

CABINET
20 January 2026

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: LOCAL PLAN NEXT STEPS

REPORT OF: RACHAEL ROONEY, INTERIM STRATEGIC PLANNING MANAGER: PLACE

EXECUTIVE MEMBER: CLLR DONNA WRIGHT, EXECUTIVE MEMBER FOR PLACE

COUNCIL PRIORITY: THRIVING COMMUNITIES / ACCESSIBLE SERVICES / RESPONSIBLE GROWTH / SUSTAINABILITY

1. EXECUTIVE SUMMARY

- 1.1 This report provides an overview of the new plan-making system and sets out a revised Local Plan programme aligned with the requirements of that system.
- 1.2 It seeks the approval of delegated powers to formally submit notice of the Council's intention to review the Local Plan and to publish a revised programme in line with the new regulations as soon as the new plan-making system is enacted.
- 1.3 Section 15 of the Planning and Compulsory Purchase Act 2004 (as anticipated to be amended) requires Local Planning Authorities to publish and maintain an up-to-date Local Plan timetable. Government have advised that new regulations, due to be laid before Parliament in January 2026, will require Local Planning Authorities to submit formal notice of their intention to review their Local Plan at least four months before commencing the review.

2. RECOMMENDATIONS

- 2.1. That Cabinet approve the broad 'direction of travel' for the Local Plan Review pending formal laying and enactment of the relevant legislation and regulations
- 2.2. That Cabinet delegate authority to the Director: Place, in consultation with the Executive Member for Place to, following the creation of a new planning system
 - a. Publish the formal notice of intention to undertake a review of the Local Plan; and
 - b. Approve and publish a revised Local Plan timetable, attached as Appendix A, subject to any alterations necessary to ensure alignment of timings with the new statutory framework

3. REASONS FOR RECOMMENDATIONS

- 3.1 To ensure the Council is well-positioned to progress preparation of the Local Plan as quickly as possible once the new plan-making system comes into effect. Cabinet previously first resolved, in principle, that a review of the Local Plan should take place in January 2024. However the Council did not progress on the review which was held back due to the delays in the publication of the regulations and guidance on the new local plan system.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 An alternative option would be to wait for the new regulations to be published, including any amendments arising from stakeholder feedback to MHCLG, before revising the Local Plan timetable. This could minimise the need for further changes and ensure full alignment with the finalised system.
- 4.2 This option is not recommended, as any additional delay poses a significant risk to North Herts Council's ability to submit a draft Local Plan to the Secretary of State before of the start of the pre-election period in March 2028 and the potential dissolution of this authority under proposed Local Government Re-organisation. Early progress would allow the Council to leave a legacy of having prepared a final Local Plan under the current organisational structure and to meet key milestones set in the new system in a manner that is compatible with the civic cycle.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. Strategic Planning Project Board were consulted on, and endorsed, the proposed programme in December 2025. They were also advised of the key issues discussed in this report.
- 5.2. The Executive Member has been kept up to date with the development of the Local Plan programme.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a key Executive decision that was first notified to the public in the Forward Plan on the 19 September 2025.

7. BACKGROUND

- 7.1 At the [January 2024 Cabinet meeting](#), it was agreed to initiate a review of the Local Plan. Subsequently, a revised Local Development Scheme (LDS) was published in January 2025, setting out the proposed timetable for preparing the Local Plan through to adoption. The key milestones identified were:
- First formal Consultation – targeted for late 2025
 - Consultation on full draft plan – anticipated for late 2026
 - Examination – scheduled for 2027
 - Adoption – expected by the end of 2027
- 7.2 As set out in the [January 2025 Cabinet report](#), this timetable was predicated on the assumption that the requisite legislative changes would be introduced by September

2025. It was acknowledged at the time that the programme may need to be amended if there were any further delays in release of the regulations.

