



MEETING : EXECUTIVE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 2 FEBRUARY 2016
TIME : 7.00 PM

MEMBERS OF THE EXECUTIVE

- | | |
|-----------------------------------|---|
| Councillor Linda Haysey | - Leader |
| Councillor Eric Buckmaster | - Executive Member for Health and Wellbeing |
| Councillor Tony Jackson | - Ambassador and Executive Member for Shared Services |
| Councillor Gary Jones | - Deputy Leader and Executive Member for Economic Development |
| Councillor Graham McAndrew | - Executive Member for Environment and the Public Space |
| Councillor Suzanne Rutland-Barsby | - Executive Member for Development Management and Council Support |
| Councillor Geoffrey Williamson | - Executive Member for Finance and Support Services |

CONTACT OFFICER: Martin Ibrahim
Tel: 01279-502173
Email: martin.ibrahim@eastherts.gov.uk

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Apologies

To receive apologies for absence.

2. Leader's Announcements

3. Minutes

To approve the Minutes of the meeting held on 5 January 2016 (previously circulated on Council Agenda of 27 January 2016) as a correct record.

4. Declarations of Interest

To receive any Member(s) declaration(s) of interest.

5. Issues Arising from Scrutiny

Report to follow

6. Fuel Poverty Strategy (Pages 7 - 32)

7. Budget Report and MTFP 2016/17 – 2019/20 (Pages 33 - 138)

8. Treasury Management Strategy and Annual Investment Strategy 2016/17 (Pages 139 - 170)

9. Great Amwell Conservation Area Appraisal and Management Plan (Pages 171 - 228)

10. Request for Area Designation for Neighbourhood Planning - Hertingfordbury Parish (Pages 229 - 338)

11. Transfer of Freehold Interest of Waste Disposal Site, Watermill Industrial Estate, Buntingford (NKD 16/01) (Pages 339 - 344)

12. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

13. Exclusion of Press and Public

To move that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of item 14 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act of the following description:

3. *Information relating to the financial or business affairs of any particular person (including the Authority holding that information).*

14. Southern Maltings, Ware (Pages 345 - 352)

15. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

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EAST HERTS COUNCIL

EXECUTIVE - 2 FEBRUARY 2016

REPORT BY THE EXECUTIVE MEMBER FOR HEALTH AND WELLBEING

DRAFT EAST HERTS FUEL POVERTY STRATEGY

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To inform the Executive of the publication last year of the Fuel Poverty Strategy for England 2015 and of a new statutory fuel poverty target.
- To seek the Executive's support for a new Fuel Poverty Strategy for East Herts based on the guiding principles in the national strategy document.
- To appraise the Executive of a potential range of local actions aimed at reducing fuel poverty within East Herts.

RECOMMENDATIONS FOR EXECUTIVE: that:	
(A)	the draft Fuel Poverty Strategy for East Herts as appended to the report be approved; and,
(B)	information on oil buying clubs as detailed in Challenge 6 action (d) of the draft Fuel Poverty Strategy be disseminated to all Parish Councils and local Members.

1.0 Background

- 1.1 The Environment Scrutiny Committee previously received a report on Fuel Poverty in East Herts in September 2014. Members of that Committee recommended that a new Fuel Poverty Strategy be prepared for the District, to replace the Council's previous Affordable Warmth Strategy 2007-2012, in the light of the anticipated publication of the Fuel Poverty Strategy for England. Unfortunately the Government Strategy document was repeatedly delayed with final publication just prior to the election last year.

- 1.2 Fuel poverty as an issue for East Herts has now been moved from the terms of reference of Environment Scrutiny to that of the Health and Wellbeing Scrutiny Committee as it better fits with the remit of that Committee.
- 1.3 The Health and Wellbeing Scrutiny Committee considered the draft East Herts Fuel Poverty Strategy in detail at its meeting held on 8 December 2015. The Committee welcomed the report and reflected upon the causes of fuel poverty across the District, with particular reference to the higher levels of fuel poor households in the more rural north and the need for improved levels of insulation in many homes. In addition to supporting the draft Strategy as submitted, the Committee asked that information on oil buying clubs (as detailed in Challenge 6 action (d)) be disseminated this winter to all Parish Councils and local members.
- 1.4 East Herts Council first adopted a Fuel Poverty Strategy in December 2000. This outlined the Council's plans to alleviate fuel poverty in East Herts. The Strategy was reviewed in 2007 and renamed the Affordable Warmth Strategy.
- 1.5 Since 2007 there has been a huge range of initiatives and activities in the domestic energy efficiency sector, however, despite this fuel poverty amongst some households has continued to be an issue across the Country.
- 1.6 Almost all of the nationally available options for assistance with improving energy efficiency (such as the Green Deal) have now ceased, with the Energy Company Obligation expected to finish within the next 18 months.
- 1.7 The last coalition Government published a new National Fuel Poverty Strategy in March 2015 designed to set new targets for reducing the number of households in fuel poverty and to take a more focussed approach to providing assistance to eradicate fuel poverty in the future.
- 1.8 This report aims to provide a brief background to fuel poverty and to seek the adoption of the East Herts Fuel Poverty Strategy as appended (**Essential Reference Paper "B" refers**), which reflects on the objectives of the national strategy and the many recent changes in domestic energy arena.

2.0 What is Fuel Poverty?

2.1 In the UK the concept of fuel poverty has traditionally been taken as occurring when a household is unable to afford to heat their home to the level required for health and comfort. The generally accepted definition has been when more than 10% of the household income is required to be spent on heating the dwelling to a comfortable level.

2.2 However, the Government commissioned a review of fuel poverty in 2012 known as the *Hills Review*. This introduced a revised definition known as the *Low Income High Costs Indicator (LIHC)* and this was formally adopted in July 2013.

Under the new measure of fuel poverty, fuel costs are “equivalised” to reflect the fact that different types of household will have different levels of spending power. Therefore the new definition of a fuel poor household is where:

- They have required fuel costs that are above average (the national median level)
- Were they to spend that amount, they would be left with a residual income below the official poverty line

2.3 The key elements in determining whether a household is fuel poor or not are:

- Income
- Fuel prices
- Fuel consumption (which is dependent on the dwelling characteristics and the lifestyle of the household)

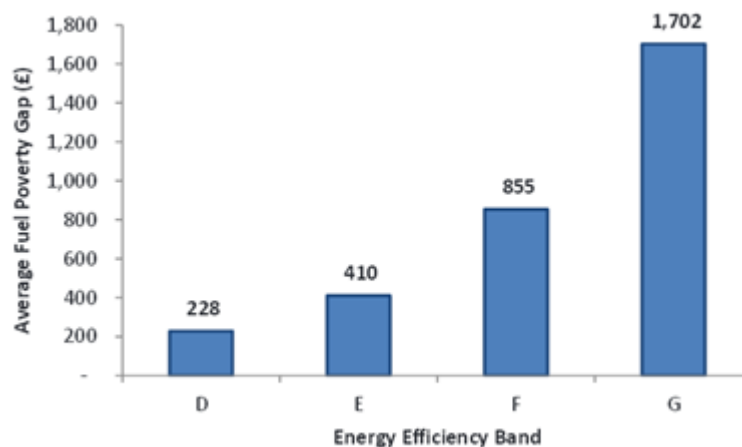
2.4 An innovation is that the measurement of fuel poverty will now include an assessment not only of the extent of the problem, but also the depth of the problem i.e. how badly affected each household actually is. This is achieved by looking at how much more a fuel poor household needs to spend to keep warm compared to a typical household.

2.5 Department of Energy and Climate Change research (DECC 2013) has shown the following general attributes for a fuel poor household:

- Annual income after tax and housing is less than half that of non- fuel poor

- Household energy costs are 20% higher
- 70% are of working age and of whom 80% are in work
- 45% are families
- 85% live in private tenure, mostly owner occupiers
- Most live in energy inefficient older homes, with 65% of such homes rated as band E or below

2.6 Fuel poor households tend to use the most expensive fuels for heating. Thus those deepest in fuel poverty have a fuel poverty gap of over £800 (off gas) compared with £332 for those using mains gas (DECC 2014). The fuel poverty gap also increases for those living in poorly insulated homes as the graph below indicates.



2.7 Taken together the information above allows us to build a picture of those most likely to be in fuel poverty along with the types of home most likely to be affected. In turn using this information the Government is intending to develop a policy to direct action to those that are in most need and that this policy framework can then be used by local authorities in directing energy efficiency activity in their own local area.

3.0 Fuel Poverty in East Herts

3.1 In East Herts data (DECC 2015) indicates that approximately 7.3% of local households are fuel poor, which is below the 8% average for the County as a whole. Watford Borough has the largest proportion of fuel poor at 10.2% whilst Stevenage, St Albans and East Herts have the least.

3.2 The figure of 7.3% for East Herts is based on a relatively wide range of 3% to almost 13%, with the higher proportion within the rural north of the District and within those communities that are off gas and in homes of solid wall construction. East Herts Council's House Condition Survey in 2009 found that rural housing was less

energy efficient than housing in our towns, e.g., a Standard Assessment Profile (SAP) rating of just 41 in the Rural North, compared with 57 in Buntingford and with the overall rating for East Herts of 52.

4.0 The Government Framework

- 4.1. The Government has set a new statutory target for reducing the number of fuel poor homes and this is that “as many fuel poor homes as is reasonably practicable will achieve a minimum energy efficiency standard of band C, by 2030”.
- 4.2. In order to meet this target the Government has established three guiding principles:
- Prioritisation of the most fuel poor
 - Developing a cost effective policy to support the fuel poor
 - Prioritise “vulnerable” households in future fuel poverty policy decisions.

5.0 Making the National Strategy Local to East Herts

- 5.1 In order to reflect the aspirations of the National Policy and to assist in contributing to the statutory target the draft Fuel Poverty Strategy for East Herts is split into seven challenges. A range of proposed actions is suggested for each. It is suggested that progress against the Strategy be reviewed within three years from adoption.
- 5.2 The draft Fuel Poverty Strategy for East Herts is appended as **Essential Reference Paper “B”**.

6.0 Implications/Consultations

- 6.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper ‘A’**.

Background Papers

None

Contact Member: Councillor Eric Buckmaster -Executive Member for Health and Wellbeing
eric.buckmaster@eastherts.gov.uk

Contact Officer: Brian Simmonds – Head of Community Safety and Health Services – Extn 1498
brian.simmonds@eastherts.gov.uk

Report Author: David Thorogood – Environmental Strategy and Development Manager

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	<p>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</p> <p>This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p>Place – Safe and Clean</p> <p>This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity – Improving the economic and social opportunities available to our communities</p> <p>This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
Consultation:	The current draft of the Fuel Poverty Strategy is available on the Council's website, with comments being invited from the public during January. Any observations received will be summarised for the Executive meeting on 2 February 2016.
Legal:	An Equality Impact Assessment will be produced following agreement of the draft strategy.
Financial:	Any financial implications arising from the implementation of the Strategy that are not contained within existing agreed budgets will be subject to further reports and approval as appropriate.
Human Resource:	There are no significant implications arising from this report.
Risk Management:	There are no risk management implications arising from this report.

Health and wellbeing – issues and impacts:	Fuel Poverty has a significant effect on people’s health and well being, with cold, poorly heated and uninsulated homes a recognised cause of excess winter deaths and other health issues.
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East Herts Council
Fuel Poverty Strategy

January 2016

DRAFT

Foreword

East Herts District Council first adopted a Fuel Poverty Strategy in December 2000. This outlined the Council's plans to alleviate fuel poverty in East Herts. The Strategy was reviewed in 2007 and renamed the Affordable Warmth Strategy.

Since 2007 there has been a huge range of initiatives and activities in the domestic energy efficiency sector, however, despite this fuel poverty amongst some households has continued to be an issue across the Country. The last coalition Government published a new National Fuel Poverty Strategy in spring 2015 setting new targets for reducing the number of households in fuel poverty.

To reflect the objectives of the Government's Strategy as well as a new definition for those in fuel poverty, together with the many recent changes in the national domestic energy arena, the Council has produced a new East Herts Fuel Poverty Strategy.

Through this Strategy the Council will endeavour to develop advice, guidance and assistance to eligible private sector residents to assist those in fuel poverty in the District to achieve adequate and affordable warmth. Residents in the private sector will be actively encouraged to undertake energy efficiency measures to achieve affordable warmth within their own homes and private landlords will be encouraged to improve their dwellings. In line with the Government's National Strategy it is this Council's aim to eradicate fuel poverty where reasonable, practicable and possible and in so doing help to improve the quality of life of lower income households by assisting them in accessing affordable warmth.

1.0 Introduction

- 1.1 East Herts Council is committed to reducing the number of fuel poor households in the District and improving access to affordable warmth for all private sector residents. This strategy sets out the Council's plans for reducing fuel poverty in the light of the publication of the Government's Fuel Poverty Strategy for England 2015.
- 1.2 The East Herts 2009 House Condition Survey provides a comprehensive assessment of the condition and energy efficiency of dwellings across all housing tenures within East Herts. It also considered the characteristics of the occupiers. The survey estimated there were over 12,000 vulnerable households across all tenures within the district. Whilst many vulnerable tenants of housing associations have benefited from substantial investment in their homes many vulnerable households across all tenures, but particularly those in the private sector, struggle to maintain a reasonable level of thermal comfort in their homes.
- 1.3 It is these residents that are most likely to live in cold, damp homes which they cannot afford to heat to a level sufficient for health and warmth. This can result in discomfort, fuel debt and ill health. The inability to access affordable warmth impacts upon quality of life and also places increasing demands upon health, housing and other services. Indeed in its most severe form it is calculated that 73.8 extra winter deaths are directly attributable to excess cold weather in East Herts each year (East Hertfordshire Health Profile 2015, Public Health England – three year rolling average).
- 1.4 This strategy identifies key priorities and objectives for East Herts based on the framework for action proposed in the Government's Fuel Poverty Strategy 2015. It is hoped that the adoption and implementation of a local Fuel Poverty Strategy for East Herts will contribute towards wider objectives of sustainable development, social inclusion and an overall improvement in the quality of life for people in the District.

2.0 What is fuel poverty?

2.1 Definition

In the UK the concept of fuel poverty has traditionally been taken as occurring when a household is unable to afford to heat their home to the level required for health and comfort. The generally accepted definition has been when more than 10% of the household income is required to be spent on heating the dwelling to a comfortable level. The World Health Organisation (WHO) has suggested that in order to achieve thermal comfort temperatures should be 21°C in the main living room and 18°C in other occupied rooms. It considers that at temperatures below 16°C there are serious health effects to the elderly and vulnerable, with a high risk of hypothermia below 10°C. (The Effects of the Indoor Housing Climate on the Health of the Elderly, WHO, 1984).

