

**TITLE OF REPORT: NORTH HERTFORDSHIRE LOCAL PLAN 2011-2031**

REPORT OF THE STRATEGIC DIRECTOR OF PLANNING AND ENTERPRISE

EXECUTIVE MEMBER: COUNCILLOR DAVID LEVETT

**1. SUMMARY**

- 1.1 This report seeks authority to carry out a public consultation on the proposed submission draft of the new Local Plan for North Hertfordshire. This is the last stage of consultation before the Plan is submitted to the Government for examination.

**2. RECOMMENDATIONS**

- 2.1 That the steps taken since July 2016, including the findings of recently completed evidence studies, are noted.
- 2.2 That the proposed submission draft Local Plan, attached as Appendix 3, and associated documents, attached as Appendices 4 to 6 to this report and as additionally listed in Appendix 7, (known collectively as the proposed submission documents) be approved for public consultation.
- 2.3 That delegated authority is given to the Head of Development and Building Control in conjunction with the Executive Member for Planning and Enterprise to finalise the proposed submission documents (including non material amendments to the Plan), undertake public consultation upon them and prepare the Local Plan for submission.
- 2.4 That, subject to the above recommendations, officers be instructed to report on the consultation and proposed next steps by March 2017.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To ensure that North Hertfordshire can meet the Government's deadline to produce a Local Plan that it considers to be legally compliant and 'sound'.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Council has a statutory duty to keep its Local Plan under review. Failing to prepare a Local Plan carries significant risks. Delaying or omitting the preparation of the Local Plan would carry similar risks, limiting the Council's ability to properly manage development.
- 4.2 In preparing the spatial strategy and policies for the emerging Plan, a number of options have been considered through the Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) process. This includes identifying policy options for how the District should develop and in particular where development should happen, and how much development there should be. The SA/SEA Report forms part of the proposed submission document as outlined in paragraph 7.3.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

- 5.1 An extraordinary meeting of Full Council was held on 20 July 2016 to consider progress on the Local Plan to date and to endorse key sections of the emerging Plan, these being the likely strategic policies and spatial implications in the new Plan. The motions contained in that report were passed following a recorded vote.
- 5.2 Subsequent to this, the Executive Member for Planning and Enterprise has been kept informed on the matters set out in this report.
- 5.3 The Local Plan Project Board has met to discuss relevant issues and provide the necessary strategic guidance and direction for the production of the Local Plan in accordance with the Local Development Scheme.
- 5.4 Cabinet have been kept informed of key developments through Strategic Planning Matters reports which are a standing item on the agenda.

## **6. FORWARD PLAN**

- 6.1 This report contains recommendations relating to a key decision that was first notified to the public in the Forward Plan on 16 February 2015.

## **7. BACKGROUND**

- 7.1 The report to Full Council on 20 July 2016 ('the July Report') set out an extensive background to the preparation of a new Local Plan for North Hertfordshire. The July Report is attached as Appendix 1 and should be referred to for additional detail.
- 7.2 The July Report identified that formal approval of the proposed submission draft plan and the association Publication consultation were, constitutionally, a Cabinet matter. Recommendation 2.4 of the July Report instructed officers to finalise the proposed submission documents for formal approval by Cabinet. That approval is now being sought.
- 7.3 The regulations guiding the production of local plans define the proposed submission documents as:
  - (a) the local plan which the local planning authority propose to submit to the Secretary of State (attached as Appendix 3 to this report),
  - (b) if the adoption of the local plan would result in changes to the adopted policies map, a submission policies map (Appendix 4),
  - (c) the sustainability appraisal report of the Local Plan (Appendix 5 which is available on line and as a separate report in the Members Room)
  - (d) a consultation statement setting out—
    - (i) which bodies and persons were invited to make representations under regulation 18 [the preparatory stages of the plan],
    - (ii) how those bodies and persons were invited to make such representations,
    - (iii) a summary of the main issues raised by those representations, and
    - (iv) how those main issues have been addressed in the Local Plan (Appendix 6), and
  - (e) such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan (as listed in Appendix 7)

## 8. ISSUES

### **Finalisation of proposed submission documents**

8.1 *This section of the report primarily relates to Recommendation 2.1*

#### ***Evidence base***

8.2 The July Report identified a range of studies and evidence supporting the draft Local Plan. It also noted that some of the evidence for the Local Plan was, at the time of writing, still in draft form or otherwise awaiting completion.

