

ST ALBANS CITY & DISTRICT LOCAL PLAN 2020-2036

DUTY TO COOPERATE COMPLIANCE STATEMENT

April 2019



INTRODUCTION

The local context

1) The City and District of St Albans is located in Hertfordshire, within the Metropolitan Green Belt, 20 miles north of London. The District is bounded by seven other local authorities; Dacorum, Hertsmere, Welwyn Hatfield, Watford, Three Rivers, North Hertfordshire and Central Bedfordshire. It has a population of approximately 147,000 (ONS 2016 Mid-Year estimate) and covers an area of 63 square miles.

Hertfordshire's oldest town, St Albans, is the largest settlement in the District with a population of approximately 69,000 (2011 Census). The residential commuter town of Harpenden is the second largest settlement in the District with a population of almost 30,000 (2011 Census). Both St Albans and Harpenden are prosperous towns, primarily due to their high quality environment, excellent schools and transport links to London. The District is 82% covered by the Metropolitan Green Belt, one of the largest proportions in the country.

The District is exceptionally well located in regard to strategic transport networks. The area benefits from the M1, M25 and A1 (M) motorways, various mainline train routes to, and through, London with connections to European destinations via the Eurostar at St Pancras International. The rail links also provide direct and easy access to Gatwick and Luton Airports.

The South West Hertfordshire (SWH) area covers the administrative areas of Dacorum Borough Council, Hertsmere Borough Council, St Albans City and District Council, Three Rivers Borough Council and Watford Borough Council. This geography is based on the agreed approach that the five LPA area constitutes a single South West Hertfordshire Housing Market Area (HMA) and Functional Economic Market Area (FEMA). This is set out in Figure 1 below.

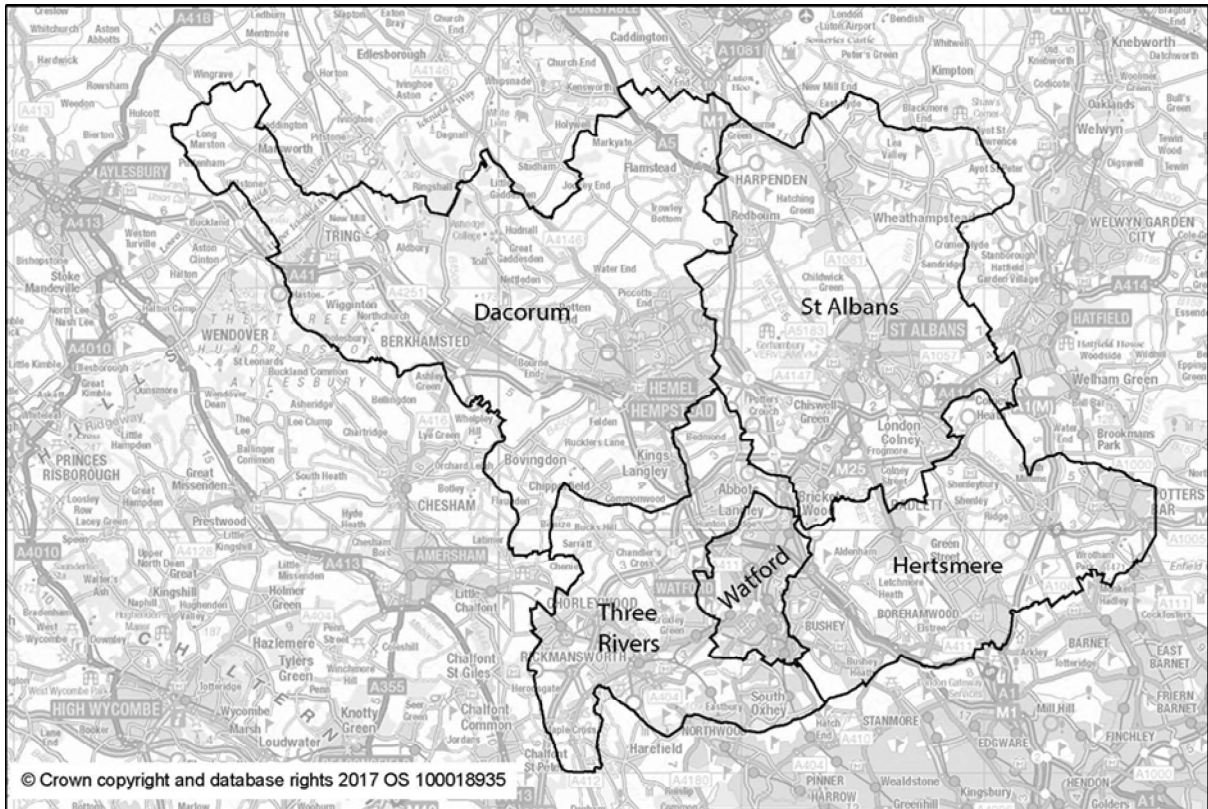


Figure 1 Map of South West Herts

REQUIREMENTS OF THE DUTY TO CO-OPERATE – LOCALISM ACT 2011

Duty to co-operate requirements

2) The Duty to Co-operate is a requirement of the Localism Act 2011. The Act inserted a new section 33A into the Planning and Compulsory Purchase Act 2004. It is commonly characterised as requiring Local Planning Authorities and other prescribed bodies to engage with a view to maximising the effectiveness of the preparation of development plan documents and other activities so far as they relate to strategic matters. This is normally most important in considering strategic issues such as the potential location of development and provision of strategic infrastructure.

3) It requires on-going, constructive and active engagement on the preparation of development plan documents and other activities. It is a ‘duty to co-operate’ not a ‘duty to agree’, but there must be genuine, positive and continuous dialogue.

4) The Duty sets out:

110 Duty to co-operate in relation to planning of sustainable development

...

(1) Each person who is—

(a) a local planning authority,

*(b) a county council in England that is not a local planning authority, or
(c) a body, or other person, that is prescribed or of a prescribed description,
must co-operate with every other person who is within paragraph (a), (b) or (c) or
subsection (9) in maximising the effectiveness with which activities within subsection
(3) are undertaken.*

*(2) In particular, the duty imposed on a person by subsection (1) requires the
person—*

*(a) to engage constructively, actively and on an ongoing basis in any process by
means of which activities within subsection (3) are undertaken, and*

*(b) to have regard to activities of a person within subsection (9) so far as they are
relevant to activities within subsection (3).*

(3) The activities within this subsection are—

(a) the preparation of development plan documents,

...

*(d) activities that can reasonably be considered to prepare the way for activities within
any of paragraphs (a) to (c) that are, or could be, contemplated, and*

*(e) activities that support activities within any of paragraphs (a) to (c),
so far as relating to a strategic matter.*

(4) For the purposes of subsection (3), each of the following is a “strategic matter”—

*(a) sustainable development or use of land that has or would have a significant
impact on at least two planning areas, including (in particular) sustainable
development or use of land for or in connection with infrastructure that is strategic
and has or would have a significant impact on at least two planning areas*

5) In addition to the legal requirements set out above, the NPPF (2019) emphasises the importance of joint working and co-operation between local authorities and other agencies on cross boundary issues and issues of shared interest. The NPPF (2019) states at Paragraph 15 that Plans should:

...be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.

This approach is complemented and supported by more the detailed advice in the Planning Practice Guidance.

6) The revised NPPF (2019) reinforces the Duty to Co-operate concept and at Paragraphs 24-27 sets out new requirements for authorities to prepare one or more “Statement(s) of Common Ground” (SoCG):

Maintaining effective cooperation

24. Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.

25. Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers).

26. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

27. In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.

Additionally, the 2018 Planning Practice Guidance provides extensive guidance as to how the Government considers these SoCG should be prepared.

7) The NPPF 2019 at Paragraph 35 also sets out an updating of the 'positively prepared' and 'effective' soundness tests so that local plans are 'sound' if they are:

a) **Positively prepared** – ...is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

c) **Effective** – ...and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;

Duty to Co-operate bodies

8) As set out above, the legal basis for the Duty is set out in Section 110 of the Localism Act. It applies to all local planning authorities, National Park authorities and county councils in England, and to a number of other public bodies. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012 specify which bodies this duty applies to.

9) In the context of St Albans City & District the Council has the Duty to Co-operate with neighbouring local authorities and a range of prescribed bodies:

Hertfordshire County Council

Dacorum Borough Council

Hertsmere Borough Council

Three Rivers Borough Council

Watford Borough Council

Welwyn & Hatfield Borough Council

Central Bedfordshire Council

North Herts District Council

Luton Borough Council

Environment Agency

Historic Buildings and Monuments Commission for England (known as Historic England)

Natural England

Civil Aviation Authority

Homes and Communities Agency (now Homes England)

Herts Valleys Clinical Commissioning Group

National Health Service Commissioning Board (now NHS England)

Office of Rail Regulation

Highways England

Mayor of London

Transport for London

10) In addition, although not defined by statute in the same way as the above listed organisations, Local Enterprise Partnerships and Local Nature Partnerships are bodies defined in the Regulations as bodies that local authorities have a duty 'to have regard to'. In respect of St Albans these are:

Hertfordshire Local Enterprise Partnership

Hertfordshire Local Nature Partnership

DUTY TO CO-OPERATE HISTORY

Overall Summary

12) St Albans has taken forward detailed, active, constructive and on-going cooperation that has informed the development of the Local Plan since the inceptions of the first iterations of earlier draft Development Plan work in 2006. For example, in 2006 St Albans jointly contracted Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) consultants and work for Local Plan development. This joint commission was by St Albans, Dacorum, Three Rivers and Watford.

13) St Albans has a specific and detailed history with regard to the Duty To Cooperate. In very concise form, the former draft Strategic Local Plan (SLP) failed the DtC test in 2016. This was essentially because of the DtC objections from the South West Herts Group of LPAs. The Council then addressed the reasons for that failure directly. It has joined the South West Herts Group and has accepted the five LPA Housing Market Area and Functional Economic Market Area. The five LPAs are jointly working on evidence, on individual Local Plans and working towards a statutory Joint Strategic Plan. All the South West Herts LPAs and HCC have signed a Statement of Common Ground as now set out in the NPPF and PPG. SADC has now reached a position whereby, very significantly, none of the 'prescribed bodies' relevant for DtC considerations consider that the DtC has not been met. These are very significant steps forward since the DtC issues for the former draft SLP in 2016.

Detail

14) This has been set out in particular in a variety of Planning Policy Committee reports regarding the DtC over the evolution of the draft LP 2020-2036. Much DtC engagement pre-dates work directly on the draft LP 2020-2036 and is set out further below. However, the main focus in this section is on work since the SLP failed the DtC in 2016 and the end of the High Court process in June 2017.

15) There is a very large amount of detail, but this can be usefully summarised as set out chronologically, at PPC:

PPC 12 September 2017 - *Local Plan Next Steps and Direction of Travel*

3.1 The Council's Draft Strategic Local Plan (SLP) was submitted to the Secretary of State in August 2016.

3.2 An initial hearing to consider Duty to Co-operate (DtC) issues (the preliminary legal test related to strategic cross boundary issues) was held on 26 October 2016. After considering objections to the Plan from adjoining local authorities, the Inspector concluded that the SLP did not meet DtC requirements. The Inspector advised that the plan could not proceed to adoption and should be withdrawn.

3.3 The Council challenged the Inspector's decision by way of Judicial Review (JR).

...

4.1 The Council succeeded in obtaining permission to be heard. This confirmed that in the judge's view there were legal arguments of sufficient merit that they needed to be fully considered. The hearing took place on 21/22 June 2017. The approved judgement issued on 13 June 2017 dismissed the Council's case.

PPC 7 November 2017 - Housing Market Areas and Functional Economic Market Areas – Way Forward

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Local Considerations

3.8 The abolition by the Government of the East of England Plan in January 2013 was a particularly significant change to the establishment of housing targets. Local Plans being Examined before that time were progressed on the basis of specific housing targets set out in the East of England Plan. Therefore, HMAs/FEMAs and their impacts/consequences featured very little (if at all) in considerations for these Local Plans.

3.9 There is a long and complex history of different approaches to HMAs and FEMAs in Hertfordshire, particularly the western side of Hertfordshire. Different Local Planning Authorities (LPAs) and independent expert consultants have taken different approaches at different times. These different approaches have been heavily influenced by continuously moving elements.

3.10 The chronology of different times at which different LPAs have been taking their Local Plans through the statutory stages. This has had particular implications for SADC as the last of the West Herts Councils to reach Examination, in 2016. For example, the introduction of the PPG in March 2014, was 13 months after SADC commissioned our original SHMA.

Duty to co-operate

3.11 The four South West Herts Group (SWHG) Councils (Dacorum, Hertsmere, Three Rivers and Watford) all progressed and adopted Local Plans in 2011-2013 on the basis of single LPA HMA/FEMAs (under the aegis of the East of England Plan). SADC continued with this approach in 2013-17.

- 3.12 *In 2015-16, the four SWHG LPAs undertook technical work that lead them to conclude that they considered the SADC LPA area to be part of a 5 LPA South West Herts HMA and FEMA group. SADC disagreed with this approach. As has been reported to PPC (including in September 2017), at the Examination in Public of the SLP in 2016 the four SWHG LPAs strongly challenged SADC's approach, under the legal Duty to Co-operate (DtC). The Inspector concluded that SADC had not met the DtC and therefore could not proceed with the Examination. SADC challenged the Inspector's conclusion by way of Judicial Review, was given leave to be heard in Court, but did not succeed.*
- 3.13 *As mentioned at the October 2017 PPC meeting, there was a political level meeting between St Albans and Dacorum, Three Rivers, Hertsmere and Watford Councils on 25 September 2017. The SADC Portfolio Holder (PH) and the two other PPC Group Leads attended, with officer support. At that meeting, the PH agreed to bring a report on a proposed way forward with the HMA/FEMA issue to PPC. All the other LPAs made clear their strong views that, in the circumstances, they wished SADC to move forward with joint work on the basis of a 5 LPA South West Herts Area.*
- 3.14 *The SWHG LPAs all acknowledged the importance of including other Councils, particularly Welwyn and Hatfield, for certain aspects of joint work, though they would not form part of the potential 5 LPA South West Herts Area.*
- 3.15 *Welwyn and Hatfield Council's Portfolio Holder, at a Duty to Co-operate meeting on 12 October 2017, confirmed their position that their consultants consider them to be, for practical purposes, a single authority HMA. That is the position they are taking at their current Examination in Public of their Local Plan. They also expressed a view that they would wish to be involved in certain aspects of joint working, but do not consider themselves part of the potential South West Herts Area itself.*

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- 4.1 *It is critically important to bear in mind that there is never an absolutely definitively 'right' answer to HMA/FEMA geography. This is particularly so in Hertfordshire, given the polycentric nature of the settlements and complex and ever-shifting patterns of home-moves, house prices, jobs, influence of London etc. Decisions about what HMA/FEMA to use for Plan-making is a judgment and a judgment that can reasonably change over time. That judgment is informed by a range of technical and evidential considerations, but also practical and pragmatic considerations. This has always been the case, but this is particularly so bearing in mind the current stances of other nearby LPAs and the recent SLP Examination and Judicial Review processes.*
- 4.2 *All five LPAs in the west of Hertfordshire are currently at broadly similar stages in Plan-making. All five are at early stages, either leading towards a Regulation 18 consultation in coming months, at one now or having just undertaken a first one and with one more intended in coming months. This is the first time there has ever been such broad alignment. This makes it*

particularly helpful to all five LPAs to undertake joint work and take a joint view on HMAs/FEMAs at this time.

- 4.3 *It is also particularly helpful for all five LPAs to undertake joint work at this time because of the Government's 'Planning for the right homes' consultation and the direction of travel it sets out for Statements of Common Ground (see October 2017 PPC Report).*
- 4.4 *Another important factor is the potential significant benefits of joining in as part of a multi LPA area is the enhanced capacity to lobby and bid for funding for infrastructure as a larger group. This potentially links directly to the preferred approaches of the Hertfordshire LEP, HCC and the DfT/Highways England. The approach of these bodies to using geographies that relate broadly to the 5 LPA area is a significant change since the single LPA HMA definition was taken forward in 2013.*
- 4.5 *The decision on how to move forward with joint work and consideration of HMAs/FEMAs needs to be mindful of potential implications for multi-authority approaches. For example, the NPPF sets out at paragraph 47:*

To boost significantly the supply of housing, local planning authorities should: use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework

- 4.6 *This could mean for example, in the context of South West Herts, that one LPA in due course considers that it 'cannot' meet its own housing 'need' within its own boundaries and will therefore ask other LPAs within the HMA if they can help meet that need. Luton and Central Bedfordshire Councils, for example, have agreed such an approach (and Luton's Plan has been adopted on that basis). Other LPAs may or may not agree that the first LPA 'cannot' meet its own need and may or may not agree that they can assist with any 'shortfall' (for example because of Green Belt constraint).*
- 4.7 *Given all of the context above, it is considered that the Council should move forward with joint work at this time on the basis of accepting for Plan-making purposes the five authority South West Herts HMA and FEMA. This is joint work only and not work on joint Local Plans. This work must take into appropriate account other important functional linkages, such as with Welwyn and Hatfield.*

PPC Resolved:

That the Council moves forward with joint work on a Statement of Common Ground with the South West Herts Group with a view to joining the Group. This work must take into appropriate account other important functional linkages such as with Welwyn and Hatfield.

PPC 13 March 2018 - Duty To Cooperate and Statement of Common Ground Update

3.1 As mentioned in discussion and reports at Planning Policy Committee (PPC) in October and November 2017, there was a political level meeting between St Albans and Dacorum, Three Rivers, Hertsmere and Watford Councils on 25 September 2017. The SADC Portfolio Holder (PH) and the two other PPC Group Leads attended, with officer support. At that meeting, the PH agreed to bring a report on a proposed way forward with the HMA/FEMA issue to PPC. All the other LPAs made clear their strong views that, in the circumstances, they wished SADC to move forward with joint work on the basis of a 5 LPA South West Herts Area.

3.2 The South West Herts Group LPAs all acknowledged the importance of including other Councils, particularly Welwyn and Hatfield, for certain aspects of joint work, though they would not form part of the potential 5 LPA South West Herts Area.

3.3 PPC received a report in November 2017 entitled 'Housing Market Areas and Functional Economic Market Areas – Way Forward'. PPC agreed at that meeting:

That the Council moves forward with joint work on a Statement of Common Ground with the South West Herts Group with a view to joining the Group. This work must take into appropriate account other important functional linkages such as with Welwyn and Hatfield.

3.4 Progress has been made to take forward the approach agreed at PPC in November 2017 through officer and Member level meetings in recent months. These have been reported in brief to PPC and Cabinet.

3.5 The papers to PPC in January 2018 set out that:

A Leader and Portfolio Holder meeting is scheduled with the South West Herts Group (Dacorum, Hertsmere, Watford and Three Rivers) in 23rd January 2018 to discuss strategic planning objectives and approaches to joint strategic planning across the 5 Local Planning Authority Housing Market Area.

3.6 Cabinet has also been updated and the Planning Appendix January 2018 set out:

A Leader and Portfolio Holder and Chief Executive meeting is scheduled with the South West Herts Group mid-January 2018. This is to discuss strategic planning objectives and approaches to joint strategic planning across the 5 Local Planning Authorities' Housing Market Area.

3.7 The Cabinet Planning Appendix in February 2018 set out:

A Leader and Portfolio Holder and Chief Executive meeting was held with the South West Herts Group (Dacorum, Hertsmere, Three Rivers and Watford Councils) on 23 January 2018. Discussions were held on strategic planning objectives and approaches to joint strategic planning across the 5 Local Planning Authorities' Housing Market Area (see Appendix I).

3.8 As well as these brief updates, a more substantive update was given to Cabinet in February 2018, referenced above as Cabinet Planning Appendix I. This

includes a draft Memorandum of Understanding. This can be found at Appendix 1 to this report.

4. Analysis and Findings

4.1 Good progress is being made with the initial steps of joint working as a South West Herts Area. The five LPAs (with HCC) have engaged Catriona Riddell of Planning Officer Society Enterprises (POSE) to help move the work forward. Catriona is a highly experienced strategic planner and facilitator of joint planning work.

4.2 At the meeting on 23 January 2018 there was a substantial level of agreement about the importance of the issues being discussed and how best to tackle them. The slides used as a basis for the discussions are set out at Appendix 2.

4.3 As agreed at the 23 January meeting, all five LPAs and HCC are taking similar reports to that at Appendix 1 through their Cabinets or equivalent bodies at the moment. Similarly to SADC, Hertsmere's report has been published and the meeting has now taken place, where the approach was supported. HCC's report has been published and the meeting is due on 5 March. The others will take place in forthcoming weeks, according to committee timetabling.

4.4 All of the main matters discussed and the agreed next steps are set out in Catriona Riddell's draft next steps report at Appendix 3. It can be noted that an early draft of the Statement of Common Ground should now be available in June 2018. It had previously been hoped to have this somewhat earlier.

4.5 As is made clear in the Appendices, it is important to note that all five LPAs will retain individual sovereignty and there will be full transparency regarding the Joint Strategic Plan. There will be transparency through public reports, the public consultation stages, Examination in Public etc. All statutory stages will also need to be agreed by each Council according to its constitutional arrangements. For St Albans, this would mean in effect that Council would have two votes. It would vote on any Regulation 19 stage full draft Joint Strategic Plan and would also vote on adoption (or not) of the final Joint Strategic Plan after Examination in Public.

4.6 As mentioned in the Feb 2018 Cabinet Appendix I (Appendix 1 to this report) and elsewhere, a joint 5 LPA funding bid has been submitted for £220,000 to central government. This is to support two staffing posts (and associated consultancy, support and technical evidence work costs) for the 2018/19 period. On 23 February 2018 the Government confirmed that the bid had been successful and the full sum has been awarded.

4.7 Recruitment for the roles that funding has been awarded for may be challenging. This is because the market for experienced spatial planners has already been very tight locally in recent years. Additionally now, several nearby areas (South Essex, Milton Keynes) will be receiving additional government funding for similar types of roles at the same time. Clear timelines have been set to seek to appoint as soon as possible.

5. Conclusion

5.1 Since PPC agreed in November 2017 to move forward with joint work on a South West Herts geography, there has been significant progress with initial stages. This has been reported in brief to both PPC and Cabinet and now is an appropriate time to more fully bring the work to PPC. The retention of individual sovereignty for the councils is an important point to note. The recent award of substantial government funding to support this work will be of assistance.

15) Appendices 1, 2 and 3 from the 13 March 2018 PPC Report are significant and are attached at Appendices 1-3 to this document.

PPC May 2018 - Neighbouring / Nearby Authority Planning Update

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South West Herts Joint Planning – As reported previously to PPC and Cabinet in 2017 and 2018, we have begun work on a statutory Joint Strategic Plan (JSP) for the South West Hertfordshire area. This work is with Dacorum Borough Council, Hertsmere Borough Council, Three Rivers District Council and Watford Borough Council; with the support of HCC and the Hertfordshire LEP.

A Memorandum of Understanding (MoU) has been agreed by all five local planning authorities and HCC. This was reported to Cabinet in February 2018. It sets out how cooperation between the five local planning authorities in South West Hertfordshire and Hertfordshire County Council will be managed in respect of strategic planning issues. Joint technical work, including a Retail and Leisure Study and a Strategic Flood Risk Assessment, is underway.

PPC January 2019 - Neighbouring / Nearby Authority Planning Update, including Duty to Co-operate (DtC) and Statement of Common Ground (SoCG)

...

South West Herts Joint Planning and Statement of Common Ground – Arrangements and work are progressing. A series of externally facilitated fortnightly Leader and Chief Executive meetings will continue till the end of January 2019. A Director has been appointed and started in mid-November 2018 to coordinate work on the Joint Strategic Plan (JSP). The next steps will be to consider the outcomes of joint technical studies on housing and employment (and others) and to prepare an initial Statement of Common Ground between the 5 LPAs and HCC. The Council is working with Dacorum Borough Council, HCC, the LEP and the Crown Estate on expansion of Hemel Hempstead; now badged as the ‘Hemel Garden Communities’ project. Updated joint working arrangements at Member and Officer level are in place. A substantial joint bid for Government support funding under the Garden Communities Fund was submitted in November 2018.

PPC March 2019 - Draft Local Plan for Submission to the Secretary of State – recommendation to Cabinet

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3.10 The draft Plan must meet the requirements of the Localism Act 2011 'Duty to Cooperate' in respect of cross boundary strategic planning. The Council has worked actively and positively with all neighbouring/nearby authorities on strategic planning and continues to do so. A Memorandum of Understanding for Strategic Planning in South West Hertfordshire has been agreed (February 2018 Cabinet meeting). This sets out how cooperation on strategic planning issues between the five local planning authorities in South West Hertfordshire and Hertfordshire County Council will be managed. Further, a 'SWH Statement of Common Ground – Officer Agreed Draft' is addressed elsewhere on this Agenda.

3.11 None of the 'prescribed bodies' relevant for DtC considerations consider that the DtC has not been met. This is a significant step forward since the DtC issues for the former draft SLP in 2016.

PPC March 2019 - Portfolio Holder Duty to Co-operate Discussions (Oral Update) - Minutes

It was noted that the current round of Portfolio Holder Duty to Co-operate discussions had been completed, and the Meeting Notes were in circulation for agreement. In response to a Member's question as to whether the statement on the agenda that 'all authorities confirmed no DtC objections' had been confirmed in writing, the Spatial Planning Manager reported that no DtC objections from other authorities had been raised in writing during the Regulation 19 Consultation. This had also been very clearly expressed in the DtC meetings and reflected in the meeting notes, which would be available to Members once agreed.

PPC March 2019 - Planning and Growth (Oral Update and Appended Items – Minutes

The Committee noted documents which described the status of, and arrangements for, collaborative working on strategic planning. This included the Statement of Common Ground (SoCG) which had been produced by the South West Herts Group.

16) Appendices 5vi 1-8 from the March 2019 PPC Agenda are significant and are attached as Appendices 4-11 to this document. Of particular significance is the South West Herts Draft Statement of Common Ground at Appendix 4.

MECHANISMS FOR COOPERATION

Regular partnership meetings

17) The Council is actively involved in a number of cross boundary and joint partnership relationships that have informed the preparation of the Local Plan. Many

of these are formalised, regular meetings or forums where a variety of topics are discussed and some are more tailored for the purposes of producing the Local Plan.

18) These existing partnerships are an invaluable mechanism for facilitating Duty to Co-operate discussions. They have enabled regular direct contact with a range of bodies. A number of these partnerships have actively followed progress of the Local Plan and dedicated significant agenda time to discussing emerging work.

19) Some of the existing partnerships have meetings at officer, senior officer and elected member levels. This is helpful in ensuring that co-operation has been taking place at all levels within the Duty to Co-operate bodies and that there is corporate buy-in to the project from the top of the organisations.

20) Table 1 below sets out details of regular partnership meetings that have a direct relevance to the Local Plan project. All of these meetings include at least one of the Duty to Cooperate bodies. More detail is set out in appendices 5-11.

21) The Hertfordshire Infrastructure and Planning Partnership (HIPP) has been a key mechanism behind DtC work between all Hertfordshire local authorities, the HLEP and LTB. It is a longstanding, initially informal, liaison mechanism that operates at a political level. The significance of the HIPP was underpinned by an agreed Memorandum of Understanding (MoU) that formalised the arrangements in 2013. This political level joint work is complemented by the officer level Hertfordshire Planning Group (HPG). HPG provides senior officer support for HIPP's work.