2.2 However, the Government commissioned a review of fuel poverty known as the Hills Review, which was formally adopted in July 2013. The Hills Review identified a new measure of fuel poverty known as the Low Income High Costs Indicator (LIHC). Under the new measure, fuel costs are “equivalised” to reflect the fact that different types of household will have different levels of spending power. Therefore under the new definition a household is considered to be fuel poor where:

- They have required fuel costs that are above average (the national median level)
- Were they to spend that amount, they would be left with a residual income below the official poverty line

2.3 The key elements in determining whether a household is fuel poor or not are:

- Income
- Fuel prices

- Fuel consumption (which is dependent on the dwelling characteristics and the lifestyle of the household)
- 2.4 The main effect of the new definition is to reduce the number of households in apparent fuel poverty, since the old definition was heavily influenced by fluctuating fuel prices. The new definition, however, aims to better understand the number of ongoing fuel poor.
- 2.5 An innovation is that the measurement of fuel poverty will now include an assessment not only of the extent of the problem, but also the depth of the problem i.e. how badly affected each household actually is. This will be achieved by looking at how much more a fuel poor household needs to spend to keep warm compared to a typical household.
- 2.6 Department of Energy and Climate Change research (DECC 2013) has shown the following general attributes for a fuel poor household:
- Annual income after tax and housing is less than half that of non- fuel poor
 - Household energy costs are 20% higher
 - 70% are of working age and of whom 80% are in work
 - 45% are families
 - 85% live in private tenure, mostly owner occupiers
 - Most live in energy inefficient older homes, with 65% of such homes rated as band E or below
- 2.7 In particular the privately rented sector is disproportionately represented amongst fuel poor households. This has been recognised by the Government and by 2018 it will no longer be generally possible to let a home that has an Energy Performance Certificate of band F or G.

- 2.8 Fuel poor households tend to use the most expensive fuels for heating. Thus those deepest in fuel poverty have fuel poverty gap of over £800 (off gas) compared with £332 for those using mains gas. The fuel poverty gap also increases for those living in poorly insulated homes for example solid wall houses with no additional insulation and park homes.
- 2.9 Traditionally it has been thought that those households using prepayment meters are particularly likely to be fuel poor. The latest DECC research does not support this view, indicating instead that these tend to have the lowest fuel poverty gap whilst those on standard credit tariffs are the most affected (DECC 2014).
- 2.10 Taken together the information above allows us to build a picture of those most likely to be in fuel poverty along with the types of home most likely to be affected. In turn using this information the Government's Strategy aims to direct action to those that are in most need. It is the intention of the East Herts Strategy to utilise the national policy framework to direct and focus energy efficiency activity within the District.

3.0 Why Fuel Poverty Matters

- 3.1 After many years of continued price rises in the domestic energy sector, over the last year there has been some reduction in unit cost, although there remains an upward trend in long term energy costs.
- 3.2 Whilst fuel poverty can be characterised as a cost of living issue, the Government recognises it as a distinct problem. It is therefore best considered as a function of household income adequacy and the thermal and energy efficiency of housing stock and domestic appliances. Thus for any given level of income households and individuals have an unequal ability to convert income into affordable warmth.

- 3.3 The Hills Review of Fuel Poverty (2012) identified fuel poverty as an “overlap issue” cutting across poverty, health and wellbeing and carbon reduction.
- 3.4 In terms of poverty households with the lowest incomes (in the bottom 20%) spend around 8% of their household budget on fuel compared to just 3% for the highest earning households - despite the fact that the highest earners tend to spend more on fuel in absolute terms (DECC Fuel Statistics Report 2014). Fuel poor households therefore tend to trade off warmth against other necessities and typically under heat their homes.
- 3.5 Living at lower temperatures in a cold damp home contributes to a range of health and well-being consequences, including direct health issues such as cardiovascular and respiratory conditions, followed by hypothermia, which are the key cause of death linked to cold. In addition fuel poverty is linked to a strong correlation with social isolation and lower outcomes for young people (Warmer Homes Report, Policy Exchange 2015). In total it has been estimated that the health effect of living in cold homes costs the NHS in excess of £1.36 billion per year (Fuel Poverty, Age UK, 2014).
- 3.6 Fuel poor households generally live in less energy efficient properties – the average Energy Performance Certificate (EPC) rating being band E for fuel poor households compared to band D for non-fuel poor homes. In addition of course, the fuel poor are least able to afford capital improvements to their homes and this is compounded by the fact that the least efficient homes are often those that require the most works to improve their energy efficiency standard. For example there is a higher incidence of fuel poor households living in solid wall homes and the insulation of such homes to modern standards can be prohibitively expensive.

4.0 **Fuel Poverty in East Herts**

- 4.1 In East Herts Government data (DECC 2015) indicates that approximately 7.3% of local households are fuel poor. This is

below the average of 8% for Hertfordshire as a whole. Watford Borough has the largest proportion of fuel poor at 10.2% with Stevenage, St Albans and East Herts having the least. Interestingly East Herts has a very similar level of fuel poor as typical inner London Boroughs confirming that fuel poverty is not necessarily an inner city problem.

4.2 The figure for East Herts is based on a relatively wide range of 3% to almost 13%, with the higher proportion within the rural north of the District within those communities that are off gas and in homes of solid wall construction. This reflects a similar picture across the UK where there is usually a significantly greater proportion of the fuel poor in more rural communities, off mains gas and living in “hard to treat” properties (DECC 2015). Indeed East Herts Council’s House Condition Survey 2009, found that rural housing was less energy efficient than housing in our towns; e.g. a Standard Assessment Profile (SAP) rating of just 41 in the Rural North, compared with 57 in Buntingford and with the overall rating for East Herts of 52.

4.3 The East Hertfordshire Housing Needs Survey 2014 provides additional evidence with some 21% of households in the District indicating that their homes are too costly to heat and over 11% claiming to have no/insufficient heating (DCA East Herts Housing Needs Survey Data 2014).

5.0 **The National Fuel Poverty Target**

5.1 Through use of the Warm Homes and Energy Act 2000 as amended by the Energy Act 2013 the Government has created a new statutory target for reducing the number of fuel poor homes as detailed in its Fuel Poverty Strategy for England 2015. The target states that “*as many fuel poor homes as is reasonably practicable will achieve a minimum energy efficiency standard of band C, by 2030*”, with intermediate milestones of 2020 to achieve band E and 2025 to reach band D. This may be seen as a challenging ambition as currently just 4% of fuel poor households live in homes of band C or better, compared to over 18% for non-fuel poor households.

5.2 The Government has also stated that it sees these targets as contributing to the UK national carbon reduction targets of reducing carbon dioxide emissions by 80% by 2050. Further it believes that the target is necessary to ensure that the fuel poor do not get left behind as standards improve in the general housing stock.

5.3 In order to meet the 2030 target significant activity will be required to improve the energy efficiency of housing stock both at a national level and more locally. The guiding principles recognised by the Government in relation to action on fuel poverty in order to achieve the target are as follows:

- Prioritisation of the most fuel poor - fuel poor households face the highest costs of maintaining an adequate level of warmth in the home. In addition they face the starkest trade-off between heating their home and spending on other essentials.
- Developing a cost effective policy to support the fuel poor – adopting a cost effective approach means obtaining the best returns in relation to many contending challenges and the Government indicates that it sees the use of new technology as one way by which intervention costs for fuel poverty initiatives may be maintained at an acceptable level.
- Prioritise “vulnerable” households in future fuel poverty policy decisions – some fuel poor households are more at risk from the impacts of living in a cold homes than others, even if they are not the most severely fuel poor in simple financial terms. The Government’s Strategy considers the particular needs of the vulnerable referring to the oldest old and the youngest young along with those with specific long term health conditions or disabilities.

6.0 **The Role of Local Authorities**

6.1 The National Strategy makes clear that it sees local authorities as having a key role to play in delivering action on the ground to combat fuel poverty. In particular it indicates that local authorities

may wish to work with local Health and Wellbeing Boards, as well as local health partners in developing specific initiatives. Local authorities are especially seen as key in their ability to engage customers and provide trusted support to the local community and to act as the honest broker in an area where customers often feel the need for technical support and advice. Secondly local authorities are seen as having valuable experience of targeting support to specific households due to their local knowledge.

6.2 In addition to the new national Fuel Poverty Strategy for England, the Care Act 2014 and its associated statutory guidance imposes a duty on District Councils to cooperate with a duty imposed on County Councils to ensure well-being of an individual, including the general suitability of living accommodation.

The guidance recognises that housing or suitable living accommodation is a place which is safe, healthy, and 'suitable for the needs of a person, so as to contribute to promoting physical and emotional health and wellbeing and social connections – a healthy home would be dry, warm and insulated' (Department of Health, October 2014).

6.3 The Housing Act 2004 prescribes the Housing Health and Safety Rating System (HHSRS) as the methodology to be used by the local Housing Authority (the District Councils in Hertfordshire) for evaluating potential risks to health and safety from housing deficiencies.

The underlying principle of the HHSRS is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor. Statutory guidance is provided on a range of 29 housing hazards including excess cold and damp for specific vulnerable groups (Office of the Deputy Prime Minister, Housing Health and Safety Rating System Operating Guidance, February 2006).

7.0 A Strategy for Action in East Herts

7.1 The East Herts Fuel Poverty Strategy is shaped by the guiding principles of the Government's own Fuel Poverty Strategy as discussed in section 5.3 above. In order to take these into account at a local level the following seven challenges from the National Strategy have been identified as requiring action:

- Challenge 1 - improving energy efficiency standards in fuel poor homes
- Challenge 2 - working together to help the fuel poor through partnership and learning
- Challenge 3 - increasing effective targeting of fuel poor households
- Challenge 4 - improving support to certain high cost homes such as non-gas or park homes
- Challenge 5 - improving support to certain low income households such as those who have health conditions linked to living in a cold home
- Challenge 6 - tackling the financial burden of energy bills for those on low incomes
- Challenge 7 - ensuring the fuel poor are able to get maximum benefit from the energy market

7.2 The definition of vulnerable household for the purposes of this Strategy is taken as one where a member of that household is in receipt of a means tested or disability related benefit, or is over 65 years of age or contains children under five years old. In addition should a hazard of damp or mould be identified

under HHSRS guidance then the vulnerable age group will include all persons aged 14 years or under.

7.3 The table below sets out a range of proposed activities to help alleviate each of the challenges identified above. Potential tasks are identified along with indicative timescales. Progress against the Strategy will be reviewed within three years.

Challenge	Activity	Timescale
Challenge 1 - improving energy efficiency standards in fuel poor homes	a) Continue to promote availability of free loft and cavity wall insulation, which is available through nationally funded Energy Company Obligation Scheme (ECO). Promotion via website, telephone advice, LINK magazine, flyers, partner organisations, Herts Healthy Homes. Seek to develop further promotional opportunities where ever possible. (Herts Healthy Homes is a partnership between all local authorities in Hertfordshire and the third sector aimed at providing advice, information and practical action to help the elderly and vulnerable stay healthy in their own homes. It is led by Herts County Council)	Currently Ongoing although ECO funding will cease by March 2017 at latest.
	b) Promote statutory requirement on private sector landlords that homes for rent will require minimum energy efficiency standards of band E or above from 1 April 2018. Promotion via usual outlets and local landlord forum meetings.	Ongoing
	c) Continue to promote East Herts Home Insulation Grants. The scheme provides 50% grant of up to £200 towards loft insulation and a 50% grant of up to £300 towards cavity wall insulation.	Ongoing
	d) Investigate and report on a possible extension of the East Herts Home Insulation	September 2016

	Grants to include a wider range of higher cost measures e.g. external and internal wall insulation. Insulation of fuel poor homes to current standards is proportionally more costly than for non-fuel poor homes as both more expensive <i>and</i> extensive measures are usually required. Consider refocusing of grants to the most fuel poor either directed to rural north and/or most vulnerable.	
	e) Continue to utilise the East Herts Discretionary Decent Homes Grants to provide means tested grants towards the costs of works to help homes meet the Decent Homes Standard. As part of this standard, there is a requirement for homes to provide a reasonable degree of thermal comfort, and so energy efficiency measures, along with the repair of seriously defective boilers can be provided through this criterion in exceptional circumstances. Currently, there is a £1000 limit for energy efficiency assistance, raised to £2000 for energy efficiency works in hard to treat homes. The cash limit is removed for households falling within government's vulnerable household definition.	Ongoing
	f) Continue to deliver through Herts Healthy Homes small scale home insulation improvements such as minor draught proofing works at no cost to vulnerable householders.	Ongoing
Challenge 2 - working together to help the fuel poor through partnership and learning	a) Continue to work in partnership with Herts Healthy Homes to raise awareness, amongst the vulnerable, of the potential health effects of inadequate home heating.	Ongoing
	b) Investigate and report on opportunities for encouraging community energy projects, in conjunction with local third sector organisations, to deliver social benefit for the fuel poor through establishment of local lower cost energy tariffs and/or funding for energy efficiency measures directed at the fuel poor.	March 2017

	c) Continue to work with Herts Sustainability Forum to raise awareness of domestic energy efficiency measures through presence at community events and production of promotional material e.g. Home Insulation guide and Energy Vampire challenge. (Herts Sustainability Forum is a partnership of most district authorities across Hertfordshire along with several third sector organisations and the University of Hertfordshire. It is currently led by East Herts Council)	Ongoing
	d) Facilitate “bite-size” training sessions on energy efficiency awareness for East Herts front line staff, particularly those that undertake home visits. This will enable those staff to provide better help and advice and knowledge of appropriate referral pathways for those householders at risk of fuel poverty.	October 2016
	e) Investigate the potential for joint working with heating engineers to determine if there are any opportunities for establishing a referral service about insulation and tariff switching following a visit by an engineer to service a boiler.	January 2017
Challenge 3 - increasing effective targeting of fuel poor households	a) Undertake a mapping exercise utilising Lower Super Output Area data (once released by DECC) on gas networks, fuel poverty levels, housing type, energy performance opportunities for renewable energy together with results from the forthcoming East Herts Housing Modelling Project. Improved mapping will provide the Council with a more comprehensive understanding of the issues and constraints and direct possible solutions for fuel poverty within the District; especially as within East Herts fuel poverty tends to occur in pockets and is not possible to treat on a street by street approach.	December 2016
	b) Investigate if there are opportunities to seek funding from the remaining reprioritised national Energy Company Obligation (ECO) for specific funding for improvements to off-gas homes.	ECO funding will cease by early 2017

	c) Investigate the potential through Herts Healthy Homes for closer working with GP's and health workers to identify those householders at risk of fuel poverty. A significant cohort of fuel poor households is not currently identifiable using centralised, data driven approaches, local health agencies may be able to assist with improving this data set.	September 2016
Challenge 4 - improving support to certain high cost homes such as non-gas or park homes	a) Investigate potential for more detailed mapping of non-gas homes in East Herts, with a view to identifying those properties that are within 23 metres of the grid in order to determine potential for moving additional homes onto the gas network.	January 2017
	b) Continue to investigate and submit bids for external grants, should they become available, for projects aimed at improving energy efficiency in high cost homes.	Ongoing
	c) Investigate and promote improved insulation methods for park homes including new insulation technology and keep options for seeking external funding under review.	Ongoing
Challenge 5 - improving support to certain low income households such as those who have health conditions linked to living in a cold home	a) Continue to work in partnership with Herts Healthy Homes to deliver a range of targeted energy efficiency assistance to vulnerable and fuel poor residents, including advice on energy efficiency and benefits, home visits, draught proofing improvements, emergency portable heaters and electric blankets.	Ongoing
	b) To work with health centres, principally in conjunction with Herts Healthy Homes to deliver energy efficiency advice for the winter period through flu clinics and home visits by district nurses and other health professionals.	Ongoing
	c) Subject to agreement with partners to extend joint working with health centres and Herts Healthy Homes to include basic assessment of actual energy efficiency of a client's home during routine house calls by health professionals and for those professional to refer potential fuel poor householders to East Herts and the Herts	November 2016

