none"> That Committee informs Cabinet of its views on the adoption of the Statement of Community Involvement. That Committee informs Cabinet of its views on the Joint Strategic Plan ‘Realising our Potential’ - Regulation 18 Consultation document and associated Sustainability Scoping Report.
Period for post policy/project review:	5 years

1. Introduction/Background:

- 1.1 This report seeks the views of the Committee on two key documents relating to the preparation of the South West Herts Joint Strategic Plan. The first relates to the adoption of the Statement of Community Involvement (SCI). This was approved for consultation on 21 September 2021 and is discussed in section 4 onwards of this report. The second relates to the approval for consultation of the Regulation 18 consultation document for the SW Herts Joint Strategic Plan, 'Realising our Potential' and the associated Sustainability Scoping Report which are discussed in section 10 onwards.
- 1.2 The Council, together with Three Rivers, Watford, St Albans, Hertsmere and the County Council signed a 'Statement of Common Ground' (SoCG) in October last year, which committed us to the preparation of a Joint Strategic Plan (JSP) for SW Herts (see background documents).
- 1.3 For your information, Members will be aware that the report went to Cabinet on 21st September, 2021, and was agreed at Full Council on 6th October, 2021.
- 1.4 The SoCG is on the JSP website on the governance and background papers page: <https://www.swhertsplan.com/governance-and-papers>.

2. Role and Scope of the JSP

- 2.1 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.
- 2.2 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 to 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.
- 2.3 The JSP will focus on climate resilience, infrastructure delivery, and strategic housing and employment. However it will be about more than planning and will help create a framework for investor confidence in SW Herts.
- 2.4 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 a vision and infrastructure-led approach;
 - Not 'planning by numbers'; and
 - Enabling a coordinated approach to investment and delivery of infrastructure giving priority to strategic solutions.
- 2.5 All five LPAs will 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. This report seeks approval of an initial Issues and Options (Regulation 18) document, for public consultation.

3. Relationship of the JSP to Local Plan

- 3.1 Each of the South West Hertfordshire authorities is in the process of updating their individual Local Plans, which currently run to between 2031 and 2038. The JSP will not affect the content of this current round of Local Plans. Rather, these Local Plans will help inform the JSP by establishing the medium term planning strategy for the area. The Joint Strategic Plan will then look further ahead in a more coordinated way, to 2050, to help provide a longer-term framework for the area.
- 3.2 When each authority comes to review their Local Plan again, they will be able to frame those new policies in the context of the jointly developed policies in the Joint Strategic Plan. The next round of Local Plans will also add more detail to the policies of the Joint Strategic Plan and facilitate their delivery. Working in the context of the jointly developed Joint Strategic Plan policies, these more detailed Local Plan policies will be more effective in delivering the overall policy aims for the South West Hertfordshire area.

Item 1 - Statement of Community Involvement (Appendix A)

4. Background

- 4.1 This section of the report outlines the provisions of the Statement of Community Involvement (SCI) for the South West (SW) Herts Joint Strategic Plan, which Cabinet and Full Council are now being asked to adopt. The SCI sets out the broad parameters that will guide all consultation on the emerging joint strategic plan, the requirements for which are set out in Section 18 of the Planning and Compulsory Purchase Act 2004.
- 4.2 Members will recall that Cabinet approved the draft SCI for consultation on 21 September 2021. The SW Herts JSP team co-ordinated consultation with statutory consultees. These are listed in Appendix 1 of the SCI document. This included organisations such as Natural England, the Environment Agency, key utilities companies, adjoining local authorities and town and parish councils within the SW Herts area.
- 4.3 These organisations were all consulted by email where possible, or letter where an email address was not available. They were directed to the JSP website (www.swhertsplan.co.uk) where they could view the document, or were advised that an electronic copy could be provided on request. These notifications were sent on 22 November 2021 with replies requested by 17 January 2022 – giving an 8 week period to respond, to reflect the fact that the consultation period included the Christmas and New Year holidays.
- 4.4 A covering letter and copy of the SCI was also sent to all libraries within the SW Herts area for their reference sections, and to each district Council office to keep on their reception desks, should residents wish to see a hard copy.
- 4.5 To supplement the notification of statutory bodies, individual districts also consulted any relevant local consultees they considered appropriate. For Dacorum this comprised local residents associations and relevant action groups (see Appendix B for the full list of organisations consulted).