<u>Hertfordshire-Wide</u>
Hertfordshire Growth Board - (Leaders supported by Chief Executives; Chair of LEP)
Hertfordshire Infrastructure and Planning Partnership (HIPP) - (Planning Portfolio Holders supported by Heads of Planning)
Hertfordshire Planning Group (HPG) – (Heads of Planning)
HPG Development Plans - (Planning Policy Leads)
<u>South West Herts (SWH)</u>
SWH Leaders Group - (Leaders supported by Chief Executives)
SWH Strategic Planning Member Group (SPMG) - (Planning Portfolio Holders supported by Heads of Planning)
SWH Strategic Planning Officer Group (SPOG) - (Planning Policy Leads)
<u>Herts and Essex</u>
A414 Corridor – (Planning Portfolio Holders supported by Heads of Planning)

A414 Corridor Officer Group – (Heads of Planning / Planning Policy Leads)
<u>St Albans and Dacorum</u>
Hemel Garden Communities Board – (Planning Portfolio Holders supported by Heads of Planning)
Hemel Garden Communities Stakeholder Steering Group - (Heads of Planning / Planning Policy Leads; representative of LEP/EZ)

Joint working on strategies and infrastructure planning

22) Some of the partnerships detailed above have produced and published joint strategies as part of their work, consistent with the requirements of the Duty to Cooperate. This illustrates that the process of engagement and cooperation has been effective since it has resulted in outcomes that all parties considered they could sign up to. Some of these strategies have direct relevance to the Local Plan. In addition, several of the partnerships have jointly commissioned studies or evidence base work which has, in turn, influenced the policies of the Local Plan.

23) Table 2 (below) details only some of the jointly produced strategies and jointly commissioned studies that relate to the Local Plan. All of the listed strategies and documents were produced by or commissioned by at least one prescribed body for the Duty to Cooperate (more details in document library).

Joint SEA/SA Framework 2006 (DBC, SADC, TRDC, WBC)
Joint Central Hertfordshire Employment Land Review 2006 (HBC, SADC, WHBC)
Joint London Commuter Belt West Strategic Housing Market Assessment 2008 (DBC, HBC, SADC, TRDC, WBC, WHBC, HCC)
Joint Hertfordshire Infrastructure & Investment Strategy (HIIS) 2009 (2010 (All 10 Herts LPAs + HCC)
Joint London Arc Employment Land Study 2009 (BBC, DBC, HBC, SADC TRDC, WBC, WHBC)
Joint Hertfordshire Renewable and Low Carbon Energy Technical Study 2010 (All 10 Herts LPAs + HCC)
Joint Community Infrastructure Levy Viability Study 2012 (BBC, DBC, EHDC, HBC, SADC, TRDC, WBC, WHBC)
Joint Green Belt Review 2013 (DBC, SADC, WHBC)
Joint Luton Housing Market Area Memorandum of Understanding 2014 (CBC, LBC, NHDC, SADC)

Joint Hertfordshire Enviro-Tech Enterprise Zone (successful joint bid) 2015 (DBC, HCC, HLEP, SADC)
Joint Maylands Growth Corridor Study 2016 (DBC, HCC, HLEP, SADC; Crown Estate)
Joint Hertfordshire Infrastructure and Funding Prospectus (HIFP) 2018 (2010 (All 10 Herts LPAs + HCC)
Joint Hemel Garden Communities Charter 2018 (DBC, HCC, HLEP, SADC; Crown Estate)
Joint South West Herts Economic Study Update 2019 (DBC, HBC, SADC, TRDC, WBC)
Joint South West Herts Retail and Leisure Study 2019 (DBC, HBC, SADC, TRDC, WBC)
Joint Hemel Garden Communities – Government Garden Town Status Award (successful joint bid) 2019 (DBC, HCC, HLEP, Homes England, MHCLG, SADC; Crown Estate)

Hemel Garden Communities (HGC)

24) The East Hemel Hempstead (EHH) and North Hemel Hempstead (NHH) Broad Locations have required and will continue to require substantial joint working with DBC, HCC, HLEP and others. Inclusion of these Broad Locations in the LP follows joint work on the Hertfordshire LEP SEP and a joint Green Belt Review with St Albans, Dacorum and Welwyn & Hatfield. These LP proposals are a direct response to the LEP Strategic Economic Plan and DBC’s regeneration priority for Hemel Hempstead, including the need to make best use of its New Town origin services and facilities.

25) Cooperation in this geographic area between St Albans and Dacorum, including HCC and more recently the HLEP, has had a long history. As Dacorum noted in their 2012 Core Strategy DtC Statement, the District co-operated on “joint evidence work and consultation for Growth at Hemel Hempstead, 2006 and East Hemel Hempstead Area Action Plan Issues and Options, 2009”.

26) A joint bid for Hemel Garden Communities (HGC) between DBC, HCC, HLEP and SADC, with support from Homes England and the Crown Estate, was made in November 2018. This bid is based on the East Hemel and North Hemel Broad Locations. In March 2019 the government confirmed that the HGC bid has been successful in receiving official government garden town status and funding. Hemel Garden Communities, roughly half within St Albans (as per the draft Local Plan) and half within Dacorum (as per emerging Local Plan), aims to deliver up to 11,000 homes and 10,000 jobs. Minister of State for Housing Kit Malthouse MP said in awarding Garden Town status in March 2019:

“These new towns will not only provide homes for families, but will be vibrant communities where everyone, including neighbouring communities can benefit from new infrastructure - leaving a legacy for future generations to be proud of.

“I congratulate these councils who have put forward ambitious proposals, which will build many thousands of high-quality homes, and am pleased to support them as they work to make these plans a reality.”

27) As well as this strategic cooperation, there are also very good examples of practical joint working on the substantial cross-boundary site at Spencers Park Phase II. This application sites within both Dacorum and St Albans. This site has been progressed through pre-application discussions since 2014. This has involved both LPAs and the two landowners - Homes and Communities Agency (now Homes England) and the Crown Estate - working jointly to deliver a 600 home and 2 Hectare of business use scheme. A joint application to both LPAs has received resolutions to grant subject to the completion of a S106 agreement, which has now been agreed.

28) Overall the joint work on HGC between DBC, HCC, HELP, SADC and more recently also Homes England and MHCLG is a very significant DtC outcome.

Communication before, at and after formal stages of Local Plan production

29) The Duty to Co-operate bodies, as well as other relevant organisations and the wider public have been invited to submit comments to inform the Local Plan preparation.

30) Early engagement was held with many stakeholders to introduce the issues ahead of the draft plan, at draft plan and after formal stages, to make them aware of the consultations and to help us identify issues.

31) Statutory stages of consultation (Regulation 18 and Regulation 19 consultations) took place in Jan-Feb and Sep-Oct 2018. All of the statutory bodies were notified. Building on previous rounds of Portfolio Holder (PH) level discussions, a specific round of PH level DtC discussions took place in the summer of 2018. These took place with the wider grouping of neighbouring and nearby LPAs and HCC. All of the Meeting Notes were agreed and reported to Planning Policy Committee and can be found at Appendix 12.

32) It should be emphasised that the round of 2018 Portfolio Holder meetings had built on previous rounds of such discussions relating to the draft SLP and even before that. There were comprehensive rounds of Portfolio Holder meetings associated with the draft SLP Reg 18 and Reg 19 consultations in 2015 and 2016. There have been numerous ad hoc such Portfolio Holder meetings before and since those SLP meetings as well. There have also been officer level meetings to support the Portfolio Holder meetings. Local Plan progress and to deliver the joint technical work outlined earlier.

33) Following the Regulation 19 consultation a further round of PH level DtC discussions took place in early 2019. As addressed earlier, no LPAs raised DtC objections at the Regulation 19 stage. These early 2019 meetings took place with all

the LPAs that had raised potentially significant queries at Reg 19 stage. All of the draft Meeting Notes are currently in circulation for agreement and will be published as soon as they are agreed. It can be noted that there are no known disagreements regarding the draft Meeting Notes – it is simply that with the number of relevant parties, they do often take some time to finalise. All of the LPAs involved and HCC confirmed that they had no DtC objection at these meetings. The agreed Dacorum Meeting Notes can be found at Appendix 13.

CONCLUSION

34) This statement outlines the detailed, active, constructive and on-going cooperation that has informed the development of the St Albans Local Plan 2020-2036. This has developed ever since the inceptions of the first iterations of earlier draft Development Plan work in 2006. This cooperation has been undertaken at officer, senior officer, Portfolio Holder and Leader levels on an ongoing basis.

35) Cooperation will strengthen and continue. The mechanisms, goodwill and engagement are in place to deliver needed housing and infrastructure in the county, in south west Herts and in Hemel Garden Communities in a cooperative and coordinated way. There have been substantive outcomes of cooperation and there will be many more to come.

36) St Albans former draft Strategic Local Plan (SLP) failed the DtC test in 2016. This was essentially because of the DtC objections from the South West Herts Group of LPAs. The Council then addressed the reasons for that failure directly. It has joined the South West Herts Group and has accepted the five LPA Housing Market Area and Functional Economic Market Area. The five LPAs are jointly working on evidence, on individual Local Plans and working towards a statutory Joint Strategic Plan. All the South West Herts LPAs and HCC have signed a Statement of Common Ground as now set out in the NPPF and PPG. SADC has now reached a position whereby, very significantly, none of the 'prescribed bodies' relevant for DtC considerations consider that the DtC has not been met. These are very significant steps forward since the DtC issues for the former draft SLP in 2016.

37) Cooperation has involved prescribed bodies and other organisations relevant to the Duty to Cooperate at relevant stages of Plan preparation. It demonstrates that the Council has complied with Duty to Cooperate requirements throughout preparation of its Local Plan in accordance with Section 110 of the Localism Act, Section 33A of the Planning and Compulsory Purchase Act 2004 and the NPPF.

Appendix 1 - App I - Local Plan Joint Working with the South West Herts Group Update

Appendix I: Local Plan Joint Working with the South West Herts Group Update

1. **Purpose**

- 1.1 Delivering more homes to meet growing need has become a key issue for Government. Recent Government announcements indicate that the Duty to Co-operate is going to be strengthened in favour of more formalised joint strategic planning among local authorities. A Leader, Portfolio Holder and Senior Officer meeting was held in January 2018 where the principle of a South West Hertfordshire Joint Strategic Plan was agreed. The preparation of a joint plan and a Memorandum of Understanding (MOU) are the next steps in this process.
- 1.2 A number of important changes have occurred since the Council prepared the Strategic Local Plan. These include the Government's approach; the approach taken by nearby Local Planning Authorities; the Judicial Review outcome; and the new opportunities provided for lobbying and bidding for infrastructure.

2. **Background Information**

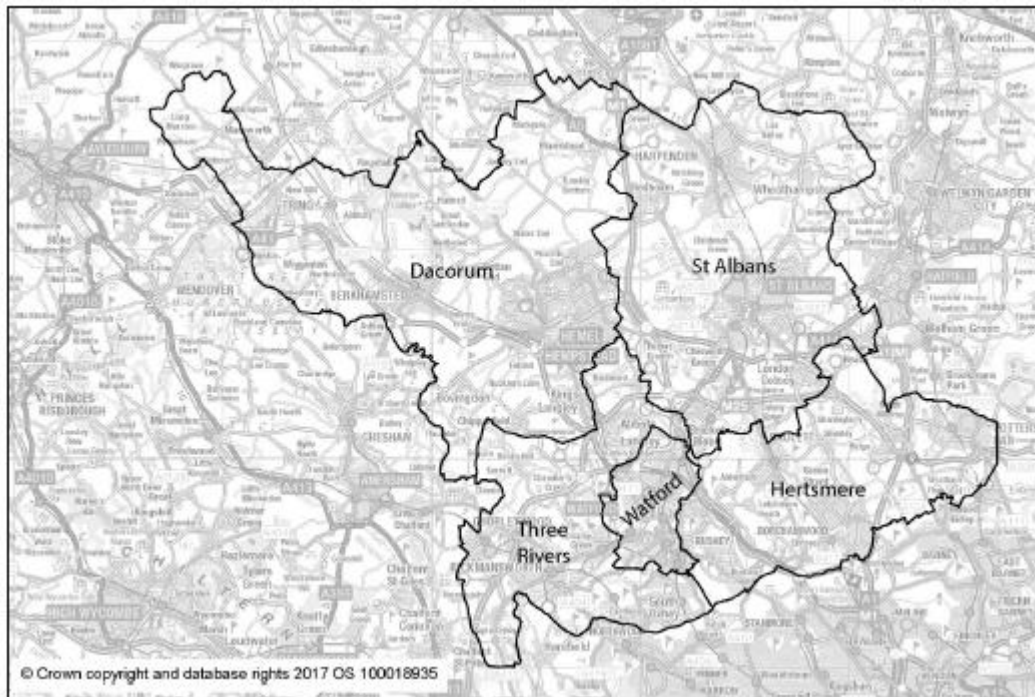
- 2.1 South West Hertfordshire faces significant strategic challenges in accommodating the required new homes, jobs and supporting infrastructure over the next fifteen years and beyond. The five local authorities in this area – Dacorum, Hertsmere, Three Rivers, St Albans and Watford - continue to experience an acute shortage of new and affordable housing. Beyond existing built up areas, they are almost entirely designated as Green Belt land.
- 2.2 The scale of growth required by Government cannot be delivered sustainably by individual local authorities working in isolation. Neighbouring authorities are therefore increasingly being encouraged to work together to provide the high quality homes, jobs and infrastructure. The opportunity for strategic planning across the area is particularly timely as authorities are now at a similar stage in the plan making process.

3. **Analysis and Findings**

- 3.1 Leaders, Portfolio Holders and Senior Officers from the five councils and Hertfordshire County Council met on 23 January 2018. At the meeting it was agreed to progress a joint strategic level plan for South West Herts. Officers will be moving forward with this work and the preparation of a South West Herts Joint Strategic Plan as set out in the governance arrangements below.
- 3.2 Dacorum, Hertsmere, Three Rivers and Watford Councils have been working together as an informal planning group since 2014. A Strategic Housing Market Assessment and an Economy Study were jointly commissioned to inform the Local Plan reviews. Further joint technical work, including a Retail and Leisure Study and a Strategic Flood Risk Assessment, is underway. Since November 2017, St Albans Council has formal Member agreement to move forward with joint work on this SW Herts geography (see Figure 1 below).

All five authorities have already been working as a group with Hertfordshire County Council on transport matters, including the SW Herts Growth and Transport Plan.

3.3 Fig.1 South West Hertfordshire Housing Market Area and Functional Economic Market Area



3.4 The Duty to Co-operate

The duty to cooperate (DtC) was created in the Localism Act 2011. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis. This is to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

3.5 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.

3.6 In 2017, the Housing White Paper: 'Fixing our broken housing market' proposed a new spatial local plan based on effective joint working. To strengthen the DtC a Statement of Common Ground (SoCG) would also be required. The expectation from Government is that these would be prepared on Housing Market Area geographies.

3.7 The Government's 'Right Homes in Right Places' published in November 2017 proposes two new tests of soundness for local plans including:

- a) plans should be prepared based on a strategy informed by agreements over the wider area, and
- b) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground.

Appendix I: Local Plan Joint Working with the South West Herts Group Update

- 3.8 The Government is driving a step change in housing delivery. These proposals are likely to be implemented in 2018 with the publication of the new National Planning Policy Framework (NPPF), expected by the end of March. The soundness tests mean councils will need to change the way they work together on strategic and cross boundary matters for their plans to be found 'sound'.
- 3.9 At the same time the Government is offering resources to local authorities to support wider area based plans. A SW Herts bid for £220,000 has been submitted to the Ministry for Housing, Communities and Local Government to support the development of a joint plan. It is understood that further funding opportunities will be announced.
- 3.10 **Examples of Joint Planning**
- It has become evident that many key planning and infrastructure issues extend beyond individual borough and district boundaries. A number of authorities are working together on strategic planning matters.
- 3.11 Some partnerships of local authorities have taken a non-statutory approach to preparing infrastructure frameworks and plans. Areas that have been doing this include West Sussex and Greater Brighton and South Essex. Such plans are useful for bringing infrastructure providers together and helping co-ordinate growth. However as they are non-statutory they only have of limited weight when guiding the preparation of individual Local Plans and strategic development proposals. As a result of this limitation, a number of authorities are now working together to prepare statutory Spatial / Strategic Plans. Examples include Greater Exeter, Oxfordshire and Greater Manchester.
- 3.12 The closest example of what is being considered for SW Herts is a statutory document akin to the emerging [West of England Joint Spatial Plan](#). This covers Bath and North East Somerset, Bristol City, North Somerset, and South Gloucestershire. The emerging plan contains 7 high level policies and 12 area policies which sets the broad direction and strategic approach for development across the whole area. This is then supported by detailed policies in each authority's own local plan. These two levels of plans are being prepared in tandem.
- 3.13 **Benefits**
- A statutory joint plan has a number of significant benefits. The first is that it provides a more effective way of place shaping, by providing a bigger canvas to direct development to the right areas. These growth delivery areas can be supported by the right infrastructure.
- 3.14 Secondly, it can deliver immediate and potentially significant cost savings. These can result from a combined plan-making process including Local Plan examinations, public consultation, stake holder engagement and evidence base preparation. This includes making more efficient and effective use of limited staff resources.
- 3.15 Thirdly, joint planning brings with it increased funding opportunities. It also brings wider support from Government and other agencies, such as Homes England (formerly Homes and Communities Agency) and the Local Enterprise Partnership. Joint plans are increasingly favoured by the Ministry for Housing, Communities and Local Government (i.e Housing Infrastructure Fund and Planning Delivery Fund). There is also greater potential for a bespoke housing deal to deliver strategic infrastructure where significant growth is proposed.

Appendix I: Local Plan Joint Working with the South West Herts Group Update

- 3.16 Fourthly, a joint plan can help local authorities to manage their housing delivery more effectively. The Government is proposing to allow 5 year housing land supply and the Housing Delivery Test to be managed across strategic areas where there is a joint plan. This could be useful where very complex and large scale developments are being progressed with significantly longer lead-in times.
- 3.17 Fifthly, joint planning can provide a more robust and coherent basis for negotiating with others. In the SW Herts case, by working together we would be in a stronger position. For example, when dealing with the Greater London Authority to ensure that there are greater mutual benefits arising from London's growth. Also to the north, how we work with the Cambridge- Milton Keynes-Oxford Growth corridor where one million new homes are proposed and being supported by Government.
- 3.18 Finally, by having a joint plan in place it would address the duty to co-operate and help to deliver technically sound and legally compliant local plans.

3.19 **Risks**

The primary risk is for one of the partners to break away from the arrangement. To reduce the risk of this occurring, a Memorandum of Understanding (MOU) would establish the governance and ambitions for the new plan. It increases the likelihood of that authority failing Duty to Co-operate requirements and the possibility of the Secretary of State intervening in the Local Plan process. The preparation of a MOU would be followed by the authorities agreeing a Statement of Common Ground (SoCG) which would identify the key cross boundary issues. This SoCG is expected to be a new statutory requirement, introduced by the new NPPF.

- 3.20 Resource availability and changes in staffing would be a risk to the plan's preparation as resources would need to be committed from all participating authorities. To address this, a skills bank would be prepared and officers would be expected to work with Officers of all other member authorities on the joint plan.
- 3.21 The risk of programme slippage significantly increases when multiple parties are involved. To address this, a governance structure is proposed in the Memorandum of Understanding. A standard project planning approach will be put in place across the participating authorities.

3.22 **Budget**

A joint 5 LPA funding bid has been submitted for £220,000 to central government to support two staffing posts for the 2018/19 period. It is not considered at this stage that additional resources would be required in the 2017/2018 or 2018/2019 periods. However in 2019/20, these two posts would need to be resourced – either through another funding bid to Government, or by the SW Herts authorities direct. Further resources will also need to be found across the 5 authorities to support the plan's examination in public. There will be some additional resource required for consultations, specialist evidence work or legal advice amounting to c. £130,000.

3.23 **Formal Agreement**

The first step to embark on a SW Herts Joint Plan is for members from all the authorities agreeing a Memorandum of Understanding. The next step will be to progress a Statement of Common Ground. This document will identify the relevant

Appendix I: Local Plan Joint Working with the South West Herts Group Update

cross-boundary strategic priorities, set out how growth will be distributed across the area and what key supporting infrastructure will be required. The five SW Herts authorities and Hertfordshire County Council will be the signatories. During the time the Statement of Common Ground is being drafted, a new timetable for the plan's preparation will be drafted. Officers will be working to progress the evidence to support the new plan.

3.24 **Retention of Sovereignty**

A new joint plan would need to be agreed individually by all authorities. Members would be consulted as the plan progressed at each stage through a series of workshops and broader consultation events. Each authority would continue to maintain its own Local Development Scheme, setting out arrangements for both the preparation of its own Local Plan documents, as well as the agreed timescales for the Joint Strategic Plan.

- 3.25 Both the Submission and Adoption documents would need to be approved by each Council. Whilst an adopted joint plan will form part of the development plan for the district/borough, local planning committees would retain sovereignty when it came to determining planning applications in their area.

**MEMORANDUM OF UNDERSTANDING
FOR STRATEGIC PLANNING
IN SOUTH WEST HERTFORDSHIRE**

February 2018

**STRATEGIC PLANNING IN SOUTH WEST
HERTFORDSHIRE**

Memorandum of Understanding

between

Dacorum Borough Council

Hertsmere Borough Council

St Albans City & District Council

Three Rivers District Council

Watford Borough Council

Hertfordshire County Council

This Memorandum of Understanding (MoU) sets out how cooperation between the five local planning authorities in South West Hertfordshire and Hertfordshire County Council will be managed in respect of strategic planning issues.

The Localism Act 2011 places a Duty to Cooperate on local planning authorities and county councils¹ (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. Local planning authorities will be tested in relation to legal compliance with the Duty at examination, as well as whether strategic cooperation has resulted in a 'sound' and robust approach to delivering strategic objectives.

The Neighbourhood Planning Act 2017² requires local planning authorities to "identify the strategic priorities for the development and use of land in the authorities' area and set out policies to address those priorities in the development plan documents, taken as a whole. This clause was included to allow greater flexibility in the way that local planning authorities prepare local planning documents, and specifically to support the preparation of 'strategic' local plans, whether prepared individually or jointly with neighbouring authorities. However, several recent announcements from Government on proposed planning reforms indicates strongly that the Government's preferred approach is for strategic priorities to be managed on a joint basis across housing market areas through the use of joint spatial plans.

Building on the existing strong foundations of cooperation developed through the Duty to Cooperate, the Local Authorities have agreed to move to a more formal approach to strategic planning. This will be developed through a 'portfolio' of plans, with a Joint Strategic Plan (JSP) setting out strategic spatial and infrastructure priorities that are considered to be of mutual benefit, prepared alongside a suite of Local Plans to manage delivery within each of the local planning areas.

Work on the JSP will be steered within the governance structure of the Joint Member and Officer Board (JMOB) to ensure that it aligns with other strategic priorities. Although the JSP will be prepared on the basis of collaboration, formal decisions on the JSP at key stages in its preparation (identified in each local planning authorities' Local Development Scheme) will be taken by the individual local planning authorities which will continue to retain the statutory local planning duty (as set out in the 2004 Planning and Compulsory Purchase Act and the 2017 Neighbourhood Planning Act).

A Statement of Common Ground (SoCG) will be prepared by the Authorities, setting out the process and timetable for the plan, what local delivery plans will be needed (and how current local plans will be managed through the transition process), governance and working arrangements, and the key evidence needed to support the JSP. Although the focus will be strategic development (housing and economic development) and infrastructure, other strategic priorities may be included where they are required to support delivery of the long term shared vision for South West Hertfordshire. The

¹ Localism Act 2011, Section 110.

² Neighbourhood Planning Act Part 1, Section 8

Statement will be reviewed on an ongoing basis and updated as and when needed. This will form key evidence to support the JSP and individual Local Plans and should therefore be made available on each of the partner authority's websites.

In preparing the JSP, all partners agree to:

- Engage constructively, actively, openly and on an on-going basis in relation to strategic planning matters under the Duty to Cooperate (or equivalent processes);
- Ensure a broad and consistent approach to strategic planning and development issues in South West Hertfordshire;
- Support better alignment between strategic planning, infrastructure and investment priorities in South West Hertfordshire;
- Adhere to the governance structure set out in this document and ensure that activities are delivered, actions are taken and communications are made as required;
- Be accountable for ensuring that the role and responsibilities as agreed in the Statement of Common Ground are adhered to;
- Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- Act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;
- Adhere to statutory requirements. Comply with applicable laws and standards, data protection and freedom of information requirements;
- Encourage, develop and share best practice in strategic planning matters;
- Ensure adequate resources and staffing are in place to undertake effective collaboration and joint working (resources to be agreed by the South West Hertfordshire Authorities through the Statement of Common Ground).
- Seek to align informal and formal decision making to ensure the completion of key stages works effectively for all partners

Area Covered

For the purposes of this MoU the geographic area of South West Hertfordshire applies to the administrative areas of Dacorum Borough Council, Hertsmeire Borough Council, St Albans City & District Council, Three Rivers District Council and Watford Borough Council.

Status

This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to the principles set out in this MoU.

This MoU is not a development plan, nor a legally binding document, but will be used in the consideration of how the local authorities have jointly approached strategic planning issues and legal compliance with the Duty to Cooperate.

This MoU may be supported by other documentation, and other subject specific MoUs, which set out in more detail how the parties will work together to tackle more detailed matters with respect to strategic planning in South West Hertfordshire.

It is accepted that an individual party or group of parties that are signatories to this MoU may also be signatories to other MoUs between themselves, or with other parties outside South West Hertfordshire in respect of the Duty to Cooperate.

Key outputs of this MoU are:

- A Joint Strategic Plan (JSP) setting out strategic spatial and infrastructure priorities across South West Hertfordshire;
- A Delivery Strategy setting out how the strategic policy framework of the JSP will be delivered, accompanied by a risk assessment and risk management plan;
- A Statement of Common Ground setting out how a JSP will be delivered, what the evidence base is, including identification of various development needs;
- A JSP monitoring process to chart and monitor delivery of the JSP.

Governance, Roles and Responsibilities

Preparation of the Joint Spatial Plan and associated Delivery Strategy will be steered under the governance arrangements of a Joint Member and Officer Board (JMOB). Formal decisions on the JSP at key stages (to be set out in individual Local Development Schemes) will be taken by individual Local Planning Authorities on the advice and recommendations of JMOB. The JMOB will comprise the Leader and the Chief Executive (or equivalent) from each of the District/Borough authorities and the Portfolio Holder and Lead Planning Officer from Hertfordshire County Council.

A Strategic Planning Members Group (SPMG) will be accountable for the overall project management of the JSP, supported by a Strategic Planning Officers Group (SPOG). The SPMG will comprise political representatives from each of the partners (to be appointed by individual authorities) with appropriate authority to make key decisions on progress with the SoCG and JSP. The SPOG will comprise the Heads of Service (or equivalent) from each of the partner authorities, and the lead officer for strategic planning.

'Task and finish' groups will be used to develop specific policy areas, to be identified by the SPMG as and when needed.

Terms of Reference for all groups will be established, setting out the roles, responsibilities and administration. These will be agreed by all partners and reviewed annually to ensure they remain relevant.

Local authorities should ensure that adequate resources are provided in order to undertake the joint work programme as set out in the Statement of Common Ground. Additional resources may be provided by other relevant bodies, as agreed to undertake specified tasks under the work programme.

