



Cabinet



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Report for:	Cabinet
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:	12 th July 2022
Report on behalf of:	Councillor Alan Anderson, Portfolio Holder for Place
Part:	I
If Part II, reason:	N/A
Appendices:	<p>Appendix A – Statement of Community Involvement (Final)</p> <p>Appendix B – Joint Strategic Plan ‘Realising our Potential’ - Regulation 18 Consultation document</p> <p>Appendix C – Sustainability Appraisal Scoping Report</p> <p>Appendix D - Community Impact Assessment</p> <p>Appendix E – Strategic Planning & Environment Overview and Scrutiny Committee Recommendations to Cabinet (to be provided verbally).</p>
Background papers:	<ol style="list-style-type: none"> 1. Strategic Planning & Environment Overview and Scrutiny report 6th July 2022 2. SW Herts JSP: Statement of Common Ground (November 2021) 3. Realising our Potential – A vision for SW Herts, Prior and Partners (March 2022). 4. SW Herts ‘Your Future’ – Initial Engagement results, Icen Projects (July 2020) 5. Consultation and Engagement Strategy (May 2022) <p>All JSP documents are available on https://www.swhertsplan.com/</p>
Glossary of acronyms and any other abbreviations used in this report:	<p>EqlA: Equalities Impact Assessment</p> <p>HIA: Health Impact Assessment</p> <p>JSP: Joint Strategic Plan</p> <p>LPA: Local Planning Authority</p> <p>SAC: Special Area of Conservation</p> <p>SCI: Statement of Community Involvement</p> <p>SPD: Supplementary Planning Document</p>

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Corporate Priorities	Building strong and vibrant communities Ensuring economic growth and prosperity Climate and ecological emergency
Wards affected	ALL
Purpose of the report:	<ol style="list-style-type: none"> 1. That Cabinet notes the views of Strategic Planning and Environment Overview and Scrutiny Committee. 2. To seek Cabinet approval to adopt the Statement of Community Involvement for the Joint Strategic Plan. 3. To seek Cabinet approval to consult on the Joint Strategic Plan ‘Realising our Potential’ - Regulation 18 document.
Recommendation (s) to the decision maker (s):	<ol style="list-style-type: none"> 1. That Cabinet approves the Statement of Community Involvement for adoption. 2. That Cabinet approves the Joint Strategic Plan ‘Realising our Potential’ - Regulation 18 and associated Sustainability Scoping Report for consultation.
Period for post policy/project review:	5 years

1 Introduction/Background:

- 1.1 This report seeks Cabinet's approval for two sets of documents relating to the preparation of the South West Herts Joint Strategic Plan (JSP). The first relates to the adoption of the final version of the Statement of Community Involvement (SCI) (Item 1 below). This was approved for consultation on 21st September 2021. 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 associated Sustainability Scoping Report (Item 2 below).
- 1.2 Members will be aware that, on 6th July 2022, Strategic Planning & Environment Overview and Scrutiny Committee considered and supported these documents for further consideration by Cabinet and Full Council. Officers will summarise the comments made at Cabinet.

2 The Statement of Community Involvement and the Joint Strategic Plan:

- 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 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.
- 2.4 The JSP will not affect the content of this current round of Local Plans being prepared by partner authorities in the South West Hertfordshire area. The aim of the JSP is to establish a longer-term policy framework for the area against which subsequent Local Plan reviews can take forward, expand upon and deliver locally.

Item 1 - Statement of Community Involvement (Appendix A)

- 2.5 Cabinet and Full Council are being asked to adopt the final version of the Statement of Community Involvement (SCI) for the South West (SW) Herts Joint Strategic Plan. The SCI will govern consultation arrangements on the emerging joint strategic plan process.
- 2.6 Members will recall that Cabinet approved the draft SCI for consultation on 21 September 2021. The consultation involved consulting statutory consultees as well as providing copies of documents at local deposit points and libraries.
- 2.7 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.
- 2.8 Members should note that the proposed SCI for the JSP will only cover the consultation arrangements for that plan-making process and that its content and structure is consistent with this Council's own SCI.

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

- 2.9 Cabinet and Full Council are also being asked to agree for consultation the Joint Strategic Plan 'Realising our Potential' – Regulation 18 Consultation and its associated Sustainability Scoping Report.
- 2.10 The engagement on the JSP will involve two separate regulation 18 stages:
- An initial high-level 'Issues and Options' document, focussing on establishing a clear vision and set of objectives for the plan (the document before this committee).
 - A second Regulation 18 stage comprising of a draft 'Spatial Options' document.

This report only seeks approval to consult on the first stage.

- 2.11 The content of the Issue and Options document has been informed by two previous informal consultations. The document will also set 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. The document also begins a high level discussion on the types of future growth options that could be considered for the area, but at this stage excludes any indicative housing or employment targets or suggest any growth locations.

Sustainability Appraisal

- 2.12 The Issues and Options document will be accompanied by a Sustainability Appraisals Scoping Report, prepared by Land Use Consultants Ltd on behalf of the SW Herts authorities. This sets out a suggested framework against which future iterations of the plan can be assessed to establish its likely social, economic and environmental impacts.
- 2.13 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 (HRA) which must also accompany the later stages of a statutory plan. Members will be aware of the publication of the recent Footprint Ecology Report which assesses the impact of recreational pressure on the Chiltern Beechwoods Special Area of Conservation (SAC).
- 2.14 As required by the regulations, feedback will be sought on this Sustainability Appraisal Scoping Report as part of the Issues and Options engagement.

The Issues and Options consultation

- 2.15 This SCI is being supplemented by an updated Communications and Engagement Plan that 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'.
- 2.16 Consultation on the 'Realising Our Potential' document and associated Sustainability Appraisal Scoping report is programmed for late July / early August 2022 and will run for 8 weeks. The document will employ a range of mechanisms to raise awareness and increase response rates to the consultation material.
- 2.17 Members should 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.
- 2.18 Following consultation, the JSP team will summarise the comments received and set this out in a Consultation Report. The content of this report 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.

3 Options and alternatives considered:

- 3.1 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 currently 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.
- 3.2 In the case of the draft Issues and Options consultation documents, the principal alternative option is for the council to not agree it 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 satisfied.

4 Consultation:

The following officers/services 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

5 Financial and value for money implications:

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 cost to the Council.

6 Legal Implications:

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.

7 Risk implications:

- 7.1 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.

- 7.2 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.

8 Equalities, Community Impact and Human Rights:

- 8.1 The Council has also undertaken a Community Impact Assessment (CIA) of the Statement of Community Involvement (Appendix D).
- 8.2 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).
- 8.3 There are no Human Rights Implications arising from this report.

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

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).

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

There are no implications for Council infrastructure arising from this project.

11 Statutory Comments

Deputy Monitoring Officer:

The Council is required by the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2017 (as amended) to review its Statement of Community Involvement every five years.

Section 151 Chief Finance Officer

There are no expected financial implications for the Council in the development and implementation of this strategy.

12 Conclusions:

- 12.1 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'. It will also enable a coordinated approach to investment and delivery of infrastructure giving priority to strategic solutions.
- 12.2 This report seeks approval for three key early documents underpinning the JSP, without which progress on the JSP will not be possible.