- 7.3 Officers met with MHCLG officers in spring 2025 where it was indicated that the new system was to be delayed until late 2025 or early 2026. MHCLG also advised that detailed guidance on the operation of the new system would not be issued until closer to its commencement and that any preparatory work progressed under the current system would not be able to be carried forward into the new system.
- 7.4 As a result, revisions to the Local Plan timetable could not be progressed until now, pending greater clarity on the requirements and processes to be introduced under the new system.
- 7.5 On 27 November 2025, the Government released new guidance on how councils should prepare Local Plans. This included a [Ministerial Statement](#), supporting information on the [Create or update a local plan](#) page on the MHCLG website, and a [regulations explainer](#). Together, these documents outline the new stages and requirements of the plan-making system.
- 7.6 It is anticipated that secondary legislation to enact the new system will be laid before Parliament in January 2026; with the system coming into effect six weeks later, likely at the beginning of March 2026.
- 7.7 This paper sets out a revised Local Plan timetable based on the new requirements in the proposed regulations.

8. RELEVANT CONSIDERATIONS

- 8.1 The following diagram provides an overview of the stages within the new plan-making system.

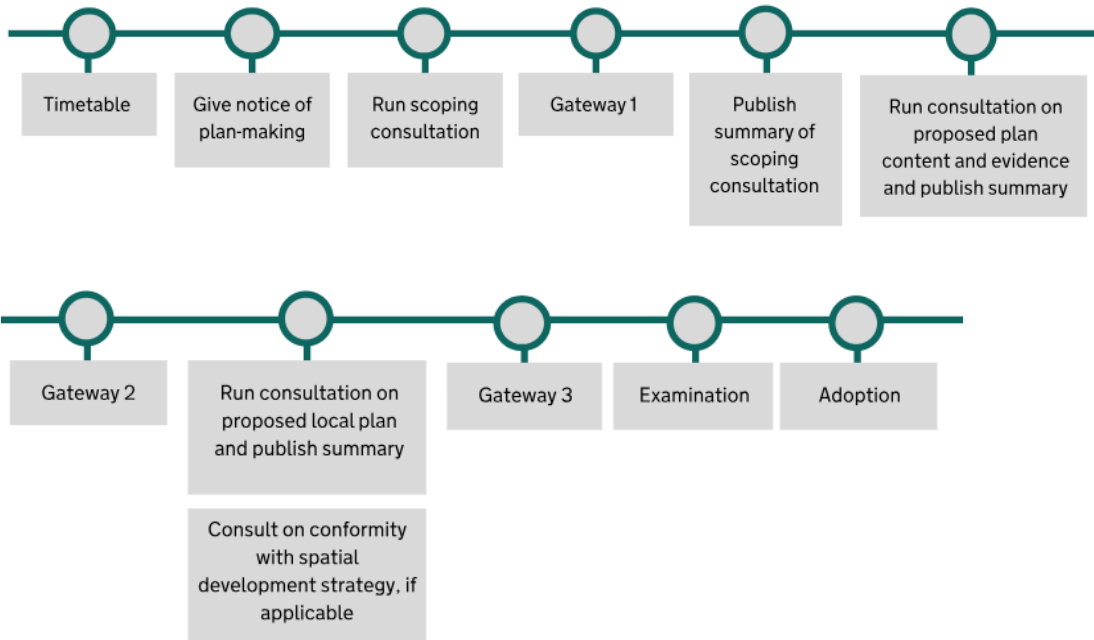


- 8.2 The statutory timetable allows 30 months for the preparation and examination of a Local Plan. Prior to this, there is a mandatory 'Get Ready Period' of at least four months. It should be noted that the 'Get Ready Period' cannot commence until the new system has

been enacted, which is expected in March 2026 (see Appendix 1 – proposed Local Plan timetable).

- 8.3 There are also certain tasks within the new system, that must be undertaken in a prescribed sequence, as required by law. These are set out below with further detail contained in relevant sections in the report.

Tasks in local plan-making where the sequence is required by law



Tasks before the 30-month process

- 8.4 The get ready period is required to be at least 4 months but can be longer depending on circumstances. During this period, a number of procedural steps must be completed.



Local Plan Timetable

- 8.5 This must be made available on the same day as the Notice to Commence is issued, or earlier.

Notice to Commence

- 8.6 A formal Notice to Commence must be published on the council's website to signal the intention to begin plan-making. The purpose of this notice is to provide sufficient time for stakeholders to be made aware that the Local Plan review process is starting, thereby ensuring transparency and enabling early engagement.