	Healthy Homes programme for assistance.	
Challenge 6 - tackling the financial burden of energy bills for those on low incomes	a) Continue to promote uptake of the national Warm Home Discount (via website and Herts Healthy Homes), which provides £140 toward electricity costs for vulnerable low income households. Government has yet to confirm commitment for scheme beyond 2015/16.	Winter 2015/16
	b) Continue to promote availability of national cold weather payments during periods of very severe cold weather to pensioners on low incomes and those on means tested benefits with young children	Ongoing
	c) Further promote the “Ready to Switch scheme” though the East Herts web site, literature and Herts Healthy Homes. Ready to Switch is a collective tariff switching scheme coordinated by a consortium of local authorities of which Herts County Council is a part. Some 35% of UK households – with older householders disproportionately represented (Energy Saving Trust 2015) - have never switched energy supplier and may therefore be on higher cost tariffs.	July 2017
	d) Identify those oil buying clubs operating in East Herts, with a view to promoting their use by local residents and also encouraging the formation of further community ventures. Disseminate information on local oil buying clubs to all parish councils and local members and also provide information on such clubs via the East Herts website. A significant proportion of fuel poor households are those whose homes are off-gas and heated by oil (approx. 30%). Local oil buying clubs enable groups of people to combine their orders for fuel oil in order to achieve a more competitive price from suppliers. Several clubs currently operate in East Herts and generally achieve savings of at least 10% below base which can be a useful means to reduce fuel costs.	March 2017
	e) Wood fuel is becoming an increasingly popular option in East Herts, and may provide opportunities for the fuel poor	November 2017

	<p>particularly in off- gas areas. However, suitable commercial wood supplies can be costly. There is believed to be considerable potential to establish a local wood fuel network within the district and it is proposed that this be investigated with possible local suppliers.</p>	
<p>Challenge 7 - ensuring the fuel poor are able to get maximum benefit from the energy market</p>	<p>a) see 6c above.</p>	<p>July 2016</p>
	<p>b) Promote, via the East Herts website and Herts Healthy Homes, the concept of regular tariff switching, in order to encourage local residents to review their own household energy suppliers to ensure they continue to achieve best value for money.</p>	<p>Ongoing</p>
	<p>c) Encourage householders to apply to their utility company for installation of smart meters in advance of main national rollout, which is to be completed by 2020. Smart meters offer real time information on energy use, including energy use in pounds and pence and as such have been shown to be a useful tool in helping those in fuel poverty budget effectively. In particular those householders currently on prepayment type meters will see greater convenience and choice in payment top-up and the ability to switch between credit and prepayment modes.</p>	<p>Ongoing to 2020</p>

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EAST HERTS COUNCIL

EXECUTIVE – 2 FEBRUARY 2016

BUDGET REPORT AND MTFP 2016/17 – 2019/20

REPORT BY THE EXECUTIVE MEMBER FOR FINANCE AND
SUPPORT SERVICES

WARD (S) AFFECTED: All

Purpose/Summary of Report:

- This report sets out proposals for Council decisions on the following:
 - The 2015/16 revenue budget forecast outturn
 - The 2016/17 revenue budget
 - The 2016/17 Schedule of Charges
 - The 2015/16 (revised) to 2019/20 Capital Programme
 - The Medium Term Financial Plan 2016/17 – 2019/20
 - The Council's Reserves

<u>RECOMMENDATIONS FOR COUNCIL:</u> That:	
(A)	the comments of the joint meeting of Scrutiny Committees be received;
(B)	the 2015/16 Forecast Outturn set out in Section 4, including the proposed contributions to and from Reserves in paragraph 4.11, be approved;
(C)	the forecast 2015/16 revenue underspend transfer to the Transformation Reserve, as now detailed at paragraph 4.11, be approved;
(D)	the 2016/17 Revenue Budget, including: <ul style="list-style-type: none">• Budget Growth set out in Section 6, paragraph 6.2• Budget Savings set out in Section 6, paragraph 6.3• Contingency budget set in Section 8, paragraph 8.3

	<ul style="list-style-type: none"> • Use of Earmarked Reserves, section 9 • Consideration of the advice from the Director of Finance & Support Services on the levels of reserves and robustness of the forecasts in setting the budget as required by Section 25 of the Local Government Act 2003 (section 15); <p>be approved;</p>
(E)	the proposed 2016/17 Schedule of Charges, as detailed at section 7, be approved;
(F)	the East Herts Council element of the Council Tax Demand, as now detailed in paragraph 11.3, be approved;
(G)	the Capital Programme for the period 2015/16 (Revised) to 2019/20, the funding of the programme and the consequential revenue budget implications as set out in section 12, be approved;
(H)	the Medium Term Financial Plan covering 2015/16 (Revised) to 2019/20 as set out in section 13, be approved; and
(I)	the Reserves Policy as set out in Section 14, be approved.

1 BACKGROUND

1.1 This report sets out the revenue and capital budget proposals for Council to approve. This report is for the Joint Meeting of Scrutiny Committees to consider and suggest amendments prior to consideration by Executive and Council. In particular attention is drawn to section 6 and ERPs F & G which contain details of savings and growth proposals.

1.2 The council's revenue budget comprises five major 'building blocks' as follows:

- **Net Cost of Services:** These are the direct costs incurred by the council in delivering services through the three Directorates, less any specific income generated.
- **Corporate Budgets:** These are costs incurred and income

received by the council that are not service specific, e.g. Pension Fund deficit contributions, interest income and payments. Also included in this heading are the Contingency and New Homes Bonus Priority Spend budgets which are not allocated to specific services at the beginning of the financial year.

- **Contributions to/from Reserves:** This represents funding within the revenue Budget from Earmarked Reserves, which have been allocated to fund specific purposes. The impact of the use of Reserves is a reduction in the total income demand on Council Taxpayers. Reserves are, however, a finite source of funding and their use should represent value for money.
- **Sources of Funding:** These income budgets are general and non-service specific income sources. They include funding from Central Government and Non-Domestic Rate income.
- **Council Tax:** This income is also a general and non-service specific source of income. Only once budgets have been prepared for the other 'building blocks' have been established can the amount required from Council Tax be calculated, known as the 'Demand on the Collection Fund'.

- 1.3 In setting the budget for 2016/17 and the MTFP for future years, consideration has been given to the high degree of uncertainty and therefore risk in determining Local Government funding levels. Whilst the national economy is forecast to continue growing over the period of the MTFP the Government continues to pursue reducing the national deficit through cuts to public sector expenditure.
- 1.4 The Chancellor of the Exchequer published the Spending Review 2015 and Autumn Statement on 25 November 2015 which set out the Government's spending plans for the period 2016/17 to 2019/20. As a result of lower than forecast debt interest payments and higher forecast tax receipts there is an improvement in the level of public finances overall. This has reduced the amount that the Government needs to find from public sector spending reductions. However, the Government has protected several departments from further spending reductions including defence, overseas aid, the NHS, schools, Police Forces and the arts in addition to increases in funding for Security and Intelligence Agencies.
- 1.5 Funding for the Department of Communities and Local Government (DCLG) will reduce by 53% over the period to 2019/20. When Non Domestic Rates forecasts are included the funding reduction is

reduced to 27.5%.

- 1.6 The Autumn Statement included several announcements that will have a significant impact on the future funding regime for Local Government. These included:
- A move to 100% retention of Non Domestic Rates (NDR) within Local Government by the end of this Parliament. This will include the ability to reduce NDR and for directly elected Mayors to increase NDR for specific infrastructure projects. The government may consider transferring responsibility for funding the administration of Housing Benefit for pensioners and Public Health funding to Local Government in exchange for 100% NDR retention. The government will consult shortly on this area including a possible change in the local share of NDR between county and district councils.
 - Reform to New Homes Bonus (NHB) funding allocations. Consultation is currently being received by DCLG on the specific details of these reforms from 2017/18. The preferred option outlined will be to allocate payments over a four-year rather than a six-year period, to only pay NHB if a Local Plan is in place, to reduce payments for new homes granted on appeal and the introduction of a baseline value.
- 1.7 The position of East Herts following the Autumn Statement is unclear as there is little detail on the NDR reforms. With regard to New Homes Bonus any reform from 2017/18 represents a change to a significant income source. The MTFP has been modelled on the preferred options outlined by DCLG but the outcome of the consultation may deviate from these assumptions. East Herts is well placed to face these pressures in comparison to other authorities however the importance of local taxes as a source of income will become increasingly important.
- 1.8 The Finance and Business Planning process undertaken over the past few months has constituted an important change to the process of preparing the budget and service plans within the council. This process has been designed to allow earlier engagement and a greater amount of consultation with Members on strategic proposals, aligning the budget and service plans to the delivery of outcomes over a four-year period. This process will be reviewed in early 2016 to prepare for the 2017/18 cycle.
- 1.9 This report has been prepared having particular regard to the following reports:

- Calculation of the Council Tax Base; report to Council on 16 December 2015.
- Non Domestic Rates Calculation 2016/17; report to Council on 27 January 2016.
- Treasury Management Strategy and Annual Investment Strategy 2016/17; report to Audit Committee on 20 January 2016.

2 REPORT

2.1 The report contains the following sections and Essential Reference Papers:

REPORT SECTIONS:	
3	Summary of key budget proposals
4	2015/16 Revenue Budget: Forecast outturn: <ul style="list-style-type: none"> • Net Cost of Services • Corporate Budgets • Contributions to/from Reserves • Sources of Funding (incl. Council Tax) • Overall forecast outturn position
5	2016/17 Revenue Budget: Net Cost of Services
6	2016/17 Revenue Budget: Growth and Savings
7	2016/17 Revenue Budget: Schedule of Charges
8	2016/17 Revenue Budget: Corporate Budgets
9	2016/17 Revenue Budget: Contributions to/from Reserves
10	2016/17 Revenue Budget: Sources of Funding
11	2016/17 Revenue Budget: Council Tax Demand
12	Capital Programme 2015/16 (revised) to 2019/20
13	Medium Term Financial Plan
14	Review of the Council's Reserves
15	Advice from the Section 151 Officer

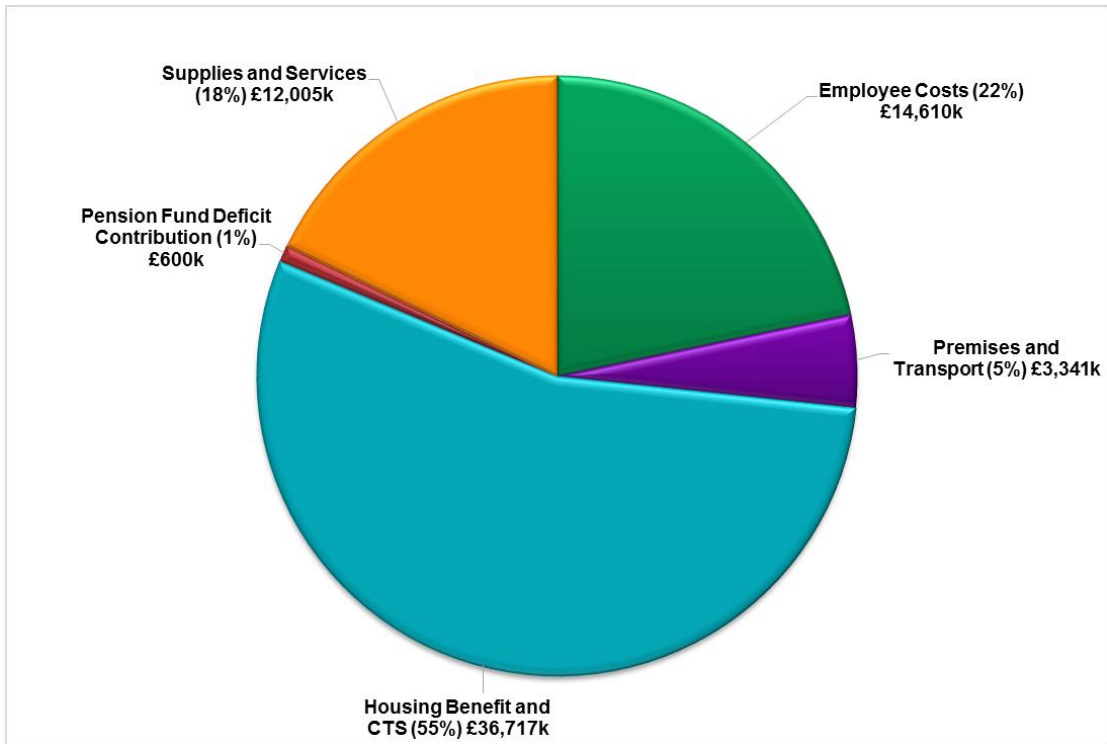
ESSENTIAL REFERENCE PAPERS:

A	Implications/Consultations
B	Medium Term Financial Plan
C	Key variances from the 2015/16 budget
D	Summary of forecast position (Net Cost of Services)
E	Pay and price assumptions in the MTFP
F	Revenue Budget Growth Proposals
G	Revenue Budget Savings Proposals
H	Schedule of Charges for 2016/17
I	Capital Programme 2015/16-2019/20
J	Capital Programme Funding Statement
K	The Council's Reserves Policy and forecast position
L	Stress Test: Financial Risks facing the Council
M	Budget Consultation with business
N	Glossary of financial terminology

3 SUMMARY OF KEY BUDGET PROPOSALS

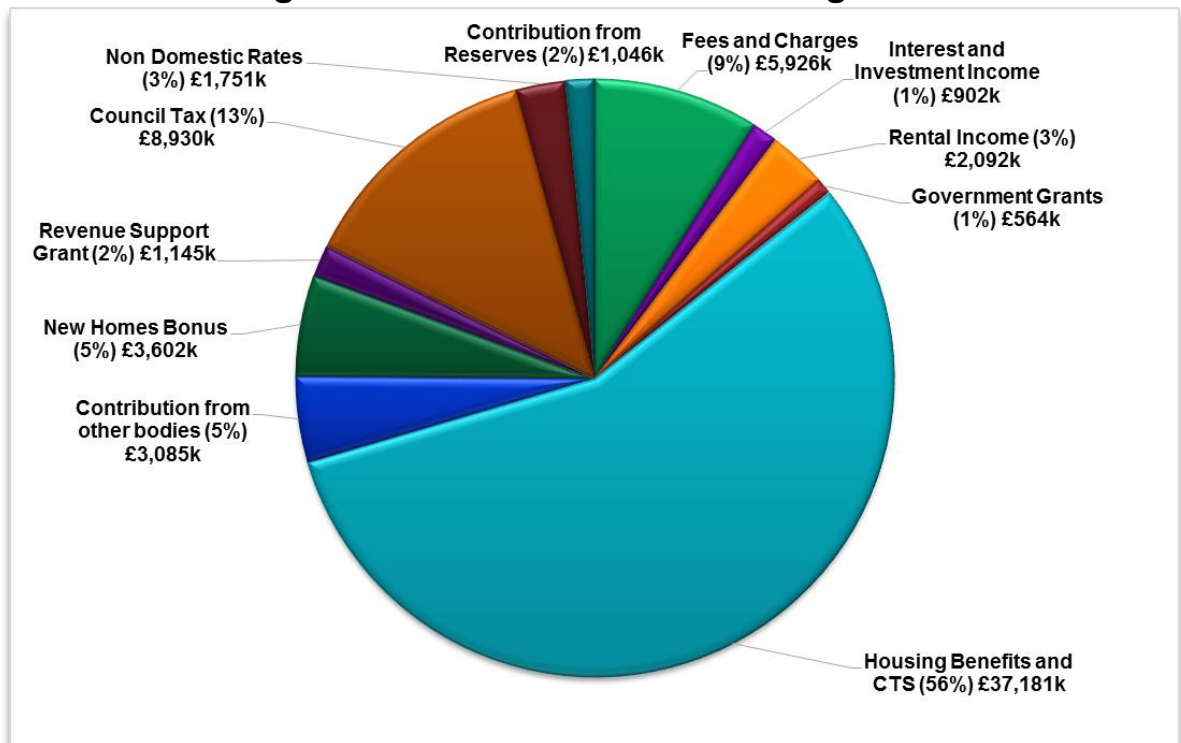
- 3.1 This budget report contains proposals for a gross revenue expenditure budget of £65.7m.
- 3.2 An analysis of the gross expenditure is shown below in Chart 1:

Chart 1: Gross Expenditure Budget 2016/17



3.3 An analysis of the funding for the revenue budget is shown below in Chart 2:

Chart 2: Funding sources for the Revenue Budget



3.4 The key themes of the budget for 2016/17 to 2019/20 found in this report can be summarised by the following statements:

- No proposed increase in the East Herts element of the Council Tax demand for 2016/17 with a 1% increase in Council Tax each year from 2017/18.
- Investment in some key services
- Continuing to protect vulnerable residents by maintaining the Council Tax Support scheme at the same level in 2016/17 as in 2015/16.
- Continued investment in capital schemes on a rolling basis in order to improve our assets and IT infrastructure reducing running costs in the long term.
- Consideration of the impact our fees and charges have on local taxpayers by minimising increases whilst at the same time ensuring our charging policies are adhered to.
- Ensuring that budget proposals are financially prudent, sensible and sustainable and represent value for money for local taxpayers.

4 2015/16 REVENUE BUDGET: FORECAST OUTTURN

4.1 **Net Cost of Services:** The forecast outturn (year-end) figures in this report have been prepared using information collated during the December Healthcheck budget monitoring process. The approach in presenting financial information within the Healthcheck report was changed during 2015/16. Heads of Service, in partnership with finance colleagues, have produced a forecast outturn each month, refining this forecast as the year has progressed. This has provided officers and Members with a clearer understanding of the financial position of the council throughout the year.

4.2 Overall the forecast outturn for the Net Cost of Services is lower than the original budget approved by Council on 18 February 2015 by £88k (0.6%) as seen in Table 1 below. This is primarily due to the acquisition of the Old River Lane site in Bishop's Stortford which resulted in the council receiving additional rental income which was not included in the original budget. The original budget has been adjusted to take into account approved savings and growth items.

Table 1: 2015/16 Forecast outturn for Net Cost of Services

Revenue	ORIGINAL BUDGET £'000	FORECAST OUTTURN £'000	VARIANCE £'000
Customer and Community Services	6,574	6,562	(12)
Neighbourhood services	3,053	3,346	293
Finance and Support services	5,255	4,886	(369)
Net cost of Services	14,882	14,794	(88)

- 4.3 Other significant variances between the original budget and forecast outturn that have occurred so far during 2015/16 are listed in **Essential Reference Paper C**. These variances have also been reported through the Healthcheck process.
- 4.4 The salaries budget of £12.5m is the largest budget heading within the Net Cost of Services. The forecast outturn position at the end of October 2015 was an overspend of £174k (1.4%).
- 4.5 Within this forecast amount £428k is funded from the contingency budget, Earmarked Reserves or government grants as shown in Table 2, of which £184k was included in the original budget.

Table 2: Salary costs funded outside the base budget

FUNDED FROM CONTINGENCY BUDGET:	£'000
Temporary post in HR&OD	10
Strategic Finance Project Accountant	16
Temporary post in Env Health	6
Temporary post in Licensing	2
SUBTOTAL:	34
FUNDED FROM TRANSFORMATION RESERVE:	£'000
Temporary post made permanent HR&OD	13
Temporary HR systems officer	7
Strategic Finance Project Accountant	16
Corporate Project Co-ordinator	34
2 x Graduate Trainees	62
Information Analyst temporary post	26
Leisure Development Manager (2 year fixed term)	48
SUBTOTAL:	206
PREVENTING REPOSSESSIONS RESERVE	£'000
Post in Housing Options	4
SUBTOTAL:	4
DISTRICT PLAN RESERVE	£'000
3 temporary posts to work on Local Plan	36
Overtime to work on Local Plan	8
SUBTOTAL:	44
FUNDED FROM NEW HOMES BONUS RESERVE:	£'000
Environmental Health Promotions Temporary post	18
Temporary additional hours in Housing	4
SUBTOTAL:	22
OTHER	£'000
Temporary post in Revs & Bens funded by DWP grant	52
Additional Consultancy Budget Development Management	9
Additional income in Development Management to fund temporary post	37
Extension in hours in Environmental Health	15
Temporary post in Engineering	4
SUBTOTAL:	117
TOTAL:	428

- 4.6 The Medium Term Financial Plan included an assumption of a 1% pay increase in 2015/16. National Joint Council agreed a 2.2% multi-year settlement in 2014/15 effective from 1 January 2015 until 31 March 2016. This pay award was included in 2015/16 salary budgets.
- 4.7 **Corporate Budgets:** The forecast outturn (year-end) figures in this report have been prepared using information collated during the December Healthcheck budget monitoring process in the same manner as for the Net Cost of Services.
- 4.8 Overall the forecast outturn for Corporate Budgets is lower than the original budget by £407k (54.3%) as seen in Table 3 below. This is largely due to the Contingency Budget remaining uncommitted.

Table 3: 2015/16 Forecast outturn for Corporate Budgets

	ORIGINAL BUDGET £'000	FORECAST OUTTURN £'000	VARIANCE £'000
Priority Spend Budget	150	150	-
Contingency Budget	370	41	(329)
Contributions to/(from) reserves	(1,269)	(1,347)	(78)
Total	(749)	(1,156)	(407)

- 4.9 The original Priority Spend budget for 2015/16 was £697k. As approved by Executive on 8th June 2015 £150k is allocated in 2015/16 with the remainder to be transferred to the New Homes Bonus Priority Fund Reserve. Future requests will be drawn down from the uncommitted balance of £547k as they are approved.
- 4.10 The Contingency budget of £370k allows for unforeseen events to be funded in-year. As at 31st October the £41k funded through the contingency budget all relates to items approved by CMT prior to 1st April 2015.
- 4.11 The use of Earmarked Reserves and the General Reserve are documented in Table 4 below:

Table 4: Net movements of Reserves in 2015/16

	Balance at 1/04/2015 £'000	Planned use 2015/16 £'000	Forecast balance at 31/03/2016 £'000
General Reserve	1,313	486	1,799
Interest Equalisation Reserve	1,503	(652)	851
Insurance Fund	1,010	126	1,136
Local Development Plan	519	(246)	273
Housing Condition Survey	93	4	97
Elections Reserve	78	(73)	5
Performance Reward Grant	22	(13)	8
Transformation Reserve	2,782	(480)	2,302
Preventing Repossessions	30	(4)	26
NHB Priority Fund Reserve	3,816	(281)	3,535
Collection Fund Reserve	1,551	(1,104)	447
DEFRA Flood Support for local businesses	93	(93)	-
Commercial Property Fund	500	(99)	401
Pension Fund additional contribution	1,000	(1,000)	-
Single Person Homelessness	12	(12)	-
TOTAL:	14,322	(3,441)	10,880

NB: Contribution/(Drawdown) from Reserves

- 4.12 **Funding Sources:** The forecast outturns for these budgets are included within the Medium Term Financial Plan shown in **Essential Reference Paper B**. The commentary that follows only considers those budgets that have changed during the financial year.
- 4.13 Council Tax Freeze Grant: This was a grant awarded by DCLG to mitigate the cost to local authorities that froze Council Tax in 2015/16. At the time of publishing the original budget this grant had not been confirmed so represents additional income of £114k.
- 4.14 Other small grants have been received from central government of £22k during the financial year and are to fund specific additional responsibilities.

- 4.15 **Overall forecast outturn position:** The council is forecast to underspend in 2015/16 by £495k. The main contributory factors are underspends against Net Cost of Service budgets of £88k and underspends against Corporate budgets totalling £407k.
- 4.16 It is recommended that the forecast underspend for 2015/16, plus any changes to this position at year-end, are transferred to the Transformation Reserve. The Transformation Reserve is earmarked to fund service improvement projects and transitional costs incurred in delivering long term savings.

5 2016/17 REVENUE BUDGET: NET COST OF SERVICES

- 5.1 The revenue budgets for 2016/17 have been prepared jointly by Heads of Service and budget holders in partnership with Strategic Finance.
- 5.2 As part of the Finance and Business Planning process Strategic Finance worked with budget holders to identify any areas of spend no longer required have been reduced appropriately. Either as a result of on-going underspends, changes in service or changes in activity levels . This follows a similar “line-by-line review” approach taken in prior years.
- 5.3 Salary budgets are prepared on a zero-based approach, best described as starting from scratch. The budget for each employee has been adjusted to take into account a change in National Insurance contribution rates payable, a reduction in employee expenses as a result of the mileage rate being reduced and an assumed 1% pay increase (subject to national negotiation).
- 5.4 The 2016/17 budget for Net Cost of Services of £14.097m is shown in Table 5. This is a reduction compared to the 2015/16 original budget as at 31 October 2015 of £785k.

Table 5: 2016/17 Original Budget for Net Cost of Services

Revenue	2015/16 ORIGINAL BUDGET £'000	2015/16 FORECAST OUTTURN £'000	2016/17 ORIGINAL BUDGET £'000	VARIANCE 2016/17 TO 2015/16 £'000
Customer and Community Services	6,574	6,562	6,436	(138)
Neighbourhood services	3,053	3,346	3,133	80
Finance and Support services	5,255	4,886	4,528	(727)
Net cost of Services	14,882	14,794	14,097	(785)

- 5.5 Table 5 includes growth and savings that have previously been agreed for 2016/17 and expenditure proposed to be funded from Earmarked Reserves as set out in Section 9 of this report.
- 5.6 **Essential Reference Paper D** shows a breakdown of the 2016/17 Budget for each directorate on a service by service basis.
- 5.7 The budgets shown above do not include internal recharges of Divisional and Support Costs required by the CIPFA Service Reporting Code of Practice (SerCOP) nor do they include capital charges.
- 5.8 Internal recharges of central support services such as Human Resources, Strategic Finance and IT to the end users of the service are a reapportionment of costs which have a nil impact on the Net Cost of Services but allow the calculation of the total cost of provision of services including overhead costs.
- 5.9 Capital charges are notional charges for the use of capital assets which are required for the annual Statement of Accounts but which do not require a source of funding. These charges will be calculated and included in the budget book before the start of the 2016/17 financial year.
- 5.10 Key assumptions that have been included in the preparation of the 2016/17 Budget for Net Cost of Services are described in the following paragraphs:
- 5.11 Salary budgets: The total salary budget is £12.97m for 2016/17. The following assumptions and key movements have been incorporated into the figures:

- The employee expenses policy will change from 1 April 2016, subject to approval by HR Committee in January 2016. The revised policy will remove the essential lump payment of £1,239 per annum and reduce the mileage rate from 65p per mile to the HMRC rate of 45p per mile. This has resulted in a reduction in 2016/17 salary budgets of £74k.
- A 2% vacancy factor is included in salary budgets, with a value of £255k, to take into account savings made through vacant posts and staff turnover. This is consistent with the vacancy factor applied in 2015/16.
- National Insurance contribution rates are included at the flat rate of 13.8%.
- Employer's Pension Fund contributions are included at 16.6% of salary cost.
- Included in the total salary budget are posts funded through reserves totalling £363k reducing the net salary budget to £12.61m. The details of these posts are as follows:

	£'000
HR Systems Officer	39
Corporate Project Co-ordinator	32
Leisure Development Manager	42
Information Analyst (until Dec 2016)	18
Graduate Trainees x2 (until Sept 2016)	29
Housing Officer	7
Public Health Projects Officer	37
Environmental Health temporary post (until July 2016)	2
Planning Officer Posts x3 to work on Local Plan	103
Neighbourhood Planning Officer	28
Housing Options Officer (2016/17 only)	11
Salary Capitalisation	15
TOTAL:	363

5.12 Price inflation: The 2016/17 budgets have been prepared according to

the inflation assumptions shown in **Essential Reference Paper E**.