5. Consultation responses

- 5.1 Thirteen responses were received to the consultation. These were from:
 - Affinity Water
 - Planning Property Team, Herts County Council
 - Sport England
 - Environment Agency
 - Natural England
 - Defence Infrastructure Organisation, Ministry of Defence,

- Hertfordshire Gardens Trust
- Nash Mills Parish Council
- Harlow Borough Council
- National Highways
- Canal and River Trust
- Berkhamsted Residents Action Group (BRAG)
- Central Bedfordshire Council

6. Changes required as a result of consultation responses

- 6.1 The table in Appendix C of this report summarises the responses received and the proposed Officer response. All of the comments were either supportive of the document, or supportive subject to certain minor amendments being made. As summarised in Appendix C to this report, it is recommended that most of these suggested amendments are accepted, as they improve clarity.
- 6.2 Two respondees, Sport England and the Defence Infrastructure Organisation, requested that they are added to the list of consultation bodies set out in Appendix 1 of the SCI. Two other respondents, the Hertfordshire Gardens Trust and Nash Mills Parish Council asked more general questions about the Joint Strategic Plan. Responses have been provided to these two organisations by email, as summarised in Appendix C of this report.
- 6.3 In addition to the changes proposed to the draft SCI as a result of responses received, Officers have also carried out a check of the organisations listed in Appendix 1 of the SCI to ensure it is fully compliant with the regulations. Some updates have been made as a result of this check, including a reference added to Neighbourhood Forums. As a result of this change, it is recommended that a paragraph is added to the SCI to refer to Neighbourhood Planning documents and the fact that any of these documents prepared within the SW Herts area will need to be in conformity with the Joint Strategic Plan, once adopted.
- 6.4 The names of some organisations listed within the document have also been amended to ensure they are up to date. Some other minor amendments to ensure diagrams are correctly referenced and for textual clarity have also been made, together with some minor changes to reflect the fact that this is no longer a draft document for consultation.

7. Scope and Content of the SCI

- 7.1 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 joint 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. Dacorum’s own SCI will also continue to cover consultation arrangements relating to the borough’s Local Plan.
- 7.2 The content and structure of the SCI is consistent with that of Dacorum’s own SCI. This in turn 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 and engagement with plan consultations.
- 7.3 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 – and the JSP Steering Group – which comprises Chief Executives, Managing Directors or Corporate Directors of each authority has supported the principle of having a high level SCI, with more detailed consultation strategies drawn up for each specific consultation stage.

7.4 Hertfordshire County Council do not need to formally endorse the SCI but have confirmed their support for the approach set out within it.

8. Next Steps

8.1 Once adopted by all five districts that make up the SW Herts area, the SCI will be kept under review to ensure it continues to reflect legal requirements and best practice.

9. Options and Reasons for Recommendations

9.1 Not agreeing the draft SCI for the SW Herts JSP would mean that this document would not be in place in time for the first consultation on this new joint plan, which is scheduled for July / August 2022. It is a legal requirement to have an adopted SCI in place before consultation commences on any statutory plan. Relying on existing broad references to JSP engagement processes within current district-level SCIs could result in confusion and a lack of consistency across the SW Herts area regarding how engagement on the joint plan is carried out. To fail to have an agreed SCI in place, or to have an inconsistent approach to consultation arrangements could potentially result in a successful future legal challenge to the JSP.