Early Engagement: Scoping Consultation

- 8.7 Early engagement with stakeholders to identify key issues to be addressed in the plan as well as identifying how stakeholders want to be engaged throughout the process. The regulations should set out any prescribed requirements for how long or what form this engagement should take.

Other work

- 8.8 It is recommended that a number of preparatory workstreams commence during the Get Ready period to ensure that authorities are able to meet the statutory 30-month timetable once formal plan-making begins. This includes:
- Project Initiation Document - setting out governance arrangements, budget allocations, resourcing requirements, and risk management measures.
 - Collation of baseline information about the area, including to support the SEA (Strategic Environmental Assessment)
 - Developing a draft vision for the area;
 - Undertaking a call for sites;

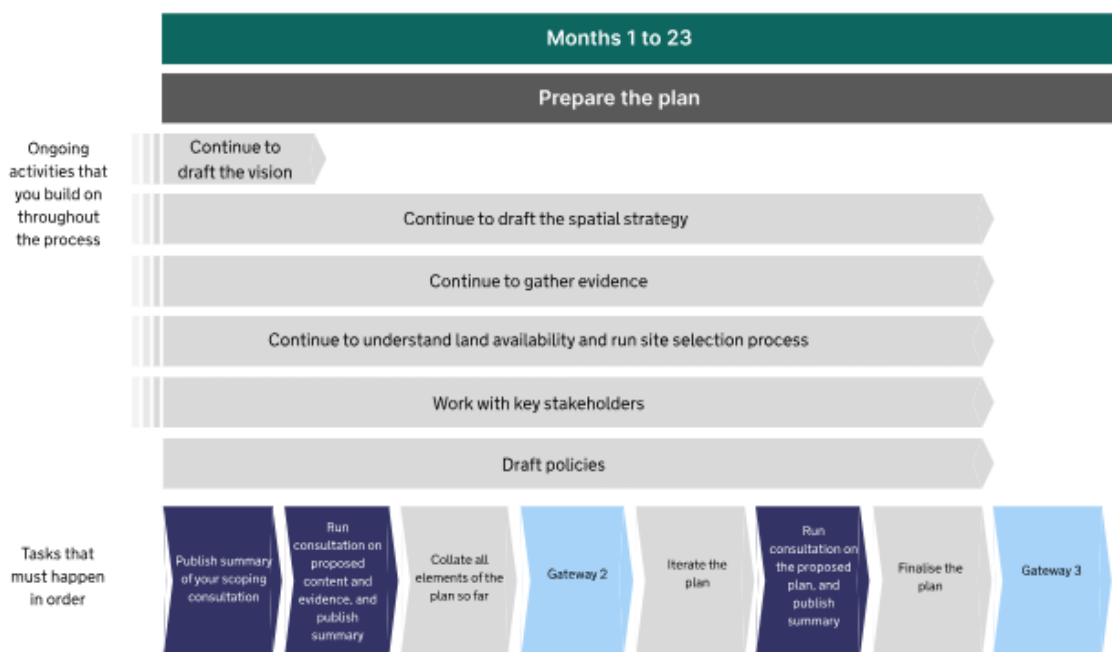
- Initiating procurement and preparation of the evidence base.

Gateway 1

- 8.9 Gateway 1 is a mandatory self-assessment stage. The purpose of Gateway 1 is to confirm that authorities are ready to prepare and adopt a Local Plan within the 30-month timetable.

Months 1 to 23: prepare the plan

- 8.10 Once Gateway 1 has been passed, the official 30-month timeframe begins. At this stage, the Local Plan can be prepared in detail. The process comprises two principal stages:
- Proposed plan content and evidence – preparation and consultation
 - Draft Local Plan – preparation and consultation
- 8.11 After Gateway 1, a summary of the scoping consultation must be published.