5.13 Customer and Community Services 2016/17 budgets incorporate adjustments as a result of the following events in 2015/16:

- The budget for Hertford Theatre has been adjusted to reflect the additional income, offset by some additional expenditure, which is anticipated to be generated as a result of the new Sunday opening and increased levels of business especially for the Pantomime, Cinema and Promotions. Overall the net cost of the Theatre has fallen by £101k.
- The Car Park Pay and Display income budget reflects the loss of income from the sale of the lease for Bircherley Green car park in Hertford in 2015/16. However this is more than offset by additional Pay and Display income from other car parks, especially in Bishop's Stortford where the effect of the new parking policy introduced in August 2014 has not had the adverse effect anticipated. Overall Pay and Display income is budgeted to be £122k higher than 2015/16. Changes to Parking Charges will be presented to Members for approval in June 2016 rather than considered in this report.
- The Car Park accounts also reflect the increased usage and agreed changes to the 'RingGo' pay by phone service the Council offers motorists. From 2016 'RingGo' will introduce a start/stop service whereby motorists can start a parking session using a mobile or other device, on arrival at the car park and end it on departure. This will result in an additional £27k cost to the Council.

5.14 Neighbourhood Services 2016/17 budgets incorporate adjustments as a result of the following events in 2015/16:

- The 2015/16 budget for Planning Application fees was increased in line with historic trends. Whilst the volume of planning applications received to 31st August is consistent with previous years the size of these are small in financial value. An under achievement in income of £189k is currently forecast.
- The appeals expenditure budget in Development Management is expected to be £40k above budget. This is due to the use of consultants at Public Inquiry to present the Councils case and the instruction from the Executive for all major residential schemes submitted from July onwards to be subject to rigorous financial assessment.

- A contribution towards Public Health promotions of £100k has been received from Hertfordshire County Council. As agreed at Council on 18 February 2015 match funding of £100k from East Herts will be used to support this project funded from the New Homes Bonus priority fund.

5.15 Finance and Support Services 2016/17 budgets incorporate adjustments as a result of the following events in 2015/16:

- The purchase of the Old River Lane site in Bishop's Stortford will lead to a net increase in revenue in 2015/16. This is currently forecast to result in additional net income of £427k in 2015/16 with a full year net income of £1,055k in 2016/17, a return on investment of 5.4% based on current occupancy.
- A collective action (APPS) was bought against the Council by Property Search Companies relating to a dispute on the terms by which the Council provided property search information. The settlement sum due to be paid is anticipated to be no greater than £188k. A Government Grant of £110k has been received to partially offset this. The balance of £78k will be funded through the General Reserve.

6 2016/17 REVENUE BUDGET: GROWTH AND SAVINGS

6.1 **Essential Reference Paper F** shows the Revenue Budget Growth Proposals and **Essential Reference Paper G** shows the Revenue Budget Savings Proposals for 2016/17. Growth and Savings proposals have been classified into new items for approval and items that have already been approved for inclusion in the 2016/17 Revenue Budget.

6.2 New Growth items: These items total £62k in 2016/17 and £13k in 2017/18, in addition to growth already agreed of £604k in 2016/17 and £26k in 2017/18. Full details of the proposals are shown in **Essential Reference Paper F**.

6.3 New Savings items: These items total £1,425k in 2016/17 and represent savings and additional income. Full details of the proposals are shown in **Essential Reference Paper G**.

7 2016/17 REVENUE BUDGET: SCHEDULE OF CHARGES

- 7.1 The proposed Schedule of Charges for 2016/17 is set out in **Essential Reference Paper H**. Where available volume data has been included in this year's Schedule of Charges, which provides a measure of the scale of charges levied.
- 7.2 The fees and charges budgets included in the 2015/16 Net Cost of Services totalled £1,809k. The fees and charges budgets proposed for 2016/17 total £1,813k, an increase of £4k. Table 6 shows the fees and charges budgets by service.

Table 6: Changes to fees and charges budgets 2016/17

	Fees & Charges Budget 2015/16 £'000	Impact of proposed changes £'000	Fees & Charges Budget 2016/17 £'000
Customer and Community			
Hertford Theatre	(134.0)	(15.5)	(149.5)
Residents Parking	(104.3)	-	(104.3)
Waste Collection	(736.8)	(38.2)	(775.0)
Pest Control	(39.0)	-	(39.0)
Markets	(119.0)	46.0	(73.0)
Neighbourhood Services			
Licences Environmental Health	(16.4)	-	(16.4)
Environmental Health Promotions	(3.5)	0.3	(3.2)
Hackney Carriage licences	(139.6)	-	(139.6)
Development & Building Control	(80.0)	-	(80.0)
Hostels	(120.0)	-	(120.0)
Bed & Breakfast	(7.2)	(2.8)	(10.0)
Finance and Support Services			
Land Charges	(272.5)	-	(272.5)
Legal Fees	(36.2)	6.2	(30.0)
TOTAL:	(1,808.5)	(4.0)	(1,812.5)

NB: Income budgets are shown as negative values in brackets

- 7.3 The MTFP assumes an annual increase of 2.5% across all fees and charges budgets. An increase of 2.5% would result in 2016/17 fees and charges budgets totalling £1,854k, an increase from 2015/16 of £45k. The proposed 2016/17 fees and charges budgets take into account the loss of income from Bishop's Stortford Market which has reduced income budgets by £46k. The net impact of other fees and charges adjustments has increased budgets by £50k in line with MTFP assumptions.

- 7.4 As part of the Finance and Business Planning process, Heads of Service and budget holders were asked to carefully assess their fees and charges budgets, in particular to ensure that where the charging basis is 'cost recovery' that costs are actually recovered by the income received.
- 7.5 The impact of Council approving the proposed Schedule of Charges would result in a total fees and charges budget of £1,813k.

8 2016/17 REVENUE BUDGET: CORPORATE BUDGETS

- 8.1 New Homes Bonus Priority Spend Fund: Current Council policy is to allocate 25% of New Homes Bonus grant received to be used for in-year Member-led priority initiatives. The amount to be allocated in 2016/17 is anticipated to be £901k. This amount will be transferred to the New Homes Bonus Priority Fund Reserve and drawn down during the year as required.
- 8.2 New Homes Bonus grant payment to Parish and Town Councils: Current Council policy, as agreed in 2011/12, is to transfer 25% of the New Homes Bonus grant received to Parish and Town Councils to contribute to local projects and initiatives. The amount to be allocated in 2016/17 is £901k, an increase of £202k (29%) in comparison to 2015/16, following the NHB allocation received by East Herts in the Finance Settlement.
- 8.3 Contingency Budget: It is proposed that the contingency budget is set at £150k for 2016/17 and future years within the MTFP. Whilst this is a reduction of £220k (59%) in comparison to 2015/16, an amount closer to 1% of the Net Cost of Services is considered prudent.
- 8.4 Interest payments: There are fixed payments of £662k against two loans which have been included in the MTFP remaining unchanged from 2015/16. The loans total £7.7m of which £6m falls due in 2020 and therefore there will be no change to interest payments until 2020/21. The cost of repaying these loans early is prohibitive due to early redemption clauses however officer continue to review this position.
- 8.5 Interest Income: The 2016/17 interest income budget is £902k which is an increase from the 2015/16 budget of £867k, an increase of £35k (4%). The forecast outturn position for 2015/16 is £417k, a shortfall of £450k which is recommended to be funded from the Interest Equalisation Reserve. The shortfall is as a result of delays in placing investments of £20m in Property Fund Unit Trusts having been placed on waiting lists and in interest foregone in the £22m investment in the

Old River Lane site in Bishop's Stortford which has reduced cash balances. The Property Fund Unit Trust investments have now been placed and a more active approach is being taken to managing the council's cash balances leading to the 2016/17 budget being increased.

- 8.6 **Annual Pension Fund Deficit Payment:** This is the annual contribution the council pays to the Pension Fund. The Local Government Pension Fund (LGPS) undergoes a financial valuation every three years, carried out by the scheme actuary Hymans Robertson LLP. The triennial valuation is an assessment of the financial health of the Pension Fund and the results are used to determine the contributions the council will need to pay to the Fund in order that the deficit can be bridged over a 20 year period. The last valuation in 2013 resulted in an agreement that the council will pay a lump sum of £1m in 2013/14 and an additional £600k per annum until 2017/18 when the next valuation will take place. The MTFP includes a £600k Pension Fund Deficit Payment beyond 2017/18 in order to be prudent.

9 2016/17 REVENUE BUDGET: CONTRIBUTIONS TO/FROM RESERVES

- 9.1 **General Reserves:** The MTFP assumes that £300k will be transferred from the Interest Equalisation Reserve to the General Reserve in 2016/17. This is a reduction from £600k as interest rates were expected to begin to rise during 2015/16. As the expected rise in interest rates is delayed further this reduced transfer will continue to mitigate the risk of not achieving anticipated levels of interest income by retaining funds in the Interest Equalisation Reserve. The £300k transferred to the General Reserve will be used to increase the Collection Fund Reserve by £300k to fund the forecast deficit on the Collection Fund.
- 9.2 **Earmarked Reserves:** It is recommended that £2,153k of Earmarked Reserves shown in Table 7 below are used to fund the 2016/17 Revenue Budget.

Table 7: Proposed use of Earmarked Reserves in 2016/17

Earmarked Reserve	Utilised in 2016/17 £'000	Reason for the use of the Reserve
Interest Equalisation Reserve	(300)	To transfer to the Collection Fund Reserve
Local Development Plan	(191)	To pay for staffing and other costs of producing and consulting on the Local Plan.
Transformation Reserve	(423)	To fund items as agreed by CMT and Executive
DCLG Preventing Repossessions Reserve	(10)	To fund a temporary part-time post in the Housing Options Team
NHB Priority Fund Reserve	(264)	To fund items as agreed by CMT and Executive
Collection Fund Reserve	(917)	To fund the council's share of the 2015/16 Collection Fund deficit – see paragraph 10.5
Neighbourhood Planning Reserve	(28)	To fund planning work
Housing Condition Survey Reserve	(10)	To commission Housing Condition Survey
TRO Consolidation	(10)	To fund the EHDC contribution to the biennial TRO consolidation exercise
Total:	(2,153)	

9.3 In addition, it is proposed to contribute £1,107k to the following Reserves as shown in Table 8.

Table 8: Proposed additions to Earmarked Reserves in 2016/17

Earmarked Reserve	Contributed in 2016/17 £'000	Reason for the contribution to Reserve
Collection Fund Reserve	300	Transferred from the Interest Equalisation Reserve
Transformation Reserve	761	Provision for future Old River Lane development costs
Provision for future whole Council elections	27	To pay for the costs of whole Council and national elections in future years.
TRO Consolidation	5	To fund the EHDC contribution to the biennial TRO consolidation exercise
Housing Condition Survey Reserve	14	To fund Housing Condition Survey
Total:	1,107	

9.4 The council has a policy to transfer 25% of all New Homes Bonus grant received to the New Homes Bonus Priority Spend Fund, as described in paragraph 8.1. This will result in a contribution of £901k in 2016/17. This is shown as a separate line in the MTFP so is excluded from the table above.

9.5 Further information on the Council's Reserves can be found in Section 14 of this report.

10 2016/17 REVENUE BUDGET: SOURCES OF FUNDING

10.1 The following paragraphs detail the sources of funding that the council expects to receive in 2016/17 along with details of the assumptions that have been made in calculating these budgets.

10.2 **Revenue Support Grant:** The Minister for Local Government announced the provisional settlement for local government finance in Parliament on 17 December 2015. This source of funding has significantly changed from previous assumptions. East Herts anticipated allocation in 2016/17 is £1.145m, a reduction of £912k (44%) on the funding received in 2015/16. Indicated allocations for future years were also provided as part of the settlement and these are also much lower than expected with the complete removal of RSG from 2018/19.

10.3 **Non Domestic Rate Income (NDR):** The income budget of £1.956m is based on the following assumptions:

- Growth in non-domestic properties: there is no growth in the number of non-domestic properties for next year as there isn't any readily available data to predict future business growth in the District with certainty
- Rate multiplier: Inflation on the Business Rate Multiplier for 2016/17 is assumed to be 0.8% (in line with September 2015 RPI)
- Appeals: The Council has a provision for successful appeals, given the Governments deadline of 31 March 2015 for backdated appeals this was substantially increased in 2014/15. Assuming this is accurate the impact on future years should be limited to the cost of new appeals in each year.
- The Autumn Statement confirmed that Small Business Rate Relief would be continued in 2016/17. The cost to the council of this relief is zero as there will be a compensating Section 31 grant.
- The Chancellor also announced in the Autumn Statement that the government will revise the NDR system to increase the percentage retained by local government from 50% to 100%. There is a great deal of uncertainty on the impact of this reform on East Herts and it is likely to coincide with reforms of other sources of funding including the removal of Revenue Support Grant and transferring additional responsibilities to local government. Further details are expected during 2016/17.

10.4 **Section 31 Grant:** The budget of £712k is based on the government's formula for calculating the grant owed to council's arising from their policy decisions on rate reliefs. The formula has been applied to our NDR projections. As described above there will be an increase in the grant received due to the continuation of Small Business Rate Relief with a corresponding reduction in NDR received.