Review of the MoU

This MoU is effective from the date it is signed by the Chief Executive and Leaders of all parties. It will be reviewed as and when indicated through the Statement of Common Ground.

Table of Signatories

Signature	Role	Authority	Date
	Leader of Council		
	Chief Executive		

Appendix 2 - SW Herts Workshop 23 Jan 2018 - slides

Working strategically across South West Hertfordshire

**Joint local authority workshop
23 January 2018**

Catriona Riddell

POS Enterprises

Working strategically across South West Hertfordshire

Objectives of the day

- To agree what joint planning is needed across SW Herts to manage long term strategic priorities effectively.
- To consider what would be needed to take forward a robust approach to joint planning across SW Herts.

Local planning Context 2018

Local Planning Context 2018

Overall government priority:
increase housing delivery to
300k per annum

Speed up delivery of local plans through a more streamlined process, strategic approach & LP intervention

Introduce a more **effective strategic planning** mechanism to address failures of Duty to Cooperate (and meet housing needs across HMAs)



“Building the homes our country needs is an absolute priority for this government and so I’m delighted the Prime Minister has asked me to serve in this role. The name change for the department reflects this government’s renewed focus to deliver more homes and build strong communities across England.”

Sajid Javid, 15 January 2018

Local Planning Context 2018

February 2017

Housing White Paper published: New 'strategic' local plan proposed; 'effective' joint working to be taken into account in Housing Delivery Test; statement of common ground (SCG) to give more teeth to Duty to Cooperate.

CA/Mayoral strategic development plans (statutory & non-statutory) initiated e.g. Cambridgeshire & Peterborough

Housing Infrastructure Fund launched with joint working a key factor in bidding process

Right Homes in Right Places consultation published: Details of new housing need methodology; details of SCG published with pilot authorities invited; more 'carrots' offered to those LAs progressing joint local plans; new LP 'tests of soundness' introduced to ensure effective strategic planning

LP intervention letters sent to **first 15 authorities** with extent of effective joint working to be taken into account in SoS decisions; provisions of **NP Act to direct joint plans implemented**

First new style strategic local plan published (Reg 19) by West of England Authorities

Budget announcements: Joint LP for Oxfordshire Authorities to support Housing Deal and as part of NIC Cam-MK-Ox Corridor; Thames Estuary 2050 Commission; new 'strategic infrastructure tariff' to be introduced for CAs/ areas with joint plans; 5 new towns proposed.

White Paper on **Industrial Strategy** published with emphasis on collaboration in planning

Planning Delivery Grant launched in Nov 2017 to support joint planning (2017-2019)

SoS initiates intervention proceedings against LAs that have failed to demonstrate progress in LP preparation (responses by end of Jan 2018) – direction to deliver joint plans preferred approach of Government.

Draft NPPF/PPG published for consultation (expected March 2018)

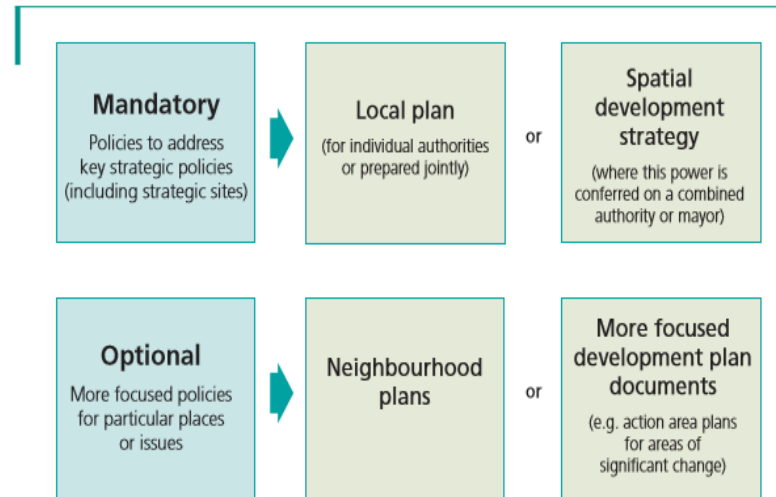
March 2018

Speeding up plan-making

Speeding up plan-making

- New statutory requirement (in Neighbourhood Planning Act 2017) to **set out strategic priorities** through local planning documents (taken as a whole).
- **Mandatory ‘strategic’ LPs** proposed in HWP and likely to be introduced in NPPF review

Box 1: The new framework for plan-making



- **Streamlined plan-making process** being considered – expectation that LPs should be prepared in 2 years!!
- **Common methodology for assessing housing needs** to reduce arguments over housing targets
- Threat of **government intervention** where plans are not prepared quick enough

Delivering effective strategic planning

Delivering effective strategic planning

*“...we would like to see more and more **local authorities working together to produce a strategic plan over a wider area** on the functional economic geography that is right for their part of the world...”*

Gavin Barwell, February 2017

*“...today we’re also publishing a requirement for a “statement of common ground”, **a new framework that will make cross-boundary co-operation more transparent and more straightforward.** Under our proposals, planning authorities will have 12 months to set out exactly how they are working with their counterparts across their housing market area to meet local need and fill any shortfalls.”*

Sajid Javid, September 2017

*“We want to fund those schemes that take a **strategic approach, with strong local leadership and joint working** to achieve higher levels of housing growth...”*

HIF prospectus, July 2017

*“My decisions on interventions will also be informed by the wider planning context in each area (specifically **the extent to which authorities are working cooperatively to put strategic plans in place...**”*

SoS letter re LP Intervention, November 2017

*“We want to support **greater collaboration between councils, a more strategic approach to planning housing and infrastructure,** more innovation and high quality design in new homes and creating the right conditions for new private investment.”*

Industrial Strategy White Paper, November 2017

Delivering effective strategic planning

- Clear recognition that DtC needs more teeth with government preference (and Planning Inspectorate?) for **joint plans** as most robust mechanism for delivering effective strategic planning
- Requirement for all LPAs to agree overall approach to strategic matters (particularly overall housing target and how this will be distributed across Housing Market Areas) and set out in a **Statement of Common Ground** – will be used as main Duty to Cooperate evidence at examination
- Proposed new **Tests of Soundness** for local plans to meet:
 - a) plans should be prepared based on a strategy informed by agreements over the wider area, and*
 - b) plans should be based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground*
- New powers Under the NP Act and introduced on the 15 January 2018) for the **Secretary of State to direct two or more LPAs to prepare a joint plan** where it would lead to more effective plan-making in the area concerned e.g. where the DtC has failed
- Increasing emphasis on **‘regional planning’** - Oxford-MK-Cambridge Corridor, Northern Powerhouse, Midlands Engine, Thames Estuary

Putting it all together...

Shared strategic priorities
(Hertfordshire-wide Infrastructure, transport, Local Industrial Strategy)



The Planning 'Portfolio' 2018 (Managed through a Statement of Common Ground / MoU)		
Statutory Development Plan		
<p>Joint Spatial Plan (JSP)</p> <p>High level planning framework for 'local delivery plans' covering:</p> <ul style="list-style-type: none"> • Vision for long term sustainable growth and spatial strategy • Overall housing target and distribution • Strategic employment areas to support Local Industrial Strategy • Key transport and other infrastructure priorities • Strategic Development Areas • Other cross-cutting policies considered to be needed a 'strategic' priority 	<p>Local 'delivery' plans</p> <p>Local planning documents aimed at managing areas of change or supporting neighbourhood planning.</p> <p>Some prepared on a 'whole-district' basis, some will be managed across two authority areas (e.g. joint area action plans) and others will be more focused on specific areas e.g. development corridors, town centre regeneration or new 'garden villages'.</p> <p>Prepared alongside the JSP but will need to be reviewed at key stages to ensure alignment.</p>	<p>Implementation Plan</p> <p>Will support delivery of the planning framework (JSP and LDPs) covering, for example:</p> <ul style="list-style-type: none"> • Funding mechanisms • Delivery vehicles • Proactive engagement with developers • Use of LA owned land • Risk assessment and management strategy • Monitoring framework

Local Plans 2012-2018 (strategic planning managed through Duty to Cooperate)				
<p>Dacorum Local Plan</p>	<p>Hertsmere Local Plan</p>	<p>St Albans Local Plan</p>	<p>Three Rivers Local Plan</p>	<p>Watford Local Plan</p>

Implications of potential LP intervention

- Secretary of State announced first 15 LPAs subject to potential intervention – more expected (LP older than 5 years? Early review commitment not implemented?)
- Intervention measures include handing LP to county council (as decision-maker), SoS becomes decision-maker (using consultants or county councils to prepare plan), SoS direction to prepare a joint plan (scope and timetable determined by SoS)
- Responses to SoS by end of January with clear commitment to deliver ‘a plan’
- Confusing messages from Government where joint plans are being prepared to address strategic issues / DtC failures - need to ensure short term management re intervention but still aim for longer term prizes
- Options
 - Continue with individual LPs - but unlikely to deliver solution to DtC issues (PINs advise that ‘effective’ mechanism is JSP)
 - Continue with individual LPs within context of JSP – twin-track preparation but review at key stages to ensure alignment (JSP can be prepared on quicker timetable)

Re-inventing strategic planning: Current practice

Re-inventing strategic planning: Current practice

<p>Non-stat Strategic planning & infrastructure frameworks/plans</p> <p>e.g. West Sussex & Greater Brighton Cambridgeshire & Peterborough Suffolk, Surrey, Leicester & Leicestershire, South Essex York & Hull, West Berkshire</p> <p>Some moving towards a statutory approach</p>	<p>Statutory Joint Spatial Plans & CA/Mayoral spatial strategies</p> <p>e.g Greater Manchester West of England, Greater Exeter, Oxfordshire</p> <p>Move from traditional joint 'core strategies' to new government preferred model of joint 'strategic' LP</p>
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Voluntary/non-statutory

Formal/statutory

Re-inventing strategic planning: Current practice

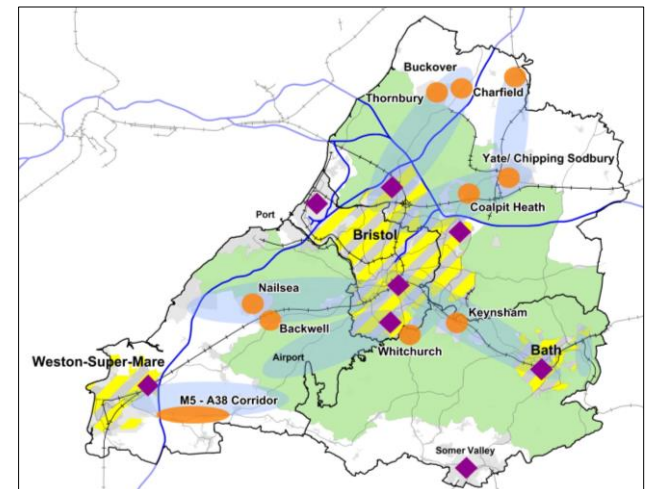
Momentum building behind joint planning to:

- a more effective way of place-shaping, providing a bigger canvas to direct development to the right areas that deliver growth and that are (or can be) supported by the right infrastructure.
- deliver immediate and potentially significant cost savings as a result of a combined plan-making process (e.g. LP examinations; public consultation and stakeholder engagement; evidence-base) and a more efficient and effective use of staff resources.
- increase funding opportunities and secure wider support from Government, with a strong emphasis on joint plans in all DCLG bidding processes (e.g. Housing Infrastructure Fund and Planning Delivery Fund) and the potential for a bespoke housing deal to deliver strategic infrastructure (where significant growth proposed).
- help LAs manage housing delivery more effectively e.g. the Government is proposing to allow 5 Year Land Supply and Housing Delivery Test to be managed across strategic areas where there is a joint LP in place.
- provide a more robust and coherent basis for negotiating with others e.g. the GLA/ Mayor to ensure that there are mutual benefits arising from London's growth, C-MK-O Corridor
- help deliver a technically sound and legally compliant local plan (e.g. meet the Duty to Cooperate)

Re-inventing strategic planning: Current practice

West of England Joint Spatial Plan (statutory)

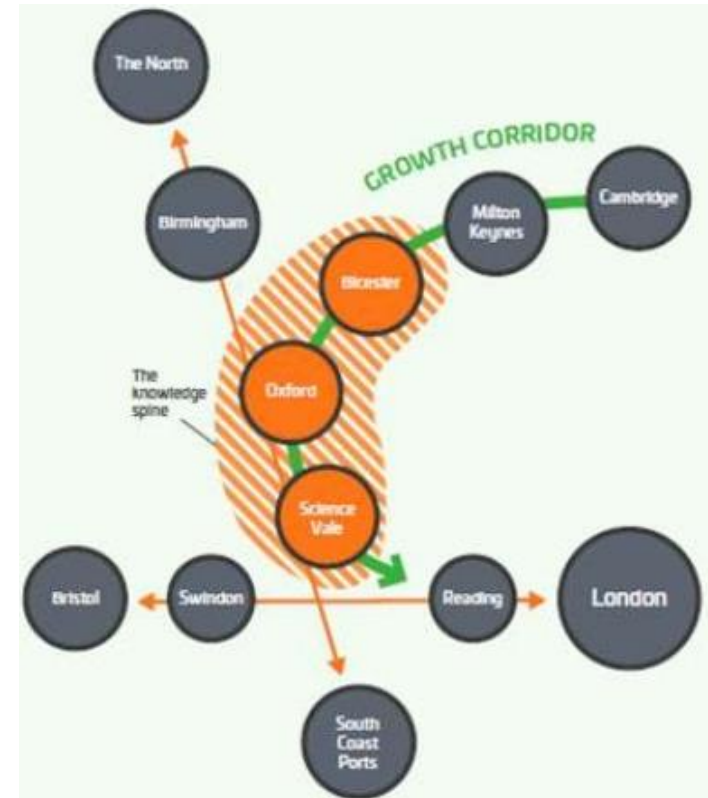
- First new style strategic local plan published November 2017
- 4 LPAs working within 'voluntary' governance arrangements to deliver statutory joint plan; final decision-making remains with individual LAs
- Strategic focus & planning scope – only 7 policies, no site allocations
- Supported by more detailed DPDs prepared in parallel (but one stage behind)
- Joint LTP prepared alongside JSP
- Model being used elsewhere e.g. Greater Exeter, Oxford & South Essex



Re-inventing strategic planning: Current practice

Oxfordshire Joint Spatial Plan

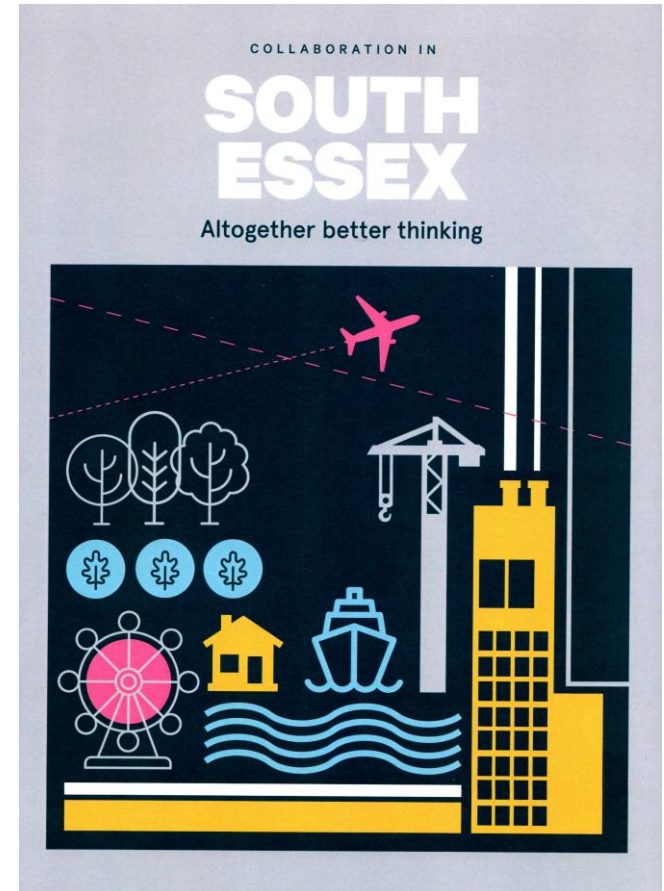
- JSP (& shared transport vision) being prepared within wider growth context by Growth Board - 5 LPAs, County Council & LEP – but with Section 28 Joint Committee
- Aiming to secure 100k new homes and 85k new jobs 2011-2031
- Supported by an infrastructure-led housing & growth deal with Government (£215m)
- JSP negotiated as part of deal – includes ‘freedoms & flexibilities (initial 3 year land supply requirement, no Reg 18 stage)
- WoE model – high level/ narrow scope
- Part of long ‘regional’ growth plan for Oxford-MK-Cambridge Corridor



Re-inventing strategic planning: Current practice

South Essex 2050

- Castle Point fail DtC (Feb 2017) – recognition that all dependent on each other to get plans in place
- Concerned that LAs losing control of growth and need to influence funding decisions & wider priorities (e.g. London's growth, Thames Estuary Commission, LEP)
- Recognition that more could be achieved if done on joint 'South Essex' basis, focusing on issues of mutual advantage – no lines on maps!
- Move away from numbers game to 'place' recognising importance of promoting their vision for growth Long term - 'visioning' process (South Essex 2050) by Leaders/CXs (sponsored by EELGA)
- Five workstreams being progressed, including joint spatial planning, industrial strategy and strategic infrastructure
- New governance arrangements (Association of South Essex Local Authorities) to oversee SE2050 implementation.
- Complicated by fact 3 out of 6 LPAs subject to intervention!!



Lessons emerging

- Start with a coherent, long term vision – housing numbers important (especially to Government) but must be set within wider focus on ‘place’. New spatial distribution patterns emerging – helped by allowance to manage 5YLS/HDT across strategic areas
- Address things at appropriate level - focus on matters where there is mutual benefit e.g. housing, infrastructure delivery, Green Belt in strategic plan
- Take into account wider influences on spatial patterns e.g. emerging Local Industrial Strategy, sub-national transport priorities
- Strategic planning needs to be led at highest level but vital to keep everyone else involved (i.e. Backbenchers and strategic stakeholders)
- Build on existing governance and working arrangements initially – organic change often delivers stronger relationships – but form should follow function.
- There is no perfect strategic planning geography – take a pragmatic approach but don’t ignore wider relationships
- Delivery plan must be realistic and recognise short, medium and long term ambitions within overall vision – may cover more than one plan period.

Discussion 1

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Discussion 1

What does 'joint planning' mean for SW Herts? What level of cooperation on strategic planning is deliverable across South West Herts?

Given the Government's apparent preference for statutory joint planning within HMAs, is a joint strategic plan something that could be delivered in South West Herts? If so, what would be needed to secure a commitment to this?

What are the implications for current local planning within South West Herts?

What joint working would we need to do and what strategic plan would we need to prepare? What would this mean in relation to the potential threat of local plan intervention in St Albans? What role should a Statement of Common Ground play in managing the transition?

Discussion 2

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Discussion 2

What is needed to initiate work on a joint spatial plan

What first steps would be needed to initiate work on a joint spatial plan in terms of:

- Securing formal (public) commitment from partners
- Developing a deliverable joint 'spatial vision'/ spatial plan for South West Herts – overall vision, policy scope, process and timetable, forward work programme
- Ensuring the right governance arrangements are fit for purpose to deliver a shared vision and plan, the right working arrangements and technical support, including resources and skills, stakeholder engagement e.g. with other Herts Authorities, London, HLEP), Local MPs

Next steps

- 1. POSE to prepare report with recommendations**
- 2. Workshop to agree how work will be taken forward**
- 3. Develop work programme for Pre-commencement process as follows:**

- Secure formal commitment from LAs to preparing a JSP
- Alert key stakeholders, especially other Herts Authorities, LEP
- Agree governance arrangements
- Agree process for developing long term spatial vision
- Agree workstreams and audit evidence base to assess gaps
- Agree working arrangements - project management, workstreams/ workstream leads (skills and resources audit?)
- Scope out Statement of Common Ground – overall shared vision, how this will be delivered i.e. through JSP prepared in parallel with focused DPDs/LPs developed on aligned timetable
- Update Local Development Schemes

Any last thoughts?

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Appendix 3 - Planning Strategically across SW Herts - Next steps Jan 2018

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Planning Strategically in South West Hertfordshire – Next steps

February 2018

Planning Strategically in South West Hertfordshire – Next steps

1 Introduction and national context

- 1.1 The South West Hertfordshire Authorities of Dacorum, Hertsmere, St Albans, Three Rivers and Watford, together with Hertfordshire County Council have agreed to work on a more formal basis to address strategic planning priorities across the Housing Market Area (HMA). Lead councillors and officers from the partner authorities held a workshop on the 23 February 2018 (see Annex 1 for a summary note of workshop discussions) to agree how to progress this work, following an initial officer workshop on the 28 November 2017. This paper summarise the context for joint planning, and sets out recommended next steps.
- 1.2 Since the abolition of Regional Spatial Strategies in 2010, local planning authorities (LPAs) have relied on the Duty to Cooperate to manage strategic priorities across HMAs, particularly housing provision and distribution. However, this has not proved to be an effective mechanism and has resulted in a number of failures at local plan examinations. The Government recognises the Duty's weaknesses and is therefore proposing some new mechanisms to strengthen approaches to strategic planning. These were set out in various consultation documents published during 2017 (see Annex 2) but are expected to be confirmed in the revised National Planning Policy Framework (NPPF)¹. The following paragraphs summarise the key planks of the Government's new anticipated approach to strategic planning.

Joint 'strategic' plans

- 1.3 An increasing number of LPAs are moving towards this approach as it is considered as the most effective mechanism for properly addressing strategic issues. The path towards joint plans has been helped by the Government's proposal to move back to a portfolio approach to local planning, with strategic plans, preferably prepared on a joint basis, addressing a small number of key policies, supported by more locally focused plans (see Annex 3). The concept of 'strategic' local plans was initially set out in last February's Housing White Paper and was formally introduced in May 2017 through the Neighbourhood Planning Act. This requires all local authorities to identify their strategic priorities and set out policies in their development plan documents (taken as a whole) to address these. The new approach allows a more flexible way of plan-making with the aim being that the more challenging strategic issues are dealt with in the first stage strategic plan.
- 1.4 So far three groups of authorities are pioneering joint strategic plans (West of England, Greater Exeter and Oxfordshire Authorities) but a number of others are exploring this as an option. Although the Government is not likely to impose joint plans as a model for strategic planning across the country, it is clear that its 'carrot and stick' approach is making this increasingly difficult to avoid. The Secretary of State has also made it clear that he fully intends to use new powers to direct LPAs to prepare joint plans where there

¹ A revised version of NPPF (and associated Planning Policy Guidance) is due to be published in draft in March 2018 with the final version expected in the summer 2018.

have been failures to progress plans within HMAs. This is one of the mechanisms for local plan intervention open to the Government.

Statement of Common Ground

- 1.5 The revised NPPF will introduce a new requirement for all LPAs to prepare a Statement of Common Ground (SCG) setting out how strategic planning matters have been managed over HMAs. These will form an important part of the Duty to Cooperate evidence and will be tested at local plan examinations. Those authorities that are preparing a joint strategic plan are using this new mechanism as the 'pre-commencement' document, setting out overall strategy, working arrangements and key issues. A template for a SCG is set out in Annex 4.

New 'tests of soundness'

- 1.6 Local plans will be assessed against two new tests of soundness at examination, aimed at ensuring strategic planning matters across HMAs have been properly addressed. These will be used to ensure that there is not only a proactive and positive approach to strategic planning matters across HMAs (as currently required by the Duty to Cooperate), but that there is a clear (and agreed) approach to how these will be delivered in all relevant local plans or through a joint plan. The new tests are expected to be confirmed in the revised NPPF but, as currently proposed, would require plans to be:

- a) prepared based on a strategy informed by agreements over the wider area, and
- b) based on effective joint working on cross-boundary strategic priorities, which are evidenced in the statement of common ground.

- 1.7 The new tests will set a high bar to cross for all LPAs, particularly where local plans are being prepared on different timetables and there are complex strategic issues, with no overall agreed strategy for addressing these. This is clearly an incentive to prepare joint plans to provide a coherent strategic framework across HMAs and deliver a quicker local planning process.

2 Taking forward a Joint Spatial Plan in South West Hertfordshire

- 2.1 All six of the partner authorities recognised at the workshop that there were potentially significant advantages from preparing a statutory joint plan for the area. The key benefits are set out in the table below.

A joint strategic plan for South West Hertfordshire will:

- provide a more effective long-term approach to place-shaping, with a larger spatial canvas offering more options for directing development to the right areas where growth can be supported by the right infrastructure, whilst retaining individual LPA decision-making (on the JSP).
- facilitate a 'strategy-led' rather than a purely 'numbers-led' planning framework to deliver growth, which better articulates the role of SW Herts in the context of the Metropolitan Green Belt and its relationship with London and the Oxfordshire-Cambridge Growth

corridor.

- increase funding opportunities and secure wider support from Government, with a strong emphasis on joint plans in all DCLG bidding processes (e.g. Housing Infrastructure Fund, Joint Working Fund).
- ensure that key strategic matters common across the HMA (e.g. future role of the Green Belt, infrastructure delivery, development viability, housing mix and type) are addressed more effectively and on a consistent basis.
- help deliver a technically sound and legally compliant planning framework for SWH through examination (i.e. meet the Duty to Cooperate and new 'tests of soundness').
- demonstrate to Government that there is serious intent to move forward positively and quickly with local plans, ensuring that SWH Authorities remain in control in response to the local plan intervention threat faced by St Albans, which may result in a Secretary of State direction to prepare a joint plan with adjoining areas.
- articulate an agreed position in terms of growth to Government and the potential ability to negotiate 'freedoms and flexibilities' with regard to things such as the 5 year land supply and infrastructure funding (as per Oxfordshire).
- more efficient and effective use of resources, skills and expertise

2.2 All the LPAs are at a similar, early stage in reviewing their local plans for the first time. There is therefore a perfect opportunity to move to a joint plan without compromising individual local plans. The proposed new SCG provides a useful opportunity for the councils to manage this transition and develop a robust response to the challenging strategic issues the area faces in the short, medium and long term. The following paragraphs therefore set out the key actions needed to take this work forward.

Secure formal agreement from all partners to develop a joint spatial plan

2.3 In order to progress work on developing a Joint Strategic Plan (JSP) for South West Hertfordshire, all partners will have to secure formal agreement and provisional governance and working arrangements.

Recommendation 1: All SW Hertfordshire Authorities secure initial agreement from their relevant committee / cabinet to progress a JSP as part of a new portfolio approach to local plan-making [timescale: by the end of March 2018].

Recommendation 2: A Memorandum of Understanding should be prepared and signed by all partner authorities [timescale: by the end of March 2018].

Recommendation 3: A pre-commencement document² should be prepared, setting out the overall approach to developing the JSP (governance and working arrangements, project management, resources, budget), the plan's scope and timetable, and a risk

² The West of England Authorities prepared a pre-commencement document as part of the work on the JSP (<https://s3-eu-west-1.amazonaws.com/so-welep-uploads2/files/JSPS/JSPS%20PCD%20v12.pdf>) but the proposed new requirement for a statement of common ground to be prepared will fulfil this purpose in future.

assessment and management plan. The Statement of Common Ground should be used as the template for the pre-commencement document to avoid duplication.