Proposed plan content and evidence

- 8.12 Preparation - Work should continue from the 'get ready' stage on developing the vision, refining the spatial strategy, identifying site allocations, and continuing preparing the supporting evidence.
- 8.13 Consultation – The proposed plan content and evidence consultation should include:
- Draft vision, proposed aims, and objectives
 - The proposed spatial strategy
 - A summary of the evidence gathered or planned

- Any other elements, which could include draft policies
- SEA – consult on the level of detail and scope of the environmental report

8.14 The consultation should run for at least six weeks.

8.15 A summary of the consultation must then be published before moving on Gateway 2.

Drafting the Local Plan

- 8.16 Following consultation on the proposed content and evidence, the elements must be collated to begin drafting the Local Plan. Key steps include:
- Deciding on a preferred spatial strategy option;
 - Allocating sites;
 - Continuing to prepare the evidence base to support policy approaches;
 - Mapping policies – creating a map to show where draft Local Plan policies will apply across the district;
 - Further developing the environmental assessment and report.

Gateway 2: Progress check with the Planning Inspectorate

- 8.17 Gateway 2 provides a formal progress check, lasting between four and six weeks. The Planning Inspectorate will appoint a gateway assessor to review the proposed plan and associated documentation, providing observations and advice.
- 8.18 The purpose of Gateway 2 is to:
- Support early resolution of potential soundness issues;
 - Assess progress towards meeting the prescribed requirements necessary for Gateway 3.
- 8.19 Gateway 2 must take place after publication of the consultation summary on proposed plan content and evidence, and before consultation on the proposed Local Plan. Timing is at the discretion of the authority, but sufficient information must be available for meaningful advice.

Draft Local Plan consultation

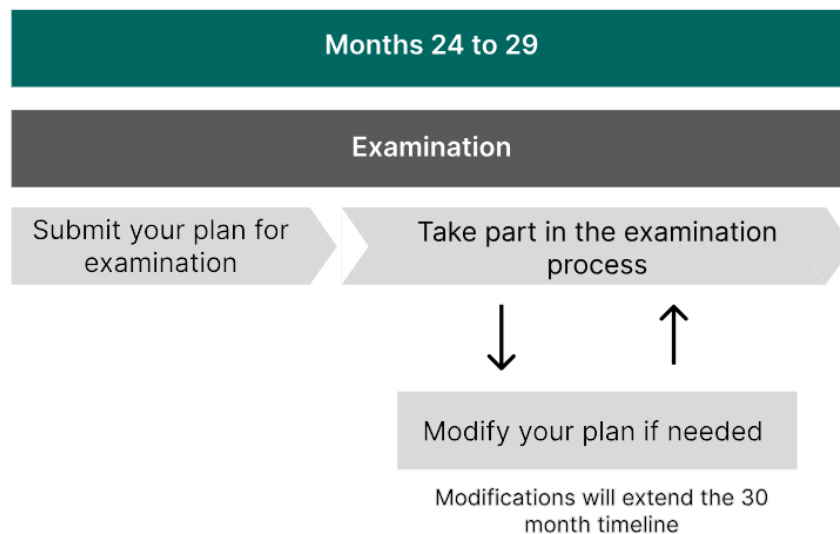
- 8.20 The Draft Local Plan consultation must run for a minimum of eight weeks. It should cover:
- The proposed Local Plan;
 - The map of proposed Local Plan policies;
 - Site allocations and designations;
 - The evidence base;
 - The SEA environmental report.

- 8.21 This consultation must also include engagement with the strategic authority preparing any Spatial Development Strategy, to ensure general conformity.
- 8.22 Following consultation, the authority must make appropriate changes to finalise the Plan based on the consultation; prepare submission material for Gateway 3; and publish a summary of the consultation on the draft Plan, including how issues have been addressed.

Gateway 3 – Ready for Examination

- 8.23 Gateway 3 is a formal check, lasting four to six weeks, to ensure the Plan is ready for examination. The Planning Inspectorate will appoint a gateway assessor to provide observations and advice, and to determine whether the Plan meets the prescribed requirements. If Gateway 3 is not successfully passed, the Plan cannot proceed to examination. The authority must make the necessary changes and re-submit through the gateway process.