Item 2 - Joint Strategic Plan 'Realising our Potential' - Regulation 18 Consultation document and associated Sustainability Scoping Report (Appendices D and E)

10. Background

10.1 This section of the report outlines the provisions of the Joint Strategic Plan 'Realising our Potential' – Regulation 18 Consultation and associated Sustainability Scoping Report.

10.2 The Planning and Compulsory Purchase Act 2004 (as amended) and associated regulations leave matters such as the number of consultations undertaken at the Regulation 18 stage, and the content of these consultations, very much to the discretion of authorities involved. Through the Statement of Common Ground signed by the 5 district authorities and county council in 2021, it has been agreed that engagement on the JSP will involve two regulation 18 stages. The first will be an 'Issues and Options' document, focussing on establishing a clear vision and set of objectives for the plan (the document before this committee). The second Regulation 18 stage will comprise a draft 'Spatial Options' document. This report seeks approval to consult on the first of these Regulation 18 documents – entitled 'Realising Our Potential.'

10.3 This consultation document sets out the long term planning issues that are expected to face the SW Herts area to 2050, and suggests some broad principles that could be used to develop a plan to address these issues. It also begins a high level discussion on the types of future growth options that could be considered for the area. The document is intentionally high level at this first formal consultation stage. Importantly, it does not include any indicative housing or employment targets or suggest any locations where growth may occur. This is because:

- It is unclear at the present time what any future housing and employment targets for the area will be on a long term basis; and
- Technical work to inform any decisions on the appropriate scale and location of growth has not been completed.

10.4 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 and the county council - has considered both the Issues and Options document itself and a Communications and Engagement Plan and have advised that they are happy with the content of both.

11. Sustainability Appraisal

- 11.1 As required by the Strategic Environmental Assessment Directive and Government Guidance on Sustainability Appraisal as set out in the Planning and Compulsory Purchase Act 2004 and associated Regulations, the Issues and Options document is accompanied by a Sustainability Appraisals Scoping Report, prepared by Land Use Consultants Ltd on behalf of the SW Herts authorities. The principal role of this Scoping Report is to set out a suggested framework against which future iterations of the plan can be assessed to establish its likely social, economic and environmental impacts. It also includes:
- a) A review and summary of international and national policies, plans and programmes (PPPs) that are of relevance to the JSP, drawing on the information within the SA reports for the constituent Local Plans as a starting point and updating these as necessary; and
 - b) A high level initial assessment of the proposed vision and objectives, and growth types, to help ensure these are comprehensive and that any potential social, environmental and economic impacts are highlighted at an early stage in the plan-making process, to enable any negative effects to be addressed and/or mitigated; and
 - c) Information on how an Equalities Impact Assessment (EqIA) and Health Impact Assessment will be integrated into the assessment, as details of the JSP's proposed policy approaches becomes clearer over time.
- 11.2 As the JSP progresses, the Sustainability Appraisal work will be extended to reference the conclusions of a separate process relating to the Habitats Regulations Assessment which must also accompany the later stages of a statutory plan. This will be particularly important considering the recent Footprint Ecology Report which assesses the impact of recreational pressure on the Chiltern Beechwoods Special Area of Conservation (SAC).
- 11.3 As required by the regulations, feedback will be sought on this Sustainability Appraisal Scoping Report as part of the Issues and Options engagement.

