

Appendix 24: Duty to Co-operate Meeting Between Hertsmere Borough Council and East Hertfordshire District Council 23_02_2026



In attendance:

East Herts BC, Planning Policy Manager
Hertsmere BC, Planning Policy Team Leader

Introductions:

Introductions were provided by those representing their two respective organisations.

Purpose of the meeting:

HBC provided a brief overview of the purpose of the meeting. It was noted that HBC is seeking to positively engage with relevant partners on strategic cross boundary matters where they are identified as arising. For further clarity, both parties agreed that positive and effective engagement under the Duty is necessary in order to demonstrate that the legal requirements, placed upon plan-making bodies, have been met – specifically as part of a future examination in public.

It was noted that HBC have already met with partner plan-making bodies – specifically, their neighbouring authorities across South West Hertfordshire (the former SW Herts JSP partners), Hertfordshire County Council, the three neighbouring London Boroughs; and Broxbourne Borough Council.

It was agreed that in Hertsmere's case the most relevant strategic partners, for the purpose of plan-making and the discharge of the Duty, are those plan-making bodies that immediately neighbour the Borough's administrative boundary. It was noted that the Mayor of London and their Greater London Authority had been contacted, under the aegis of the Duty, but had to-date declined to participate in Hertsmere's plan-making.

Updates on respective Local Plans

EHBC provided the meeting with an up-date on EHBC's current plan-making position. Namely, that plan-making was being pursued under the broad scope of the new plan-making system – albeit that it's detailed regulatory/ procedural requirements are yet to be fully realised and formally introduced. There followed some discussion as to whether the compressed timescale objectives of the proposed new system are deliverable – this discussion was set within the context of HBC's expectations for its plan, which is to be submitted under the current transition arrangements (see below).

EHBC continued by providing an overview of anticipated supply and delivery across the future EHBC local plan – this discussion specifically related to a possible spatial strategy.

HBC provided an overview of the emerging Hertsmere Local Plan. It was highlighted that the emerging Plan must be submitted under the transition arrangements. It was noted that failure to do so would, in likelihood, result in a policy vacuum for places across Hertsmere. This was particularly pertinent in respect of forthcoming local government re-organisation (LGR). It was noted that other places that have been subject to LGR have in some cases ten years to secure complete plan-coverage. It was agreed that this would be an unsatisfactory outcome.

HBC continued by stating HBC's ambition to submit a positive, sound and legally compliant local plan. In that respect the Council's intention is to submit a plan that demonstrably meets growth needs in full, in terms of supply and delivery, during the plan-period; and demonstrate at least a five-year housing land supply at the point of adoption. This was positively received.

HBC continued by briefly speaking to the local plan's anticipated content – specifically in terms of its appropriate spatial strategy and how that will translate to planning policies, settlement and place policies, and site allocations. It was noted that HBC are seeking to secure a diverse supply of sites in order to meet needs and secure reliable sources for delivery. This was positively received.

HBC concluded by providing an overview of the technical evidence base commissions being prepared by AECOM, AR Urbanism and ORS consultants. It was noted that these would be published at appropriate points in the process. Where necessary and relevant evidence base preparation has/ will engage with strategic partners. The example of the emerging Green Belt Study was noted.

Strategic Cross-Boundary Issues

HBC suggested that there are few if any strategic cross boundary issues that could arise between the two partner authorities. EHBC was in broad agreement.

Nevertheless, HBC and EHBC did discuss possible issues that could arise between the two partner authorities with the purpose of exploring whether these could become matter of strategic cross boundary concern. These were considered as follows –

- a) Unmet housing need – this was discussed and discounted. The two partner authorities do not share a housing market area; and the intention that the Hertsmere Local Plan meets needs in full strongly suggests that this issue will not arise.
- b) Transport/ highway infrastructure – this was discussed and discounted. The physical distance and separation between the two partner authorities suggests that impact of growth, in either, will not be directly felt in the other. It was noted that the rail network passing through EHBC is effectively/ functionally a branch line – and unlikely to be impacted by growth in Hertsmere.
- c) Other detailed matters – this included discussion on shared residential products (HMOs and Co-living accommodation) and datacentres. Whilst it was acknowledged that both partner authorities faced these types of challenge to a greater or lesser extent, it was agreed that there is no evidence that these raise strategic cross boundary issues.

Future Statements of Common Ground

On the basis of the above position (on strategic cross boundary issues) it is anticipated that the two partner authorities could prepare a simple statement of common ground (SOCG) that agrees that there are no significant issues between them in respect of their plan-making. It was agreed that such a SOCG could be

prepared between the two partners at the point of the Hertsmere Local Plan Regulation 19 consultation – in advance of the subsequent submission.

HBC provided an overview of the above timetable – it was noted that HBC intends to provide partners under the Duty with early notification of the forthcoming Regulatory stages.

Future Duty to Co-operate/AOB

It was agreed that a note of the meeting would be prepared – as the principal action of the meeting. It was agreed that the note would be of mutual benefit to both partner authorities as they progress work to demonstrate that they have met the requirements of the Duty (regardless of whether it remains a requirement under future as yet unconfirmed changes to the planning system).