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East Herts District Plan

Regulation 22 Consultation Statement

March 2017

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EAST HERTS DISTRICT PLAN, REGULATION 22, CONSULTATION STATEMENT

1. Introduction

- 1.1 This Consultation Statement describes the processes followed by East Herts Council in undertaking community participation and stakeholder involvement in the production of the East Herts District Plan (Pre-Submission Version) and sets out how the main issues raised through consultation have helped shape the Plan. The Consultation Statement has been prepared to comply with the requirements of Regulations 18, 19 and 22 (1) part (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (referred to throughout this Consultation Statement as ‘the Regulations’). The Consultation Statement will assist the Inspector at the Examination in Public to determine whether the processes that the Council followed leading to the Submission of the District Plan comply with government guidance and requirements for public participation.
- 1.2 In detailing what the requirements for the ‘Submission of documents and information to the Secretary of State’ are, Regulation 22 (1) part (c) directs the Council to prepare a statement which sets out:
- i. which bodies and persons were invited to make representations under Regulation 18 of the Local Planning Regulations;
 - ii. how those bodies were invited to make representations;
 - iii. a summary of the main issues raised in those representations;
 - iv. how those main issues have been taken into account;
 - v. if there are representations made under Regulation 20, the number made and a summary of the main issues raised in those representations; and
 - vi. if there are no representations made under Regulation 20, that no such representations were made.
- 1.3 An excerpt of the Regulations covering 18 to 22 is included at **Appendix A** to this Consultation Statement.
- 1.4 In carrying out its consultation processes, it should be noted that, in addition to complying with the Regulations, the Council has also complied with the provisions of its Statement of Community Involvement (SCI), October 2013. This document sets out the Council’s approach to public engagement in the planning system and how it seeks to involve the local community in East Herts. The SCI may viewed at: <http://www.eastherts.gov.uk/sci>.

2.0 Who Was Consulted

(i) Bodies and Persons invited to make representations under Regulation 18

- 2.1 The Council has consulted extensively at each stage of the preparation of the District Plan. This Consultation Statement is concerned with the approach taken at the Regulation 18 and 19 stages, i.e. Preferred Options and Pre-Submission consultations.
- 2.2 To aid the consultation process, the Council maintains a live consultee database, which is stored on the Objective system. The database is continuously updated at each consultation event and as and when notified of changes by consultees.
- 2.3 In addition to Specific and General Consultees (as identified under Part 1 of the 'Regulations'), all consultees on the Objective database (i.e. those interested parties who had previously commented and/or expressed an interest in being notified) were contacted by means of email or letter, as appropriate. The Council's Objective database currently consists of over 5,000 persons, bodies and groups. A full list of those notified of the Preferred Options consultation is included at **Appendix B** to this Consultation Statement and those notified of the Pre-Submission Consultation is included at **Appendix C**.
- 2.4 Additionally, every household in the district was individually notified of the consultation (see more below).
- 2.5 The Council has also carried out comprehensive ongoing formal and informal Duty to Co-operate discussions with various Councils, organisations and stakeholders, which has helped to inform the preparation of the plan. The Duty to Co-operate Statement shows how these requirements have been met in more detail.

3.0 How we consulted

(ii) How those bodies and persons were invited to make representations

Regulation 18 Consultation

- 3.1 The Preferred Options consultation (Regulation 18) was carried out for a 12 week period between 27th February and 22nd May 2014.
- 3.2 All Specific, General and other consultees on the Objective database (i.e. those interested parties who had previously commented and/or expressed an interest in being notified) were contacted by means of email or letter, with relevant documents provided, as appropriate. As stated above, at paragraph

