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Special Cabinet  
16 December 2022

## WELWYN HATFIELD BOROUGH COUNCIL

Minutes of a special meeting of the WELWYN HATFIELD COUNCIL CABINET held on Friday 16 December 2022 at 3.00 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors T. Kingsbury (Leader of the Council) (Chairman)  
S. Boulton (Deputy Leader and Executive Member, Resources and Planning)

N. Pace (Executive Member, Governance, Public Health and IT)  
B. Sarson (Executive Member, Community Safety and Parking)  
F. Thomson (Executive Member, Housing)

OFFICIALS Chief Executive (K. Ng)  
PRESENT: Executive Director (Place) (C. Barnes)  
Service Director (Resident & Neighbourhood) (S. McDaid)  
Assistant Director (Legal and Governance) (M. Martinus)  
Assistant Director (Planning) (C. Carter)  
Planning & Policy Implementation Manager (M. Wilson)  
Governance Services Manager (A. Marston)  
Communications & Marketing Manager (M. Sherry)

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### 66. APOLOGIES

Apologies for absence had been received from Councillors S. Kasumu (Executive Member, Environment and Climate Change) and T. Mitchinson (Executive Member, Leisure and Community).

### 67. DECLARATIONS OF INTERESTS BY MEMBERS

Councillors S. Boulton, T. Kingsbury and F. Thomson each declared a non-pecuniary interest in items on the Agenda as Members of Hertfordshire County Council.

### 68. RECOMMENDATION FROM CABINET PANEL

A recommendation from the meeting of the Cabinet Planning and Parking Panel on 15 December 2022 was considered:-

#### 68.1. Local Plan - Inspector's Letter and Proposed Modifications to the Plan

Recommendation from the meeting of the Cabinet Planning and Parking Panel on the 15 December 2022 on the Local Plan, Inspector's Letter and Proposed Modifications to the Plan.

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The Planning Policy and Implementation Manager provided a presentation which covered the current position of the Local Plan, the context and considerations.

It was noted that at the meeting of Council on the 26 July 2022, the council put forward to the planning inspector, 12,775 dwellings over the plan period and a commitment to a review with a 10 year housing supply of 8,517 dwellings.

Members noted that the Council were nearing the end of the preparation of the local plan and one of the final stages is to go out to consultation on the Inspector's main modifications. The consultation was not a backwards step but is part of the process as the council nears the end of the Local Plan process.

It was noted that the number of houses, now for a 10 year plan, were significantly less than the inspector's requirement for 15,200 for the 15 year plan. If the council were to withdraw the plan, the Council might have to find a higher number of housing sites in the future. Also the Council could be open to a greater likelihood of speculative applications on sites which are not included in the plan. If the Council were to withdraw the plan and issue a new call for sites, it would be extremely likely that the same sites would come forward to be considered again and it would be disingenuous to suggest that present sites would fall away in a new plan.

It was noted that the Council can withdraw the plan at a later date depending on the outcome of the consultation and any further assistance from legislation. It also gives the Council a certain amount of time to consider any new legislation and consider the results of the consultation.

It was noted that the Council were being compelled to consider consulting on a Local Plan which included three sites the Inspector has found sound and insists the council includes, against the Council's wishes as expressed in recent years and recent decisions.

Members want a Local Plan that protects the Green Belt, includes the right infrastructure, preserves the local heritage, but also recognises the need for new homes.

Members were happy that the Council were going to consult all residents across the whole of the borough and asked the public to take this opportunity to respond so that their responses can inform any future decisions.

Members noted that it is good that the Council have the opportunity to go out to public consultation. It was noted that the progression to consultation does not prejudice a future decision on the adoption of the plan as there were concerns that going out to consultation, including the three sites, automatically includes these within the local plan.

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Cabinet welcomed the recent statements from the Secretary of State and will consider the implications when these are finalised and the impact assessed.

Members asked what was meant by a technical consultation in the context of the recent announcements regarding the National Planning Policy Framework (NPPF), and if this was different to the Council's consultation. Officers stated that the consultation on the Main modifications would be organised by the Borough Council and would be open to all of the Borough, the residents, the communities and consultees. The consultation will be an electronic consultation but paper copies will be available and in accordance with a document called "statement of community involvement". In regards to the "technical consultation", references were referring to the government consultation regarding NPPF. Cabinet therefore agreed that it was appropriate in all the circumstances to recommend to Council that the relevant public consultation be undertaken at the earliest opportunity.

**RESOLVED:**  
**(unanimous)**

Cabinet recommended to Council that a Main modifications consultation based on the housing supply of 13,392 dwellings with a 10 years supply of 9,209 dwellings be undertaken and that the public consultation takes place on main modifications to the local plan at the earliest opportunity once the Inspector has confirmed the content of the Main modifications required to make the plan sound.

**(Note:** The Chairman of the Overview and Scrutiny Committee has been given notice and has agreed that it was impracticable to comply with the requirement that at least twenty eight days notice must be given of the intention to make a key decision not in the Forward Plan in accordance with Regulations 5 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 because it was urgent and could not reasonably be deferred for the reason specified).

The reason for this item is because following receipt of a letter from the Planning Inspector dated 18 November 2022 seeking a timely response on the revised timetable for the adoption of the Local Plan, the council need to schedule relevant meetings to consider the current options.

Meeting ended at 3.24pm  
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