12. The Issues and Options consultation

- 12.1 As for all Local Plans, there is a legal requirement to undertake public consultation on statutory Joint Plans in accordance with a SCI (see section 4 of this report). This SCI is being supplemented by an updated Communications and Engagement Plan, prepared by specialist engagement consultants Icenl and the JSP Communications Officer, in liaison with Communications Officers at each participating authority (see background papers). This Communications and Engagement Plan provides more detail regarding the proposed consultation approaches that will be deployed. This approach reflects the recent award of a 'Proptech' grant from central Government to progress an innovative approach to engagement using a variety of social media platforms, as well as via the SW Herts bespoke engagement website - www.swherstplan.com. The latter is based on the successful informal engagement 'SW Herts – Your Future' referenced below.
- 12.2 The content of the Issue and Options document has been informed by two informal consultations. The largest of these was the 'SW Herts Your Future' poll carried out in early 2020. This successful social media-based engagement generated over 14.5k comments and provided a high level overview of what those who live and/or work in SW Herts like about the area now, and what should be priorities for the future. Further information on this engagement is available on the SW Herts JSP's website.
- 12.3 More recently, as part of work to inform a vision for SW Herts, an interactive questionnaire was published on www.swherstplan.com, asking what type of future respondents envisaged for the area. This was accompanied by a series of videos from leaders across the academic, industry and voluntary sectors to help stimulate responses. This online questionnaire went live between 1 November and 14

December 2021, and was advertised through a press release and a direct email to all Members. The responses received were fed in to the vision workshops held with the JSP Strategic Planning Members Group, Officers from each authority and key stakeholders, and have helped inform the draft vision statement and objectives contained within the Issues and Options document which is now proposed for formal consultation.

12.4 Consultation on the Regulation 18 document will employ a range of mechanisms to raise awareness and increase response rates to the consultation material, including:

- Interactive consultation document hosted on the SW Herts website, with supporting material.
- A linked social media based campaign, supported by short videos and graphics, utilising a shortened version of the full Regulation 18 document, with simplified questions.
- Paper copies of consultation material and response forms issued to all libraries and deposit points within the SW Herts area.
- Introductory video hosted on SW Herts website.
- Direct notification letters / emails to all key consultation bodies listed in the Statement of Community Involvement, plus other groups and individuals on JSP consultation database.
- Articles in district / county e-newsletters / newsletters / magazines as timing permits.
- Signposting of consultation website via partner authority websites
- Press release(s) – co-ordinated by JSP team and issued by each authority
- Business cards with QR code information on the consultation distributed to colleges, libraries and deposit points in the SW Herts area.
- Posters provided for display at libraries and deposit points.
- Updated 'Frequently asked Questions' on website.
- Briefings for Town and Parish Councils.

12.5 Consultants Icenis are also supporting the JSP team, the JSP Communications Officer and district / county Communication Officers to prepare a 'toolkit' of material to enable districts to roll out wider engagement within their areas, should they wish to do so.

12.6 The Proptech grant has also enabled the formal establishment of a Youth Forum, who have provided early feedback on the engagement approach. This is to try to ensure that responses are received from 18-25 year olds – the adult age group who will be most impacted by a long term strategy such as the JSP.

13. Consultation timing

13.1 Due to the need to gain the necessary Member approvals for the five district authorities involved in the preparation of the JSP, the earliest that consultation can begin on the 'Realising Our Potential' document and associated Sustainability Appraisal Scoping report will be late July / early August 2022.

13.2 As this engagement will take place over the summer period it is proposed that it is extended from the usual 6 weeks to 8 weeks (as per paragraph 2.12 of the Statement of Community Involvement).

13.3 It is important to note that the social media focussed element of the engagement, which is the core of the Government funded 'Proptech' grant will need to be completed by around the end of August / very early September and reported on to the Department of Levelling Up, Housing and Communities (DLUHC) by the end of September to meet the grant conditions. The wider consultation will however continue beyond this cut-off.

13.4 Having a shorter consultation period for the social media based element of the consultation will actually prove beneficial, as it will enable a clear comparison to be made between the effectiveness of this method of engaging with different residents versus more traditional web-based means.

14. Next Steps

14.1 Following consultation on this first Regulation 18 document, the JSP team will summarise the comments received and set this out in a Consultation Report. The content of this will be discussed with the cross-authority Strategic Planning Officers Group (SPOG), Steering Group (SG) and Strategic Planning Members Group (SPMG), before being formally reported back to the district authorities. Formal reporting is likely to take place when approval is sought to progress the second Regulation 18 ('Spatial Options') document. The timing of this next stage will depend upon Local Plan progress.