- 2.3, a full list of those notified of the consultation is included at **Appendix B** to this Consultation Statement.
- 3.3 Hard copies of the full suite of consultation documents were made available at the Council's Offices, Town Council Offices, leisure centres and libraries.
 - 3.4 To ensure widespread awareness of the consultation, the Council arranged for every household in the district to be delivered with a full colour A3 folded leaflet containing headlines of the development strategy and details of how to access hard and electronic copies of the full suite of consultation documents. Where gaps in delivery were identified, monitored follow-up deliveries were arranged.
 - 3.5 An article also featured prominently in the Council's Link magazine to further raise awareness and this was delivered to properties with their Council Tax notifications. The magazine also benefited from reaching a further audience through its wider distribution.
 - 3.6 A poster was produced in A3 and A4 formats and this was distributed to all Town and Parish Councils, libraries, local schools and local supermarkets for display on community notice boards.
 - 3.7 All documents were made available on the Council's website, where the homepage advertised the consultation for its duration.
 - 3.8 Following press releases a number of articles were published in the local press discussing the consultation.
 - 3.9 Twitter and Facebook announcements were sent out, along with email notifications to all those registered on the consultation portal and on the Council's Stay Connected service.
 - 3.10 The Council's District Plan Bulletin, which detailed the consultation as part of its contents, was distributed by email to Town and Parish Councils and all those parties who had registered an interest in receiving this communication through the consultation portal.
 - 3.11 Meetings were held with the East Herts Association of Parish and Town Councils and attendees were invited to encourage local residents to engage in the consultation process.
 - 3.12 A series of 25 public engagement meetings were held (see **Appendix D** for full details) which enabled members of the public and local groups to receive

presentations, view consultation material, and raise questions with officers and relevant members regarding the draft District Plan.

- 3.13 A structured telephone opinion survey was undertaken by an Opinion Research Organisation across a representative sample of 1,000 of the District's residents. This sought to reach a cross section of the local community across the district to explore opinions on future development and the Draft District Plan.
- 3.14 Internal staff briefings were held with Council officers from all departments to increase awareness of the consultation and the content of the Draft District Plan.
- 3.15 Respondents to the Preferred Options Consultation were encouraged to comment directly via the Objective Consultation Portal (which allowed the user to interrogate the documents and post comments electronically and directly attribute them to specific paragraphs or policies within the document), but were also able to make comments via email, post or hand delivery at the Council's offices.
- 3.16 Copies of relevant forms and publicity material for the Preferred Options consultation (Regulation 18) are included at **Appendices E1 to E8**.

Regulation 19 Consultation

- 3.17 The Pre-Submission consultation (Regulation 19) was carried out for a 6 week period between 3rd November and 5^{pm} 15th December 2016.
- 3.18 All Specific, General and other consultees on the Objective database (i.e. those interested parties who had previously commented and/or expressed an interest in being notified) were contacted by means of email or letter, with relevant documents provided, as appropriate. As stated above, at paragraph 2.3, a full list of those notified of the consultation is included at **Appendix C** to this Consultation Statement.
- 3.19 Hard copies of the full suite of consultation documents were made available at the Council's Offices, Town Council Offices and libraries.
- 3.20 The front cover and articles featured within the Council's Link magazine to further raise awareness, which was hand-delivered to all residential properties in the district. The magazine also benefited from reaching a further audience through wider distribution where copies were made available at Hertford Theatre, the Rhodes Centre (Bishop's Stortford), Wodson Park (Ware), Bishop's Stortford Tourist Information Centre, Hertford Tourist Information Centre, and the Council's leisure centres.

- 3.21 A poster was produced in A4 format and this was distributed to all Town and Parish Councils and libraries for display on community notice boards.
- 3.22 Post cards containing information relating to the consultation were also produced and provided to Members, all Town and Parish Councils, and libraries for distribution locally.
- 3.23 On 26th October, a presentation on the consultation was made to the Council's Parish and Urban Conference, 2016.
- 3.24 Presentations were made to Birchwood, Bishop's Stortford, and Herts and Essex High Schools.
- 3.25 All documents were made available on the Council's website, where the homepage advertised the consultation for its duration.
- 3.26 Following press releases a number of articles were published in the local press discussing the consultation.
- 3.27 Twitter and Facebook announcements were sent out, along with email notifications to all those registered on the consultation portal and on the Council's Stay Connected service.
- 3.28 The Council's District Plan Bulletin, which detailed the consultation as part of its contents, was distributed by email to Town and Parish Councils and all those parties who had registered an interest in receiving this communication through the consultation portal.
- 3.29 A meeting was held with the East Herts Association of Parish and Town Councils 20th September 2016 where, as part of detailing the then forthcoming consultation, attendees were invited to encourage local residents to engage in the consultation process.
- 3.30 Internal staff briefings were held with Council officers from all departments to increase awareness of the consultation and the content of the Draft District Plan.
- 3.31 Copies of relevant forms, publicity material and press notices for the Pre-Submission consultation (Regulation 19) are included at **Appendices F1 to F7**.