Months 24 to 29: submit your plan for examination



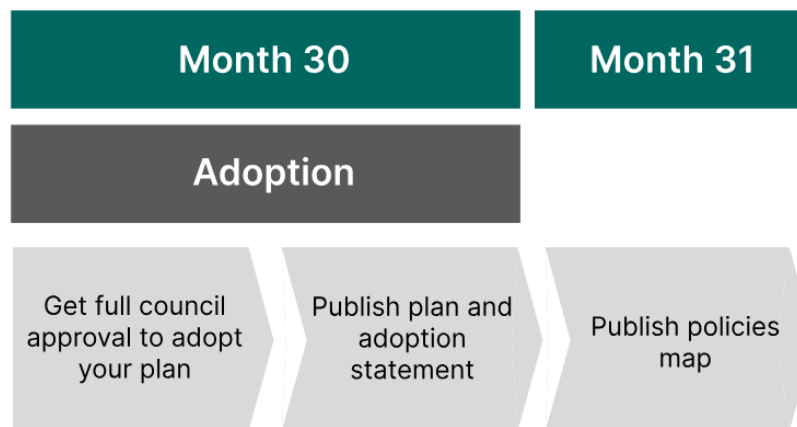
Examination

- 8.24 The examination will assess whether the plan is sound – using the current Tests of Soundness.
- Positively Prepared – the plan provides a strategy which seeks to meet objectively assessed development and infrastructure requirements.
 - Justified – the plan is founded on robust evidence and represents the most appropriate strategy when considered against reasonable alternatives.

- Effective – the plan is deliverable over its period and based on effective joint working on cross-boundary strategic matters.
- Consistent with National Policy – the plan enables the delivery of sustainable development in accordance with national planning policy.

8.25 Where the inspector determines that further work is required, the examination may be paused for a period of up to six months to allow the necessary work to be undertaken. The inspector may also recommend modifications to the plan in order for it to be found sound. In such cases, further consultation with interested parties on the proposed modifications may be required. This process is likely to extend the examination period beyond the initial six-month timeframe.

Month 30 to 31: adopt plan and publish policies map

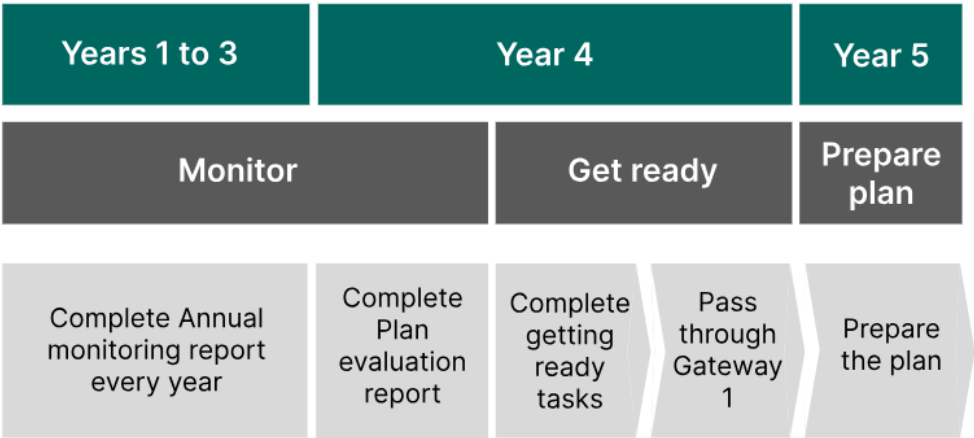


Adoption

- 8.26 Where the inspector finds the Local Plan to be sound, or capable of being made sound through specified modifications, the expectation is that the authority will adopt the plan, incorporating the required modifications as necessary. In such cases, further consultation on the modifications is not required.
- 8.27 The inspector's report should be published as soon as practicable following receipt. Adoption of the Local Plan must take place within one month of receiving the inspector's report. This requires formal approval by Full Council.
- 8.28 Upon adoption, authorities are required to publish an Adoption Statement and the Final Strategic Environmental Assessment (SEA) – environmental report.
- 8.29 Authorities must also publish and maintain a Policies Map, which consolidates Local Plan policies with all other policies forming part of the wider development plan such as the Hertfordshire Minerals and Waste Plan and all 'made' Neighbourhood Plans. The

Policies Map must be kept up to date and revised in accordance with the timescales set out in regulations.