15. Options and Reasons for Recommendations

15.1 The principal alternative option is for the council to not agree the draft Issues and Options document for consultation. This option is not recommended as it would result in a significant delay to the JSP programme. This programme, together with the broad coverage of the JSP, has been agreed by the participating councils through the signing of a Statement of Common Ground in November 2021 (see <https://www.swhertsplan.com/11380/widgets/33598/documents/24472>). It would also mean that the JSP programme would not be able to meet the conditions of the substantial grant it has received from the Government's 'Proptech' fund, which is covering the costs of the majority of the consultation activity. Government requires a report of the effectiveness of the consultation to be submitted in September 2022. This deadline can only be met if the proposed consultation timetable is met.

16. Consultation

16.1 The following officers/sections have been consulted on the work undertaken to date:

- James Doe, Strategic Director (Place)
- Ronan Leydon, Team Leader - Strategic Planning
- Sara Whelan, Hemel Place Strategy Programme Manager
- Phillipa Zieba, Hemel Garden Communities Programme Director

17. Financial and value for money implications

17.1 There are no direct financial implications related to this report. The Joint Strategic Plan Programme is supported by an annual contribution of £40k from each of the participating authorities. The costs of preparing and consulting on this Issues and Options document are however covered by a Government 'Proptech' fund grant, so is at nil capital cost to the Council.

18. Legal Implications

18.1 There are no direct legal implications. The process of preparing the Issues and Options document for the Joint Strategic Plan has been carried out in accordance with Planning and Compulsory Purchase Act 2004 (as amended), Localism Act 2011, The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020. The preparation of the Sustainability Appraisal Scoping Report has been carried out in accordance with the relevant regulations referenced above.

19. Risk implications

19.1 One of the main risks is that this Council or another of the participating Councils does not approve the Statement of Community Involvement or the Joint Strategic Plan 'Realising our Potential' - Regulation 18 Consultation document for public consultation. The consequence would be that the consultation would be delayed.

19.2 It is a legal requirement to have an adopted SCI in place before consultation commences on any statutory plan. To fail to have an agreed SCI in place, or to have an inconsistent approach to consultation arrangements could potentially result in a successful future legal challenge to the JSP.

20. Equalities, Community Impact and Human Rights

- 20.1 The Council has also undertaken a Community Impact Assessment (CIA) of the Statement of Community Involvement. This is attached in Appendix F.
- 20.2 The consultation document is supported by an independent Sustainability Appraisal Scoping Report prepared by Land Use Consulting Ltd, upon which feedback is also sought as part of the consultation process. This considers the impact of the document against a sustainability framework, covering a range of environmental, social and economic objectives. The final Sustainability Appraisal report will also incorporate a high level Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA).

21. Human Rights

- 21.1 There are no Human Rights Implications arising from this report.

22. Sustainability implications (including climate change, health and wellbeing, community safety)

- 22.1 The consultation document is supported by an independent Sustainability Appraisal Scoping Report prepared by Land Use Consulting Ltd. This considers the impact of the document against a sustainability framework, covering a range of environmental, social and economic objectives. The final Sustainability Appraisal report will also incorporate a high level Equalities Impact Assessment (EqIA) and Health Impact Assessment (HIA).

23. Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

- 23.1 There are no implications for Council infrastructure arising from this proposal.

24. Conclusions

- 24.1 The production of the Joint Strategic Plan will provide a long term strategic framework for the South West Hertfordshire Authorities, including Dacorum. The JSP will focus on climate resilience, infrastructure delivery, strategic housing and employment. However it will be about more than planning and will help create a framework for investor confidence in SW Herts. The JSP will increase 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 enable a coordinated approach to investment and delivery of infrastructure giving priority to strategic solutions.
- 24.2 This report seeks approval for three key early documents underpinning the JSP, without which progress on the JSP will not be possible.