8.3 Following the July Council meeting, the Inspector appointed to examine Stevenage's Local Plan specifically requested that further work be undertaken to ensure their plan was based on the most up-to-date Government housing and population figures. Due to previous joint working between North Hertfordshire and Stevenage on this matter, it was necessary for this update to cover both authorities. This work has now been completed and is discussed at paragraphs 8.8 to 8.10 below.

8.4 Since July 2016, the following evidence studies have therefore been revised and / or completed:

#### **Transport & infrastructure**

8.5 The *North Hertfordshire Local Plan Model Testing* has been finalised and now includes a greater level of detail on the methodology used to test the potential impacts of proposed new development on the road network. It continues to conclude that, with the implementation of the mitigation schemes identified in the report, the proposed Local Plan strategy can be supported in highway terms.

8.6 The *Infrastructure Delivery Plan* identifies those services and schemes which will be required to support growth over the plan period. It identifies the likely implications of the draft Local Plan across a number of areas including roads, passenger transport, education, health and utilities. It identifies a number of specific projects which will be required to support new development over the period to 2031. Where available, detail is provided on the potential costs of providing this and the agencies responsible for delivery.

8.7 The *Local Plan Viability Assessment Update* concludes that there is a relatively strong picture relating to development viability in North Hertfordshire. The general mix of policies and proposals in the draft plan can be supported in viability terms. The testing supports the approach to affordable housing and other requirements in the draft Plan. The review indicates that strategic sites could support a reasonable level of affordable housing alongside other infrastructure requirements.

#### **Housing & Development**

8.8 *Updating the Overall Housing Need* is a short paper prepared at the request of the Stevenage Local Plan inspector. It supplements and, where relevant, supercedes the 2015 *SHMA Update* identified in the July Report and reported to Cabinet in the Strategic Planning Matters report of July 2015.

8.9 It concludes that, based on the latest available information, the objectively assessed need (OAN) for housing in the District over the period 2011-2031 is now 13,800 new homes. This marks a small reduction (around 4%) on the figure of 14,400 homes previously identified.

- 8.10 The implications of this change for the Plan are discussed below (see paragraphs 8.21 to 8.30).
- 8.11 The *Strategic Housing Market Assessment Update: Volume Two* updates work previously conducted in 2012 and identifies that 1/3<sup>rd</sup> of new homes in the District over the plan period should be built as affordable housing (as defined by national guidance) to meet identified needs. It provides further advice on the types and sizes of housing that should be provided and has informed the detailed Development Management policies of the Plan.

*Natural and Historic Environment*

- 8.12 The *Open Space Review* remains ongoing and updates the study undertaken in 2009. It will ensure that the information is up to date and meets the policy requirements set out in the NPPF and PPG. Sufficient information has been gathered to inform the policies in the draft Plan. The Review itself will be finalised prior to public consultation.

*Other evidence*

- 8.13 In addition to the studies identified above, the *Background Papers* on Employment, Retail and Housing & Green Belt (all of which were identified in the July Report and provided in draft form) have been finalised. These explain the transition from the findings of the evidence base to the proposals in the draft Plan and any changes since July are predominantly to reflect the findings of the newly completed studies identified above.

