

Part A

**Report to:** Cabinet

**Date of meeting:** Monday, 6 September 2021

**Report author:** Spatial Planning Manager (Jack Green)

**Title:** SW Herts Joint Strategic Plan Statement of Common Ground

**1.0 Summary**

1.1 The five South West Hertfordshire Local Planning Authorities of Watford Borough Council, Dacorum Borough Council, Hertsmere Borough Council, St Albans City & District Council and Three Rivers District Council together with Hertfordshire County Council, have agreed to prepare a new Joint Strategic Plan (JSP) for South West Hertfordshire.

1.2 The authorities have agreed this Statement of Common Ground, Appendix A, that will establish the areas of common strategic interest within which the defined area. The councils will work together to prepare the JSP and the methodology to be used to prepare it.

**2.0 Risks**

2.1

<b>Nature of risk</b>	<b>Consequence</b>	<b>Suggested Control Measures</b>	<b>Response</b> (treat, tolerate, terminate or transfer)	<b>Risk Rating</b> (combination of severity and likelihood)
Unclear or undefined set of issues to be addressed and governance structure.	Disagreements between local authorities about issues and priorities and delays preparing the JSP.	Agree the Statement of Common Ground.  Ongoing engagement between local authorities at both the	Treat	4

		officer and political level.		
Authority/Authorities withdraw from the JSP process	<p>Abortive works to the current JSP.</p> <p>Additional financial pressure on the JSP and remaining authority.</p> <p>Significant delay to preparation of the JSP.</p>	<p>Agree the Statement of Common Ground.</p> <p>Ongoing engagement between local authorities at both the officer and political level.</p>	Tolerate	6

### 3.0 Recommendation

3.1 That, Cabinet approves authorisation to enter into the SW Herts Joint Strategic Plan Statement of Common Ground (Appendix A) to be executed by the Mayor of Watford and the Managing Director.

**Further information:**

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**Report approved by:** Ben Martin, Head of Planning and Development

### 4.0 Detailed proposal

#### 4.1 Introduction to the JSP

4.2 This Council is working on a statutory Joint Strategic Plan (JSP) for the South West Hertfordshire area. This work is being done in partnership with Dacorum Borough Council, Hertsmere Borough Council, Three Rivers District Council and St Albans City & District Council with the support of Hertfordshire County Council.

- 4.3 In terms of the scope and management of JSP currently:
- It will be a statutory plan focussing on climate change, infrastructure delivery, strategic housing growth, strategic employment growth and Green Belt
  - It will create a framework for investor confidence in SW Herts and support the case infrastructure investment from government
  - The JSP currently proposes to cover a timeframe of 2036 - 2050, although this is subject to review.
- 4.4 The programme is being managed by Chris Outtersides, the JSP Director, who is leading on the preparation of the JSP.
- 4.5 In terms of the benefits of a JSP, these include:
- Increased potential for unlocking infrastructure investment from Government to support strategic housing and employment growth
  - Creating a collective vision of SW Herts and improving collaboration and co-working across the districts
  - Strategic issues such as climate change can be more effectively tackled on a sub-regional scale.
- 4.6 For the avoidance of doubt, the intention will be for all five LPAs to retain collective 'sovereignty' over the JSP process, with the plan following essentially the same process as individual Local Plans and therefore needing approval from each of the partner authorities at each key stage of its preparation and final adoption.
- 4.7 The JSP looks at the period beyond the timescale being followed for the five Boroughs' and Districts' emerging Local Plans. The ongoing work on the JSP does not affect current work on the draft Watford Local Plan. For future Local Plans, post 2036, it is envisaged that the JSP would inform the strategy for these plans although local policies would still be incorporated.
- 4.8 To have an agreed SCG in place is an important step to support collaborative and constructive working and to prepare a strong framework to produce the JSP. It sets out a commitment from the authorities which provides more certainty about the expectations and governance of the project. The SCG provides a clear mandate to the JSP team to proceed with work on the issues and options that are expected to be consulted upon in early 2022.