Month 31 onwards: monitor your plan



Monitoring

- 8.30 The Annual Monitoring Report is required to take place on the same date each year for all Local Planning Authorities.
- 8.31 The monitoring report must include:
- A list of nationally prescribed metrics;
 - Indicators to measure objectives set out in the Local Plan vision;
 - Indicators to monitor the significant environmental effects of implementing the Local Plan, based on the SEA.
 - Plan Evaluation Report - A Plan Evaluation Report must be undertaken in Year 4 following adoption of the Local Plan.

Review

- 8.32 Local Plans must be reviewed at least every 5 years. This means passing through Gateway 1 by Year 5, meaning preparation must begin during the Get Ready stage no later than Year 4. In certain circumstances, a review may be required earlier, for example:
- There has been a significant change in local or national circumstances that shaped the existing plan.
 - Housing requirements have increased significantly following the adoption of a spatial development strategy.
 - No spatial development strategy is in place, but the assessed housing need for the area has changed (for example, through the standard method).
 - An inspector recommends preparing a new plan earlier.

- Planning decisions are being assessed against the presumption in favour of sustainable development.
 - Annual monitoring shows the authority is not able to maintain a 5-year housing land supply through to adoption of the next plan.
- 8.33 Based on current proposed timelines, it is presently anticipated that any subsequent review would be undertaken by a new Unitary authority following Local Government reorganisation.

Revised Local Plan Timetable

- 8.34 The revised Local Plan timetable is presented in Appendix 1, aligned with the requirements of the new plan-making system, as currently understood. The new system is expected to come into force in March 2026.
- 8.35 While the 30-month timeframe provided under the new system would allow completion of the Plan by the end of 2028, it is the Council's intention to submit the Local Plan for examination earlier. This approach ensures planned submission prior to the anticipated Local Government Reorganisation in North Hertfordshire in April 2028. Significant preparatory work has already been undertaken, or is currently in progress. This places the Council in a strong position to commence the formal stages of the Plan at the earliest opportunity.
- 8.36 It should be noted that the Ministry of Housing, Communities and Local Government (MHCLG) is inviting feedback on the new system until 15 March 2026. Guidance may be subject to change following this consultation. Nevertheless, officers advise that the Council should proceed with issuing formal notice as soon as the system is enacted. This will ensure that the milestone of submitting the Local Plan for examination in early 2028 is met, ahead of the Local Government Reorganisation.
- 8.37 In advance of the enactment of the new plan-making system, delegated powers are sought to enable:
- Publication of the formal notice of intention to undertake a review of the Local Plan
 - Approval of the revised Local Plan timetable, attached at Appendix A (subject to any templates required under the new system)

9. LEGAL IMPLICATIONS

- 9.1. The preparation of Local Plans is governed largely by Section 15 of the Planning and Compulsory Purchase Act 2004 (PCPA) (as presently amended).
- 9.2. Under the current legislation, section 15(1) of the PCPA 2004 requires local planning authorities to prepare and maintain their timetable for preparing a local plan, known as a Local Development Scheme (LDS).

- 9.3. The Levelling Up and Regeneration Act (LURA) 2023 paves the way for reforms to the plan-making process through amendments to the PCPA 2004. Regulations to (i) enact the relevant provisions the commence the new plan-making system and (ii) set out the detailed process for the preparation of new-style plans are anticipated in January 2026. Any update will be reported verbally to the meeting or through a written addendum to this report.
- 9.4. These amendments will, in relation to this report, replace the duty to prepare and maintain an LDS with a duty to prepare and maintain a local plan timetable.
- 9.5. Cabinet holds a general power under Section 5.7.18 of the Constitution to exercise the Authority's functions as Local Planning Authority. Certain stages of plan-making, namely submission to the Secretary of State and adoption, are reserved to Full Council.
- 9.6. The detailed provisions of the Constitution will need to be reviewed to assure alignment with the terminology and requirements of the new legislation and associated regulations.