[timescale: SCG agreed by June 2018 with all Local Development Schemes updated to reflect the new planning arrangements]

Overall vision and strategy for South West Hertfordshire

- 2.4 A key part of the plan-making process will be ensuring that all partners agree a shared long-term vision for the area, with key spatial, economic and infrastructure priorities. Although over time the detailed aspects of delivering the vision may change, the overall strategy will stay the same, therefore it is important that this is developed and owned by all involved, and at the highest level.

Recommendation 4: All South West Hertfordshire LPAs and the County Council develop a long term (2050) vision, setting out strategic spatial, economic and infrastructure priorities to inform the JSP but also wider strategies that are being prepared on a Hertfordshire basis e.g. Local Industrial Strategy, Local Transport Plan (and other infrastructure plans). To explore potential for support from Est of England Local Government Association (EELGA). [timescale: by June 2018]

Governance and working arrangements

- 2.5 The JSP will be prepared on a joint basis but the decision-making process will be through the individual LPAs. To manage the risks associated with this, a robust governance structure will need to be established, which a clear role for the leadership from each authority.

Recommendation 5: A Member-led Strategic Planning Members Group (SPMG) should be established to provide political leadership for preparation of the JSP. The composition of the SPMG, and its links to other relevant groups (e.g. the Hertfordshire Infrastructure and Planning Partnership) should be agreed in the MoU, and set out in more detail in terms of reference. [timescale: governance structure, MoU and ToR agreed by end of February 2018]

- 2.6 Although preparation of a joint plan will bring benefits from sharing resources and skills across the HMA, there will continue to be considerable constraints that will have to be managed if the JSP is to be delivered as a priority. Additional resources will have to be procured, for example, a project manager and project support, but the authorities should also develop an internal training and development programme to help fill any gaps.

Recommendation 6: That the lead officers from each of the partner authorities form a Strategic Planning Officers Group (SPOG) to support the SPMG. Terms of reference should be prepared to ensure the role and responsibilities of the project board are clear, including any specific workstream responsibilities. [timescale: end of February 2018]

Recommendation 7: The SPOG should appoint a project manager and other project support as soon as is practically possible to keep momentum going on the plan-preparation. A draft job description is contained on Annex 5. [timescale: end of March 2018]

Communications and engagement

2.7 Given the complexities and sensitivities related to preparing a joint plan, it will be important to ensure that any communications and engagement with stakeholders is properly managed.

Recommendation 8: A communications strategy should be prepared as part of the pre-commencement stage, setting out how the formal consultation processes will be managed alongside wider engagement on the plan. Engagement with the following key groups should be included:

- The wider local authority membership, helping to secure cross-party ownership and therefore reducing any risks associated with potential changes arising from elections or in leadership. Suggested mechanisms include establishing a member forum with a small number of cross-party representatives as a sounding board at key stages of the process, and regular member updates and workshops.
- Strategic stakeholders to ensure buy-in from stakeholders as the plan develops, particularly where they are statutory bodies (statutory consultees) or have a role in delivering the plan.
- Local MPs, ensuring that they understand why the JSP is being prepared and the what the long term approach to developing a coherent and robust strategy is.
- Government departments, particularly where there is a need to ensure additional funding to deliver the JSP. An initial meeting with the Ministry of Housing, Communities and Local Government should take place at the early stages of plan preparation. Neighbouring authorities, particularly those areas adjacent to the JSP area.

Catriona Riddell, POS Enterprises Consultant

05 February 2018

Annex 1: Notes from workshop held 23 February 2018

Key Issues and Agreed Actions:

Discussion (1)- What does 'joint planning' mean for SW Herts?

Key issue was whether authorities choose to (a) continue with a 'business as usual approach i.e. using the new Statement of Common Ground (SCG) to set the context for the five individual Local Plan (LPs), or (b) whether to use this SCG to progress a Joint Strategic Plan (JSP) which would articulate these key strategic issues in a statutory planning document, with individual LPs sitting below.

The initial position of each authority was as follows:

- WBC accepted the logic of preparing a JSP, but there needed to be clearer articulation of the advantages of this.
- HBC were in favour of a JSP as could see benefits in terms of helping secure additional infrastructure funding etc. Some concerns regarding Green Belt issues and how the issues of housing numbers would be resolved were raised.
- DBC agreed that it was essential to have some form of joint planning process to help address concerns regarding infrastructure provision etc. However, there were some concerns regarding how the housing numbers issue became easier with the involvement of 5 authorities without becoming a game of 'pass the parcel.'
- HCC considered the decision to be in the hands of the 5 local authorities, but noted there was an emerging recognition that as a service provider they needed to work with smaller groupings of local authorities to address the challenges posed with regard to growth and infrastructure provision.
- TRDC noted that no single authority could deal with the challenges the area faces alone. Due to the nature of the area, development in one location directly impacted a wider area – irrespective of administrative boundaries. A JSP also gave the opportunity to better address issues such as infrastructure delivery and the mix of housing across the area. There were some concerns regarding the loss of individual political control, but these were outweighed by the benefits a JSP would bring.
- SADC agreed with TRDC in terms of the challenges faced within the SW Herts area. The position for SADC was however complicated by the fact that they had to respond to the Government intervention letter. However, they supported the principle of a JSP.

After further discussion it was agreed by all that that there were benefits of working together on a JSP in terms of:

- Planning strategically for the area, but maintaining local decision-making processes.
- Addressing common issues such as the future role of the Green Belt, infrastructure delivery, development viability, affordable housing and housing mix.
- Articulating an agreed position in terms of growth to Government and the potential ability to negotiate 'freedoms and flexibilities' with regard to things such as the 5 year land supply and infrastructure funding (as per Oxfordshire).
- Improved chances of securing infrastructure funding.
- Developing a 'strategy-led' rather than a purely 'numbers-led' plan, which delivers growth, but better articulates the role of SW Herts in the context of the Metropolitan Green Belt and its relationship with London and the Oxfordshire-Cambridge Growth corridor.

- Developing a shared commitment to how growth is planned, delivered and explained to stakeholders.
- The ability to consider the role of key strategic sites and the ability of these to deliver better infrastructure improvements than a large number of smaller sites.
- Ensuring plans can be found 'sound' and comply with the anticipated new tests of soundness (even if they initially take slightly longer to prepare than currently envisaged).
- Overcome the challenge of mixed messages from Government on issues such as Green Belt and housing delivery.
- The ability to set out a clear vision for the wider area and plan strategically on a long term basis i.e. potentially up to 2050, with individual Local Plans providing the short / medium term detail.

Following discussion, the agreed position of all six authorities was as follows:

1. Agree to the principle of progressing a JSP, but noted that time needed to be set aside urgently to work out the details of how this would work in practice.
2. The aim should be to have an initial SCG in place by June 2018 to set a clear process to take the JSP forward.

Discussion (2) – what is needed to initiate work on a joint strategic plan?

It was noted that Government would expect to see prompt evidence of a commitment to a JSP. This commitment had the potential to support SADC in their response to their intervention letter (due by the end of January 2018).

Next steps were agreed as follows:

1. Set up a meeting with Government asap (at the appropriate level; suggest Steve Evison). (WBC to lead)
2. Discuss with the EELGA what they may be able to offer in terms of supporting the JSP process going forwards (DBC to lead).
3. Draft a MOU to set establish a clear commitment to moving forwards and how this would need to be resourced in terms of both finances and staff (SADC to lead).
4. The above MOU to form the basis of a report to relevant Committees, for their endorsement of the process moving forward. Agreement to be confirmed by all parties by the end of February/March 2018.
5. If one authority proves unable to commit to this MOU at this time, the other authorities will proceed with the JSP process.
6. To set up a meeting with local MPs (appropriate timing to be discussed) to ensure they are fully briefed and ideally on-board with the SW Herts process.
7. Carry out an initial audit of skills and resources to see where there are gaps that need to be filled on a SW Herts basis, to enable a JSP to progress successfully.
8. CR to provide examples of MOUs and JSP timetables for consideration.
9. A Communications Strategy to be agreed, to include a draft press release for circulation asap, to ensure all authorities take a consistent approach to announcing decisions on the JSP and the benefits of joint working. Key messages to be as set out under Discussion (1) above. (DBC to lead).
10. Formal Member and Officer groups to be established to take discussions forward. Member representation to be either at leader or Portfolio Holder level (as appropriate for each Council), but the representative must have the authority to make key decisions relating to work on the SoCG / JSP. Meetings to be held on a regular basis to ensure

matters progress to timetable. Officer meeting confirmed for 21st February, but discussions on MOU to progress in advance of this.

Workshop Attendees:

DACORUM (DBC)

Cllr Andrew Derek Williams, Leader
Cllr Graham Sutton, Portfolio Holder – Planning & Regeneration
Sally Marshall, Chief Executive
Mark Gaynor, Corporate Director – Housing & Regeneration
James Doe, Assistant Director – Planning, Development & Regeneration
Chris Taylor, Group Manager – Strategic Planning & Regeneration
Nathalie Bateman, Team Leader – Strategic Growth and Infrastructure
Laura Wood, Team Leader – Strategic Planning

HERTSMERE (HBC)

Cllr Harvey Cohen, Portfolio Holder – Planning and Localism
Christine Lyons, Head of Planning & Economic Development
Mark Silverman, Policy & Transport Manager

ST ALBANS (SADC)

Cllr Alec Campbell, Leader
Cllr Mary Maynard, Planning Portfolio Holder
Amanda Foley, Chief Executive
Tracy Harvey, Head of Planning & Building Control
Chris Briggs, Spatial Planning Manager

THREE RIVERS (TRDC)

Cllr Sara Bedford, Leader
Cllr Martin Trevett, Lead Member for Housing, Planning & Strategic Schemes
Steven Halls, Chief Executive
Geof Muggerridge, Director of Community & Environmental Services
Claire May, Head of Planning Policy & Projects
Marko Kalik, Senior Planning Officer

WATFORD (WBC)

Mayor Dorothy Thornhill, Mayor & Portfolio Holder – Strategic Partnerships
Cllr Iain Sharpe, Portfolio Holder – Regeneration & Development
Nick Fenwick, Deputy Managing Director
Ian Dunsford, Head of Planning Policy

Hertfordshire CC (HCC)

Cllr Derrick Ashley, Chair of Environment, Planning & Transport Cabinet Panel
Jon Tiley, Head of Spatial Planning & Economy

Hertfordshire LEP (LEP)

Apologies received

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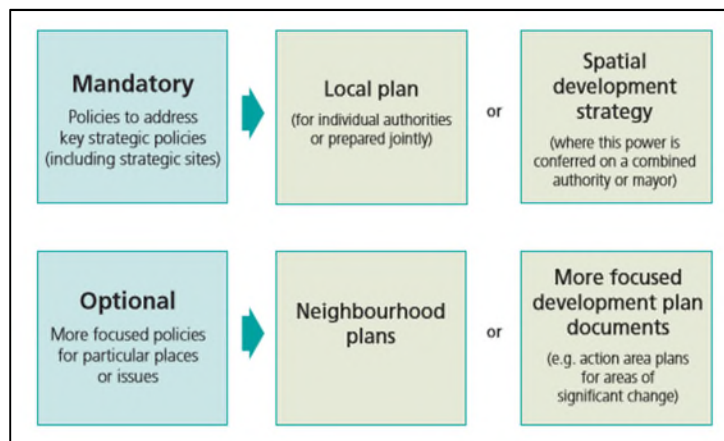
Catriona Riddell – Facilitator

Annex 2: The national context for joint local plans

- **Housing White Paper** (February 2017): Proposed new style ‘strategic’ local plans to be introduced; effectiveness of joint working to be taken into account in new Housing Delivery Test; all local planning authorities required to prepare a statement of common ground (SCG) setting out how they have worked together and how they have resolved strategic matters within the HMA, particularly on infrastructure and housing provision.

“...we would like to see more and more local authorities working together to produce a strategic plan over a wider area on the functional economic geography that is right for their part of the world...”

[Gavin Barwell, Minister for Housing and Planning]



<https://www.gov.uk/government/collections/housing-white-paper>

- **Neighbourhood Planning Act** (May 2017): Local authorities are required to identify their strategic priorities with policies set out in their development plan documents (taken as a whole) to address these. Provisions also included in the Act to allow the Secretary of State to direct the preparation of a joint local plan where this would “*facilitate the more effective planning of the development and use of land in the area*”.

<http://www.legislation.gov.uk/ukpga/2017/20/part/1/crossheading/local-development-documents/enacted>

- **Housing Infrastructure Fund** (July 2017): New £2.3b fund launched to support infrastructure delivery, with emphasis given to joint planning as a priority factor in the bidding process.

“We want to fund those schemes that take a strategic approach, with strong local leadership and joint working to achieve higher levels of housing growth...”

[HIF prospectus]

<https://www.gov.uk/government/publications/housing-infrastructure-fund>

- **Right homes in the right places** consultation document (September 2017): Set out further details of HWP implementation including, new housing needs methodology; details and timetable for preparation of Statement of Common Ground, with pilot authorities invited; More incentives offered to local authorities progressing joint local plans in relation

to the HDT and 5 year land supply calculations; new 'tests of soundness' introduced for local plans to demonstrate effective strategic planning across HMAs.

"...today we're also publishing a requirement for a "statement of common ground", a new framework that will make cross-boundary co-operation more transparent and more straightforward."

[Sajid Javid, Secretary of State for Communities & Local Government]

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

- **Secretary of State local plan intervention** (November 2017): SoS announces the Government's intention to intervene in plan-making in 15 local authorities (including St Albans). Key factors to be taken into account in final decisions (expected early 2018) are local plan progress and the extent of joint working.

"My decisions on interventions will also be informed by the wider planning context in each area (specifically the extent to which authorities are working cooperatively to put strategic plans in place)"

[Sajid Javid, Secretary of State for Communities & Local Government]

- **Autumn Budget** (November 2017): As part of the Budget, the Government announced that the Oxfordshire Authorities would be preparing a joint local plan to support a new Housing Deal; that a new 'strategic infrastructure tariff' was being considered for combined authority areas and areas with joint local plans; and provisions of the Neighbourhood Planning Act 2017 to allow the SoS to direct the preparation of joint plans to be implemented immediately (one of the mechanisms for government intervention).

<https://www.gov.uk/government/topical-events/autumn-budget-2017>

- **Industrial Strategy White Paper** (December 2017): White paper setting out how Government intends to implement its Industrial Strategy and the important role 'place' and infrastructure should play in supporting growth, with an emphasis on local authority collaboration. LEPs and CAs to be responsible for preparing local industrial strategies. Although the focus is on rebalancing Britain more housing deals are on offer in areas of high demand and two key growth areas in the South were confirmed (Oxford-Milton Keynes- Cambridge Corridor and in the Thames Estuary).

"We want to support greater collaboration between councils, a more strategic approach to planning housing and infrastructure, more innovation and high-quality design in new homes and creating the right conditions for new private investment."

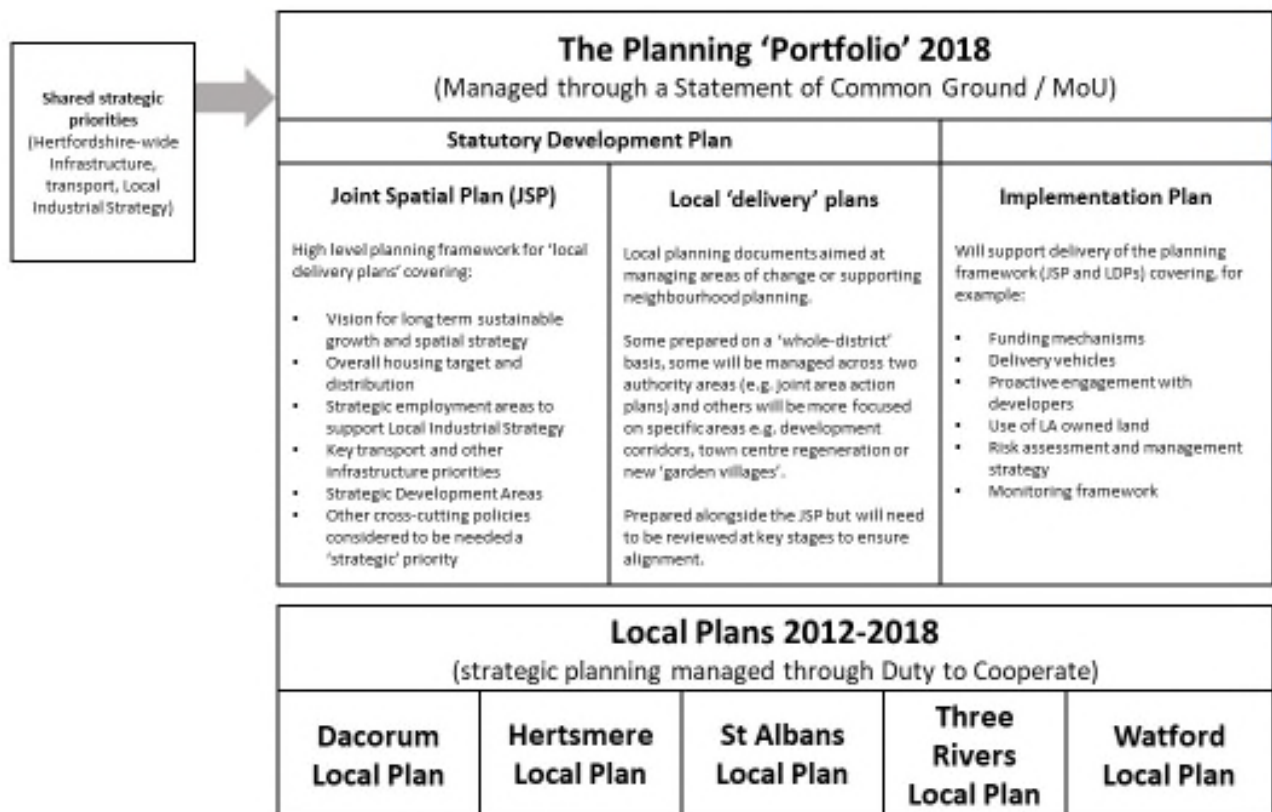
[Industrial Strategy White Paper]

<https://www.gov.uk/government/policies/industrial-strategy>

- **Joint planning capacity fund** (December 2017): The new fund, initially announced in the HWP, was launched to support those local authorities progressing (or moving towards) a joint local plan. The fund will cover the period 2017/18 to 2018/19 initially and aims to encourage *"more and better joint working, across local authority boundaries, ensuring that there are the skills and capacity where they are needed to plan strategically for housing growth, and to manage delivery of new homes and infrastructure"*.

<https://www.gov.uk/government/publications/planning-delivery-fund-prospectus>

Annex 3: A new portfolio approach to local planning



Annex 4: Statement of Common Ground – suggested template

Part 1: Strategic context:

- geographical extent and wider relationships;
- overall ambitions and strategic priorities i.e. those that affect the sum of all parts;
- key metrics e.g. housing need, past delivery, expected GVA growth;
- main delivery mechanisms i.e. single joint plan/ single LPs.

Part 2: Policy Scope and evidence base:

- key strategic matters to be addressed e.g. overall housing *target* and *anticipated* distribution as this may change as plans/plan develops; strategic infrastructure priorities; strategic employment opportunities; other e.g. GI strategy, G&T
- Main evidence-base to be used

Part 3: Decision-making & project management:

- What are the governance and working arrangements (resources)?
- Who are the key partners and are they signed up to the overall objective?
- How will strategic stakeholders/ Stat cons be involved?
- What are key timescales/ milestones and at what point are key decisions likely to be made?

Part 4: Risk assessment and management:

- Need to link to HDT/ HIF.
- Highlight key risks to delivering shared objectives and how these will be managed e.g. infrastructure not delivered, housing not delivered at anticipated rate, changing political priorities - locally or nationally, changing resources.
- Others with a key role in delivery - mechanisms to ensure delivery (e.g. MoUs, deals with government).
- Risks in terms of resources and any skills gaps, and how these will be managed.

Part 5: Monitoring and Review:

- Key indicators and milestones
- Monitoring of DtC (as currently done through AMR)
- Triggers fore review of SCG (as highlighted through risk assessment)

Annexes

- Details of MoUs, deals, other agreements
- DtC activity table

Annex 5: JSP Project Manager – draft job description

SOUTH WEST HERTFORDSHIRE JOINT STRATEGIC PLAN: PROJECT MANAGER

DRAFT JOB DESCRIPTION

February 2018

Post Title:	South West Hertfordshire Joint Strategic Plan Project Manager (time period of appointment tbc)
Accountable Body:	South West Hertfordshire Strategic Planning Members Group (SPMG) -add annex explaining governance
Post No:	TBC
Grade/ Salary:	£45k-£60k plus car allowance to be added (plus London Fringe allowance?)
Responsible Officer:	Chief Executive [from one of the SWH Authorities]

Job Summary:

To manage the development of a cross-authority, statutory spatial plan (Joint Strategic Plan) for South West Hertfordshire, covering the geographical area of Dacorum, Hertsmere, St Albans, Three Rivers and Watford, taking account of existing and emerging local development strategies for the area, and national policy and statutory plan-making requirements.

- 1.1 The post holder will work with the five Local Planning Authorities within and Hertfordshire County Council, as well as strategic stakeholders identified by the Authorities as key in delivering the JSP.
- 1.2 The post holder will be directly accountable to the lead officer [to be identified] with responsibility for steering the JSP, working closely with the South West Hertfordshire Joint Member and Officer Board (JMOB).

Responsibilities:

Working with the six partner authorities, the post holder will have a key role in supporting the implementation of the shared vision through preparation of a statutory joint plan (Joint Strategic Plan). The work programme for the plan will be steered by the Strategic Planning Officers Group (SPOG), reporting to a Joint Member and Officer Board (JMOB).. Specific responsibilities of the post holder will be:

- To ensure that the Joint Strategic Plan is delivered to the agreed timetable and meets all statutory process requirements (including Duty to Cooperate), keeping momentum going throughout the process.

- To lead on co-ordination and procurement of the evidence base needed to support the development of the plan, including liaison with the local planning authorities in relation to their individual local development plans
- To keep the plan's risk assessment and management plan current, with regular reviews and updates, highlighting any significant changes to the JSP Strategic Planning Officers Group (SPOG) and Strategic Planning Members Group (SPMG) immediately.
- To manage the plan's communication's strategy (internal and external), working closely with the lead officers from each authority [to be agreed].
- To work with strategic stakeholders, including neighbouring authorities, key partner agencies and relevant Central Government departments, representing the views of the authorities and ensuring the plan is deliverable.
- To act as a 'champion' for the joint planning work, helping to raise its profile both within a South West Hertfordshire context and externally, as 'good practice'.
- To ensure that adequate systems are in place to allow monitoring and performance assessments, and that all work reaches required high levels of quality.
- To manage the plan's budget in accordance with the requirements of Statement of Common Ground and work programme.

Note:

This Job Description is not a definitive list of tasks - it is designed to give an overall view of the job, and not to indicate what the sole requirements are. It is envisaged that you will use your own initiative, and develop you own style to achieve the desired aims.

Reasonable adjustment will be made to working arrangements to accommodate a person with a disability who otherwise would be prevented from undertaking the work.

Person Specification

To be added but should include the following

- political awareness (working with Members and Officers at a senior level)
- good communications skills (presenting complex technical issues, adjusting presentation to different audiences)
- good understanding of statutory plan-making process (do they need to be a qualified planner?)
- Ability to manage complex projects, delivering to timetable but remaining flexible and responsive to necessary changes over time.

Annexes to be added

Appendix 4 - Draft Statement of Common Ground (SoCG)

**South West Hertfordshire (SWH) Draft Statement of Common Ground (SoCG) –
February 2019 - FINAL**

1.0 INTRODUCTION AND BACKGROUND

- 1.1 In February 2017, and as part of the Housing White Paper on ‘*Fixing our Broken Housing Market*’, the Government introduced the proposition that all Local Planning Authorities (LPAs) be required to prepare a ‘Statement of Common Ground’ (SCG) to strengthen the Duty to Cooperate and help manage strategic planning matters across local authority areas. The Government’s objectives of the proposal were to:
- *increase certainty and transparency, earlier on in the plan-making process, on where effective co-operation is and is not happening;*
 - *encourage all local planning authorities, regardless of their stage in plan-making, to co-operate effectively and seek agreement on strategic cross-boundary issues, including planning for the wider area’s housing need; and*
 - *help local planning authorities demonstrate evidence of co-operation by setting clearer and more consistent expectations as to how co-operation in plan-making should be approached and documented.*
- 1.2 The revised National Planning Policy Framework (NPPF), issued in July 2018, implemented the Housing White Paper’s plan. In particular, paragraph 27 of the revised NPPF states that
- “In order to demonstrate effective and on-going joint working, strategic policy making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.”*
- 1.3 Paragraph 35 of the NPPF goes on to set out the soundness tests against which local plans are assessed at the examination stage, and proposes a strengthening of the positively prepared and effective soundness tests so that local plans are:
- “informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; and*
- based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by a statement of common ground.”*
- 1.4 In accordance with this guidance, the South West Hertfordshire Local Planning Authorities of Dacorum Borough Council, St Albans City & District Council, Three Rivers Borough Council, Hertsmere Borough Council and Watford Borough Council, together with Hertfordshire County Council, agreed a Memorandum of Understanding (MoU) on joint strategic planning in January 2018 (refer **Appendix 1** of this SoCG).

- 1.5 This MoU sets out how cooperation between the five LPA's along with Hertfordshire County Council will be managed in respect of strategic planning issues.
- 1.6 Of relevance to this SoCG, the MoU includes a commitment to:
- *A Joint Strategic Plan (JSP) setting out strategic spatial and infrastructure priorities across South West Hertfordshire; and*
 - *A Statement of Common Ground setting out how a JSP will be delivered, what the evidence base is, including identification of various development needs.*

Statement of Common Ground Structure

- 1.6 The Government's current advice on the structure of a SoCG is principally set out in the Planning Practice Guidance¹, (refer to **Appendix 2** of this SoCG which sets out the relevant parts of the PPG and the National Planning Policy Framework). This SoCG has been prepared in accordance with this guidance.