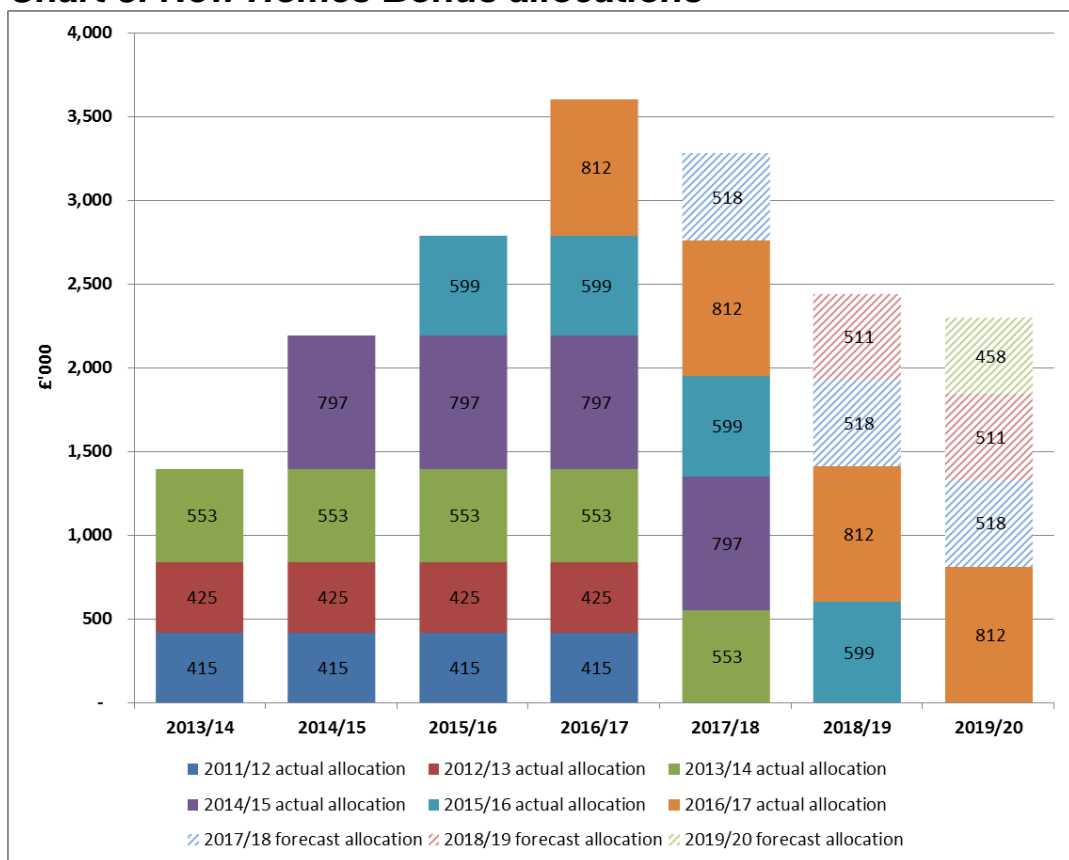
10.5 **Collection Fund:** There is an anticipated deficit of £917k on the Collection Fund as a result of the forecast deficit for 2015/16 on NDR and a surplus on Council Tax. This amount represents East Herts share of the deficit and it is recommended that the deficit is funded by the Collection Fund Reserve as shown in Table 7 above. Council will be asked to approve the Collection Fund deficit on 27 January 2016 as part of the Non Domestic Rates Calculation 2016/17 report.

10.6 **New Homes Bonus (NHB):** The Minister for Local Government is announced the provisional settlement for local government finance in

Parliament on 17 December 2015. East Herts total provisional NHB allocation is £3.6m consisting allocations from several years as shown in Chart 3. There are expected to be significant alterations to this stream of funding from 2017/18 onwards. The Chancellor announced in the Autumn Statement that the government will revise the NHB funding system to “sharpen the incentive” to build housing and to re-direct £800m towards funding social care. There is a DCLG consultation on reforms which include:

- Reducing the length of payments. This could be from 6 years to 4 years (with a transition period or a further reduction to 2 or 3 years)
- NHB payments only made if a Local Plan is in place
- A 50% reduction in NHB allocated to new homes granted on appeal
- the introduction of a baseline to future funding allocations.

Chart 3: New Homes Bonus allocations



11 2016/17 REVENUE BUDGET: COUNCIL TAX DEMAND

11.1 The formal resolution of the Council Tax for 2016/17 (including preceptor amounts), as required by the Local Government Finance Act 1992, will be considered by Council on 2 March 2016. This report only considers the East Herts share of the Council Tax demand.

11.2 The income we receive from Council Tax is the net figure after paying Council Tax subsidies. It has been assumed that the amounts paid out in subsidies in 2016/17 will not change from the current financial year as the volume of claims has levelled off and is not increasing.

11.3 It is recommended that no change is made to the East Herts element of the Council Tax demand for 2016/17 with Band D Council Tax set at £155.97. An increase of 1% in the Council Tax demand would raise an additional £90k in 2016/17 and £360k cumulatively over the period of the MTFP. Consequently, a decrease of 1% in the Council Tax demand would cost the Council £90k in 2016/17 and £360k cumulatively over the period of the MTFP.

12 CAPITAL PROGRAMME 2015/16 (REVISED) TO 2019/20

12.1 **Revised Capital Forecast for 2015/16:** The forecast outturn for the 2015/16 capital programme is £23.4m of which £20.5m relates to the purchase of the Old River Lane site in Bishop's Stortford. Excluding this transaction, the forecast outturn is £2.9m which is £0.2m above the original budget approved by Council on 18 Feb 2015.

12.2 Details on the movement of the Capital Programme are monitored and reported quarterly to Executive via the Healthcheck report. A summary of the movements in 2015/16 are shown in Table 9.

Table 9: Capital Programme movements in 2015/16

	£'000
Original budget	2,718
Addition of capital schemes slipped from 2014/15	1,052
Slippage of capital schemes from 2015/16 into future years	(833)
New schemes approved during the year included in the 2015/16 capital programme	19,666
Savings made in capital scheme budgets	(150)
Overspends currently forecast in capital schemes	962
Forecast outturn:	23,415

12.3 Slippage on significant capital projects during 2015/16 include:

- Disabled Facilities Grants: £204k (34%) will slip into 2016/17. Based on recent trends and current referral rates from Hertfordshire County Council, the number of residents seeking funding has been lower than expected. Officers are working

with Hertfordshire County Council to improve referral rates.

- Castle Weir: £201k (100%) will slip into 2016/17. Plans for the Castle Weir Hydro Scheme have been submitted to the Environment Agency. Negotiations are taking place to schedule works in 2016/17.
- Community Capital Grants: £40k (27%) will slip into 2016/17. The take up of grants in the first part of 2015/16 has been lower than expected. Successful applicants are expected to complete works within 1 year which may be limited to 6 months for smaller projects.
- Historic Buildings Grants; £37k (53%) will slip into 2016/17. Claimants have 6 months from grant offer date to complete works. Grants are usually limited to £1k; however, if a grant is approved for a property on the Buildings at Risk Register the maximum payment is £10k. The take up of grants in the first part of 2015/16 has been lower than expected.

12.4 Included within the forecast capital scheme overspends are costs associated with the purchase of the Old River Lane site in Bishop's Stortford of £946k. These extraordinary costs will be funded as revenue contributions to capital (RCCO) from the Commercial Property Fund and the New Homes Bonus Priority Fund Reserve.

12.5 **New capital schemes seeking approval:** The full details of schemes seeking Council approval are found in **Essential Reference Paper I**.

12.6 New capital schemes proposed are summarised in Table 10 below.

Table 10: Capital Programme proposed additions

	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Customer and Community Services	410	-	-	95
Neighbourhood Services	-	-	-	-
Finance and Support Services	80	-	-	-
Total:	490	-	-	95

12.7 The new capital schemes proposed include:

- Investment in a new car park management system (2016/17:

£340k).

- A device responsive website (2016/17: £20k).
- Refurbishment of the café/bar at Hertford Theatre (2016/17: £50k).
- Compliance works at swimming pools (2016/17: £80k).
- Open space improvements at the Wash, Hertford (2019/20: £50k), Folly View, Hertford (2019/20: £15k) and Cannons Mill Lane, Bishop's Stortford (2019/20: £30k).

12.8 The complete proposed capital programme can be found in **Essential Reference Paper I** comprising new schemes outlined above and schemes already approved in previous years. Table 11 describes how the capital programme will be funded and further details can be found in **Essential Reference Paper J**.

Table 11: Capital Programme funding 2015/16 to 2019/20

	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Capital Programme	23,414	4,608	2,258	1,992	2,000
To be funded by:					
Capital Receipts	2,387	1,640	1,270	800	500
Government Grants	293	293	293	293	293
Third party grants, contributions and Section 106	238	14	360	-	-
Revenue contribution	980	25	25	25	25
Internal funding	19,516	2,636	310	874	1,182
External borrowing	-	-	-	-	-
TOTAL:	23,414	4,608	2,258	1,992	2,000

12.9 The funding by capital receipts is reliant on the sale of council property which are reviewed on a regular basis. There is a risk that the council may not achieve the estimated receipt from the sale or that the receipt is delayed. In such cases there would be additional internal funding of the capital programme.

12.10 The council currently funds a large proportion of the capital programme through internal funding, i.e. the use of cash balances.

This funding approach reduces the amount of cash available to invest and therefore costs the council approximately £14k in reduced interest income for every £1m spent on the capital programme.

12.11 **Prudential Code Implications:** The council is required under the Local Government Act 2003 to 'have regard' to the requirements of the CIPFA Prudential Code which requires that certain performance indicators and limits known as Prudential Indicators are calculated. The Prudential Indicators must be approved by Council before the beginning of each financial year. Their purpose is to help the council ensure that its capital investment plans are affordable, prudent and sustainable.

12.12 It is recommended that the capital programme being proposed in this budget report is affordable, prudent and sustainable. No new borrowing is required to fund the capital programme. The relevant Prudential Indicators show that the ratio of finance costs (borrowing) to the net revenue stream is low (4.32% to 4.81%) and the incremental impact of financing the new capital programme is an average of £12.02.

Table 12: Prudential Indicators 3 and 4 estimates

	2016/17	2017/18	2018/19	2019/20
Ratio of finance costs to net revenue stream	4.81%	4.68%	4.47%	4.32%
Incremental impact of financing decisions on Band D Council Tax	£12.36	£12.13	£11.85	£11.73

13 MEDIUM TERM FINANCIAL PLAN

13.1 The MTFP is found in **Essential Reference Paper B**. The MTFP position was last reported to Executive on 4 August 2015.

13.2 The MTFP model and assumptions are assessed and revised throughout the year with particular attention being paid to the announcements made in the Budget on 8 July 2015, the Autumn Statement on 25 November 2015 and the Local Government Settlement on 17 December 2015.

13.3 The Council Tax base has been monitored throughout the year. Any emerging increases or decreases in the tax base have been modelled and the resultant impact included within the MTFP.

13.4 The Finance and Business Planning process has identified future

funding proposals and potential savings that could be developed in future years. An assessment of historic trend patterns has been undertaken in order to reduce future underspends and ensure that resources are directed to reflect the priorities of the Council. Any growth or savings proposals that result from this process must be contained within the resources available to the Council as set out in the MTFP.

- 13.5 The Investment Strategy has been revised to ensure that the return on investment achieved is optimised based on market expectations and performance whilst maintaining the required security and liquidity within the council's investment portfolio. The MTFP has been updated to reflect the impact on the interest income received in particular with reference to the investment of £20m in Property Fund Unit Trusts and the use of cash balances to fund the purchase of Old River Lane.
- 13.6 There are likely to be significant changes over the period of the MTFP to the funding sources of local government as a result of changes announced by the Chancellor in the Autumn Statement. The MTFP has been prepared based on the best information available at the time and subject to expert advice. Once the details of these changes are known the MTFP will be updated.

14 REVIEW OF THE COUNCIL'S RESERVES

- 14.1 Reserves are either usable or unusable. Unusable reserves arise from statutory accounting transactions and cannot be used to fund revenue or capital expenditure. This report only considers the Council's usable reserves. The Council's Reserves Policy is included in **Essential Reference Paper K**.
- 14.2 A summary of Earmarked Reserve balances forecast for 2015/16 and over the course of the MTFP are included in **Essential Reference Paper K**.

15 ADVICE FROM THE SECTION 151 OFFICER

- 15.1 Section 25 of the Local Government Act 2003 requires the Statutory Section 151 Officer (Director of Finance and Support Services) to give advice to Council on the levels of reserves held and the robustness of the budgets at the time Council makes its decision on the budget proposals.
- 15.2 It is the advice of the Director of Finance and Support Services that these budget proposals are prudent, sensible and robust. In determining the budget proposals:

- Funding sources have been extensively modelled
- A zero-based salary budget has been produced
- The Housing Benefits Subsidy budget has been reviewed; the council's largest area of expenditure and income
- The MTFP model and assumptions have been considered and refreshed
- The council's Earmarked and General Reserves have been reviewed
- The revenue impact of the capital programme has been considered
- The key financial risks facing the council have been identified and assessed
- The budget proposals meet the requirements of the Local Government Finance Act 1997 for a balanced revenue position
- Proposals have been made in line with council policy to try and minimise the financial impact of budget proposals on East Herts residents by proposing no Council Tax increase in 2016/17 and an increase of 1% each year for the remainder of the MTFP period. In addition the Council Tax Support scheme remains unchanged and increases to fees and charges are minimal.

15.3 Throughout this report attention has been drawn to the uncertainty of the local government funding regime and the potential impact on East Herts. The assumptions made in the preparation of this report and the MTFP are based on the best information available at the time.

15.4 East Herts has a relatively healthy financial position compared to many other councils and the proposals in this report aim to maintain this position.

16 IMPLICATIONS/CONSULTATIONS

16.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper A**.