***Progress on other authorities' local plans***

- 8.14 The July Report identified the interrelationship between the local plan of North Hertfordshire and the emerging plans of a number of surrounding authorities. Progress on these is reported in the Strategic Planning reports which are a standing agenda item for Cabinet meetings. However, for completeness and in summary, since the meeting of Full Council:

- The Inspector examining Luton's local plan has advised that the evidence before him indicated that the legal Duty to Co-operate has been met and the examination will now move forward to the second stage exploring strategic policies. These sessions re-commence on Tuesday September 20th 2016;
- Stevenage's local plan has been submitted. An Inspector has been appointed and initial sessions are yet to be announced;
- The Inspector examining St Albans' local plan has written to them outlining initial areas of concern, particularly relating to the Duty to Co-operate;
- Welwyn Hatfield approved consultation on their Proposed Submission Plan in July 2016 with consultation having now started and closing on 24 October 2016; while
- East Hertfordshire are due to begin the approval of their draft Local Plan in September 2016 and will start public consultation in November.

- 8.15 No substantive changes to those elements of the Plan endorsed in July 2016 are required as a result of these developments

***Local Plan and draft policies map***

- 8.16 The July Report set out the proposed five-section structure of the Local Plan, including:
- Introduction and context
  - Spatial Strategy and Strategic Policies
  - Detailed development management policies

- Communities.
  - Implementation, monitoring and review.
- 8.17 The July Report included the latest draft versions of the Strategic Policies and Communities sections of the Plan and these were endorsed by Full Council.
- 8.18 The whole of the draft Plan has now been completed and is presented to Cabinet in its entirety for approval.
- 8.19 The main content of the Strategic Policies and Communities sections of the Plan were set out in the July Report. In finalising these sections of the Plan there have been some minor modifications that do not materially affect either the content or direction of the Plan or the key elements as described in the July Report. Some minor modifications have also been made to the draft policies map.
- 8.20 These minor modifications are listed in the table at Appendix 2. It should be noted that these include a revised dwelling estimate for site LG4 in Letchworth Garden City. This has been reduced from 68 to 45 homes to better reflect the site-specific criteria identified. Sites BA8 & BA9 in Baldock (as included in the prospective allocations presented to Full Council in July) have subsequently been granted planning permission and are no longer included in the Plan as specific allocations.
- 8.21 The most substantive changes affecting the endorsed sections of the Plan arise from the completion of the *Updating the Overall Housing Need* paper (see paragraphs 8.8 to 8.10 above).
- 8.22 There is a need for the Plan to now acknowledge that our OAN is considered to be 13,800 dwellings (rather than the 14,400 reported in July). It is also considered necessary to revise the targets in Policy SP8(a) from those endorsed by Full Council to reflect this.
- 8.23 In making these revisions, the same underlying principle as endorsed by Full Council has been followed. Paragraph 8.77 of the July Report identified that it would be appropriate for North Hertfordshire's Local Plan to meet objectively assessed needs and add a small uplift of 200 homes, primarily to reflect the likely housing requirements of older residents.
- 8.24 A revised housing target for North Hertfordshire's housing needs of 14,000 homes (i.e. the revised OAN of 13,800 + 200) is therefore included in the final version of the draft Plan.
- 8.25 Notwithstanding this alteration, it is considered that this marginal reduction in both the OAN and Local Plan housing target should not result in any further change to the overall housing strategy or allocations in the emerging Local Plan as endorsed by Full Council (beyond the amendments identified in paragraph 8.20 above) nor should this give rise to a need to revisit the evidence base of the emerging Local Plan.
- 8.26 The plan and evidence base, as endorsed by Council in July, acknowledged that it was necessary to include a buffer of additional sites over and above the target set to ensure sufficient flexibility (see Paragraph 8.98 of the July Report). At the time of the July Report, this buffer stood at approximately 3% when measured against the endorsed housing target for North Hertfordshire's housing needs.
- 8.27 Although there is no precise science or 'rule' as to the level of buffer required, it is considered, from reviews of other examinations, that this was at the very lowest end of what might be considered acceptable by a Planning Inspector once the Local Plan reaches the examination stage. However it was equally considered in preparing the

July Report (and in consultation with the Local Plan Project Board) that the proposed allocations make maximum use of reasonable and available development sites in the District and it would not have been appropriate to identify any further land or sites to increase this buffer further.