2.0 LOCATION – SOUTH WEST HERTFORDSHIRE

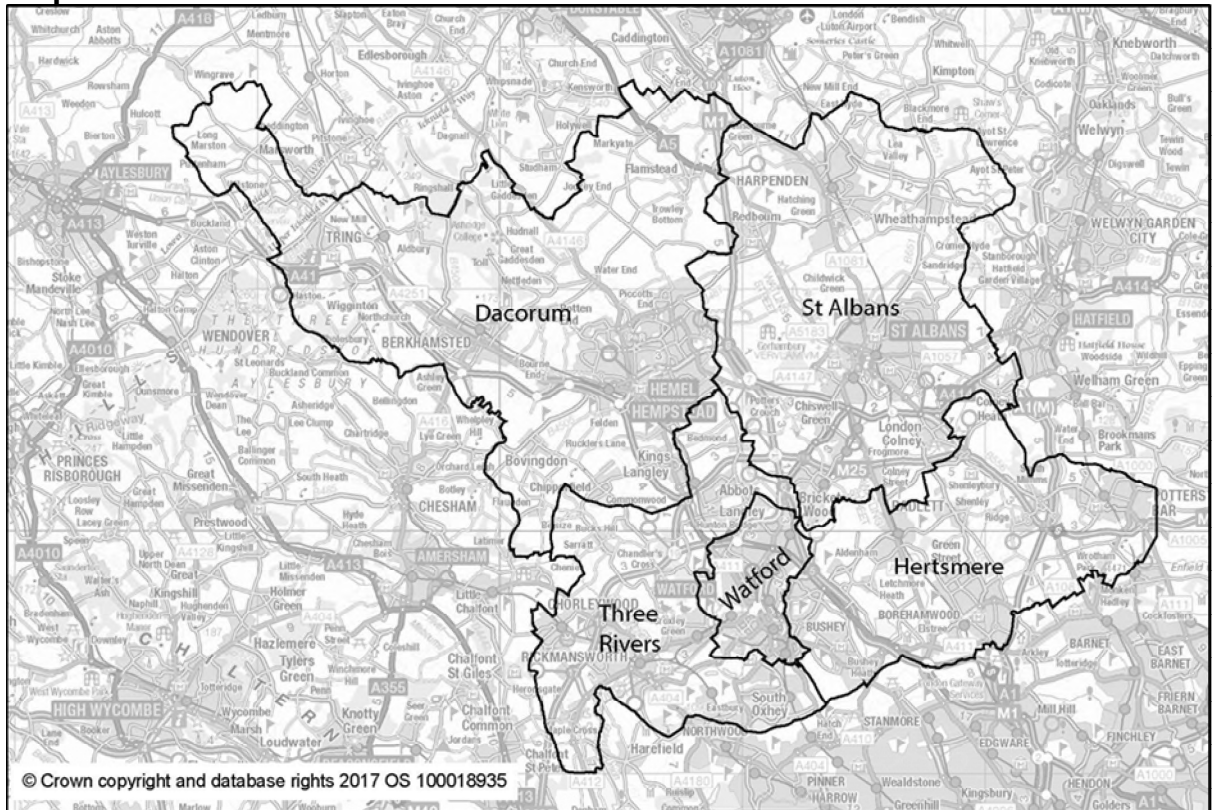
- 2.1 This South West Hertfordshire (SWH) area covers the administrative areas of Dacorum Borough Council, Hertsmere Borough Council, St Albans City and District Council, Three Rivers Borough Council and Watford Borough Council.
- 2.2 This geography is based on the agreed approach that the five LPA area constitutes a single South West Hertfordshire Housing Market Area (HMA) and Functional Economic Market Area (FEMA). This is set out in the MOU and on Map 1 below.

South West Hertfordshire Housing Market Area and Functional Economic Market Area

- 2.3 Evidence for the definition of the SW Herts HMA and FEMA is set out primarily in the following studies:
- SWH Strategic Housing Market Assessment (SHMA) 2016;
 - Draft SWH SHMA Update / Housing Needs Assessment (HNA) 2018/19;
 - SWH Economy Study 2016; and
 - Draft SHW Economy Study Update 2018/19.

¹ Paragraph: 003 Reference ID: 61-003-20180913

Map 1: South West Hertfordshire



3.0 STATEMENT OF COMMON GROUND SIGNATORIES

3.1 The principal signatories to this SoCG are:

- Dacorum Borough Council (as LPA);
- Hertsmere Borough Council (as LPA);
- St Albans City and District Council (as LPA);
- Three Rivers Borough Council (as LPA);
- Watford Borough Council (as LPA); and
- Hertfordshire County Council (as highways and education authority)

3.2 Additional signatories may be party to future versions of SoCG.

4.0 KEY STRATEGIC MATTERS

4.1 The Joint Strategic Plan (JSP) will provide the strategic context for the statutory development plan portfolio across South West Herts and will be prepared jointly by all of the partner LPAs and Hertfordshire County Council. Its scope will be focused on the following strategic policy matters that are common across all five local planning areas:

- 1: A Spatial Strategy for South West Herts including any Strategic Areas of Opportunity;
- 2: Strategic housing need across South West Herts, Local Plan requirements and provision;
- 3: Strategic employment need across South West Herts, Local Plan requirements and provision, including any priorities and spatial implications of the emerging Local Industrial Strategy
- 4: Strategic infrastructure need across South West Herts, Local Plan requirements and provision; and
- 5: Strategic approach to Green Belt, areas of Outstanding Natural Beauty (AONB) and blue and green infrastructure across South West Herts.

5.0 GOVERNANCE

5.1 The preparation of the Joint Spatial Plan and associated Delivery Strategy will be steered under the governance arrangements of a Joint Member and Officer Board (JMOB). Formal decisions on the JSP at key stages (to be set out in individual Local Development Schemes) will be taken by individual Local Planning Authorities on the advice and recommendations of JMOB. The JMOB will comprise the Leader and the Chief Executive (or equivalent) from each of the District/Borough authorities and the Portfolio Holder and Lead Planning Officer from Hertfordshire County Council.

5.2 A Strategic Planning Members Group (SPMG) will be accountable for the overall project management of the JSP, supported by a Strategic Planning Officers Group (SPOG). The SPMG will comprise political representatives from each of the partners (to be appointed by individual authorities) with appropriate authority to make key decisions on progress with the SoCG and JSP. The SPOG will comprise the Heads of Service (or equivalent) from each of the partner authorities, and the lead officer for strategic planning.

5.3 The preparation of the SoCG is a live process and will reflect the development of both the respective district's local plans and the JSP. It will therefore be reviewed at key stages in the JSP's preparation as well as at key stages for the individual local plans.

JSP Timeline

5.3 Key milestones for preparing the JSP are set out below.

July 2019:	All SW Herts LPAs and Hertfordshire County Council endorse the first stage Statement of Common Ground
	All SW Herts LPAs update their Local Development Schemes (LDS) and agree to update their Statement of Community Involvement (SCI) to reflect the JSP and associated timeline
February 2020:	The Draft 'Issues and Options' JSP with spatial strategy options is published for Regulation 18 Consultation, in line with the SCI and agreed JSP timetable.
October 2020:	The Draft 'Preferred Options' JSP with preferred spatial option is published for consultation
September 2021:	Final draft version of JSP is published for Regulation 19 Consultation
January 2022:	JSP submitted for Examination
Winter 2022:	JSP adopted by all SW Herts LPAs

6.0 MANAGING NEED

6.1 The JSP will be founded on a robust and proportionate evidence base prepared for South West Herts as a whole, to give a clear understanding of housing and economic needs, infrastructure capacity constraints and opportunities and environmental constraints and characteristics.

6.2 All of the SW Herts partners support the following approach as set out in the PPG¹:

“Strategic policy-making authorities should explore all available options for addressing strategic matters within their own planning area, unless they can demonstrate to do so would contradict policies set out in the National Planning Policy Framework.”

Strategic Housing Need, Plan Requirements and Provision

6.3 The JSP will set out the total identified housing requirement for South West Herts and the apportionment for each Local Authority area.

6.4 The calculation of housing need figures will be based upon the Government's finalised methodology for calculating local housing need 2018/19.

¹ Planning Practice Guidance: Paragraph: 014 Reference ID: 61-014-20180913

- 6.5 The most recent and relevant figures as set by the Government's consultation proposals within the '*Technical consultation on updates to national planning policy and guidance method*' 26 October 2018 are detailed below:

Dacorum	1,035 dpa
Hertsmere	714 dpa
St Albans	902 dpa
Three Rivers	615 dpa
Watford	798 dpa
SWHG Total	4,164 dpa

- 6.6 In accordance with the PPG, the distribution of housing need will be determined on the principle that each LPA will seek to make provision to meet their own local housing need in the first instance (refer table above). This is unless the evidence prepared to support the JSP suggests that by doing so would contradict policies set out in the NPPF, and is therefore not possible. Such evidence and reasoning will need to be agreed through the JSP governance process and then embodied in Local Plans and subsequently the JSP. If such reasons are identified (and evidenced) the unmet housing need may need to be distributed within South West Herts or elsewhere.

Strategic Employment Need, Plan Requirements and Provision

- 6.7 The JSP will set out the total identified employment requirement for South West Herts and the apportionment for each Local Authority area.
- 6.8 The evidence to support the JSP will build on the existing economic evidence base, as well as the emerging Local Industrial Strategy, to assess the strategic suitability of all existing employment sites, along with any other areas, including any Strategic Areas of Opportunity, to assess and strategically plan for the future employment needs of SW Herts.
- 6.9 The distribution of employment provision will be determined on the principle that each LPA will seek to make to meet their own employment need in the first instance. This is unless the evidence prepared to support the JSP suggests that by doing so would contradict policies set out in the NPPF, and is therefore not possible. Such evidence and reasoning will need to be agreed through the JSP governance process and then embodied in Local Plans and subsequently the JSP. If such reasons are identified (and evidenced) the unmet employment need may need to be distributed within South West Herts or elsewhere.

Strategic Infrastructure Need and Provision

- 6.10 Strategic infrastructure priorities across SW Herts will be one of the key determinants of the agreed spatial strategy and the locations of the emerging Strategic Areas of Opportunity. This approach will be based on the following guiding principles as set out in Hertfordshire's Local Transport Plan 2018 - 2031:
- Integration of land use and transport planning;
 - Application and adoption of technology;
 - Cost effective delivery and maintenance; and
 - Modal shift and encouraging active travel

- 6.11 As with housing and employment needs, the evidence to support the JSP will build on the existing infrastructure evidence base and will assess the strategic suitability of any existing and proposed infrastructure corridors, along with any strategic areas of opportunity, to assess and strategically plan for the future infrastructure needs of SW Herts. Working with the Hertfordshire Infrastructure and Planning Partnership (HIPP), this work will also assist in identifying and supporting any SW Herts strategic infrastructure funding opportunities

Strategic approach to Green Belt, Areas of Outstanding Natural Beauty and Green and Blue Infrastructure

- 6.12 Green Belt (Metropolitan Green Belt) and landscape (Chilterns Area of Outstanding Natural Beauty) policy constraints apply to the very large majority of the SW Herts area.
- 6.13 The evidence to support the JSP will assess the existing Green Belt across SW Herts, along with any Strategic Areas of Opportunity, to assess and strategically plan for the future Green Belt requirements of SW Herts.

7.0 OTHER STRATEGIC MATTERS

- 7.1 It is intended that the emerging JSP will provide the 'effective strategic planning mechanism' to ensure compliance with the requirements of the Duty to Cooperate, with the existing joint work, evidence base and shared governance demonstrating that cooperation is proactive, positive and ongoing.

Relationship of the JSP to Local Plans

- 7.2 While the JSP will be a jointly prepared and adopted strategic planning framework, each of the partner LPA's will maintain responsibility for preparing its own Local Plan to guide more detailed planning decisions at a local level.

Other Strategic Matters

- 7.2 The LPA partners have agreed that all Local Plans will be aligned by use of a common Local Plan period end date of 2036. The plan period for the JSP will have an end date of 2050.
- 7.3 The LPA partners have agreed that all Local Plans, where adopted before the JSP is adopted, will be reviewed at the earliest practicable time in order to achieve conformity with the JSP.
- 7.4 Functional housing and economic relationships exist beyond the HMA / FEMA. Strategic issues in relation to these areas are to be addressed as follows:

Greater London

- 7.5 Liaison and cooperation with The Greater London Authority, Transport for London, as well as any adjoining North London authorities will be undertaken directly by the SW Herts authorities themselves.
- 7.6 Based on this process, it is understood that, for the foreseeable future, Greater London is planning to meet its own development needs and to maintain the Metropolitan Green Belt within its area (emerging London Plan 2018).

7.7 There is therefore no need for a further / formal arrangement, or SoCG/MOU on strategic matters at this stage.

Central Bedfordshire Council, South Bucks / Wycombe Councils and Buckinghamshire County Council, Welwyn & Hatfield District

7.8 Individual MoU's will be sought with these LPAs (to be negotiated) as appropriate.

7.9 This will be approached on the basis that:

- the defined SWH area is accepted by the adjoining LPAs as an appropriate HMA / FEMA; and
- there is currently no intention, or reasonable prospect, of transferring development requirements and provision between the SWH area and other adjoining functional areas, however defined. However, this is subject to further testing as part of the evidence that will support the JSP. Should this evidence conclude that some or the SW Herts development needs will need to be met from outside SW Herts, and should this position be supported by the partner LPA's, this position may need to be revisited.

7.10 There are no other Statements of Common Ground covering the same area.

7.11 There are no other strategic matters to be addressed.

8.0 **STATUS**

8.1 This SoCG cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to the principles set out in this SoCG.

Signed by

Local Authority	Planning Policy Lead	Date
Hertsmere Borough Council		
St Albans District Council		
Three Rivers District Council		
Watford Borough Council		
Dacorum Borough Council		
Hertfordshire County Council		

**MEMORANDUM OF UNDERSTANDING
FOR STRATEGIC PLANNING
IN SOUTH WEST HERTFORDSHIRE**

February 2018

STRATEGIC PLANNING IN SOUTH WEST HERTFORDSHIRE

Memorandum of Understanding

between

Dacorum Borough Council

Hertsmere Borough Council

St Albans City & District Council

Three Rivers District Council

Watford Borough Council

Hertfordshire County Council

This Memorandum of Understanding (MoU) sets out how cooperation between the five local planning authorities in South West Hertfordshire and Hertfordshire County Council will be managed in respect of strategic planning issues.

The Localism Act 2011 places a Duty to Cooperate on local planning authorities and county councils³ (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. Local planning authorities will be tested in relation to legal compliance with the Duty at examination, as well as whether strategic cooperation has resulted in a 'sound' and robust approach to delivering strategic objectives.

The Neighbourhood Planning Act 2017⁴ requires local planning authorities to "identify the strategic priorities for the development and use of land in the authorities' area and set out policies to address those priorities in the development plan documents, taken as a whole. This clause was included to allow greater flexibility in the way that local planning authorities prepare local planning documents, and specifically to support the preparation of 'strategic' local plans, whether prepared individually or jointly with neighbouring authorities. However, several recent announcements from Government on proposed planning reforms indicates

³ Localism Act 2011, Section 110.

⁴ Neighbourhood Planning Act Part 1, Section 8

strongly that the Government's preferred approach is for strategic priorities to be managed on a joint basis across housing market areas through the use of joint spatial plans.

Building on the existing strong foundations of cooperation developed through the Duty to Cooperate, the Local Authorities have agreed to move to a more formal approach to strategic planning. This will be developed through a 'portfolio' of plans, with a Joint Strategic Plan (JSP) setting out strategic spatial and infrastructure priorities that are considered to be of mutual benefit, prepared alongside a suite of Local Plans to manage delivery within each of the local planning areas.

Work on the JSP will be steered within the governance structure of the Joint Member and Officer Board (JMOB) to ensure that it aligns with other strategic priorities. Although the JSP will be prepared on the basis of collaboration, formal decisions on the JSP at key stages in its preparation (identified in each local planning authorities' Local Development Scheme) will be taken by the individual local planning authorities which will continue to retain the statutory local planning duty (as set out in the 2004 Planning and Compulsory Purchase Act and the 2017 Neighbourhood Planning Act).

A Statement of Common Ground (SoCG) will be prepared by the Authorities, setting out the process and timetable for the plan, what local delivery plans will be needed (and how current local plans will be managed through the transition process), governance and working arrangements, and the key evidence needed to support the JSP. Although the focus will be strategic development (housing and economic development) and infrastructure, other strategic priorities may be included where they are required to support delivery of the long term shared vision for South West Hertfordshire. The Statement will be reviewed on an ongoing basis and updated as and when needed. This will form key evidence to support the JSP and individual Local Plans and should therefore be made available on each of the partner authority's websites.

In preparing the JSP, all partners agree to:

- Engage constructively, actively, openly and on an on-going basis in relation to strategic planning matters under the Duty to Cooperate (or equivalent processes);
- Ensure a broad and consistent approach to strategic planning and development issues in South West Hertfordshire;
- Support better alignment between strategic planning, infrastructure and investment priorities in South West Hertfordshire;
- Adhere to the governance structure set out in this document and ensure that activities are delivered, actions are taken and communications are made as required;
- Be accountable for ensuring that the role and responsibilities as agreed in the Statement of Common Ground are adhered to;
- Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;

- Act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;
- Adhere to statutory requirements. Comply with applicable laws and standards, data protection and freedom of information requirements;
- Encourage, develop and share best practice in strategic planning matters;
- Ensure adequate resources and staffing are in place to undertake effective collaboration and joint working (resources to be agreed by the South West Hertfordshire Authorities through the Statement of Common Ground).
- Seek to align informal and formal decision making to ensure the completion of key stages works effectively for all partners

Area Covered

For the purposes of this MoU the geographic area of South West Hertfordshire applies to the administrative areas of Dacorum Borough Council, Hertsmeire Borough Council, St Albans City & District Council, Three Rivers District Council and Watford Borough Council.

Status

This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to the principles set out in this MoU.

This MoU is not a development plan, nor a legally binding document, but will be used in the consideration of how the local authorities have jointly approached strategic planning issues and legal compliance with the Duty to Cooperate.

This MoU may be supported by other documentation, and other subject specific MoUs, which set out in more detail how the parties will work together to tackle more detailed matters with respect to strategic planning in South West Hertfordshire.

It is accepted that an individual party or group of parties that are signatories to this MoU may also be signatories to other MoUs between themselves, or with other parties outside South West Hertfordshire in respect of the Duty to Cooperate.

Key outputs of this MoU are:

- A Joint Strategic Plan (JSP) setting out strategic spatial and infrastructure priorities across South West Hertfordshire;
- A Delivery Strategy setting out how the strategic policy framework of the JSP will be delivered, accompanied by a risk assessment and risk management plan;
- A Statement of Common Ground setting out how a JSP will be delivered, what the evidence base is, including identification of various development needs;
- A JSP monitoring process to chart and monitor delivery of the JSP.

Governance, Roles and Responsibilities

Preparation of the Joint Spatial Plan and associated Delivery Strategy will be steered under the governance arrangements of a Joint Member and Officer Board (JMOB). Formal decisions on the JSP at key stages (to be set out in individual Local Development Schemes) will be taken by individual Local Planning Authorities on the advice and recommendations of JMOB. The JMOB will comprise the Leader and the Chief Executive (or equivalent) from each of the District/Borough authorities and the Portfolio Holder and Lead Planning Officer from Hertfordshire County Council.

A Strategic Planning Members Group (SPMG) will be accountable for the overall project management of the JSP, supported by a Strategic Planning Officers Group (SPOG). The SPMG will comprise political representatives from each of the partners (to be appointed by individual authorities) with appropriate authority to make key decisions on progress with the SoCG and JSP. The SPOG will comprise the Heads of Service (or equivalent) from each of the partner authorities, and the lead officer for strategic planning.

'Task and finish' groups will be used to develop specific policy areas, to be identified by the SPMG as and when needed.

Terms of Reference for all groups will be established, setting out the roles, responsibilities and administration. These will be agreed by all partners and reviewed annually to ensure they remain relevant.

Local authorities should ensure that adequate resources are provided in order to undertake the joint work programme as set out in the Statement of Common Ground. Additional resources may be provided by other relevant bodies, as agreed to undertake specified tasks under the work programme.

Review of the MoU

This MoU is effective from the date it is signed by the Chief Executive and Leaders of all parties. It will be reviewed as and when indicated through the Statement of Common Ground.

Table of Signatories

Signature	Role	Authority	Date
	Leader of Council		
	Chief Executive		

APPENDIX 2

PPG Update 13.9.18

What is a statement of common [ground] expected to contain?

It is expected to contain the following:

- a. a short written description and map showing the location and administrative areas covered by the statement, and a brief justification for these area(s);*
- b. the key strategic matters being addressed by the statement, for example meeting the housing need for the area, air quality etc.;*
- c. the plan-making authorities responsible for joint working detailed in the statement, and list of any additional signatories (including cross-referencing the matters to which each is a signatory);*
- d. governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date;*
- e. if applicable, the housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement;*
- f. distribution of needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;*
- g. a record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and*
- h. any additional strategic matters to be addressed by the statement which have not already been addressed, including a brief description how the statement relates to any other statement of common ground covering all or part of the same area.*

The level of cooperation detailed in the statement is expected to be proportionate to the matters being addressed. The statement is expected to be concise and is not intended to document every occasion that strategic policy-making authorities meet, consult with each other, or for example, contact prescribed bodies under the duty to cooperate. The statement is a means of detailing key information, providing clear signposting or links to available evidence on authorities' websites.

Paragraph: 003 Reference ID: 61-003-20180913

Revision date: 13 09 2018

What information will a statement of common ground be expected to contain about the distribution of identified development needs?

When authorities are in a position to detail the distribution of identified needs in the defined area, the statement will be expected to set out information on:

- a. the capacity within the strategic policy-making authority area(s) covered by the statement to meet their own identified needs;*

b. the extent of any unmet need within the strategic policy-making authority area(s); and

c. agreements (or disagreements) between strategic policy-making authorities about the extent to which these unmet needs are capable of being redistributed within the wider area covered by the statement.

Paragraph: 004 Reference ID: 61-004-20180913

Revision date: 13 09 2018

When is it appropriate for plan-making authorities to prepare more than one statement of common ground?

Authorities are expected, wherever possible, to detail cooperation in a single statement. They may feel it is appropriate to produce more than one statement if they feel this would be the clearest and most expedient way to evidence joint working. This will depend on the matters being addressed and authorities and bodies cooperating with each other. For example, multiple statements may be appropriate where authorities work in different groupings to address certain strategic matters.

Paragraph: 005 Reference ID: 61-005-20180913

Revision date: 13 09 2018

What are the strategic matters on which cooperation is required?

Paragraph 20 of the National Planning Policy Framework sets out the matters that the strategic policies should make provision for, this is not an exhaustive list and authorities will need to adapt this to meet their specific needs. For local planning authorities this is linked to matters set out in sections [33A\(4\)](#) and [19\(1B\) to 19\(1E\)](#) of the Planning and Compulsory Purchase Act 2004.

Paragraph: 006 Reference ID: 61-006-20180913

Revision date: 13 09 2018

What activities are expected to be documented in a statement of common ground?

Strategic policy-making authorities are expected to document the activities undertaken when in the process of addressing strategic cross-boundary matters whilst cooperating. These will include (but are not limited to):

- working together at the outset of plan-making to identify cross-boundary matters which will need addressing;*
- producing or commissioning joint research and evidence to address cross-boundary matters;*
- assessing impacts of emerging policies; and*

- *preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated, (such as the distribution of unmet needs or policies relating to county matters).*

These activities will need to be tailored to address local circumstances.

Paragraph: 007 Reference ID: 61-007-20180913

Revision date: 13 09 2018

How can effective cooperation address strategic infrastructure needs?

Effective cooperation enables strategic policy-making authorities and infrastructure providers to establish whether additional strategic cross-boundary infrastructure is required. The statement is evidence that the strategic policy-making authorities have sought agreement with the relevant bodies. It can also inform the [Community Infrastructure Levy](#), and can form part of the evidence base for the Infrastructure Funding Statement, especially when forecasting contributions required for future planned development.

Authorities which agree to take additional housing from other areas may in turn require investment in infrastructure provision to support this. Where effective cross-boundary working can be demonstrated in the statement of common ground, this could be used as evidence when trying to secure grants for infrastructure where effective joint working forms part of the assessment criteria.

Paragraph: 008 Reference ID: 61-008-20180913

Revision date: 13 09 2018

Which geographical area does a statement of common ground need to cover?

The statement will need to cover the area which strategic policy-making authorities and public bodies cooperate during plan-making. This will depend on:

- *the strategic matters being planned for, informed by a [review of the matters affecting the area](#) and [early engagement](#) with neighbouring authorities, communities and other key stakeholders; and*
- *the most appropriate functional geographical area to gather evidence and develop policies to address these matters, based on demonstrable cross-boundary relationships.*

For example housing market and travel to work areas, river catchments, or landscape areas may be a more appropriate basis on which to plan than individual local planning authority, county, or combined authority areas. Cooperation between these different tiers (counties, districts and combined authority areas) may be needed. Authorities may well work in different groupings to address different strategic matters. Authorities should be pragmatic in determining the areas.

Paragraph: 009 Reference ID: 61-009-20180913

Revision date: 13 09 2018

When should the statement of common ground be prepared, published and updated?

Statements should be prepared and then maintained on an on-going basis throughout the plan making process. As a minimum, a statement should be published when the area it covers and the governance arrangements for the cooperation process have been defined, and substantive matters to be addressed are determined. If all the information required is not available (such as details of agreements on strategic matters) authorities can use the statements to identify the outstanding matters which need to be addressed, the process for reaching agreements on these and (if possible) indicate when the statement is likely to be updated.

Authorities should have made a statement of common ground available on their website by the time they publish their draft plan, in order to provide communities and other stakeholders with a transparent picture of how they have collaborated. Authorities may consider using independent bodies as arbiters or facilitators to aid discussions such as county councils in two-tier areas, or Mayors in combined authority areas.

Once published, authorities responsible for the statement should ensure that it reflects the most up to date position in terms of joint working across the area. Updates should occur when either agreements are reached, or a decision is taken to update strategic policies in the area covered by the statement.

Paragraph: 012 Reference ID: 61-012-20180913

Revision date: 13 09 2018

How is the statement of common ground expected to be published?

The statement is expected to be published on the websites of all the authorities responsible for its production, and should comply with any template or data standards produced by or on behalf of the government.

Paragraph: 013 Reference ID: 61-013-20180913

Revision date: 13 09 2018

Are strategic policy-making authorities required to reach agreement on strategic matters, and what should an authority do if they are unable to secure these agreements?

Strategic policy-making authorities should explore all available options for addressing strategic matters within their own planning area, unless they can demonstrate to do so would contradict policies set out in the National Planning Policy Framework. If there they are unable to do so they should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their plans for examination. Authorities are not obliged to accept needs from other areas where it can be demonstrated it would have an adverse impact when assessed against policies in the National Planning Policy Framework.

Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working, and not deferred them to subsequent plan updates or are not relying on the inspector to direct them. Where a strategic policy-making authority claims it has reasonably done all that it can to deal with matters but has been unable to secure the cooperation necessary, for example if another authority will not cooperate, or agreements cannot be reached, this should not prevent the authority from submitting a plan for examination. However, the authority will need to submit comprehensive and robust evidence of the efforts it has made to cooperate and any outcomes achieved; this will be thoroughly tested at the plan examination.

Paragraph: 014 Reference ID: 61-014-20180913

Revision date: 13 09 2018

Who are additional signatories to the statement of common ground?

Additional signatories will be those bodies who have a role in the matters covered in a statement of common ground, and with whom an authority needs to cooperate in order to plan for these matters. These may include: other relevant public bodies (such as: Local Enterprise Partnerships, Local Nature Partnerships, and the Marine Management Organisation in coastal areas); other authorities (such as county councils, combined authorities without plan-making powers, and strategic policy-making authorities outside of the area covered by the statement); infrastructure providers; or any other non-government organisations (such as advisory bodies) the authority cooperates with to address strategic matters through the plan-making process. This is not an exhaustive list.

In the case of local planning authorities and county councils, prescribed bodies under the duty to cooperate can be treated as additional signatories. Engagement between authorities and prescribed bodies which does not involve agreements on strategic matters can be detailed in Authority Monitoring Reports.

Paragraph: 015 Reference ID: 61-015-20180913

Revision date: 13 09 2018

Duty to cooperate

How is the duty to cooperate different from the statement of common ground?

The statement of common ground is the means by which strategic policy-making authorities can demonstrate that a plan is based on effective cooperation and that they have sought to produce a strategy based on agreements with other authorities.

The duty to cooperate was introduced by the [Localism Act 2011](#), and is set out in [section 33A of the Planning and Compulsory Purchase Act 2004](#). It places a legal duty on local planning authorities and county councils in England, and prescribed public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan and marine plan preparation in the context of strategic cross boundary matters.

