

## **East Herts Council Report**

### **District Planning Executive Panel**

**Date of Meeting:** Tuesday 19 May 2026

**Report by:** Councillor Vicky Glover-Ward – Executive Member for Planning and Growth

**Report title:** Local Plan Scoping Consultation

**Ward(s) affected:** (All Wards);

### **Summary**

- East Herts Council has a statutory duty to produce the East Herts Local Plan. The government published details of a new plan-making system in November 2025. Regulations<sup>1</sup> to implement the new system came into force on the 25 March 2026.
- This report will initiate the third stage of the new plan-making system, the scoping consultation. The scoping consultation follows the first two stages – publishing a local plan timetable and publishing a notice of intention to commence local plan preparation – which are the subject of a separate paper on this agenda.
- The scoping consultation is intended to provide meaningful early engagement in the plan-making process and invite representations on matters including what the plan should contain and how future engagement on the plan should be carried out. The consultation must take place alongside publishing the notice of intent to commence local plan preparation and prior to the fourth stage, the Gateway 1 Assessment.

### **RECOMMENDATIONS FOR THE DISTRICT PLANNING EXECUTIVE PANEL: that Council, via the Executive be advised that:**

- A) Subject to the publication of the Notice to Commence Local Plan Preparation and the Local Plan Timetable, the East Herts Local Plan – Scoping Consultation document**

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<sup>1</sup> The Town and Country Planning (Local Planning) (England) Regulations 2026

**(Appendix A) is made available to relevant stakeholders and the wider community to begin a discussion about the district's new Local Plan, and to seek comments in accord with the Regulations;**

- B) Engagement on the Scoping Consultation document should commence, taking place between June 11 and July 10 2026, through a range of different forums, including online on the Council's website; and**
- C) Any minor amendments required to the content of the Scoping Consultation document prior to the consultation period be delegated to the Director of Place in consultation with the Executive Member for Planning and Growth;**
- D) A further report detailing any feedback is prepared for Executive following engagement, with the intention of informing the Local Plan content and evidence stages of the plan-making process.**

## **1.0 Proposal(s)**

- 1.1 This report seeks approval for the content of the Scoping Consultation document and to undertake a scoping consultation on the content of the plan and the means of engaging with our communities and stakeholders, after publishing a notice of intention to commence plan-making.
- 1.2 The report links directly to the accompanying report on the Local Plan Timetable and Notice of Intention to Commence Plan-Making, which need to happen prior to the initiation of the scoping consultation.
- 1.3 The Scoping Consultation will invite stakeholders, statutory bodies, community groups and residents to comment on the key themes the Local Plan should cover, the challenges the district faces, and the opportunities for shaping its long-term growth strategy.
- 1.4 Together, the two reports will ensure that Members have a clear understanding of both the statutory requirement to publish the Timetable and Notice and the immediate next step in the plan-making process, which is to undertake focused, early-stage

consultation to inform the development of the new Local Plan.

- 1.5 Both reports will be considered by the District Planning Executive Panel (DPEP) for scrutiny and comment prior to being referred to the Executive for consideration and recommendation. The Executive will then determine whether to recommend the reports to full Council for approval, in accordance with the Council's constitution and decision-making framework.

## **2.0 Background**

- 2.1 The background to the Government's changes to the plan-making system, recently confirmed through the publication of new Regulations in March 2026, is discussed in paragraphs 2.1 and 2.2 of the accompanying report on this agenda dealing with the Notice of Intention and the Local Plan Timetable.
- 2.2 The scoping consultation is a key part of the 'getting ready' period undertaken within the four-month period prior to the formal 30-month timeline for completing a local plan, and comes immediately after giving Notice of Intention to Commence a Plan and the publication of the Local Plan Timetable.
- 2.3 The Regulations specify both the bodies to be invited to make representations during the scoping consultation and the matters about which representations should be made. They do not specify the length of time that the scoping consultation should progress for, other than it being between the time that the notice is given and plan-making formally commencing, although it must be at least 21 days.
- 2.4 The Council is required to prepare a summary of the representations received to the scoping consultation, but this cannot be published prior to the commencement of formal plan-making ('Gateway 1'), the date of which is set out in the Local Plan Timetable. It is therefore anticipated that any comments received during the scoping consultation will be available in Winter 2026/2027. These comments will inform the local plan content.

## **Local Government Reorganisation**

2.5 Members should note that local government reorganisation in Hertfordshire remains subject to a decision by the Government. While no decisions have yet been made, the Government has been clear that councils should continue to progress local plans to support plan-led decision-making. Advancing the East Herts Local Plan will maintain an up-to-date and robust planning framework, provide clarity and certainty for local communities about on future growth and development, and ensure that key evidence, policies and local priorities are in place to inform and support any future changes to governance or plan-making arrangements.