Background Papers

None

Contact Member:

Councillor Geoff Williamson – Executive Member for Finance and Support Services
geoffrey.williamson@eastherts.gov.uk

Contact Officer:

Adele Taylor – Director of Finance and Support
Services

Ext: 1401

adele.taylor@eastherts.gov.uk

Report author:

Philip Gregory – Head of Strategic Finance

philip.gregory@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

<p>Contribution to the Council's Corporate Priorities/ Objectives:</p>	<p>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</p> <p>This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p>Place – Safe and Clean</p> <p>This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity – Improving the economic and social opportunities available to our communities</p> <p>This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
<p>Consultation:</p>	<p>Discussions have taken place with Directors, Heads of Service and external partners to construct an accurate financial model.</p>
<p>Legal:</p>	<p>There are no legal implications.</p>
<p>Financial:</p>	<p>Financial implications are included in the body of the report.</p>
<p>Human Resource:</p>	<p>There are no Human Resources implications.</p>
<p>Risk Management:</p>	<p>The Budget report considers emerging risks to the funding the Council receives and sets out the mitigation of those risks.</p>
<p>Health and wellbeing – issues and impacts:</p>	<p>There no Health and Wellbeing issues raised as part of this report.</p>

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ESSENTIAL REFERENCE PAPER B

REVENUE BUDGET - MEDIUM TERM FINANCIAL PLAN

Summary Model - December 2015

2014/15 Outturn	2015/16	2015/16 Forecast Outturn	2016/17	2017/18	2018/19	2019/20
£'000	£'000	£'000	£'000	£'000	£'000	£'000

Customer and Community Services	6,162	6,401	6,562	6,436	6,628	6,882	7,150
Neighbourhood Services	3,294	3,171	3,346	3,133	3,213	3,321	3,422
Finance and Support Services	5,841	4,904	4,886	4,528	4,376	4,504	4,639
Net Cost of Services	15,297	14,476	14,794	14,097	14,217	14,707	15,211

Financial Planning							
Growth Items	-	654	-	41	55	54	54
Efficiency Savings - Existing plans	-	(107)	-	-	(145)	(145)	(145)
Efficiency savings - to be identified	-	-	-	-	(728)	(1,689)	(1,338)
Fees & Charges	-	-	-	-	(124)	(249)	(376)
Likely Future Changes	-	-	-	-	(119)	70	(183)

Corporate Budgets							
New Homes Bonus Priority Spend	-	357	660	901	820	665	679
NHB Grants to Town & Parish Councils	551	697	699	901	820	665	679
Council Tax Support Scheme	127	-	-	-	-	-	-
Contingency Budget	-	370	41	150	150	150	150
Interest Payments	694	662	662	662	662	662	662
Interest & Investment Income	(741)	(867)	(417)	(902)	(956)	(1,089)	(1,183)
RCCO	-	25	980	25	25	25	25
Pension Fund Deficit Contribution	(88)	600	1,600	600	600	600	600
Net Expenditure	15,841	16,868	19,019	16,474	15,278	14,427	14,835

Reserves							
Contributions to Earmarked Reserves	3,290	144	691	1,107	47	47	47
Contributions from Earmarked Reserves	(625)	(1,831)	(4,274)	(2,153)	(237)	(61)	(150)
Use of General Reserve	(149)	-	(119)	-	-	-	-
Net Expenditure after reserves	18,357	15,181	15,316	15,428	15,088	14,413	14,732

Funding							
Revenue Support Grant	(2,823)	(2,057)	(2,057)	(1,145)	(351)	-	-
Council Tax Freeze Grant	(94)	-	(114)	-	-	-	-
NDR	(2,864)	(1,717)	(1,717)	(1,956)	(1,975)	(1,886)	(1,948)
Section 31 Grants	(1,317)	(1,060)	(1,060)	(712)	(522)	(533)	(548)
(Surplus)/Deficit on Collection Fund	(307)	1,244	1,244	917	149	-	-
Other general grants	(22)	-	(16)	-	-	-	-
New Homes Bonus	(2,190)	(2,790)	(2,798)	(3,602)	(3,279)	(2,662)	(2,716)
Demand on Collection Fund	8,738	8,800	8,800	8,930	9,109	9,333	9,520

Council Taxbase	55,469	56,425	56,425	57,254	57,827	58,655	59,239
Council Tax at Band D (£)	157.54	155.97	155.97	155.97	157.53	159.11	160.70

Percentage Increase in Council Tax (1.00%) (1.00%) 0.00% 1.00% 1.00% 1.00%

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KEY VARIANCES FROM THE 2015/16 ORIGINAL BUDGET

Customer and Community Services:

An increased customer base in Commercial Waste has resulted in anticipated additional income of £67k in 2015/16.

The contribution from Hertfordshire County Council linked to Recycling (Alternate Financial Model – AFM) is expected to be lower than budget by £60k.

Following the community right to challenge the management fee to Bishops Stortford Town council for running the Market will exceed the approved budget by £47k.

Following the sale of the lease for Bircherley Green Car Park in Hertford at the end of March 2015, the Council is no longer responsible for the running of the car park. Therefore a net overspend of £126k is reported mainly due to lost income.

Use of the RingGo pay by phone service in the pay and display car parks is expected to increase by 30% in 2015/16. The cost to the motorist of using this council are passed on to the Council, an additional cost of £14k is predicted.

The consultation for Bishop's Stortford Parking Futures has been expanded in agreement with the Portfolio holder, with additional costs of £7k in 2015/16.

Sawbridgeworth and Buntingford town Councils will no longer be subsidising Pay and Display parking, resulting in a £25k reduction in income. As approved by Executive on 8th June 2015, this is to be funded through use of the New Homes Bonus Priority Spend budget.

A rent review of the Causeway car park in Bishop's Stortford has been completed, this will increase the rental cost to the Council by £58k per year. This is currently being managed as a pressure within the service.

Penalty Charge Notice income will be £13k higher than previously reported, due to improved collection rates.

The cost of printing pay and display tickets will be £8k below 2015/16 budget due to a better price being negotiated with the suppliers.

Neighbourhood Services:

It is expected that an element of the 2015/16 local plan expenditure in the Planning Policy service will slip into 2016/17, although the amount is still uncertain at this stage of the financial year. This is funded through the Local Development Framework reserve therefore there will be a reduction in the amount drawn down in 2015/16.

£30k additional income is anticipated in the Development Management Service from pre application fees to be received in February 2016 in relation to the Bishop's Stortford Goods Yard Site. This will be offset by increased agency staff costs as detailed above.

An additional £19k of S106 income is anticipated in Development Management.

A contribution towards Public Health promotions of £100k has been received from Herts County Council. As agreed at Council on 18 February 2015 match funding of £100k from East Herts will be used to support this project funded from the New Homes Bonus priority fund.

The second receipt of £100k from Herts County Council as a contribution towards Public Health promotions will be in January 2016. This will be transferred to reserves as expenditure is programmed in 2016/17.

The budget for PCSO's (Police Community Support Officers) will overspend by £19k as 4 posts are being funded rather than the budgeted 3. Additional funding has been received reducing this overspend by £11k to £8k.

The appeals expenditure budget in Development Management is expected to be £40k above budget. This is due to the use of consultants at Public Inquiry to present the Council's case and the instruction from the Executive for all major residential schemes submitted from July onwards to be subject to rigorous financial assessment.

The 2015/16 budget for Planning Application fees was increased in line with historic trends. Whilst the volume of planning applications received to 31st August is consistent with previous years the size of these are small in financial value. An under achievement in income of £189k is currently forecast.

ESSENTIAL REFERENCE PAPER C

Based on current trends the Building Control income received from Safestyle will be £40k lower than budget, due to a lower number of applications than expected.

A underspend of £32k on rent deposits is reported. This is due to private landlords being unwilling to accept homeless tenants in a buoyant rental market.

Finance and Support Services:

The housing association lease at Charrington's House has expired and will not be renewed therefore there will be a shortfall in income of £41k in 2015/16. This is currently being managed as a pressure within the service whilst alternative tenants are identified.

External Audit fees are anticipated to be £30k lower than budget, due to a new External Auditor, EY, being appointed from 2015/16 with a lower fee agreed by PSAA (Public Sector Audit Appointments).

Worldpay transaction charges are forecast to be higher than budget, although this is offset by savings from bank charges, resulting in a £12k overspend. This is further offset by treasury management fees which are £5k lower than budget.

The purchase of the Old River Lane site in Bishop's Stortford will lead to a net increase in revenue in 2015/16. This is currently forecast to result in additional net income of £427k this financial year.

A collective action (APPS) was bought against the Council by Property Search Companies relating to a dispute on the terms by which the Council provided property search information. The settlement sum due to be paid is anticipated to be no greater than £188k. A Government Grant of £110k has been received to partially offset this. The balance of £78k will be funded through the General Reserve.

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Summary of Budgets

December 2015

		2014/15 Outturn	2015/16 Original Budget	2015/16 Forecast outturn	2016/17 Proposed Budget
		£'000	£'000	£'000	£'000
Customer and Community Services	Chief Executive and Director of Customer and Community Services	162	150	108	147
	Environmental Services	5,676	5,598	5,737	5,591
	Customer Services and Parking	(796)	(574)	(577)	(518)
	Communications, Engagement & Cultural Services	878	943	873	826
	Business Development	242	283	421	390
	Customer and Community Services Total:	6,162	6,401	6,562	6,436
Neighbourhood Services	Director of Neighbourhood Services	122	116	124	114
	Corporate Support Team	101	109	107	114
	Community Safety & Health	1,514	1,369	1,339	1,283
	Housing Services	568	490	564	585
	Planning & Building Management	989	1,087	1,212	1,036
	Neighbourhood Services Total:	3,294	3,171	3,346	3,133
Finance and Support Services	Director of Finance and Support Services	130	129	126	123
	Human Resources & OD	433	370	375	414
	Business & Technology Shared Services	1,367	1,284	1,294	1,299
	Strategic Finance	473	189	160	(553)
	Governance & Risk Management	1,416	1,401	1,536	1,509
	Democratic Services & Legal	475	619	1,198	603
	Revenues & Benefits Shared Service	680	105	165	270
	Other Corporate Budgets	867	807	32	864
	Finance and Support Services Total:	5,840	4,904	4,886	4,528
Net Cost of Services Total:		15,297	14,476	14,794	14,097

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Planning assumptions for 2016/17 MTFP:

FACTOR	NOTE	2016/17	2017/18	2018/19	2019/20
Council Tax Increase		0.00%	1.00%	1.00%	1.00%
Pay Settlement	1	1.75%	1.75%	1.75%	1.75%
Members Allowances	2	1.00%	1.00%	1.00%	1.00%
Price inflation	3	1.20%	1.70%	1.90%	2.00%
Contract inflation	4	1.20%	1.70%	1.90%	2.00%
Council Tax Base	5	1.00%	1.00%	1.00%	1.00%
Fees and Charges	6	2.50%	2.50%	2.50%	2.50%

Notes:

1. Based on continued pay restraint through the life of the MTFP period. Includes an annual 0.75% increase to allow for increments and local award.
2. Members allowances are set by an Independent Remuneration Panel but for MTFP planning purpose this is assumed to be in line with officer pay awards.
3. Price inflation is based upon OBR inflation forecasts for future years as at March 2015 (CPI).
4. Contract inflation is based upon OBR inflation forecasts for future years as at March 2015 (CPI).
5. Council Tax base increases have been calculated using trend information. Further revisions may occur once certainty around the scale and timing of future developments becomes clear.
6. Fees and Charges are assumed to increase by 2.5% year on year. This may be achieved through a combination of appropriate price increases or new sources of income being identified.

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REVENUE BUDGET GROWTH PROPOSALS

DESCRIPTION		2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
NEW GROWTH					
NEIGHBOURHOOD SERVICES					
Community Safety & Health					
	Additional hours to deliver the revised Empty Homes Strategy for a 2 year trial period.	21	-	-	-
Housing					
	2 year post in Housing Options to become permanent. Post originally agreed by CMT on a temporary basis for 2 years only at which point it should be reviewed & a growth item requested.	-	11	-	-
CUSTOMER AND COMMUNITY SERVICES					
Business Development					
	Overtime costs for Markets cover	6	-	-	-
Communications, Engagement & Cultural Services					
	Increased grant to Citizens Advice Bureau	20	-	-	-
	Initial market research to assess if there is a market to sell Engagement & Partnership services	5	-	-	-
	Increase in hours: Communications Officer	10	-	-	-
Information, Customer & Parking Services					
	Revenue costs of Capital scheme - New Pay & Display machines in Car Parks	-	-	-	-
FINANCE & SUPPORT SERVICES					
Business & Technology Services					
	Revenue costs of Capital scheme - Device Responsive Template (IT licences)	-	2	-	-
Total New Growth		62	13	-	-
GROWTH OVER £5K ALREADY AGREED AND BUILT INTO SERVICE BUDGETS					
NEIGHBOURHOOD SERVICES					
Planning & Building Control					
	Decrease in Safestyle Income - income from a new partnership which commenced in October 2014. East Herts undertaking plan checking for works across England & receiving income from other local authorities in return. The scheme has been running for just over a year, volumes are not as high as anticipated.	40	-	-	-
	Cessation of Development Management S106 Monitoring Fees due to a change in legislation.	16	-	-	-
Community Safety & Health					
	Air Pollution Monitoring - change of contract has led to an increase in charges.	6	-	-	-
	Emergency Planning - Lone Worker Fee	5	-	-	-
CUSTOMER & COMMUNITY SERVICES					
Communications, Engagement & Cultural Services					
	Increased expenditure due to Sunday opening and increased levels of business, particularly Cinema and Promotions	67	-	-	-
Business Development					
	Increased costs of markets due to Town Council now running Bishop's Stortford	45	-	-	-
	Economic Development funding for WENTA from reserves	20	-	-	-
Information, Customer & Parking Services					
Car Parks	Increased RingGo costs	27	-	-	-
FINANCE & SUPPORT SERVICES					
Strategic Finance					
	Accountant Post increased from 22 hrs to 37 (agreed at CMT 13.10.15)	17	-	-	-
	HCC finance graduate scheme	42	-	-	-
	Asset Management new post (Grade 6 post deleted, replaced with new Grade 10, agreed at CMT 13.10.15)	16	-	-	-
	Increased payment transaction charges	40	-	-	-
	Tree works	50	-	-	-



REVENUE BUDGET GROWTH PROPOSALS

DESCRIPTION		2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
Human Resources & Organisational Development					
	New HR Officer 30 hours (agreed at CMT 14.7.15)	22	-	-	-
	Increase to support the outcomes and actions in the OD Strategy investing in learning & development (£7k) and to support ongoing corporate professional development (£10k)	17	-	-	-
Democratic & Legal Services					
	New post in Democratic Services (agreed at CMT 13.10.15)	31	-	-	-
Corporate Budgets					
	Chief Executive initiatives	20	-	-	-
	Leader of the Council initiatives	20	-	-	-
Growth already built into base Budget		604	26	-	-



REVENUE BUDGET SAVINGS PROPOSALS

DESCRIPTION		2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
SAVINGS over £5k ALREADY AGREED AND BUILT INTO SERVICE BUDGETS					
NEIGHBOURHOOD SERVICES					
Community Safety & Health					
	Government Grants Housing - Better Care Fund. £175k budget 15/16, assume replication of 15/16 actual of £293k. HCC to	(118)	-	-	-
CUSTOMER AND COMMUNITY SERVICES					
Environmental Services					
Public Conveniences	Reduced Contract Cleaning costs due to reduction in 2 units in Hertford and Sawbridgeworth	(20)	-	-	-
Recycling	Additional income from AFM	(35)	-	-	-
Environmental Coord	Reduced demand on grants budget	(7)	-	-	-
Leisure	Savings on contract cost due to capital investment in 3G pitches at Hartham	(15)	-	-	-
Information, Customer & Parking Services					
Car Parks	Additional Pay and Display income	(122)	-	-	-
Communications, Engagement & Cultural Services					
Hertford Theatre	Additional income due to Sunday opening and increased levels of business, particularly Cinema, Promotions and Pantomime	(168)	-	-	-
FINANCE AND SUPPORT SERVICES					
Strategic Finance					
Asset Management	Additional income from Old River Lane site	(910)	-	-	-
Finance	Reduced Audit fees	(25)	-	-	-
Finance	Reduced Treasury management fees	(5)	-	-	-
Total Savings already built into base Budget		(1,425)	-	-	-