NPPF 2018

Strategic policies

20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

- a) housing (including affordable housing), employment, retail, leisure and other commercial development;*
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) community facilities (such as health, education and cultural infrastructure); and*
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.*

Examining plans

35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

...

- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;*

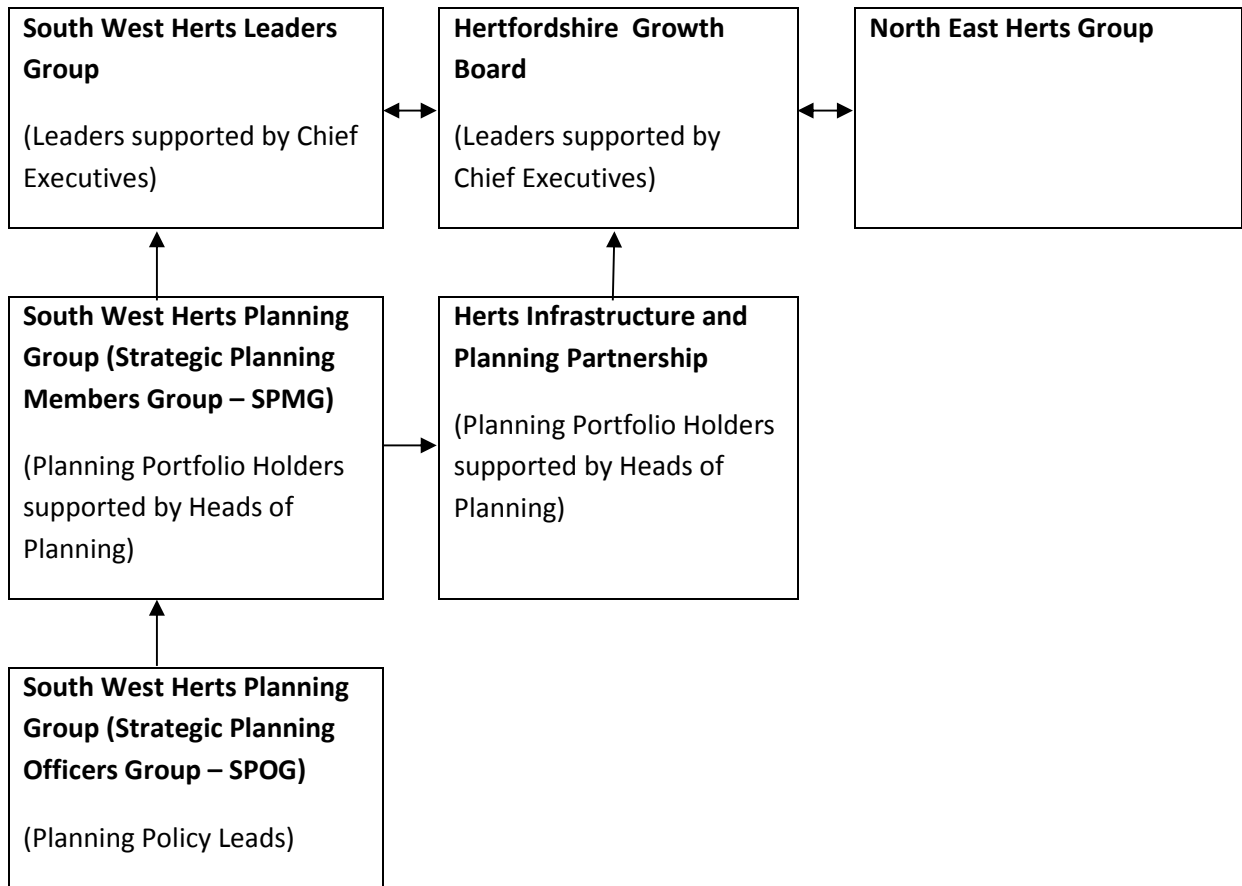
137. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

...

- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.*

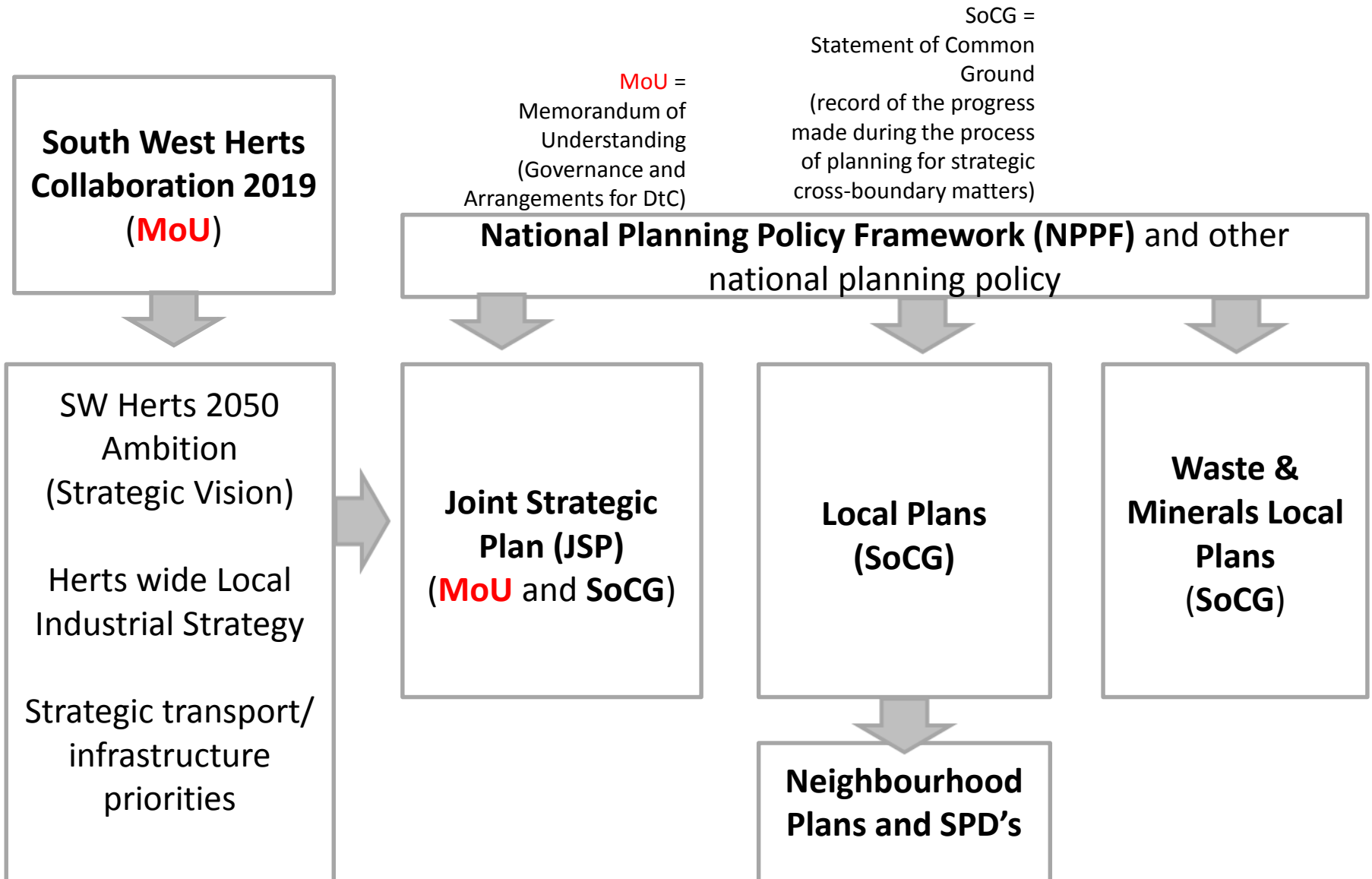
Appendix 5 - Herts Growth Groups

Hertfordshire Growth Groups



Appendix 6 - SWHG Joint Planning Portfolio

SWHG Joint Planning Portfolio



Appendix 7 - South West Herts Planning Group

South West Herts Planning Group	
Members	Dacorum, Hertsmere, St Albans City and District Council, Three Rivers and Watford Councils
Attendees	Planning Policy Lead Officers
SADC Representative	Spatial Planning Manager
Objectives	<p>Engage constructively, actively, openly and on an on-going basis in relation to strategic planning matters under the Duty to Cooperate (or equivalent processes);</p> <p>Ensure a broad and consistent approach to strategic planning and development issues in South West Hertfordshire;</p> <p>Support better alignment between strategic planning, infrastructure and investment priorities in South West Hertfordshire;</p> <p>Adhere to the governance structure set out in this document and ensure that activities are delivered, actions are taken and communications are made as required;</p> <p>Be accountable for ensuring that the role and responsibilities as agreed in the Statement of Common Ground are adhered to;</p> <p>Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working</p> <p>Act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;</p> <p>Adhere to statutory requirements. Comply with applicable laws and standards, data protection and freedom of information requirements;</p> <p>Encourage, develop and share best practice in strategic planning matters;</p> <p>Ensure adequate resources and staffing are in place to undertake effective collaboration and joint working (resources to be agreed by the South West Hertfordshire Authorities through the Statement of Common Ground).</p> <p>Seek to align informal and formal decision making to ensure the completion of key stages works effectively for all partners</p>
Terms of Reference	<p>Memorandum of Understanding</p> <p>http://stalbans.moderngov.co.uk/documents/s50038859/Appendix%20A%20-%20Memorandum%20of%20Understanding.pdf</p>
Outputs	<p>Memorandum of Understanding</p> <p>Statement of Common Ground - setting out how a JSP will be delivered, what the evidence base is, including identification of various development needs;</p> <p>(Statutory) Joint Strategic Plan (including evidence base) - setting out strategic spatial and infrastructure priorities across South West Hertfordshire;</p> <p>A Delivery Strategy - setting out how the strategic policy framework of the JSP will be delivered, accompanied by a risk assessment and risk management plan;</p> <p>A JSP monitoring process - to chart and monitor delivery of the JSP</p>
SADC Political Oversight	Planning Portfolio Holder and Planning Policy Committee
Reports to Committee	<p>February 2018 (Cabinet) –</p> <p>http://stalbans.moderngov.co.uk/documents/s50034217/App%20I%20-%20Local%20Plan%20Joint%20Working%20with%20the%20South%20West%20Herts%20Group%20Update.pdf</p> <p>(Planning Policy Committee) –</p> <p>May 2018:</p>

<http://stalbands.moderngov.co.uk/documents/g8515/Public%20reports%20pack%2022nd-May-2018%2019.00%20Planning%20Policy%20Committee.pdf?T=10>

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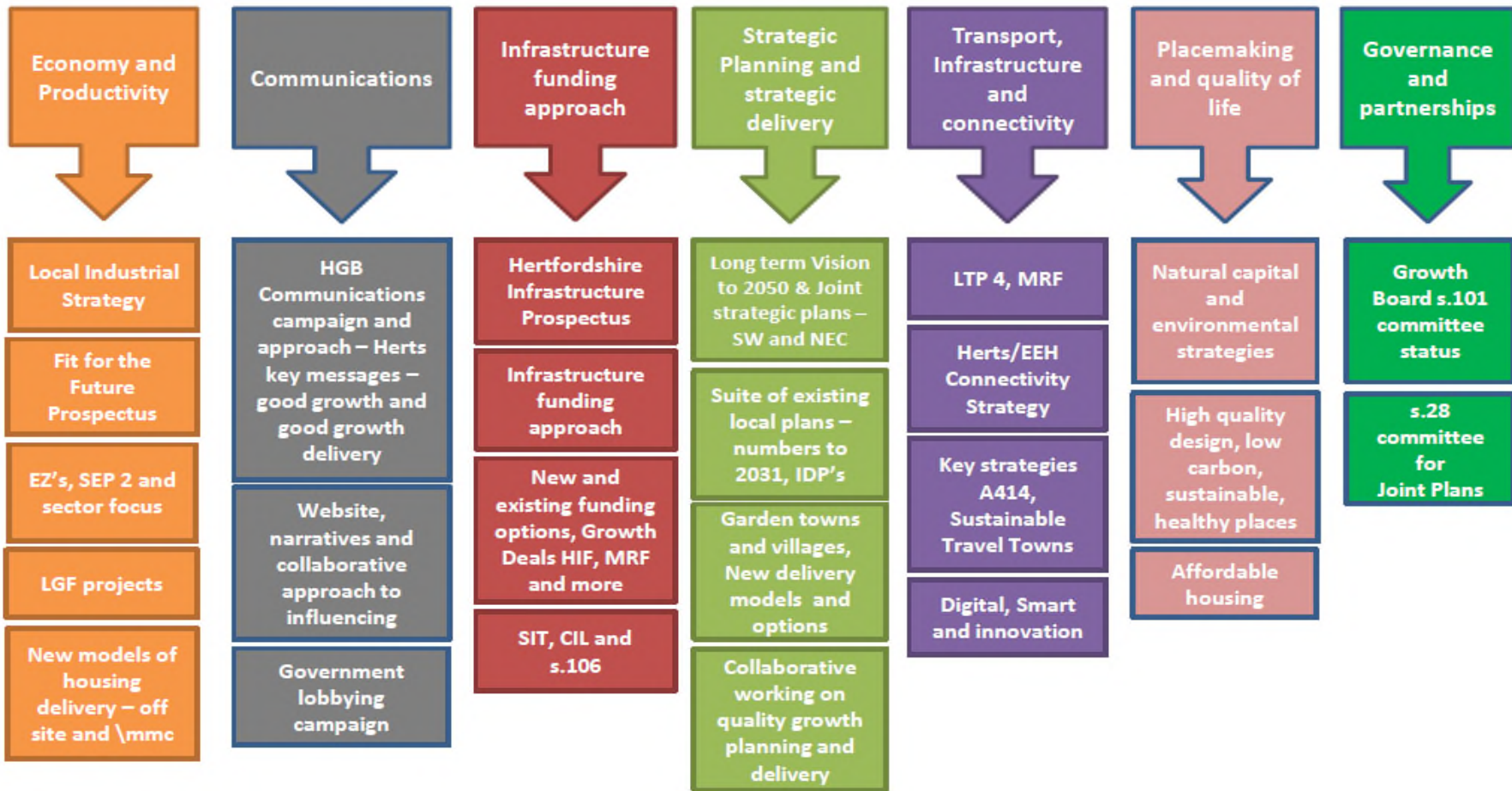
January 2019:

<http://stalbands.moderngov.co.uk/documents/g8604/Public%20reports%20pack%2015th-Jan-2019%2019.00%20Planning%20Policy%20Committee.pdf?T=10>

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Appendix 8 - Herts Growth Board - Growth Route Map

Hertfordshire Growth Board – Growth Route Map



Appendix 9 - South West Herts Leaders Collaboration Group

South West Herts Leaders Collaboration Group	
Members	Dacorum, Hertsmere, St Albans City and District Council, Three Rivers and Watford Councils
Attendees	Leaders and Chief Executives
SADC Representative	Leader and Chief Executive
Objectives	To develop the identity of SW Herts as a unique place. To establish joint working and mechanisms to govern future collaborative projects. To identify where joint working will accelerate and benefit all areas in and across SW Herts To develop the vision of SW Herts to 2050 (beyond the current plan period)
Terms of Reference	Memorandum of Understanding http://stalbans.moderngov.co.uk/documents/s50038859/Appendix%20A%20-%20Memorandum%20of%20Understanding.pdf
Outputs	Memorandum of Understanding Shared Vision for SW Herts (Document)
SADC Political Oversight	Cabinet and Group Leaders
Reports to Cabinet	February 2018 – http://stalbans.moderngov.co.uk/documents/s50034217/App%20I%20-%20Local%20Plan%20Joint%20Working%20with%20the%20South%20West%20Herts%20Group%20Update.pdf February 2019 - http://stalbans.moderngov.co.uk/documents/s50038864/Local%20Plan%20Joint%20Working%20with%20the%20South%20West%20Herts%20Group.pdf

Appendix 10 - Hertfordshire Growth Board

Hertfordshire Growth Board	
Members	Hertfordshire County Council and all Hertfordshire Borough/District Councils; LEP
Attendees	Leaders; Chair of HIPP; Chair of LEP; Chair of South West Herts Strategic Planning Board; Chair of North, East and Central Herts Strategic Planning Board
SADC Representative	Leader
Objectives	<ol style="list-style-type: none"> 1. To ensure alignment of spatial, economic and infrastructure plans for Hertfordshire in order to safeguard and maintain Hertfordshire's unique quality of life and prosperity. 2. To develop a Memo of Understanding between the County Council, District and Borough Council's, and the LEP about how we will work together as equal partners with different roles, to manage future growth well in Hertfordshire. 3. To bring together the work of the emerging South West Herts Joint Planning and North, East and Central Herts Joint Planning groups, ensure strategic infrastructure requirements are identified and fed into the Hertfordshire Infrastructure and Funding prospectus. 4. To oversee the development and maintenance of the Hertfordshire Infrastructure and Funding prospectus and advise the County Council, the LEP and Local Transport Board on key infrastructure priorities needed to support economic and housing growth. 5. To develop innovative joint financial models and to seek external funding opportunities to fund the development and delivery of key infrastructure projects. 6. To monitor the development and delivery of agreed infrastructure projects. 7. To work with the Hertfordshire LEP on the development and delivery of the Local Industrial Strategy including the development of key employment sites. 8. To maintain particular focus on the regeneration of Hertfordshire's New Towns, Town Centres and development and delivery of new Garden Towns. 9. Act as the voice of Hertfordshire to Government, the emerging Sub National Transport bodies, Homes England, Highways England, Network Rail, TfL, Energy and Utility providers to ensure Hertfordshire's infrastructure needs (including Digital Connectivity) are heard and recognised in future investment priorities and funding. 10. To work with strategic partners across our borders to ensure effective coordination of cross border issues, decisions and infrastructure needs e.g. authorities in the LSCC, Oxford-Milton Keynes-Cambridge Corridor, Central Bedfordshire and Luton, London. 11. To guide the work of the Hertfordshire Infrastructure and Planning Partnership in relation to common cross cutting planning issues e.g. Viability Assessment, the development of CIL, Skills and Capacity, Quality Standards for new development. 12. To develop effective engagement with the NHS in order to ensure future health service provision is aligned with spatial and economic growth. 13. To develop a Strategic Growth Narrative for Hertfordshire and explore a Growth Deal with Government to secure long term infrastructure funding and planning freedom and flexibilities. 14. To develop a long term strategic vision that sets out the broad spatial economic and infrastructure framework for Hertfordshire to 2050.
Terms of Reference	Terms of Reference – as above
Outputs	Memorandum of Understanding Hertfordshire Infrastructure and Funding prospectus
SADC Political Oversight	Cabinet
Reports to Cabinet	

Appendix 11 - Hertfordshire Infrastructure and Planning Partnership

Hertfordshire Infrastructure and Planning Partnership (HiPP)	
Members	Hertfordshire County Council and all Hertfordshire Borough/District Councils
Attendees	Planning Portfolio Holders
SADC Representative	Planning Portfolio Holder
Objectives	<p>HiPP provides a forum to discuss and develop a shared view and propose joint work programmes on infrastructure and planning issues of common concern working co-operatively within Hertfordshire and across the county borders, according to the principles of localism and the duty to co-operate.</p> <p>The Partnership will work together with Hertfordshire Forward, Hertfordshire Local Enterprise Partnership, the Local Transport Body for Hertfordshire, the Local Nature Partnership and other appropriate organisations in areas of shared interest to develop and where possible and necessary propose joint approaches to common issues.</p> <p>In particular HiPP will work to highlight the potential for and ensure coordination between emerging joint strategic plans in the County. It will undertake actions, in accordance with the decisions of the HGB, and through its constituent members, to support this emerging work.</p>
Terms of Reference	<p>Terms of Reference –</p> <p>www.hertfordshire.gov.uk/services/Recycling-waste-and-environment/Planning-in-Hertfordshire/Planning-in-Hertfordshire.aspx</p>
Outputs	Hertfordshire Wide Evidence Base
SADC Political Oversight	Planning Policy Committee
Reports to Committee	<p>May 2018 – Planning Policy Committee http://stalbans.moderngov.co.uk/documents/s50035173/PPC%20May%202018%20-%20Neighbouring%20Authority%20Update_.pdf</p> <p>December 2018 - Cabinet http://stalbans.moderngov.co.uk/documents/s50038128/Appendix%20A%20-%20Planning%20Update.pdf</p> <p>January 2019 – Planning Policy Committee http://stalbans.moderngov.co.uk/documents/s50038312/PPC%20January%202019%20-%20Neighbouring%20Authority%20Update%20-%20Final.pdf</p>

Appendix 12 - DtC Meeting Notes

DUTY TO COOPERATE MEETING BETWEEN ST ALBANS DC AND CENTRAL BEDFORDSHIRE COUNCIL

Venue: Central Bedfordshire Council

Date: 22 August 2018 @ 10.30 am

Attendees:

St Albans City and District Council (SADC) - Cllr M Maynard (MM) - Planning Portfolio Holder, C Briggs (CB)

Central Bedfordshire Council (CBC) – Cllr K Collins (KC) – Corporate Resources - Executive Member (Deputy), L Hillman-Gamble, A Audley (AA)

Notes:

Meeting initiated by, and agenda set by, SADC.

1. Introductions

SADC had initiated the meeting and provided an agenda (previously discussed and agreed with CBC).

Agreed: SADC would record the meeting under the agenda headings (below).

2. Update on St Albans Local Plan

MM / CB summarised the current SADC Plan making position and noted that details of its draft Plan were now available in published papers (Council 11 July meeting).

- *Latest on Local Plan*

SADC are intending to meet all of their housing development needs of 913 homes per annum (based on the new Government NPPF standard methodology), within their administrative boundary. The urban capacity is circa 5,000 homes. The Plan will have a stepped trajectory. There are no unmet needs to be considered with other councils.

HCC will run its COMET model at the end of the year.

MM summarised the Call for Sites that was carried out in parallel to the Local Plan consultation. Approximately 150 sites were received. Sites went through 3 stages of analysis, resulting in 10 residential Broad Locations being taken forward into the Local Plan. The relevant landowners/developers had agreed that the requirements in the draft Plan were viable and deliverable.

- *Timetable for new Local Plan*

On track with LDS; Council approval 11 July. Publication 4 September – 17 October 2018 and submission in March 2019. The consultation will include a video, as did the Reg 18 consultation.

- *DtC including 5 LPA SW Herts Area, Intervention Letter.*

SADC is under pressure from the Government Intervention process to progress its Plan in accordance with its LDS. The approach in the context of joint working is to prepare a Plan which meets full need and then undertake future review in the context of SWH joint working and the proposed Joint Strategic Plan (JSP).

- *Cross boundary issues - inc. those identified in MOU signed April 2018*
 - *Housing Market Areas and Objectively Assessed Housing Needs*
 - *Green Belt*
 - *Land to the West of Luton*
 - *Land to the NW of Harpenden*

There was discussion regarding these issues. Both LPAs continue to agree that they sit within separate HMAs.

3. Update on CBC Local Plan

- *Latest on Local Plan*

The CBC Local Plan was submitted at the end of April 2018. The Inspector is Mike Hayden. CBC received an initial letter seeking minor clarifications at the start of August 2018.

CBC are meeting 7,300 of Luton BC's housing need.

- *Timetable for Local Plan*

Provisional dates for the EIP are Oct-Dec 2018.

- *Cross boundary issues - inc. those identified in MOU signed April 2018*
 - *Housing Market Areas and Objectively Assessed Housing Needs*
 - *Green Belt*
 - *Land to the West of Luton*
 - *Land to the NW of Harpenden*

There was discussion regarding these issues. Both LPAs continue to agree that they sit within separate HMAs.

4. Lea Bank Energy Park

CBC have requested a Scoping Opinion which is expected to be completed by the end of August/early September 2018. Various issues have been raised, including from SADC, HCC and North Herts DC.

MM raised significant concerns about the proposal.

5. Arrangements for future working and MOU/SoCG etc.

MM/CB asked whether CBC had any specific DtC issues with SADC's draft Plan. KC/LHG replied that they did not at this stage, but that they would need to consider the Plan in more detail before formally replying to the Reg 19 Publication consultation.

SADC will draft an MOU in Jan/Feb 2019 to largely mirror that agreed with CBC for their Local Plan submission.

6. A.O.B.

None

DUTY TO COOPERATE MEETING BETWEEN ST ALBANS DC AND DACORUM BC

Venue: Dacorum BC

Date 9 August 2018 @ 14.00 pm

Attendees:

St Albans City and District Council (SADC) - Cllr M Maynard (MM) - Planning Portfolio Holder, Tracy Harvey (TH), C Briggs (CB)

Dacorum Borough Council (DBC) – Cllr G Sutton (GS) - Planning and Infrastructure Portfolio Holder, J Doe (JD), C Taylor (CT), T Saunders (TS)

Notes:

Meeting initiated by, and agenda set by, SADC.

1. Introductions

SADC had initiated the meeting and provided an agenda (previously discussed and agreed with DBC).

Agreed: SADC would record the meeting under the agenda headings (below).

2. Update on St Albans Local Plan

MM / CB summarised the current SADC Plan making position and noted that details of its draft Plan were now available in published papers (Council 11 July meeting).

- *Latest on Local Plan*

SADC are intending to meet all of their housing development needs of 913 homes per annum (based on the new Government NPPF standard methodology), within their administrative boundary. The Plan will have a stepped trajectory. There are no unmet needs to be considered with other councils. MM/TH/CB noted the issues SADC faced on affordability of housing and Green Belt impact and various public/stakeholder reactions to date.

MM summarised the Call for Sites that was carried out in parallel to the Local Plan consultation. Approximately 150 sites were received. Sites went through 3 stages of analysis, resulting in 10 residential Broad Locations being taken forward into the Local Plan. The relevant landowners/developers had agreed that the requirements in the draft Plan were viable and deliverable.

Associated infrastructure for the Local Plan includes the upgrading of the Abbey Line, A414 improvements, 4 secondary schools and 13 primary schools. HCC will run its COMET model at the end of the year.

GS and MM both noted and agreed that residents' key concerns relate to infrastructure.

- *Timetable for new Local Plan*

On track with LDS; Council approval 11 July. Publication 4 September – 17 October 2018 and submission in March 2019.

- *DtC including SW Herts Area, Intervention Letter.*

SADC is under pressure from the Government Intervention process to progress its Plan in accordance with its LDS. The approach in the context of joint working is to prepare a Plan which meets full need and then undertake future review in the context of SWH joint working and the proposed Joint Strategic Plan (JSP).

- *Cross boundary issues - inc: draft East Hemel and North Hemel Broad Locations (inc. Affordable Housing, Travellers, Employment/EZ,S106, Waste, Education, Transport, Health Needs)*

There was a general discussion about these issues.

3. Update on Dacorum Local Plan

- *Latest on Local Plan*

130+ sites are being assessed from the Call for Sites, including Bovingdon Airfield and land beyond the Green Belt and AONB.

- *Timetable for new Local Plan*

New LDS agreed recently at DBC Cabinet and published.

- *Duty to Cooperate – inc. SW Herts Area and anticipated requests to accommodate growth (in both Council's LPs)*

DBC will find it challenging to provide the number of homes required, particularly if 1,000+ numbers per annum are required.