### **3.0 Reason(s)**

3.1 This report sets out the details for the scoping consultation. This is the first period of engagement in the new plan-making system and takes place before the start of formal plan-making.

3.2 The aim of the scoping consultation is to provide meaningful early engagement in the plan-making process from invited groups and members of the community, including local residents. Representations can be made about:

- Matters relevant to the preparation of the local plan, including what the plan should contain;
- How the authority should engage with stakeholders and the community in the preparation of the plan.

3.3 This consultation is proposed to run from Thursday June 11 to Friday July 10, 2026. This period would commence on the day that notice is given and conclude prior to the start of summer school holidays. This period is eight days longer than the minimum period of 21 days. The period between the end of the consultation and the start of formal plan-making can be used to assess the responses received and to prepare the summary of representations.

3.4 Beyond the points set out at para 3.2 above and the direction given in respect of the bodies to be consulted, there is no further advice as to the form of the consultation in terms of the level of detail and the extent of material to accompany it. As this is a new plan-making system, and East Herts is among the front-runners, there are also very few precedents for this scoping consultation.

- 3.5 Officers consider that the consultation needs to be strategic and at a high level. It needs to strike a balance between engaging as wide an audience as possible and encouraging constructive, focused feedback that will meaningfully inform the next stages of plan-making, while avoiding disproportionate administrative burdens associated with logging, analysing and responding to representations. To this end, a Scoping Consultation document (**Appendix A**) has been prepared which aims to deliver short, focused responses having set out:
- why the plan is being made and the purpose of the consultation;
  - the challenges and opportunities of the district that are expected to be addressed within the plan;
  - a proposed Vision Statement;
  - the ways in which the Council considers engagement can be conducted with respect to the plan;
  - the requirement to undertake a Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA).
- 3.6 The document includes within it 14 focused questions that cover these categories and ask for general views on the Vision Statement, the important issues for the plan and the way in which people would like to be involved. The challenges and opportunities section of the document provides a short introduction to some of the common planning-related matters that affect the district, including housing numbers, the approach to the green belt and sustainability. It seeks feedback on which issues are considered to be of most importance and whether any key issues have been omitted.
- 3.7 The proposed Vision Statement, included within the Scoping Consultation document, is part of the wider 'East Herts Strategic Vision' which was approved by the Council on May 14, 2025. This Strategic Vision was prepared prior to the new Regulations, and engagement on it has been postponed twice during 2025, firstly because of a pre-election period prior to a local election and secondly on the advice of the MHCLG, who cautioned against engaging on material related to a new plan prior to the introduction of the Regulations.
- 3.8 Officers consider that the Vision Statement agreed in 2025 remains fit for purpose and relevant for the progression of the

plan. It has therefore been incorporated into the Scoping Consultation document as a core part of the engagement, largely as was intended in 2025. A link to the Strategic Vision is provided in the Scoping Consultation document.

- 3.9 The final two sections of the Consultation Scoping document cover engagement and the SA/SEA. The first seeks feedback on the preferred methods of engagement that potential respondents would prefer to use as the plan develops. Using this feedback, the Council will need to set out its approach to engagement in respect of the local plan at the commencement of formal plan-making later in the year. This replaces the previous requirement to prepare a Statement for Community Involvement. The second provides an opportunity to consider the SA/SEA Scoping document and feedback any comments on its content at this stage. The SA/SEA is undertaken in a number of stages and runs alongside the preparation of the Local Plan, and any comments made will inform this ongoing process.
- 3.10 The planning policy team have been working with the corporate comms team to develop a series of events and messages around the scoping consultation. This will include a press release, a newsletter to those signed up to the planning policy page on the Council's website and an online portal to drive responses. The consultation period will be managed principally by the planning policy team using a stand-alone digital platform designed to manage planning policy consultations of this kind.
- 3.11 The scoping consultation will provide information from the community on their priorities for the local plan. This will inform the formal start of plan-making and be reflected in the Gateway 1 assessment, which is the next stage of the plan-making process. A report on the scoping consultation will be prepared prior to the next formal engagement on the plan, which is anticipated in early 2027.

## **4.0 Options**

- 4.1 Undertaking the scoping consultation is subject to publishing the Notice of Intention to Commence and the Local Plan Timetable. The scoping consultation must take place after the publication of both. If either one of these was not published, the Council could

not proceed with the scoping consultation, and would be in breach of the Regulations if it did.