- 8.28 By retaining all of the endorsed allocations, the buffer of additional sites in the Plan would increase from approximately 3% to around 7%. It is considered that this should reduce the risk of further alterations to the Plan at the Examination stage such as a potential request by the Inspector to revisit the housing target and / or identify additional sites.
- 8.29 The implications of these changes are summarised in the table below. The changes to Policy SP8(a), and the consequential amendments arising from them, are separately identified in the table of changes at Appendix 2.
- 8.30 There is no change to the additional proposed contribution of 1,950 homes towards the unmet needs for housing arising from Luton identified in Policy SP8(b).

		<b>July 16 – Full Council endorsement</b>	<b>September 2016 – Cabinet approval</b>
A	Overall target for North Hertfordshire's housing needs 2011-2031	14,600	14,000
B	Of which Within Stevenage Housing Market Area (HMA)	14,400	13,800
	Within Luton HMA	200	200
C	Allocations and allowances for North Hertfordshire's housing needs 2011-2031	14,975	14,952
D	Buffer (C / A)	2.6%	6.8%

The difference of 23 units in line C of the table is accounted for by the change to site LG4 identified at paragraph 8.20 of this report.

- 8.31 Sites within the Local Plan may be the subject of recent or past planning applications. Should these applications be refused the applicant has a right of appeal to the Planning Inspectorate.
- 8.32 When considering the continued inclusion of these sites within the Local Plan, the right of appeal and any grounds for refusal either by the Local Planning Authority or the Planning Inspectorate must be taken into account along with the context in which those decisions were made. The consideration for continuing to include these allocations will include whether that context has changed and / or whether there is a reasonable prospect of any alternative technical solution(s) overcoming any reason(s) for refusal within the lifetime of the plan.
- 8.33 Of the remaining sections of the draft Local Plan not previously subject to any form of approval or endorsement, the **Introduction and context** provides explanatory and factual information on the planning system, North Hertfordshire and the wider area. This includes identification of the District's administrative area – which the Plan will cover – as well as the wider housing and employment market geographies that the plan needs to address. This part of the plan helps to place the District in this wider context and identifies the key challenges facing the District over the plan period.
- 8.34 A **Spatial Strategy and Spatial Vision** has been added, preceding the Strategic Policies.

- 8.35 The **Development Management Policies** set out the detailed standards and requirements that new development must meet to be granted planning permission. These policies will be key to the determination of future planning applications in the District. These policies set out the Council's approaches towards matters such as design, heritage, environmental protection, water usage, development in the rural areas and villages, transport, affordable housing, open space and community facilities, re-use of employment land and encouraging town centres to thrive.
- 8.36 This section of the Plan is divided into 8 separate chapters dealing with specific topic areas. These topics align with those identified in the previous Preferred Options which, in turn, follows the broad structure of the National Planning Policy Framework (NPPF). The topic areas are:
- Economy and Town Centres;
  - Countryside and Green Belt;
  - Transport;
  - Housing Strategy;
  - Design;
  - Healthy Communities;
  - Natural Environment and
  - Historic Environment
- 8.37 The **Implementation, monitoring and review** section sets out how the proposals in the Plan will be delivered. It identifies the need for key supporting infrastructure and the partners that will help to deliver it. It establishes the basis of a monitoring framework that will be used to ensure the plan is having the desired effect and sets out an approach to future review of the plan.
- 8.38 This includes the steps that the Council will take to reflect any outcomes of the on-going new settlement work to help address the longer-term growth requirements of North Hertfordshire.

### ***Sustainability Appraisal***

- 8.39 The July Report referred to the role of Sustainability Appraisal as a legally required assessment of the likely social, environmental and economic effects of the Plan. The Sustainability Appraisal report has been completed to inform the full draft Plan, now also including appraisal of all the detailed Development Management Policies referenced above.

### ***Statement of Consultation***

- 8.40 The July Report included an overview of the main responses received to the Preferred Options consultation that concluded in early 2015. That information has been used as the basis for the formal Statement of Consultation. This is the document identified at Paragraph 7.3(d) above.
- 8.41 In addition to the previously reported results of the consultation, the Statement of Consultation formally sets out how the Council has responded to the main issues raised in that consultation.