10. FINANCIAL IMPLICATIONS

- 10.1 The Local Plan Review and other planning documents are being produced from existing budgets including reserves that have been earmarked for this purpose. The current budget allocated for Local Plan is £691k. Although as set out below there is some risk as to whether the currently allocated resources will be sufficient.
- 10.2 The Council's Medium Term Financial Strategy (MTFS) in September 2024 set an expectation that the Local Plan Review will be delivered within existing resources. In broad terms, the costs of a Local Plan increase as it makes progress through the stages. The pre-submission plan (or equivalent replacement under the new regime) should be supported by a full evidence base. The examination phase can incur significant costs in legal representation and inspector fees, recognising the Government's proposal to significantly streamline this element.
- 10.3 Spend, and any impacts upon the Local Plan timetable, will be monitored on an on-going basis. This will include reporting to the Strategic Planning Project Board as part of their informal oversight role. There are likely to be requests for any year-on-year underspends to be carried forward into the next financial year. Dependent on progress, it may be necessary to reprofile the approved budget bids. Sensible steps will be taken to minimise external costs including the preparation of evidence studies in-house where this is achievable within the staffing capacity and professional competence of the team. Some specialist areas of evidence necessitate external advice from experts in their field and / or benefit from being independently assessed by third parties. Options for charging regimes for, or cost recovery from, potential beneficiaries of the new plan (i.e. landowners of sites) are currently being explored. However, if the cost exceeds the budget, then this will be reported within the usual budget monitoring processes.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.

- 11.2. In accordance with Section 15(3A) of the Planning and Compulsory Purchase Act 2004, local authorities will, once enacted, be required to prepare and publish a Local Plan programme and keep it up to date at least once a month.
- 11.3. The Local Plan Review is a key project in the Council Delivery Plan. These projects have specific risk entries as part of the Council's corporate risk monitoring approach. This is regularly updated and reported to Overview and Scrutiny Committee. Key risks include:
- Inadequate guidance leads to scheme outcomes that do not appropriately respond to, or contribute towards, corporate objectives and priorities of climate change, environment, economy and place.
 - Poor scheme outcomes that do not appropriately respond to local character and context.
 - Failure to retain/recruit sufficiently experienced officers to implement required programme of work.
 - Failure to secure funding to resource the process.
 - Failure to obtain political and / or Government approval at key stages or gateways
 - Adverse appeal findings on other/non-Local Plan sites if progress on the Local Plan Review is delayed or stalled.
 - Government fails to provide regulations and guidance in a timely fashion
 - Government introduce different or new or substantive reforms to the planning system and / or national policy
 - Government intervention if inadequate progress is made upon Local Plan Review.
- 11.4. In addition, the new regulations require a detailed risk register to be maintained as part of the Project Initiation Document.
- 11.5. Controls and mitigations include reporting to the internal Project Board and ongoing monitoring of workload and service-wide budgets to ensure sufficient resources.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their 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.
- 12.2. There are no direct equality, diversity or inclusion implications in this report. An Equalities Impact Assessment will be carried out for the Local Plan Update in accordance with The Equality Act 2010 or any specific requirements laid in relevant legislation and regulations.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report update.
- 14.2. However, the update of the Local Plan will allow the Council to put climate change mitigation and adaptation at the heart of the Development Plan to contribute to meeting the Councils environmental and sustainability objectives.
- 14.3 The Local Plan Review will be subject to statutory requirements to consider its environmental effects.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The Local Plan programme is subject to our Strategic Planning Team being fully resourced and staffed.
- 15.2 Currently the Strategic Planning Team is understaffed and whilst efforts have been made to recruit into vacant posts, these have not all been successful. This is a known issue within Planning Departments across Local Authorities, and we are not unique in this sense. Permanent, establishment staff are currently augmented by fixed-term and contract appointments.
- 15.3 The consequence of not being fully staffed may ultimately have an impact on the delivery of the timeline of the Local Plan Update and the meeting of the key milestones set out in the document. The timetable will be kept under review in line with resource availability and updated as appropriate.

16. APPENDICES

Appendix A – Local Plan Programme

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

[Report to Cabinet – Local Plan Review, January 2024](#)

[Report to Cabinet – Local Development Scheme, January 2025](#)