- 4.2 Assuming that Notice and the Timetable are published, the Council is required by the Regulations to undertake the scoping consultation prior to the Gateway 1 assessment, which is a period of not less than four months. There is a minimum defined period for the scoping consultation of 21 days. This report suggests a period of consultation between June 11 and July 10, 2026. This achieves the required minimum engagement period whilst also allowing a further eight days to raise interest and awareness, and avoids consultation taking place within the school holiday period when those interested in responding to the plan may not be available. This period also allows an opportunity to review responses received before the Gateway 1 assessment in October.
- 4.3 The Council could choose to have a longer consultation period, or different start and / or end dates, but these would risk complaints from the community about the timing of consultation, and – dependent on the volume of responses – place resourcing pressures on the planning policy team to respond to the consultation and maintain momentum on the production of the plan.
- 4.4 The Consultation Scoping document takes a high-level view of the Local Plan at this early stage which is proportionate to the requirement to begin a conversation on the plan. It allows the opportunity to set out the context and the broad issues affecting the district and the plan without getting into significant details about the site allocations and policy structure. The Council could decide to deliver a more detailed and lengthier document, which could set out a greater amount of certainty, or deliver a much shorter document with less information within it. The former would take much more time to prepare and likely lead to a greater number of more complicated responses, whilst the latter may be too limited, and fail to sufficiently interest people about the plan and its process.

## **5.0 Risks**

- 5.1 The Scoping Consultation document will be available for consultation following the publication of the Notice and the

Timetable. Any delay to this publication will delay the scoping consultation and may impact the overall plan-making timetable. Any delay may see the engagement come into conflict with periods of traditional holiday time, which could be detrimental to the consultation overall.

- 5.2 Because the scoping consultation will be dealing with planning and the future of the district, opinions are likely to be many and varied. The Scoping Consultation document aims to manage the type and nature of responses by including focused questions with a request for explanations of opinions. There is a risk that responses will be received that react to concerns that are not covered by the Scoping Consultation, which may generate additional work and administrative effort. Responses may be generated through means such as AI, which could increase the number of responses that are received. As well as adding further administrative time, this also risks responses that are poorly focused.

## **6.0 Implications/Consultations**

- 6.1 Following publication of the Notice, the Council will undertake a Scoping Consultation, which is the first formal stage of engagement under the new plan-making system. National guidance specifies that the Notice must be issued before or at the same time as this consultation to ensure that stakeholders are aware that plan-making has formally begun.
- 6.2 The Scoping Consultation forms a key part of the required 'getting ready' phase prior to Gateway 1, during which authorities must begin early engagement and initial assessment work.

### **Community Safety**

Preparation of a new Local Plan can positively influence community safety by shaping policies on design quality, public realm, lighting, and layout of developments to discourage crime and anti-social behaviour. Early plan-making helps ensure community safety considerations are embedded from the outset.

### **Data Protection**

The scoping consultation will involve the management and processing of personal data. This will be carried out within a bespoke, closed platform designed to manage this type of planning engagement and will contact

people and organisations that are either defined as general or specific consultation bodies within the context of the Regulations, or have specifically opted into notifications of such engagement via the bespoke platform. Advice will be taken from the Information Governance and Data Protection Manager and Data Protection Officer where required.

### **Equalities**

Local Plans must advance equality of opportunity in line with the Public Sector Equality Duty. Commencing preparation enables the Council to develop policies that for example address accessibility, inclusive design, Gypsy and Traveller accommodation needs, and equitable access to housing, facilities, and employment. An Equalities Impact Assessment will accompany the Plan's development.

### **Environmental Sustainability**

The purpose of the planning system is to contribute to sustainable development. Preparation of the East Herts Local Plan must balance three overarching objectives – economic, social and environmental. This includes supporting climate resilience, conserving natural resources, protecting biodiversity, and reducing carbon emissions. A Strategic Environmental Assessment (SEA) is legally required and will evaluate the positive and negative impacts of policy options throughout the plan-making process.

### **Financial**

Formal commencement of the Local Plan entails resource implications, including staff time, evidence commissioning, public consultation, and statutory examination. These costs are planned for within the Council's budget for Planning Policy work.

### **Health and Safety**

There are no direct health and safety implications arising from this report.

### **Human Resources**

Preparation of the new Local Plan requires continued staffing within the Planning Policy team. Workload demands may require prioritisation of tasks or temporary specialist support depending on the scale of evidence production and consultation activity.

### **Human Rights**

The decision to commence Local Plan preparation does not infringe on the rights set out in the Human Rights Act 1998. The plan-making process includes statutory opportunities for public participation, supporting rights relating to consultation and fair process.

## **Legal**

Issuing the Scoping Consultation document following the Notice to Commence Plan Preparation and the Local Plan timetable formalises the Council's compliance with the new plan-making system and associated regulations.

## **Specific Wards**

All

## **7.0 Background papers, appendices and other relevant material**

### **7.1 Appendix A: Scoping Consultation Document**

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