### ***Approval of proposed submission documents***

- 8.42 *This section of the report primarily relates to Recommendation 2.2*

8.43 Having regard to the matters above, Cabinet are asked to approve the proposed submission documents for public consultation.



## **9. NEXT STEPS**

- 9.1 *This section of the report primarily relates to Recommendations 2.3 and 2.4*
- 9.2 Subject to approval of the recommendations of this report, consultation on the proposed submission documents is aimed to commence on Wednesday 19 October 2016. The legal regulations state that the consultation period must be six-weeks. The Council has no powers to lengthen (or shorten) the consultation period.
- 9.3 Consultation activities will be guided by the Council's Statement of Community Involvement (SCI) which sets out how the District Council will involve the public in planning matters.
- 9.4 The consultation will be available on the Council's website with a prominent link from the homepage throughout the consultation period. Copies of the Plan and Proposals Maps will be provided to each Parish Council and made available at Baldock, Hitchin, Letchworth Garden City, Royston and Knebworth libraries. Copies will also be placed in the central libraries at Luton and Stevenage.
- 9.5 It is important to reiterate that, following approval of the proposed submission draft Plan, the Council has no further powers to make substantive changes or amendments. It is the version of the plan the Council wishes to see adopted. Any respondents to the consultation are effectively writing for the attention of the Inspector that is appointed to conduct any future examination. This examination is the appropriate place for the Council to explain, or 'defend', the proposals in the Plan and the associated evidence base. It is therefore not proposed to hold specific public meetings, workshops or drop-in sessions for this consultation. The Council will however provide guidance on how to make representations to the Plan at the start of the consultation period.
- 9.6 Following the close of the consultation, officers will process and analyse all valid representations which have been submitted. Subject to the consultation not raising any substantive new issues that have not previously been considered, Full Council will be asked to submit the Local Plan to the Secretary of State for examination. If substantive new issues are raised which give the Council cause to re-consider its view of the Plan, the only other available option at this point would be to withdraw the Plan and start again on a replacement.
- 9.7 Paragraph 216 of the National Planning Policy Framework states that decision-takers may give weight (unless material considerations indicate otherwise) to relevant policies in emerging plans according to certain considerations and criteria.
- 9.8 Approval of a Proposed Submission Local Plan marks a definite step forward in the preparation of a new Local Plan for North Hertfordshire. Subject to this approval being obtained, the Council will be able to take the emerging policies of the new Plan into account in Development Management decisions subject to all other relevant considerations. The weight to be attributed to the emerging policies will be a matter for the decision maker to determine on a case-by-case basis having regard to the specific nature of each individual proposal.
- 9.9 The underlying targets, allocations and principles of the Plan would also be used in other relevant planning activities such as monitoring and the calculation of five-year land supply.

## **10. LEGAL IMPLICATIONS**

- 10.1 The legal framework for the preparation, submission, examination and adoption of Development Plan Documents is set out in the Planning & Compulsory Purchase Act 2004 (as amended). Detailed regulatory requirements are contained in the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 10.2 By virtue of regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, adoption of the final Development Plan documents must be by Full Council. This is reflected in paragraphs 4.2.1(d) and 4.4.1(a) of the Council's Constitution.
- 10.3 Under the Terms of Reference for Cabinet, paragraph 5.6.18 of the Constitution states that the Cabinet should exercise the Council's functions as Local Planning Authority except where functions are reserved by law to the responsibility of the Council or delegated to the Strategic Director of Planning, Housing and Enterprise.
- 10.4 Under the Terms of Reference for Cabinet, paragraph 5.6.33 of the Constitution states that the Cabinet may by way of recommendation advise the Council in the formulation of those policies within the Council's terms of reference.
- 10.5 Submission of draft Development Plan Documents to the Secretary of State, and their final adoption are a matter for Full Council under the Regulations and Paragraph 4.4.1(a) of the Constitution under the Terms of Reference for Full Council.
- 10.6 The Planning and Housing Act 2016 (and associated regulations) provide the legal basis for the Secretary of State to intervene on the Local Authority's behalf and at the Local Authority's expense if Local Development Plans are not in place by March 2017.
- 10.7 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by Section 110 of the Localism Act 2011) sets out the duty to co-operate between Local Planning authorities and other prescribed bodies, to maximise the effectiveness in the preparation of development plan and other local development plan documents, so far as they relate to a strategic nature. It will be important for the Council to demonstrate that it has complied with the Duty to Co-operate and will have the necessary supporting evidence in place, including Memorandum of Understanding or Statements of Common Ground with neighbouring authorities at the time it submits its Local Plan to the Secretary of State.