- *Cross boundary issues*

i. DBC Hemel options;

ii. Role of East Hemel for housing and employment allocations

iii. DBC land beyond Green Belt/AONB

- TS asked if there was any scope to accommodate some of DBC's housing or employment numbers within SADC's boundary (at East Hemel). MM advised that currently SADC can only accommodate its own need for housing, but that there may be some capacity to provide for Dacorum's employment needs within East Hemel (central). These issues can be discussed further in the

context of the ongoing SWHG work. JD informed the meeting that Dacorum will be submitting a letter around allocation of some of the housing numbers and including this request within the Dacorum response to the LP consultation. JD also asked the question of what the plans from St Albans would be if the numbers are reduced and MM informed the meeting that St Albans would consider the removal of one or two of the GB sites.

JD/TS set out that some, but limited land beyond the Green Belt/AONB was submitted as part of the Call for Sites. The submitted land and further land is being considered, however these sites are in a relatively remote location with relatively poor connectivity. There are also complex land ownership issues. Access to Cheddington Station and the A41 will likely be critical. Timescales for delivery of options in this area are likely to be long.

4. Hemel Garden Communities Masterplan

It was agreed that GS, MM and senior officers from each LPA should attend a meeting with the Crown Estate.

5. Arrangements for future working and MOU/SoCG etc.

MM/CB asked whether DBC had any specific DtC issues with SADC's draft Plan. GS/JD replied that they did not at this stage, but that they would need to consider the Plan in more detail before formally replying to the Reg 19 Publication consultation.

6. A.O.B.

Next PH DtC meeting is proposed to take place in Jan/Feb 2019.

**DUTY TO COOPERATE MEETING BETWEEN ST ALBANS DISTRICT COUNCIL
AND HERTFORDSHIRE COUNTY COUNCIL**

Venue: Hertfordshire County Council

Date 18 October 2017 @10.00 am

Attendees:

St Albans City and District Council (SADC) - Cllr M Maynard - Planning Portfolio Holder (MM), T Harvey (TH), C Briggs (CB),

Hertfordshire County Council (HCC) - Cllr D Ashley - Portfolio Holder for Environment, Planning and Transport (DA), A Gilmour (AG), R Flowerday (RF)

Notes:

Meeting initiated and agenda drafted by SADC.

1. Introductions / minutes of last meeting / any matters arising

There were no outstanding matters from previous meetings / DtC discussions not included in the agenda.

NB: SADC and HCC agreed the approach to recording the meeting (following SADC Strategic Local Plan Examination outcome) with more detailed meeting notes, albeit still in summary form.

2. Update on St Albans Local Plan

• *Approach to new Local Plan*

MM - explained SADC's new Local Plan process (reference was made to full details available in reports and minutes of the Council's Planning Policy Committee (PPC) 12 September 2017). The timeframe of the Plan will be 2020 to 2036.

MM - SADC would take seek to meet its housing need in full, based on the Government standard methodology figure of 913 per annum. The process would start with an open high level public consultation under Reg 18, combined with a new call for sites. The consultation would be based on general questions around issues and options, rather than a specific, preferred, plan.

MM – St Albans and Harpenden have historic road layouts, which impacts on provision of sustainable travel options. There is a particular issue of school places in the centre of St Albans. Given that 81% of the District is Green Belt, densification is being considered as an option. There is also an option of the

Broad Locations as identified in the Independent Green Belt Review into the Plan; as well as an option for a 'Garden Village'. No decisions have however yet been taken.

DA – There are potentially 10 garden villages being considered across the County. Could there be a role for HIPP given that all Herts authorities and adjoining authorities will have the same/similar issues?

DA and TH – A potential letter from HIPP would need to give the message to MPs that the uplift in land value needs to be captured. Land value uplift is currently going to the landowners.

MM and DA – Agreed that social rented (genuinely affordable) housing is a priority. DA suggested that this, in the context of the Home Counties, is included in the potential letter from HIPP.

- *Timetable for new Local Plan*

MM and CB - initial SADC Local Plan Reg 18 consultation would take place in early 2018 and the current timetable is to submit the Plan by March 2019.

- *Duty to Cooperate – inc. engagement with South West Herts Group (SWHG)*

MM and CB – SADC and SWHG are going to work together more. An officer meeting will be taking place 28 November 2017.

MM and DA - Agreed to work together to help to get an SADC Local Plan in place.

- *'Planning for the right homes in the right places' consultation*

TH – To check with K Steptoe (Chair of Hertfordshire Planning Group) if there is going to be a draft HIPP response.

CB – To raise at HPG Development Plans the possibility of a collective HIPP response.

MM - Also to speak to Councillor Mandy Perkins (Chair of HIPP) on this matter and to potentially raise it with MPs.

3. Update on HCC position - Transport

- *LTP4, SWHGTP, SCGTP, East Hemel, A414, COMET, Abbey Line etc.*

RF – HCC's approach is to facilitate sustainable modes of transport – overall a 'blended' approach.

DA – Need now to do more to 'nudge' people positively to make more sustainable travel choices.

Cycling was discussed. St Albans station has the second highest rate of cycle parking use in the UK after Cambridge. HCC are considering what might be the realistic future for electric bikes.

MM and DA – Any new garden villages could be ‘sustainable transport villages’ with a charge to use non-sustainable transport modes.

MM and DA - HCC and SADC both want to see an enhanced Abbey Line, with a more frequent (15-20 minute) service. Additional connections to the BRE and Watford could be supported.

CB and RF – SADC and HCC working well together with an agreed way forward with COMET work and ‘Further Transport Evidence Base’ work.

4. Update on HCC position – Education

MM – SADC are happy to work with HCC to deliver and allocate school sites. SADC generally accept HCC’s numbers with regard to school place issues, but greater granularity of data would help. Further maps would also help SADC.

AAG – SADC Workshops and close officer working have been very useful.

AG – It is good to continue work to unpick what could be done in the city centre and see what the art of the possible might be.

AG and CB – Officers agreed a way forward with current evidence to support SADC Local Plan work on 16 October 2017.

5. Update on HCC approach – Landowner

MM – SADC are likely to invite all the landowners of the 8 Broad Locations to present their case in due course.

6. Update on HCC Plan-Making (Minerals and Waste)

The Local Authority Waste Spatial Strategy 2016 – Household Waste Recycling Centre Annex was discussed. The potential for a new HWRC site at East Hemel Hempstead was noted. SADC advised that it would want the existing St Albans HWRC to remain.

DA – HCC would like a state of the art strategic site for the Hemel and St Albans area; potentially at East Hemel.

7. HCC Update – Strategic approach to Care Provision

No significant update

8. HCC Update – Strategic approach to Health

No significant update

CB – SADC looking to ensure best long term use for health purposes of Harpenden Red House site

DA – East Herts Local Plan / IDP sets out that there should be a capital sum of £3,500 per new dwelling for health. CB agreed to look into the East Herts approach.

9. Other Infrastructure issues

RF – Some Herts LPAs have had difficulties recently in dealing with the Environment Agency.

There was discussion about the importance of appropriate IT infrastructure being delivered.

10. A.O.B

None



**Duty to Co-operate - St Albans City and District Council /
Hertfordshire County Council
Note of Meeting – 11 June 2018**

Attendees:

St Albans City & District Council (SADC): Cllr Mary Maynard (MM), Tracy Harvey (TH), Chris Briggs (CB)

Hertfordshire County Council (HCC): Cllr Derrick Ashley (DA), Sarah McLaughlin (SMcL), Roger Flowerday (RF), Dan Hardy (DH), Martin Wells (MW)

1. Introductions / Agenda / Notes:

SADC had initiated the meeting and provided an agenda (previously discussed and agreed with HCC).

Agreed: SADC would record the meeting under the agenda headings (below).

2. Update on St Albans Local Plan

MM / CB noted that the meeting was largely to prepare for the forthcoming LP Reg 19 Publication and to discuss any HCC view following from response to Reg 18 consultation. It was also to discuss progress on South West Herts (SWH) joint working.

There was discussion on:

- **Draft Local Plan:** MM / CB summarised the current position. MM explained that SADC are intending to meet all of their housing development needs (based on the NPPF standard methodology initial Government consultation calculation 913 per annum), within their administrative boundary. There are no unmet needs to be considered with other councils. MM / CB noted the issues SADC faced on affordability of housing and Green Belt impact and the various public / stakeholder reactions to date.
- **Timetable for new Local Plan:** On track with LDS; PPC 12 June, Cabinet 24 June, PPC 11 July; intended Publication 4 September – 17 October 2018. Further meetings would be sought by SADC as necessary to discuss the Publication Plan, any HCC representations and a potential Statement of Common Ground (SoCG) under joint working arrangements (see below).
- **DtC including 5 LPA SW Herts Area, Intervention Letter:** MM/CB noted that SADC would be relying primarily on the SWH Statement of Common Ground (SoCG) and joint working papers as a basis for its DtC evidence. It

may also be necessary to consider with SWH authorities (including HCC) additional Memorandums of Understanding (MOU). Supporting documents (including MOUs with adjoining authorities outside the SWH area arrangements), would be added as necessary. SADC is under pressure from the Government Intervention process to progress its Plan in accordance with its LDS. The approach in the context of joint working is to prepare a Plan which meets full need and then undertake future review in the context of SWH joint working and the proposed Joint Strategic Plan (JSP). DA commented that they understood this position and approach.

MM and DA discussed the difficulty of engaging with the NHS and health providers.

Agreed: SADC and HCC to continue to liaise with regard generally and especially in relation to contacts in the NHS and health providers.

3. Update on HCC position - Transport

There was discussion on:

- Local Transport Plan 4 (LTP4) content and its adoption by HCC; progress with emerging Growth and Transport Plans for South West Herts and South Central Herts; Abbey Line – including SADC draft Local Plan approach to improve service provision; COMET modelling approach and timescales.
- HCC reiterated the need for SADC to undertake transport modelling to assess the impact of the proposed Plan growth. HCC advised that COMET would be a suitable tool to complete some of the modelling however the annual run of COMET was not scheduled until winter 2018 and as such the outputs would not be available before the Reg.19 Publication consultation deadline. Due to the lack of transport modelling undertaken by SADC, it is likely that HCC's formal Reg.19 response would consider the plan un-sound in transport terms. HCC agreed to meet with SADC to set out the additional work that needs to be completed moving forwards.

Agreed: HCC would discuss their response to the Publication Plan consultation with SADC before it was finalised, with a view to finding a mutually acceptable way forward (RF would contact CB). CB said SADC would be happy to arrange a further Member level meeting to discuss, if necessary.

4. Update on HCC position – Education (Primary and Secondary)

- DH set out that HCC considered there were lots of positives in the SADC draft Local Plan. There was generally a good match between need and provision. There was a positive response to the issue of primary school provision for central St Albans, but both authorities would need to continue to liaise on the issue. Technical studies are also being carried out by Property colleagues to consider the deliverability of a 2FE primary school on the lower playing field of the former Ariston site, in addition to the allocations that are currently shown in the consultation draft.

- It is anticipated that all of the proposed education allocations will be shown on the Policies Map by the time of the publication of the Reg.19 consultation in September. MW stated that HCC would be seeking the removal of the school build zones from the Green Belt, in line with the NPPF and the Inspector's Report in relation to the Three Rivers Site Allocations document in 2014.

5. Update on HCC Plan-making (Minerals and Waste)

- MW updated with HCC progress on Minerals and Waste planning. There was discussion regarding the approach in SADC's draft Local Plan to both matters. It was highlighted that there was no wording in draft *Policy S6 (ii): East Hemel Hempstead (Central) Broad Location*, regarding the provision of a new Household Waste Recycling Centre (HWRC) that would serve Hemel Hempstead and St Albans. It was felt that the Reg.19 draft should identify a 1ha site for a new HWRC, within this overall broad location.

6. HCC Update – strategic approach to Care / strategic approach to Health

- SMcL set out that HCC were very positive about the approach in SADC's draft Local Plan to flexi-care, residential care and adult care

7. Other infrastructure issues

- There was discussion about the draft Water Study, which will hopefully be finalised shortly

8. AOB

- There was discussion about digital connectivity and the challenges of infrastructure provision

Summary of Actions

- Local Plan actions: HCC to continue to engage with SADC with regard to the issues raised within this meeting and to consider entering into Statements of Common Ground if/where necessary. Further meetings to be set up to discuss specific issues if needed.
- Transport related actions: HCC as Highways Authority to discuss their response to the Publication Plan consultation with SADC before it was finalised.
- HCC to set up meeting with SADC to set out the additional work that needs to be completed moving forward, prior to the EiP.

DUTY TO COOPERATE MEETING BETWEEN ST ALBANS DC AND HERTSMERE BC

Venue: Hertsmere BC

Date 19 July 2018 @16.00 pm

Attendees:

St Albans City and District Council (SADC) - Cllr M Maynard (MM) - Planning Portfolio Holder, C Briggs (CB), J Woof (JW)

Hertsmere Borough Council (HBC) – Cllr H Cohen (HC) – Planning and Localism Portfolio Holder, C Lyons (CL), L Wood (LW), M Silverman (MS)

Notes:

Meeting initiated by, and agenda set by, SADC.

1. Introductions

SADC had initiated the meeting and provided an agenda (previously discussed and agreed with HBC).

Agreed: SADC would record the meeting under the agenda headings (below).

Hertsmere had picked up a few typos in the meeting notes which they will feed back to SADC.

2. Update on St Albans Local Plan

MM / CB summarised the current SADC Plan making position and noted that details of its draft Plan were now available in published papers (Council 11 July meeting).

- *Latest on Local Plan*

SADC are intending to meet all of their housing development needs of 913 homes per annum (based on the new Government NPPF standard methodology), within their administrative boundary. The Plan will have a stepped trajectory. There are no unmet needs to be considered with other councils.

CL asked what SADC's initial thoughts are regarding the expected reduced household projections due to be published in September 2018. CB responded that, based on past experience, these projections will likely fluctuate over the plan period and that there is flexibility within the Plan to deal with this.

MM/CB noted the issues SADC faced on affordability of housing and Green Belt impact and various public/stakeholder reactions to date.

HC queried if SADC were proposing to increase the height of new development in urban areas. CB responded that the LP does indeed seek to optimise delivery

in urban areas, including by increasing height where appropriate. Given the extent and locations of the Conservation Areas in the district, the character of the area/Conservation Areas/Listed Buildings/historic views will have a significant impact on heights.

MM summarised the Call for Sites that was carried out in parallel to the Local Plan consultation. Approximately 150 sites were received. Sites went through 3 stages of analysis, resulting in 10 residential Broad Locations being taken forward into the Local Plan. The relevant landowners/developers had agreed that the requirements in the draft Plan were viable and deliverable.

Associated infrastructure for the Local Plan includes the upgrading of the Abbey Line, A414 improvements, 4 secondary schools and 13 primary schools. HCC will run its COMET model at the end of the year.

CL asked about the process whereby there were some Broad Locations, such as East St Albans at 1,250 homes, where a secondary school was being provided (which wouldn't warrant a whole new secondary school in its own regard). CB advised that in these cases these were agreed (with HCC and the landowners) as the most appropriate and deliverable locations for a secondary school to serve both the developments and wider areas.

HBC and SADC agreed it had been difficult to engage with the various strands of the NHS. It was suggested that further efforts were made to achieve an NHS representative attending a SWHG meeting.

- *Timetable for new Local Plan*

On track with LDS; Council approval 11 July. Publication 4 September – 17 October 2018 and submission in March 2019.

- *DtC including SW Herts Area, Intervention Letter.*

SADC is under pressure from the Government Intervention process to progress its Plan in accordance with its LDS. The approach in the context of joint working is to prepare a Plan which meets full need and then undertake future review in the context of SWH joint working and the proposed Joint Strategic Plan (JSP).

- *Cross boundary issues – inc: potential Harperbury Hospital area*

HBC and SADC agreed that early cooperation was required for cross boundary issues.

The permitted and currently under construction development at Harper Lane, adjacent to Harperbury Hospital was discussed.

4. Update on Hertsmere Local Plan

- *Latest on Local Plan*

HBC will be publishing (non-statutory) community and stakeholder engagement documents seeking views on potential housing and employment locations following agreement from the Executive and Full Council at meetings in September 2018. This will be an engagement exercise and not a preferred options document. The proposed Redwell Garden Village submission from the Tyttenhanger Estate will be included. CL noted that there would be challenges and benefits with any site consulted on and any eventually brought forward. This consultation may be followed by some focussed consultation on specific sites in summer 2019. A draft Plan would likely take a further 12+ months.

- *Cross boundary issues – inc: potential Radlett expansion; potential Garden Village*

MM reiterated significant concerns raised previously in relation to Redwell Garden Village, as well the as the considerable local and political interest.

MS to send SADC a link to the latest Redwell Garden Village documents.

There was a discussion about highway and public transport issues and options in the cross boundary areas.

5. Arrangements for future working and MOU/SoCG etc.

MM/CB asked whether HBC had any specific DtC issues with SADC's draft Plan. HC/CL replied that they did not at this stage, but that they would need to consider the Plan in more detail before formally replying to the Reg 19 Publication consultation.

6. A.O.B.

None



**Duty to Co-operate - St Albans City and District Council / Luton
Borough Council
Note of Meeting
16 May 2018**

Attendees:

St Albans City & District Council (SADC): Cllr Mary Maynard Councillor (MM), Chris Briggs (CB), John Hoad (JH)

Luton Borough Council (LBC): Cllr Paul Castleman (PC) Sarah Barker (SB), Jake Kelley (JK)

1. Introductions / Agenda / Notes:

SADC had initiated the meeting and provided an agenda.

Agreed: SADC would record the meeting under the agenda headings (below).

2. Update on St Albans Local Plan

CB noted that the meeting was largely to prepare for forthcoming SADC Reg 19 Publication and to discuss LBC response to Reg 18 consultation. MM / CB summarised the current SADC Plan making position and noted that details of its draft Plan were now available in published committee papers (Planning Policy Committee May meeting).

There was discussion on:

- **Approach to new Local Plan;** CB explained that SADC are intending to meet all of their housing development needs (based on Government 'Standard Methodology' calculation) within their administrative boundary. There are no unmet needs to be addressed by LBC. On employment Hemel Hempstead (with EZ) remained a focus for SADC and SW Herts. MM / CB noted the issues SADC faced on Green Belt impact and in particular the proposal for housing on the Radlett Strategic Rail Freight Interchange (SRFI). PC noted that housing development pressures were growing significantly, with proposed densities increasing as well. In such circumstances importance should be given to access to green infrastructure.
- **Timetable for new Local Plan;** On track with LDS; Council meeting to agree Reg 19 scheduled 11 July. Publication September 2018. Further meetings would be sought by SADC in approximately August and/or November (potentially to discuss SADC's agreed Reg 19 and/or to follow up when LBC have responded to Reg 19).
- **DtC including 5 LPA SW Herts Area, Intervention Letter:** SADC are proceeding on the basis of the 5 authorities being treated as a HMA / FEMA, with functional areas in Luton / Beds viewed as separate. Longer term, a SW Herts Joint Strategic Plan is to be developed, but MHCLG had advised that the current stay of

Government intervention was generally based on SADC keeping to timetable on its own Plan as well.

- **LBC consultation response (Reg.18):** CB indicated that SADC understand that there is a need to co-ordinate assessment and mitigation of transport impacts. The Herts COMET transport model will be updated in autumn and will include coverage of the roads that LBC has noted in its formal representations.
- **Cross boundary issues:** MM felt that the level of housing development now proposed in the wider area, combined with Luton Airport's further expansion proposals, necessitates careful planning to respond to transport needs. M1 and B653 Lower Luton Road constraints were considered. MM noted that this should also include overall Midland Mainline rail infrastructure pressures and current service / timetable changes. She commented that revisions to train services are having a significant adverse impact on SADC residents. SADC are lobbying on this matter and will ask LBC for support as and when they consider appropriate. The availability of trains influences population movement as people re-locate near to stations with better services. SADC are specifically concerned about changes to services through Harpenden and this might result in more people driving to closer stations with better services such as Luton Airport Parkway. PC responded that there was scope for Beds and Herts authorities to work together / lobby on this issue as it was of mutual concern / interest.

Agreed: Liaison would be maintained generally, but especially on transport issues and coordination of traffic modelling. M1 junction improvements and main line rail should be points of common interest. They could also be considered via East of England local government mechanisms.

3. Update on Luton Local Plan

There was discussion on:

- **Latest on Local Plan;** LBC moving to early review.
- **Timetable for new Local Plan;** Review 2019 and submission in 2021.
- **Cross boundary issues;** CB asked about the latest position on the football stadium development at Power Court and retail/ employment at M1 J10a. These might affect transport modelling. SB/JK confirmed that there is a target date for their determination of 20 August 2018. There is a possibility of S of S call in / legal challenge.

4. Arrangements for future working and MOU / SoCG etc.

Agreed: SADC would be suggesting a simple MOU draft in parallel with Publication. This could form a focus for the proposed August / November meetings.

5. AOB

None



**Duty to Co-operate - St Albans City and District Council / North
Herts District Council
Note of Meeting - 17 July 2018**

Attendees:

St Albans City & District Council (SADC): Cllr Mary Maynard Councillor (MM), Chris Briggs (CB), John Hoad (JH)

North Hertfordshire District Council (NHDC): Cllr David Levett, Executive Member for Planning, Enterprise and Transport, Nigel Smith (NS), Louise Symes (LS)

1. Introductions / Agenda / Notes:

SADC had initiated the meeting and provided an agenda.

Agreed: SADC would record the meeting on under the agenda headings (below).

2. Update on St Albans Local Plan

MM / CB noted that the meeting was largely to prepare for forthcoming Reg 19 Publication and to discuss any NHDC views following from response to Reg 18 consultation. It was also to discuss progress on South West Herts (SWH) joint working.

MM / CB summarised the current SADC Plan making position and noted that details of its draft Plan were now available in published papers (Council 11 July meeting).

There was discussion on:

- **Approach to new Local Plan;** MM explained that SADC are intending to meet all of their housing development needs (based on the new Government NPPF standard methodology initial Government consultation calculation 913 per annum), within their administrative boundary. There are no unmet needs to be considered with other councils. MM / CB noted the issues SADC faced on affordability of housing and Green Belt impact and various public / stakeholder reactions to date.
- **Timetable for new Local Plan;** On track with published LDS; Council approval 11 July. Publication 4 September – 17 October 2018. Further meetings would be sought by SADC as necessary to discuss the Publication Plan, any NHDC representations and a potential MoU (see below).

- **DtC including 5 LPA SW Herts Area, Intervention Letter:** SADC are proceeding on the basis of the 5 authorities being treated as a HMA / FEMA. Longer term, a SW Herts Joint Strategic Plan is to be developed. Government had considered intervention in SADC Plan making but was now indicating a need to progress its own Plan to timetable as well.
- **Cross boundary issues:** From SADC perspective there were no strategic cross boundary issues with NHDC. CB noted the minor, detailed, issue of cross boundary treatment of Blackmore End (inset village in Green Belt – NHDC versus Green Belt Settlement washed over with Green Belt – SADC).

Agreed: Liaison would be maintained generally, but especially on issues of common concern and infrastructure (see AOB below).

3. Update on North Herts Local Plan

There was discussion on:

- **Latest on Local Plan;** Plan currently at Examination, with no significant concerns or changes required by the Inspector in relation to housing numbers / development sites and infrastructure position. Outstanding issues are around proposals for safeguarded development land and extended Green Belt designation. Infrastructure issues had required significant negotiation, especially on highways and sustainable transport with County Council. A Transport Strategy and related MoU had been prepared. This included a commitment by NHDC to undertake further transport study work.
- **Timetable for new Local Plan;** Main Modifications consultation expected late 2018 leading to Inspector's Report and adoption during 2019.
- **Cross boundary issues;** As previously discussed, NHDC agreed that there were no strategic / major cross boundary issues. NS noted that the issue of Blackmore End Green Belt treatment within NHDC was now with the Inspector for a view.

4. Arrangements for future working and MOU / SoCG etc.

Agreed: SADC would be likely to suggest an MoU draft after Plan Publication and based on the issues noted above. From discussion it seemed likely that it would be possible to agree on functional area definitions, a lack of development 'overspill', the appropriateness of proposed levels of development and an outline view on infrastructure pressures / Plan responses. NHDC would need to include comment on the cross boundary approach to Blackmore End (see above). NHDC would also need to raise the potential issue of transport, if any were arising from future SADC / HCC evidence (including Comet model outputs). NHDC suggested use of the structure of the MoU they agreed with SADC for their Plan as a start point.

5. AOB

Concerns about the following proposals / issues in the wider area were discussed:

- Luton Airport expansion
- Incinerator / energy from waste proposal at Chiltern Green (Central Bedfordshire Council)
- Rail timetable / service issues

It was agreed that both councils shared concerns on these issues and that there may be scope for future coordination on representations.

- NHDC indicated that from their experience the approach individual Inspectors to Examination varied considerably.

DUTY TO COOPERATE MEETING BETWEEN ST ALBANS DC AND THREE RIVERS DC

Venue: Three Rivers DC
Date 19 July 2018 @13.30 pm

Attendees:

St Albans City and District Council (SADC) - Cllr M Maynard - Planning Portfolio Holder, C Briggs (CB), J Woof (JW)

Three Rivers District Council (TRDC) – Cllr S Bedford - Leader (SB), M Kalik (MK)

Notes:

Meeting initiated by, and agenda set by, SADC.

1. Minutes of last Meeting and any matters arising

SADC had initiated the meeting and provided an agenda (previously discussed and agreed with TRDC).

Agreed: SADC would record the meeting under the agenda headings (below).

2. Update on St Albans Local Plan

MM / CB noted that the meeting was largely to prepare for the forthcoming LP Reg 19 Publication and to discuss any TRDC views following from response to Reg 18 consultation. It was also to discuss progress on South West Herts (SWH) joint working.

MM / CB summarised the current SADC Plan making position and noted that details of its draft Plan were now available in published papers (Council 11 July meeting).

• *Approach to new Local Plan*

SADC are intending to meet all of their housing development needs of 913 homes per annum (based on the new Government NPPF standard methodology), within their administrative boundary. The Plan will have a stepped trajectory. There are no unmet needs to be considered with other councils. MM / CB noted the issues SADC faced on affordability of housing and Green Belt impact and various public / stakeholder reactions to date.

MM summarised the Call for Sites that was carried out in parallel to the Local Plan consultation. Approximately 150 sites were received. Sites went through 3 stages of analysis, resulting in 10 residential Broad Locations being taken forward into the Local Plan. The relevant landowners/developers had agreed that the requirements in the draft Plan were viable and deliverable.

The 11th Broad Location, at East Hemel Hempstead (Central), will provide approximately 10,000 jobs.

Associated infrastructure for the Local Plan includes the upgrading of the Abbey Line, A414 improvements, 4 secondary schools, 13 primary schools. HCC will run its COMET model at the end of the year.

- *Timetable for new Local Plan*

On track with published LDS; Council approval 11 July. Publication 4 September – 17 October 2018. Further meetings would be sought by SADC as necessary to discuss the Publication Plan, any TRDC representations and a potential Statement of Common Ground (SoCG) under joint working arrangements (see below).

- *DtC including SW Herts Area, Intervention Letter.*

SADC is under pressure from the Government Intervention process to progress its Plan in accordance with its LDS. The approach in the context of joint working is to prepare a Plan which meets full need and then undertake future review in the context of SWH joint working and the proposed Joint Strategic Plan (JSP).

- *Cross boundary issues:*

From an SADC perspective there are no specific / detailed cross boundary development site issues with TRBC.