4.0 How we responded

(iii) & (iv) Summary of the main issues raised by the representations and how these have been taken into account

Regulation 18 Consultation

- 4.1 A total of 3,018 comments from 1,062 respondents were received to the Preferred Options consultation. All issues relating to relevant planning matters within representations were summarised by Officers and reported to Members of the District Planning Executive Panel over a series of meetings along with an Officer Response, which detailed whether or not it was considered appropriate that a consequential amendment to the Plan be made. The East Herts District Plan Pre-Submission version reflected the Panel's agreed position in respect of the consideration of the Issues raised.
- 4.2 Responses to issues raised in respect of individual chapters¹ through the Preferred Options Consultation were considered at the following District Planning Executive Panel meetings:

Chapter Number	Chapter Title	Meeting Date Where Issues Raised Through Regulation 18 Consultation Were Considered
1	Introduction	21 July 2016
2	Vision and Strategic Objectives	21 July 2016
3	Development Strategy	25 August 2016
4	Green Belt and Rural Area Beyond the Green Belt	25 August 2016
5	Bishop's Stortford	8 September 2016
6	Buntingford	25 August 2016
7	Hertford	21 July 2016
8	Sawbridgeworth	21 July 2016
9	Ware	21 July 2016
10	Villages	15 September 2016
11 (12)	The Gilston Area	21 July 2016
12	East of Stevenage	Did not form part of the Preferred Options consultation
13 (11)	East of Welwyn Garden City	21 July 2016
14 (13)	Housing	25 August 2016
15 (14)	Economic Development (<i>Economy</i>)	21 July 2016
16 (15)	Retail and Town Centres	24 May 2016
17 (16) and (20)	Design and Landscape (<i>Design</i>) and (<i>Landscape</i>)	24 May 2016

¹ N.B. Some renumbering and renaming of chapters has occurred in the intervening period since the Preferred Options consultation in 2014. Where this is the case, the former title/number is included in brackets and italics.

18 (17)	Transport	24 May 2016
19 (18)	Community Facilities, Leisure and Recreation	21 July 2016
20 (19)	Natural Environment	24 May 2016
21	Heritage Assets	24 May 2016
22	Climate Change	24 May 2016
23	Water	24 May 2016
24	Environmental Quality	24 May 2016
25	Delivery and Monitoring (<i>Delivery</i>)	25 August 2016
Appendices	Appendices	15 September 2016

- 4.3 Links to the District Planning Executive Panel agenda papers referred to above are provided below:

25 May 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MId=2953&Ver=4>

21 July 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MId=2951&Ver=4>

25 August 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MId=2952&Ver=4>

8 September 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MId=3028&Ver=4>

15 September 2016:

<http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MId=2953&Ver=4>

- 4.4 Details of those people and organisations who responded to the Preferred Options consultation are provided at **Appendix G**.

Regulation 19 Consultation

- 4.5 A total of 3,880 comments from 2,472 respondents were received to the Pre-Submission consultation. All issues relating to relevant planning matters within representations were summarised by Officers and reported to Members of the District Planning Executive Panel at its meeting on 9th March 2017.
- 4.6 Details of those people and organisations who responded to the Pre-Submission consultation are provided at **Appendix H**.
- 4.7 In terms of the tests of soundness, legal compliance and Duty to Co-operate requirements:

3,522 (91%) of responses state that the Plan is considered to be unsound;

3,028 (78%) of responses state that the Plan has not met the legal requirements; and
2,988 (77%) of responses state that the Plan has failed the Duty to Co-operate.

Of the 3,522 responses received that state that the Plan has failed one or more of the tests of soundness:

3,341 (95% of those who considered the plan to be unsound) consider that the Plan is not positively prepared;

3,434 (98% of those who considered the plan to be unsound) consider that the Plan is not justified;

3,424 (97% of those who considered the plan to be unsound) consider that the Plan is not effective;

3,410 (97% of those who considered the plan to be unsound) consider that the Plan is not consistent with national policy.

- 4.8 In respect of representations relating to the Pre-Submission District Plan and its Sustainability Appraisal, a Summary of Issues has been prepared. This distils the main issues raised within the responses and is provided in chapter order, forming **Appendices I1 to I26** of this Consultation Statement.

5 Conclusion

- 5.1 In carrying out its consultation processes, the Council considers that it has complied both with the Regulations and with the provisions of its Statement of Community Involvement (SCI) <http://www.eastherts.gov.uk/sci>.