## **11. FINANCIAL IMPLICATIONS**

- 11.1 The costs of preparing the Local Plan and associated evidence base, and running the proposed consultation are covered in existing revenue budgets for 2016/17. The revenue budget for 2017/18 previously factored in the likely costs associated with an examination of the Local Plan. Given the length of Examinations and due to increased costs in inspector and legal fees a bid is being considered as part of the Corporate Business Planning Process for 2017/18 to further supplement this anticipated cost. These budgets are supplemented by an accrued reserve.
- 11.2 Any decision on the Local Plan must be made on its planning merits but there are potentially significant financial risks attached to not having a plan in place and these are set out below.
- 11.3 Without an up to date Local Plan the Council is increasingly vulnerable to planning applications in areas where it may wish to resist development. The cost of trying to

resist developments is generally far higher than the cost of negotiating developments supported by an up to date Local Plan.

- 11.4 The cost of preparing a Local Plan is significant. A Local Plan which has to undertake, update or otherwise redo significant work at the examination stage will incur considerable costs that may be avoided if the plan takes the appropriate decisions from the start.
- 11.5 Failure to have an up to date Local Plan has a number of potential financial risks. Without an up to date Local Plan, the Council is unable to introduce a Community Infrastructure Levy (CIL), thus limiting future options for how the Council may wish to secure financial contributions from development. Options for the Council in relation to CIL and other mechanisms for securing developer contributions will be subject of a separate report to Cabinet later in 2016.
- 11.6 Central Government’s consultation on New Homes Bonus proposed that from 2017/18, local authorities that do not have a Local Plan would stop getting any new ‘New Homes Bonus’ payments. This is currently a significant funding stream to the Authority (around £2m per year). The expectation is that this proposal will be adopted, and therefore it is estimated that this could lead to the following reductions in the funding received. This funding reduction would equate to additional efficiencies or income generation that would need to be found.

Year	Estimated funding reduction for that year
2017/18	£666k
2018/19	£1,216k
2019/20	£1,733k
2020/21 (onwards)	£1,964k

*Based on the 2016/17 Medium Term Financial Forecast (subject to some change as part of the 2017/18 forecast)*

- 11.7 The numbers above assume that if the Local Plan is not adopted at all over that period. If it were adopted during the period then the Council would start to receive New Homes Bonus again, but would not receive the elements that related to any year that the Local Plan was not in place. For example, if the Plan was not in place for 2017/18 we would lose the £666k that relates to 2017/18 in that year and the next three years (up to 2020/21). This would mean that the total lost funding would be £2,664k. There may be some dispensation (e.g. 50%) for a period where the Local Plan has been published but has not yet been submitted to the Secretary of State.

## 12. RISK IMPLICATIONS

- 12.1 Sustainable Development of the District and the Local Plan are both Cabinet Top Risks. The Sustainable Development of the District risk has two sub risks; National & Regional Planning issues and Neighbouring Authorities. Failure to make timely progress on the Local Plan would increase the likelihood of these risks occurring.
- 12.2 The Local Plan is assessed as one of the highest risks that NHDC currently faces. The identified consequences on the Local Plan risk include:
- Development not being sustainable;
  - Development harms the environment;
  - Needs for housing and other development fail to be properly met;
  - Hostile planning applications if Local Plan found unsound or delayed;