3. Update on Three Rivers Local Plan

- *Latest on Local Plan*

SB/MK summarised that TRBC's Call for Sites ended in 2017, resulting in the submission of approximately 80 new sites, as well as historic sites. Officers are still going through the submitted sites however there do not appear to be any sites that raise cross boundary issues. TRDC raised no concerns with SADC's Broad Locations.

The next Local Plan consultation is due to commence in October 2018 and which will likely be site focussed. One purpose will be to elicit comments from statutory stakeholders.

4. Arrangements for future working and MOU/SOCCG etc.

MM/CB asked whether TRDC had any specific DtC issues with SADC's draft Plan. SB/MK replied that they did not at this stage, but that they would need to consider the Plan in more detail before formally replying to the Reg 19 Publication consultation.

The SWHG SOCG should be drafted in the next few weeks. An MoU can be prepared if required.

5. A.O.B.

None



**Duty to Co-operate - St Albans City and District Council / Watford
Borough Council
Note of Meeting - 2 August 2018**

Attendees:

St Albans City & District Council (SADC): Cllr Mary Maynard (MM), Chris Briggs (CB), John Hoad (JH)

Watford Borough Council (WBC): Cllr Iain Sharpe (IS), Ian Dunsford (ID), Jack Green (JG)

1. Introductions / Agenda / Notes:

SADC had initiated the meeting and provided an agenda (previously discussed and agreed with WBC).

Agreed: SADC would record the meeting under the agenda headings (below).

2. Update on St Albans Local Plan

MM / CB noted that the meeting was largely to prepare for the forthcoming LP Reg 19 Publication and to discuss any WBC view following from response to Reg 18 consultation. It was also to discuss progress on South West Herts (SWH) joint working.

There was discussion on:

- **Latest on Local Plan:** MM / CB summarised the current position and noted that details of the draft Plan were now available in published papers (Council 11 July meeting). MM explained that SADC are intending to meet all of their housing development needs (based on the NPPF standard methodology initial Government consultation calculation 913 per annum), within their administrative boundary. There are no unmet needs to be considered with other councils. MM / CB noted the issues SADC faced on affordability of housing and Green Belt impact and the various public / stakeholder reactions to date.
- **Timetable for new Local Plan:** On track with LDS; Publication 4 September – 17 October 2018. Further meetings would be sought by SADC as necessary to discuss the Publication Plan, any WBC representations and a potential Statement of Common Ground (SoCG) under joint working arrangements (see below).

- DtC including 5 LPA SW Herts Area, Intervention Letter:** MM/CB noted that SADC would be relying primarily on the SWH Statement of Common Ground (SoCG) and joint working papers as a basis for its DtC evidence. It may also be necessary to consider with SWH authorities additional Memorandums of Understanding (MOU). Supporting documents (including MOUs with adjoining authorities outside the SWH area arrangements), would be added as necessary. SADC is under pressure from the Government Intervention process to progress its Plan in accordance with its LDS. The approach in the context of joint working is to prepare a Plan which meets full need and then undertake future review in the context of SWH joint working and the proposed Joint Strategic Plan (JSP). IS / ID commented that they understood this position and approach.
- Cross boundary issues - joint evidence documents:** From an SADC perspective there are no specific / detailed cross boundary development site issues with WBC. However MM explained that SWH housing need, development strategy and transportation links (particularly the Abbey Line) were very important common interests. IS / ID / JG set out the limited housing development capacity in Watford and work being done to assess capacity in more detail. They stressed the potential importance of emerging joint work on cross boundary housing need and provision. This was a general strategic issue that had to be dealt with in the JSP. JG noted that current joint evidence studies were proceeding well and proving useful. The forthcoming housing and employment studies would be important for progress.

Agreed: Council to Council liaison would be maintained generally. Substantive strategic issues would need to be addressed via SWH joint working arrangements.

3. Update on Watford Local Plan

There was discussion on:

- Latest on / Timetable for new Local Plan:** ID/JG explained that WBC are at an early stage, with an LP Reg 18 issues and options consultation due for 7 September. This would be a general issues and options consultation targeted to raising awareness of housing need / provision and urban capacity issues, especially amongst hard to reach groups. Video and social media techniques would be used. IS / ID explained that standard methodology housing need figures for WBC are very high and would likely not be able to be met within Borough boundaries. IS added more about the dilemmas of maximising housing capacity in Watford; especially in relation to higher densities, high buildings and the need for quality in design and property management. IS suggested that concepts of 'urbanism' and choices about density, efficient use of land / greenfield land take and infrastructure / transport implications, are important for SWH joint work. Because of limited capacity for development within Watford, progress on a new Plan is strongly linked to SWH joint working.

- **Cross boundary issues – joint evidence documents:** IS / ID indicated that WBC is very interested in working with SADC / Herts County Council on enhancement of Abbey Line rail services, partly through links to new development and related funding. ID/JG suggested that potential for housing growth at high density around Abbey Line stations should be explored. CB replied that there was little land available in close proximity, but that accessibility to the Line is be part of the thinking about proposed housing development on the Park Street Garden Village site.

4. Arrangements for future working and MOU / SoCG etc.

MM/CB asked whether WBC had any specific DtC issues with SADC's draft Plan. ID/IS replied that they did not at this stage, but that they would need to consider the Plan in more detail before formally replying to the Reg 19 Publication consultation.

Agreed: WBC would discuss their response to the Publication Plan consultation with SADC before it was finalised, with a view to finding a mutually acceptable way forward (ID would contact CB). CB said SADC would be happy to arrange a further Member level meeting to discuss, as necessary.

5. AOB

The following issues were discussed:

- Potential site at Watford Junction for large scale housing, if existing use for aggregate freight and concrete batching could be relocated. WBC asked SADC to consider any relocation options. The existing site may have minerals infrastructure safeguarding (for consideration by HCC).
- Need to improve JSP infrastructure planning arrangements with NHS. Both councils had experiences of difficulties in getting responses to consultation. WBC were having particular problems over recent West Herts hospital developments (which were crucial to the whole SWH area).
- Metropolitan Line extension - alternative schemes are being considered. These will be important to SWH as a whole.

DUTY TO COOPERATE MEETING BETWEEN ST ALBANS DC AND WELWYN HATFIELD BC

Venue: St Albans

Date 12 October 2017 @10.00 am

Attendees:

St Albans City and District Council (SADC) - Cllr M Maynard - Planning Portfolio Holder, C Briggs (CB), J Hoad (JH)

Welwyn Hatfield Borough Council (WHBC) - Cllr M Perkins, Executive Member for Planning, Housing and Community (MP), C Haigh (CH), S Tiley (ST)

Notes:

Meeting initiated by, and agenda set by, SADC

1. Minutes of last Meeting and any matters arising NB: It was agreed generally to create more detailed meeting notes under DtC.

There were no matters arising not already on the agenda.

2. Update on St Albans Local Plan

- *Approach to new Local Plan*

MM/CB - explained SADC's new Local Plan process (reference was made to full details available in reports and minutes of the Council's Planning Policy Committee (PPC) 12 September 2017).

MM - SADC would take a 'clean sheet' approach and seek to meet its housing need in full, based on the Government standard methodology figures of 913 per annum. The process would start with an open / inclusive public consultation under Reg 18, combined with a new call for sites. The call would ask for ideas about Green Belt releases in Broad Locations, in other areas and the possibility of creating new free standing settlements (garden villages). The consultation would be based on general questions around options, rather than a specific, preferred, plan.

There was discussion about the housing development options available, including densification and the limits to this. Infrastructure pressures and problems were also flagged and noted as particularly difficult in densification (e.g. urban sites for schools).

CB - explained the importance SADC attaches to achieving the right type of housing, especially smaller family units eg 3 bed terraces and opportunities for downsizers - and the cross over with density targets.

MP/CH - from the WHBC experience, they expected that local resident consultation reaction to significant GB release would be adverse and councillor decision making on the Plan politically difficult.

MM - There are also (current and anticipated future) difficulties in getting major housing schemes permitted by planning committees (regardless of the NPPF / Development Plan position).

MP - The wasted resource in failed Plan making should provide an incentive to councils to progress. Decision by appeal and loss of local control risked a poor detailed planning and infrastructure outcome.

- *Timetable for new Local Plan*

MM - initial consultation would take place in early 2018 and the aim is to submit the Plan by March 2019 (details in PPC report referred to above).

- *Duty to Cooperate – inc. engagement with South West Herts Group(SWHG)*

MM - SADC was moving towards accepting that it would formally be part of a 5 LPA SWHG DtC arrangement. SADC would take a report to PPC recommending use of the 5 LPA HMA/FEMA – also noting the need to appropriately bear in mind wider relationships, especially with Welwyn Hatfield. However there are many detailed DtC issues that are still to be worked out, especially in respect of Group governance, further joint studies and a Memorandum of Understanding / Statement of Common Ground (MoU /SoCG) covering how cooperation will be undertaken in practice. An officer seminar with facilitation / advice from Planning Officers Society (C Riddell) is being planned to start dealing with these issues.

MP/CH - expressed interest in avenues for further WHBC involvement in this work and indicated that they would explore this appropriately.

CH/ST - pointed out that there had been a request from WHBC that the SWHG should consider assistance to WHBC in meeting the unmet need arising under the WH Local Plan as now being examined. This had implications for the interface of WHBC with a SWHG including SADC.

MP - added there were also important outstanding issues about the relationship of the SWHG to Herts Infrastructure and Planning Partnership (HIPP) and County wide/sub regional issues. This affected thinking about the current HIPP exploration of long term strategic planning (including new settlement /town options and joint infrastructure work with Hertfordshire County Council - HCC).

WHBC were in favour of a HIPP based study of new settlement options in the County and hoped SADC would also support this.

CH - WHBC are also keen to work jointly on other future evidence studies and pointed out that cross County work on transport and water infrastructure was very valuable.

CB - It is likely that a mix and match approach will emerge, with some studies undertaken within SWHG and some County wide.

It was agreed that both councils would offer joint study opportunities to each other as opportunities arose.

- *Gypsy and Traveller (G and T) provision / ORS study update*

CB - explained that SADC was commissioning a targeted update of its Gypsy and Traveller Needs Assessment (GTNA) to address the new G & T definition. The expectation is that the need for sites would fall, because many families no longer travel and are thus accounted for in overall needs analysis (Strategic Housing Market Assessment - SHMA). This might suggest an opportunity for WHBC to revise its approach to provision, especially with reference to the proposed site at Symondshyde.

CH - responded that as WHBC's Plan was at examination they had no opportunity to change approach and that whilst the evidence will need to be reviewed it had already taken account of the change in definition resulting in fall in numbers.

- *'Planning for the right homes in the right places' consultation*

MM/MP - noted that there were considerable concerns at the implications of the approach being taken by Government.

CB - explained that it was important for SWHG / SADC to have reference to the full extent of need without the suggested Plan cap, as this would not operate for Herts LPAs due to the short deadlines involved. Full details of the position are set out in the SADC PPC reports referred to above.

- *Strategic priorities*

MM/CB - For the new Local Plan strategic priorities these were to be agreed by SWHG (including SADC) through its proposed MoU. SADC would also expect to consider this with WHBC in future DtC meetings

- *Cross boundary issues*

Covered above and below

3. Update on Welwyn & Hatfield Local Plan

- *Latest on Local Plan*

CH/ ST - explained the current position and referred to the next stage examination timetable recently published. The Inspector is testing WHBC strategy in depth. It seems likely that he will conclude that DtC requirements are met, but ask WHBC to reconsider all their options for increasing housing provision. This would probably lead to a suspension / main modifications / consultation process. Some of the options to be reconsidered would include sites close to SADC (see below).

MP - concluded that the issues involved would be challenging for WHBC.

CB - noted the inconsistency of approach by PINS.

ST - drew attention to further work undertaken by WHBC on Green Belt Review (parcel scoring), at the Inspector's request. SADC would be interested in respect of both their representations on the WHBC Plan and issues for the new SADC Local Plan. WHBC had also considered Green Belt release in terms of concepts such as 'fragile gaps' (between settlements). However the scoring approach was not favoured by WHBC and it demonstrated some serious problems for evaluation and conclusions.

CH - asked if SADC would object to further Green Belt release, potentially close to its boundaries.

CB / MM - SADC did not wish to hinder WHBC Plan progress unnecessarily and could not offer any specific view on this until proposals were made – but made clear potential concerns and previous SADC objections to potential options in these areas. CB specifically requested that if WHBC were to consider development at any site near SADC borders (e.g. Hat 2), then SADC should be consulted in detail on options for the scale and extent of the site, timescales etc.

- *Timetable for Local Plan*

See above. Details of the timetable if suspension of the examination occurs are as yet unknown.

- *Gypsy and Traveller provision*

Nothing to report.

- *HAT1 North West Hatfield*

CB - asked if there was any scope to expand this site or increase densities in preference to consideration of other land in the sensitive area between St Albans and Hatfield.

MP/ST- replied that there might be some increase in density, but expansion would increase undesirable coalescence with Welwyn GC.

- *HAT2 and Ellenbrook Country Park*

CH/ST - This site would need to be reconsidered, but its availability within the Plan period was in doubt. Safeguarding for the future was a possible option favoured by the landowner. The issues for the country park would need consideration.

The previous objections to HAT2 from SADC were noted.

- *Roehyde*

CH/CB - Both councils maintained their view that this site was not required or appropriate for development, based on current needs and evidence

- *Other sites to the west of Hatfield*

MP/CH – These would need to be reconsidered given the Inspector's approach, but were not felt likely to be favoured prospects.

- *Symondshyde*

MP/CH - No change to position. In view of the Inspector's approach, which pressed for higher housing provision, this site was essential.

CB - SADC had strong objections as set out in its written position

- *Duty to Cooperate*

Covered above.

4. ARRANGEMENTS FOR FUTURE LIAISON / JOINT WORKING / MOU/SOCG

All concerned noted the need to address the SoCG approach now being proposed by Government and this may become relevant to further stages of the WHBC Plan. Implications for SWHG and SADC/WHBC interface are covered above.

5. A.O.B

The following general points were discussed:

- Prefabricated housing investigation / promotion by Herts Local Enterprise Partnership HLEP (with Building Research Establishment). This was of mutual interest, especially in view of the limits to capacity and speed of the conventional building industry.

- Masterplanning and design issues for major development areas. MP drew attention to good practice (Ashford) and suggested that Herts LPAs should cooperate to achieve something similar – possibly through jointly agreed guidance (e.g. on Design Coding approaches and effective provision, maintenance and management of community facilities and infrastructure).

DUTY TO COOPERATE MEETING BETWEEN ST ALBANS DC AND WELWYN HATFIELD BC

Venue: Welwyn Hatfield BC

Note of Meeting - 2 July 2018

Attendees:

St Albans City and District Council (SADC) - Cllr M Maynard - Planning Portfolio Holder (MM), C Briggs (CB), J Woof (JW)

Welwyn Hatfield Borough Council (WHBC) - Cllr M Perkins, Executive Member for Planning Housing and Community (MP), S Tiley (ST)

Notes:

1. Minutes of last Meeting and any matters arising

SADC had initiated the meeting and provided an agenda (previously discussed and agreed with WHBC).

Agreed: SADC would record the meeting under the agenda headings (below).

2. Update on St Albans Local Plan

MM / CB noted that the meeting was largely to prepare for the forthcoming LP Reg 19 Publication and to discuss any WHBC view following from response to Reg 18 consultation. It was also to discuss progress on South West Herts (SWH) joint working.

- *Approach to new Local Plan*

SADC are intending to meet all of their housing development needs (based on the Government NPPF standard methodology initial Government consultation calculation 913 per annum), within their administrative boundary. There are no unmet needs (within SADC) to be considered with other councils.

MM summarised the outcomes of the Regulation 18 consultation which took place in January/February 2018. Responses generally recognised the importance of Green Belt but also accepted that housing was needed, particularly smaller first family homes and affordable housing. The number of representations received, at approximately 2,500, was significantly higher than those received in response to the Strategic Local Plan.

MM summarised the Call for Sites that was carried out in parallel to the Local Plan consultation. Approximately 150 sites were received. Sites went through 3 stages of analysis, resulting in 10 residential Broad Locations being taken

forward into the Local Plan. The relevant landowners/developers had agreed that the requirements in the draft Plan were viable and deliverable.

- *Timetable for new Local Plan*

On track with published LDS. PPC (18 June) recommended the Draft Local Plan to Cabinet, who on 21 June recommended the Plan to Full Council, which will take place 11 July.

- *Duty to Cooperate – inc. engagement with South West Herts Group (SWHG)*

SADC are proceeding on the basis of the 5 authorities being treated as a HMA/FEMA. Longer term, a statutory SW Herts Joint Strategic Plan is to be developed. An MoU has been signed between the 5 authorities and Hertfordshire County Council (HCC) with support from the LEP. The government has considered intervention in SADC Plan making but for now is indicating a need for SADC to progress its own Plan to timetable.

- *Gypsy and Traveller provision / ORS study update*

SADC is currently updating its Gypsy and Traveller Accommodation Needs Assessment (GTANA). Sixty pitches are proposed over 4 sites at the Broad Locations, as set out in the draft Local Plan, as well as criteria based policies.

3. Update on Welwyn & Hatfield Local Plan

There was discussion on:

- *Latest on Local Plan*

Plan currently at Examination. Having to look at extra sites to provide circa 4,000 extra dwellings. The Inspector is indicating that he considers a total of circa 16,000 dwellings needs to be provided. Further work is being carried out on Green Belt Review. The Inspector has requested an 'agreed' list of sites for the next sessions. Strategies likely to be tested with regard to employment land. The Inspector has indicated that he might consider further losses of employment land to meet the need for housing

- *Timetable for Local Plan*

The Inspector has been asked for a timetable. Next sessions will be on the villages and the outcomes of the Green Belt Review / additional sites work.

- *Duty to Cooperate – inc. engagement with South West Herts Group*

WHBC propose a further Duty to Cooperate after Green Belt Review / additional sites work published.

Agreed: WHBC would share emerging Green belt review / additional sites work with SADC as soon as reasonably possible. There may be sites in the vicinity of SADC.

- *HAT1 North West Hatfield*

Green Belt Review will again look at the gap between Hatfield and Welwyn Garden City.

- *HAT2 and Ellenbrook Country Park*

Both WHBC and SADC acknowledged the requirements of the S106 for a country park on the site.

- *Roehyde and Bullens Green*

SADC proposing to retain both in the Green Belt.

- *Other sites to the west of Hatfield*

Based on previous SADC formal responses to WHBC consultations, SADC likely to object if WHBC propose additional sites to the west of Hatfield.

- *Symondshyde*

Will be discussed at next Hearing sessions on 'villages'.

- *Gypsy and Traveller provision*

Coopers Lane proposed site not supported by the Inspector and will be removed. Potentially additional pitches may be proposed at North West Hatfield and Symondshyde.

- *Green Belt Review*

Being finalised.

- *Housing land supply in the Housing Market Areas*

WHBC SHMA evidence accepted by the Inspector considers that their defined HMA overlap St Albans District. SADC has previously disagreed with the approach, but not formally objected to it under the DtC.

Agreed: WHBC to write to SADC setting out an update on this issue at the appropriate time.

- *Airfield applications*

Airfield applications submitted at Cromer Hyde and Ellenbrook Country Park. Cromer Hyde proposal would impact on Symondshyde, and Ellenbrook Country Park proposal would be contrary to the S106.

4. Arrangements for future liaison / joint working / MOU/SoCG

MM/CB asked whether WHBC had any specific DtC issues with SADC's draft Plan. MP/ST replied that they did not at this stage, but that they would need to consider the Plan in more detail before formally replying to the Reg 19 Publication consultation. WHBC will also need to consider delivery within the wider SWH area.

Agreed: WHBC would discuss their response to the Publication Plan consultation with SADC before it was finalised (CB would contact ST).

5. A.O.B

The following points were also discussed:

- WHBC and SADC agreed it had been difficult to engage with the various strands of the NHS.

Appendix 13 - DtC meeting with Dacorum Borough Council



**Duty to Co-operate Meeting with St Albans City and District Council
Tuesday, 22nd January 2019 (The Forum, Hemel Hempstead)**

Attendees

Councillor Mary Maynard, SADC (MM)
Tracy Harvey, SADC (TH)
Chris Briggs – SADC (CB)
Councillor Graham Sutton, DBC (GS)
James Doe, DBC (JD)
Chris Taylor, DBC (CT)
Andrew Horner, DBC (AH)

Minute taker – Stephen Mendham, DBC (SM)

Notes of meeting:

1. INTRODUCTIONS

The parties introduced themselves and explained their respective roles.

2. Update on St Albans Local Plan

a) Latest on Local Plan

MM provided an overview of progress. St Albans are through reg 19 with no prescribed body withholding DtC. Sites taken forward unlikely to please all developers which may lead to Judicial Review. Some local councillors are concerned at the scale of the proposed developments but social and affordable housing provision are seen very positively..

Infrastructure provision is raising some issues and the challenge of effectively engaging with the NHS regarding healthcare provision was discussed. JD explained that work to date indicates there may be an ability to accept a new hospital if the case is made out but it is very much work in progress. Both JD and CB felt that the NHS have not been very forthcoming with information. TH suggested that the hospital issues should progressed with the South West Herts Group.

b) *Timetable for new Local Plan*

MM, CB and TH advised that quick progress is now being made with submission likely in late March or early April 2019. MM advised that it has good momentum to get it done and wishes to keep that momentum going with so many parties currently on board, including central government who seem to be pleased that it is moving forward.

c) *Duty to co-operate / Cross boundary issues*

All parties confirmed their wish to continue to co-operate.

GS explained that a concern is the numbers put forward for Hemel East where there is pressure from residents and councillors and believes that there should be some give and take by both sides. MM explained that anything St Albans does for Dacorum means that St Albans has to potentially provide something somewhere else in its area. There is the further issue that the Councils are at different stages in their Local Plan process.

MM explained that St Albans would listen to sound planning reasons for taking numbers and therefore Dacorum would need to provide detailed reasons, based on comprehensive evidence. This might then enable St Albans to make an allocation, for example by way of an update to the Local Plan. TH expressed concern that if allocations are made now that will delay submission of St Albans' Local Plan and risk intervention. St Albans cannot at this stage add any more policies. CB/MM cautioned against taking a purely bi-lateral approach to allocations should Dacorum's updated studies show a deficit. The SW Herts Group would need to provide a collective way forward to address that concern.

Both Councils have concerns regarding the Crown's approach in the Leverstock Green area:

- Both JD and TH advised that nothing has been agreed in terms of master plans but the Crown appears to have a different approach to both Councils. JD/TH advised that the Crown are looking to submit an application around July 2019 but Dacorum and St Albans feel the Crown's plans need more work.

- St Albans have not yet seen anything from the Crown regarding PPA. Both Councils are receiving mixed messages from the Crown on resourcing and what offers have been made seem very inadequate for the work likely to be involved.

- MM advised that she had had a good and positive meeting with Leverstock Green residents. GS said he felt that there was great strength of local feeling and both Council's need to ensure that there is strong engagement with the local community.

On Gypsy & Traveller issues GS advised that this part of Dacorum already has an over concentration of G&T sites and is concerned regarding the two additional sites suggested within the Hemel East application. There needs to be further discussion between the Councils.

CB advised that St Albans has a higher proportion than most areas with an indicated need to provide circa 60 sites for G&T. Re-distributing sites may adversely impact on the progress of St Albans' Local Plan and current evidence supports the allocations provided.

MM suggested that Dacorum goes forward with its call for sites & include G&T sites. Dacorum stated that it does have a problem with the allocation of sufficient G&T sites.

In relation to housing numbers, St Albans suggested that Dacorum state that if its evidence base demonstrates that it cannot meet the need it should put forward this argument to the SW Herts Group for consideration. JD expressed concerns that this may not be a realistic solution as Local Plans are being prepared in advance of the proposed Joint Strategic Plan, for which there is no confirmed timescale presently.

JD advised that Dacorum will have a much clearer position in mid-March with its sites but it is already known that there will be a shortage in the first 5 – 10 years. St Albans advised that it also will have a shortage (against the standard methodology figures) in the next 5 – 10 years. CB suggested that a stepped approach may deal with it.

JD said that it needs to be appreciated that in reality, East Hemel will become an organic part of Hemel Hempstead. A possible way forward may be that both Councils put before St Albans' inspector at examination that Dacorum cannot meet its housing need but recognises that St Albans is also constrained.

Both Councils are dealing with Green Belt release whilst at the same time showing the planning inspector that no stone has been left unturned in that search.

St Albans has concerns with the Crown's approach over the mix in the employment area. Whilst the Crown primarily wants provision for logistics St Albans is seeking a functional business park with a good mix of businesses.

TH – suggested pushing back at Employment Zone meetings where the Crown will also be present and CB advised that St Albans is open to Dacorum stating that employment falls within its area. JD explained the constraints on employment land within Dacorum where essentially Maylands is the only location where employment can happen and the only other possible location is Kings Langley which is likely to be highly contentious. JD repeated that Dacorum made its position clear in its response draft Local Plan policy S5. CB felt that there was a query on viability but the approach was generally correct based on recent trends.

JD – in respect of policy S6 there needs to be an overarching policy on Hemel Garden Communities. CB advised that St Albans are not proposing any major changes, there will be minor modifications and clarifications, and St Albans going into examination with an open mind. TH felt that it is more clarification than a policy shift. Some matters cannot be picked up as it would be difficult to make adjustments without policy shift. St Albans will provide a list of matters where it cannot meet Dacorum's representations.

3. Update on Dacorum Local Plan

a. Latest on Local Plan

JD explained that Dacorum's full evaluation of sites is expected to finish end of March 2019. Report to cabinet on progress in February 2019. Aiming to produce a draft Local Plan for reg19 consultation in Summer 2019. As part of the process Dacorum is looking at development trajectories and urban capacity / densities and higher densities are seen as part of issues surrounding green belt release. Cross party T&F groups have begun. GS advised that Dacorum have elections in May which may slightly change composition of the T&F groups.

b. Timetable for new Local Plan

Dealt with in 3a above.

c. Duty to co-operate / Cross boundary issues

Dealt with in 2c above.

4. Hemel Garden Communities (HGC)

CT advised that the Crown is pursuing its own ideas. Both Councils agreed that there is a strong need to put the message across to the Crown that there are issues that need to be addressed and to hold regular meetings with the Crown, especially as local residents are keen to see that there is engagement. Councils are to make the April meeting.

JD stated a need to provide clarity on the roles of both Councils in HGC and raised the possibility of both Councils entering into a Memorandum of Understanding. St Albans felt that low staffing levels may make that difficult to achieve and are looking at the Crown to provide resources, it risks delaying matters and may limit or even prevent St Albans realising other options.

5. SWHG and SoCG etc

MM advised that on SWHG that it is progressing with a project plan being produced. Attendance has been patchy by leaders which may arise from lack of depth of understanding about what officers have been doing. GS & JD stated that it was not their impression, leaders are there for vision with officers attending to the technical work. JD and GS agreed to take the matter away and obtain feedback.

6. AOB

None.

Meeting outcomes / agreed actions:

1. Both Councils will take forward hospital issues with SW Herts Group.
2. St Albans will provide a list of matters where it cannot meet Dacorum's representations.
3. Both Councils are dealing with Green Belt release whilst at the same time showing the planning inspector that no stone has been left unturned in that search.
4. Both Councils are to make Hemel Garden Communities meeting in April 2019 and to use it as an opportunity to engage with the Crown regarding their concerns over the Crown's approach
5. Dacorum will look into work of SWHG and provide feedback