## **5.0 Background to the Statement of Common Ground**

- 5.1 Under the National Planning Policy Framework (NPPF, 2021), local planning authorities are expected to produce, maintain and keep up to date a Statement of Common Ground (SCG) (Appendix A) to highlight agreement on cross boundary strategic issues with neighbouring authorities and other relevant bodies.

- 5.2 In accordance with this guidance (and its earlier iterations), the South West Herts authorities agreed a Memorandum of Understanding (MoU) on joint strategic planning in January 2018. This MoU set out how initial cooperation between the authorities would be managed in respect of strategic planning issues.
- 5.3 This was followed by an initial SCG that was agreed by officers in early 2019. The SCG, which is the subject of this report, is therefore the third in a series of documents that has been prepared to guide preparation of the JSP.
- 5.4 Although this SCG has been prepared to support the Duty to Cooperate (DtC), as currently required by national planning policy, it is acknowledged that Government is currently reviewing the role of the DtC. Should the role of the DtC be amended, or removed, any resultant impact on the JSP will be reflected in future versions of this SCG.
- 5.5 In accordance with agreed JSP governance arrangements, the SW Herts JSP Planning Members Group (SPMG), which comprises the Planning Portfolio Holder/Leader for each of the SW Herts authorities, considered the draft SCG at their meeting on 29<sup>th</sup> June 2021. At that meeting, all Members advised that they were happy with the draft SCG.

## **6.0 Content of the Statement of Common Ground**

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

## **7.0 Next Steps for the JSP**

- 7.1 The signing of the SCG represents one of the JSP's key work priorities for 2021/22. In addition to the SCG, the principal elements of the JSP work programme propose:
- JSP Visioning Engagement;
  - Preparation and agreement of a Statement of Community Involvement covering the JSP;
  - JSP Regulation 18 Consultation – Issues and Options
- 7.2 The indicative timescale for this work, including going through the relevant Committee processes at all the partner authorities, shows the 'JSP Issues and Options' consultation is likely to be in early 2022.
- 7.3 A SW Herts JSP website to host all JSP related materials and the future public consultations is also planned. This is likely to be ready by the end of Summer 2021.
- 7.4 The JSP programme continues to work closely with senior officials from MHCLG in relation to the proposed amendments to the planning system and the planning White Paper. The JSP programme submitted a detailed submission to the Planning White Paper advocating for stronger Government support for strategic planning. Government officials have clearly indicated that they are keen to work with South West Hertfordshire officers to test potential strategic planning solutions moving forward.

## **8 Implications**

### **8.1 Financial**

- 8.1.1 The Shared Director of Finance comments that the Council contributes £40,000 annually to the JSP project which is the same as the other SW Herts local authorities. The JSP budgetary process is detailed in Appendix A, Paragraph 10.

### **8.2 Legal Issues (Monitoring Officer)**

- 8.2.1 The Group Head of Democracy and Governance comments that the legal implications are contained within the body of the report. The Statement of Common Ground commits the Council to jointly funding the work and any of the 6JPS parties need to give at least 12 months written notice should they wish to terminate the arrangement.

### **8.3 Equalities, Human Rights and Data Protection**

- 8.3.1 Having had regard to the council's obligations under s149, it is considered that the SCG does not affect equality or human rights. The document is procedural and seeks

to ensure that the council's work collaboratively and effectively on the SW Herts JSP.

8.3.2 Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment (DPIA) for this report.

#### 8.4 **Staffing**

8.4.1 N/A

#### 8.5 **Accommodation**

8.5.1 N/A

#### 8.6 **Community Safety/Crime and Disorder**

8.6.1 N/A

#### 8.7 **Sustainability**

8.7.1 N/A

### **Appendices**

- Appendix A: South West Hertfordshire Statement of Common Ground

### **Background papers**

None.