- Hostile planning applications for development due to lack of five year land supply; and
  - Costs of challenge.
- 12.3 Agreeing the recommendations in this report will enable the Council to progress with the Local Plan. It is accepted that the publication of the proposed submission Local Plan is likely to be controversial in certain quarters and will generate a considerable amount of response to the consultation.
- 12.4 The draft Plan will seek to reflect work undertaken with other authorities on strategic matters. In particular it will make an allowance for growth from the Luton housing market area, and safeguard land for the longer term for growth in the Stevenage area.
- 12.5 Discussion and negotiation with these, and other, Councils is ongoing. North Hertfordshire District Council has signed, or is in the process of negotiating, Memoranda of Understanding (or equivalent) with Luton and Stevenage Councils under powers delegated to the Executive Member by Cabinet in March 2016. These agreements relate to those authorities plans and it is recognised that future (updates to these) agreements will be required upon submission of North Hertfordshire's own Local Plan.
- 12.6 Approving this version of the Local Plan will demonstrate the Council's continued willingness to seriously engage on such matters and allow constructive talks to continue in the period up to submission.
- 12.7 The increase in the Plan's buffer of housing sites is considered the most appropriate means of responding to the change in Objectively Assessed Housing Needs identified since Full Council in July 2016 and reduces the risk of further alterations to the Plan at Examination stage. Any alternate courses of action at this point would result in significant delay and additional expenditure and would leave the Council unable to submit a Local Plan to Government by March 2017.

### **13. EQUALITIES IMPLICATIONS**

- 13.1 The Equality Act 2010 came into force on the 1<sup>st</sup> October 2010, a major piece of legislation. The Act also created a new Public Sector Equality Duty, which came into force on the 5<sup>th</sup> April 2011. There is a General duty, described in 13.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 13.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 13.3 There are not considered to be any direct equality issues arising from this report although individual schemes or considerations hereafter will be subject to appropriate review (through a formal Equality Impact Assessment) to ensure they comply with latest equality legislative need. Whilst publication of the Local Plan may prove controversial to some residents, the risks of not publishing one and consulting on it are large and cannot be ignored. The consultation seeks to hear from all areas of the community including those that share a protected characteristic, i.e. 'fostering of good relations'.

## **14. SOCIAL VALUE IMPLICATIONS**

- 14.1 As the recommendations made in this report do not constitute a public service contract, the measurement of 'social value' as required by the Public Services (Social Value) Act 2012 need not be applied, although equalities implications and opportunities are identified in the relevant section at Paragraph 12.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 There are no new human resource implications arising from the contents of this report. Temporary staff or consultants have been brought in to assist with preparation of the Local Plan in order to cover vacancies and long term absences. This approach will continue given the anticipated large number of responses expected to be received from any future consultation.

## **16. APPENDICES**

- 16.1 Appendix 1 - Report to Full Council July 2016 (excluding appendices)
- 16.2 Appendix 2 - Table of Amendments to the Strategic Policies and Communities Sections of the Local Plan and the Proposals Map as endorsed by Full Council on 20 July 2016
- 16.3 Appendix 3 - Proposed Submission Draft North Hertfordshire Local Plan 2011-2031
- 16.4 Appendix 4 - Draft Policies Map
- 16.5 Appendix 5 - Sustainability Appraisal (Available in the Members Room and on the Council's website.
- 16.6 Appendix 6 - Statement of Consultation
- 16.7 Appendix 7- List of Supporting Evidence Documents

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## **18. BACKGROUND PAPERS**

- 18.1 Full Council Report 27 November 2014 – North Hertfordshire Local Plan – Preferred Options
- 18.2 Full Council Report 3 September 2015 – North Hertfordshire Revised Statement of Community Involvement
- 18.3 Overview & Scrutiny 22 September 2015 - Presentation By The Executive Member For Planning And Enterprise
- 18.4 Full Council Report 21 January 2016 – Updated Local Development Scheme
- 18.5 Strategic Planning Matters Reports to Cabinet on 27 January 2015, 24 March 2015, 16 June 2015, 28 July 2015, 29 September 2015, 10 November 2015, 15 December 2015, 26 January 2016, 30 March 2016, 14 June 2016 and 26 July 2016.