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ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge	2016/17 Charge	Year on Year Variance	VAT
			£	£	%	

Environmental Health Licences

Riding Establishments (excl. vet fees)	Cost Recovery	per annum	9	406.00	416.00	2.46%	OS
Zoos - New Licence (excl. vet fees)	Cost Recovery	per 4 year registration	0	1,957.00	2,006.00	2.50%	OS
Zoos - Year 6 renewal licence inspection (excl. vet fees)	Cost Recovery	per 6 years	2	1,513.00	1,551.00	2.51%	OS
Zoos - Transfer of Licence	Cost Recovery	per transfer	0	660.00	677.00	2.58%	OS
Dangerous Wild Animals (excl. vet fees)	Cost Recovery	per annum	1	555.00	569.00	2.52%	OS
Dog breeding establishments (excl. vet fees)	Cost Recovery	per annum	0	240.00	246.00	2.50%	OS
Animal boarding establishments (exc. vet fees)	Cost Recovery	per annum	16	240.00	246.00	2.50%	OS
Home boarding establishments (excl. vet fees)	Cost Recovery	per annum	8	113.00	116.00	2.65%	OS
Pet Shops (excl. vet fees)	Cost Recovery	per annum	9	196.00	201.00	2.55%	OS
Registration for Skin Piercing (Static/Home Business)	Cost Recovery	per business	9	192.00	197.00	2.60%	OS
Registration for Skin Piercing (Person)	Cost Recovery	per person or premises	7	121.00	124.00	2.48%	OS
Registration for Peripatetic Skin Piercing (includes one operator)	Cost Recovery	per business	2	192.00	197.00	2.60%	OS
Update to an existing Skin Piercing registration	Cost Recovery	per update	0	121.00	124.00	2.48%	OS
Street Trading: Occasional Registered Charity (up to one month)	Cost Recovery	per month	0	57.00	58.00	1.75%	OS
Street Trading: Occasional (up to one month)	Cost Recovery	per month	1	111.00	114.00	2.70%	OS
Street Trading: Peripatatic (e.g. ice cream van)	Cost Recovery	per annum	7	321.00	329.00	2.49%	OS
Street Trading: Static (e.g. burger van)	Cost Recovery	per annum	29	326.00	334.00	2.45%	OS
Additional Licence fee for second reminder letter	Cost Recovery	per letter	0	22.00	23.00	4.55%	OS
Additional Licence fee for chasing applications after the expiry of current licence	Cost Recovery	per licence	0	49.00	50.00	2.04%	OS

Training Courses

Level 2 Food Safety Training	Cost Recovery	per person, per course	31	65.00	67.00	3.08%	E
Level 2 Health & Safety Training	Cost Recovery	per person, per course	0	65.00	67.00	3.08%	E
Level 2 Food Safety Refresher Training	Cost Recovery	per person, per course	6	41.00	42.00	2.44%	E
Level 2 Health & Safety Refresher Training	Cost Recovery	per person, per course	0	41.00	42.00	2.44%	E
Level 2 Food Hygiene Training (up to 14 places at customer's premises)	Cost Recovery	per course	5	620.00	540.00	-12.90%	E
Level 2 Food Hygiene Refresher Training (up to 14 places at customer's premises)	Cost Recovery	per course	30	380.00	620.00	63.16%	E
Cancellation Fee (less than 10 working days before course)	Cost Recovery	per person, per course	0	100% of fee paid	100% of fee paid	N/A	E

Miscellaneous Fees & Charges

Food register	Cost Recovery	per single entry	0	13.00	13.00	0.00%	n/a
Food register	Cost Recovery	per category	0	26.00	27.00	3.85%	n/a
Food register	Cost Recovery	per full copy	0	77.00	79.00	2.60%	n/a
Air quality data enquiries	Cost Recovery	per hour or part	4	62.00	nil		n/a
Additional Land charge enquiries	Cost Recovery	per hour or part	104	62.00	62.00	0.00%	n/a
Issue of certificate following surrender of food (excl. disposal costs)	Cost Recovery	per hour or part	1	49.00	50.00	2.04%	n/a
Food export health certificate	Cost Recovery	per hour or part	0	49.00	50.00	2.04%	n/a



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Replacement 'Scores on Doors' certificate	Cost Recovery	per certificate	1	37.00	38.00	2.70%	S
Replacement of any environmental health licence or registration documents	Cost Recovery	each	1	49.00	50.00	2.04%	S
Statement of fact for civil cases	Cost Recovery	per hour	0	49.00	50.00	2.04%	S
Standards inspection for immigration	Cost Recovery	per inspection	0	110.00	150.00	36.36%	S
Housing Notices	Cost Recovery	fixed charge	0	330.00	345.00	4.55%	S
Fixed penalty for failure to belong to an approved redress scheme	Cost Recovery	fixed charge	0	5,000.00	5,000.00	0.00%	n/a
Letter confirming food premises registration	Cost Recovery	per letter	1	37.00	38.00	2.70%	S
Attendance at Exhumations	Cost Recovery	per hour (or part)	0	49.00	50.00	2.04%	S

Private Water Supplies

Risk Assessment (smaller supplies - Regulation 10)	Cost Recovery	per assessment	0	331.00	up to £500	51.06%	n/a
Risk Assessment (larger supplies - Regulation 9)	Cost Recovery	per assessment	2	432.00	up to £500	15.74%	n/a
Risk Assessment (Desktop)	Cost Recovery	per assessment	0	111.00	up to £500	350.00%	n/a
Sampling Visit (excl. analysis costs)	Cost Recovery	per visit	50	83.33	83.33	0.00%	S
Investigation (excl. analysis costs)	Cost Recovery	per investigation	0	83.33	83.33	0.00%	S
Granting of Authorisation	Cost Recovery	per authorisation	0	100.00	83.33	-16.67%	n/a
Analysis Costs (Regulation 10)	Cost Recovery	per set of samples	0	up to £25	up to £25	0.00%	n/a
Analysis Costs (Check Monitoring)	Cost Recovery	per set of samples	27	up to £100	up to £100	0.00%	n/a
Analysis Costs (Audit Monitoring)	Cost Recovery	per set of samples	23	up to £500	up to £500	0.00%	n/a

HMO Licensing Fees

Licence for a HMO with no more than 5 bedrooms (initiated by applicant without LA intervention)	Cost Recovery	fixed charge	0	785.00	825.00	5.10%	n/a
Licence for a HMO with no more than 5 bedrooms (initiated by applicant with LA intervention)	Cost Recovery	fixed charge	1	1,064.00	1,120.00	5.26%	n/a
Additional bedrooms	Cost Recovery	each	11	14.00	15.00	7.14%	n/a
Production of drawings			0	49.00	delete	-100.00%	n/a
BACS refund on full licence fee for receipt of complete valid application within 21 days without further LA intervention			0	100.00	100.00	0.00%	n/a
Variation of licence, other than change of address	Cost Recovery		0	118.00	125.00	5.93%	n/a

HMO Licensing Fees

Fee reduction for additional HMO's with same applicant / landlord			2	55.00	delete	-100.00%	n/a
Renewal of HMO Licence	Cost Recovery		9	653.00	685.00	4.90%	n/a
BACS refund for receipt of complete valid renewal applications more than 3 months before current licence expires			0	100.00	100.00	0.00%	n/a
Confirmation of empty home status for VAT reduction	Cost Recovery		1	77.00	100.00	29.87%	n/a

Miscellaneous Engineering Fees

Street parties (non-commercial)				free			
Sewer Records/Plans		per item	4	27.00	28.00	3.70%	n/a

OTHER LICENCES

Sex Establishments	Cost Recovery	per annum	0	4,950.00	2,615.00	-47.17%	n/a
Sex Establishments	Cost Recovery	per renewal	0	4,950.00	2,315.00	-53.23%	n/a



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Sex Establishments	Cost Recovery	transfer	0	910.00	75.00	-91.76%	n/a
Hypnotism Act 1952 - Occasional licensed premises	Cost Recovery		0	140.00	140.00	0.00%	n/a
Hypnotism Act 1952 - Occasional unlicensed premises	Cost Recovery		0	540.00	540.00	0.00%	n/a
Scrap Metal Site Licence	Cost Recovery	per licence granted	0	246.00	246.00	0.00%	n/a
Scrap Metal Site Licence	Cost Recovery	per licence renewed	0	182.70	182.70	0.00%	n/a
Scrap Metal Site Licence - Variation, Name Change, Change of Site	Cost Recovery	per change	0	43.50	43.50	0.00%	n/a
Scrap Metal Collectors Licence	Cost Recovery	per licence granted	1	222.50	222.50	0.00%	n/a
Scrap Metal Collectors Licence	Cost Recovery	per licence renewed	0	159.20	159.20	0.00%	n/a
Scrap Metal Collectors Licence - Variation, Name Change	Cost Recovery	per change	0	43.50	43.50	0.00%	n/a

TAXI LICENSING

Hackney Carriage Vehicle/Proprietor Licence	Cost Recovery	per renewal	248	274.00	274.00	0.00%	n/a
Hackney Carriage Vehicle/Proprietor Licence	Cost Recovery	per new vehicle	15	308.00	308.00	0.00%	n/a
Private Hire Vehicle / Proprietor Licence	Cost Recovery	per renewal	44	274.00	274.00	0.00%	n/a
Private Hire Vehicle / Proprietor Licence	Cost Recovery	per new licence	14	308.00	308.00	0.00%	n/a
Private Hire drivers licence	Cost Recovery	per renewal 1 year	38	106.00		-100.00%	n/a
Private Hire drivers licence	Cost Recovery	per renewal 3 years			264.00	n/a	n/a
Private Hire drivers licence	Cost Recovery	per new licence	24	211.00	369.00	74.88%	n/a
Hackney Carriage Vehicle/Proprietor (renewal) where able to transport a person whilst remaining in a wheelchair	Cost Recovery	first year	0	100% discount	100% discount	n/a	n/a
Hackney Carriage Vehicle/Proprietor (renewal) where able to transport a person whilst remaining in a wheelchair	Cost Recovery	Subsequent years	0	50% discount	50% discount	n/a	n/a
Private Hire Business Operator - up to 6 vehicles	Cost Recovery	per licence	32	218.00	258.00	18.35%	n/a
Private Hire Business Operator - additional vehicles	Cost Recovery	per vehicle	0	30.00	30.00	0.00%	n/a
Dual Driver (Hackney/Private Hire)	Cost Recovery	per renewal	281	106.00		-100.00%	n/a
					264.00	n/a	
Dual Driver (Hackney/Private Hire) (Grant)	Cost Recovery	per new licence	14	211.00	369.00	74.88%	n/a
Change of vehicle	Cost Recovery	per change	41	78.00	78.00	0.00%	n/a
Initial Application for a drivers licence (reimbursed on grant of application)	Cost Recovery	per application	0	211.00	-	-100.00%	n/a
Change of Vehicle DVLA registration number	Cost Recovery	per change	2	45.00	45.00	0.00%	n/a
Change of Vehicle licence designation - Hackney to Private	Cost Recovery	per change	not known	45.00	45.00	0.00%	n/a
Change of Vehicle licence designation -Private to Hackney	Cost Recovery	per change	not known	85.00	45.00	-47.06%	n/a
Change of vehicle proprietor with unexpired licence	Cost Recovery	per change	not known	45.00	45.00	0.00%	n/a
Convert drivers licence to dual driver	Cost Recovery	per change	not known	45.00	45.00	0.00%	n/a
Knowledge Test	Cost Recovery	per test	76	91.00	91.00	0.00%	n/a
Roof light (complete)	Cost Recovery	per light	not known	68.33	68.33	0.00%	S
Roof light (cover or base plate separate)	Cost Recovery	per light	not known	36.67	36.67	0.00%	S
Charge for unusable/damaged returned roof light to be discounted from any refund	Cost Recovery	per light	not known	15.83	15.83	0.00%	S
Replacement badge	Cost Recovery	per badge	not known	22.50	22.50	0.00%	S



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Replacement plate/trailer plate	Cost Recovery	per plate	not known	36.67	36.67	0.00%	S
Roof light bulb	Cost Recovery	per bulb	not known	2.08	2.08	0.00%	S
Magnets (sold as pair)	Cost Recovery	per pair	not known	6.67	6.67	0.00%	S
Executive Private Hire Disc	Cost Recovery	per disc	not known	10.83	10.83	0.00%	S
Table of fares/windscreen badge				Free	Free		
Distribution of free literature	Cost Recovery	per distribution	not known	28.33	28.33	0.00%	S

PREMISES LICENCES

Application for premises, club premises certificate, variations (excluding change of name and address or designated premises supervisor) conversion/variation - Band A - rateable value £0-£4,300	Statutory Fee	per band A premises		100.00	100.00	0.00%	n/a
Application for premises, club premises certificate, variations (excluding change of name and address or designated premises supervisor) conversion/variation - Band B - rateable value £4,301-33,000	Statutory Fee	per band B premises		190.00	190.00	0.00%	n/a
Application for premises, club premises certificate, variations (excluding change of name and address or designated premises supervisor) conversion/variation - Band C - rateable value £33,001-£87,000	Statutory Fee	per band C premises		315.00	315.00	0.00%	n/a
Application for premises, club premises certificate, variations (excluding change of name and address or designated premises supervisor) conversion/variation - Band D - rateable value £87,001-£125,000	Statutory Fee	per band D premises		450.00	450.00	0.00%	n/a
Application for premises, club premises certificate, variations (excluding change of name and address or designated premises supervisor) conversion/variation - Band E - rateable value £125,000 and over	Statutory Fee	per band E premises		635.00	635.00	0.00%	n/a
PREMISES LICENCES (Holders of premises licences and club premises certificate) - Band A - rateable value £0-£4,300	Statutory Fee	per band A premises per annum	75	70.00	70.00	0.00%	n/a
PREMISES LICENCES (Holders of premises licences and club premises certificate) - Band B - rateable value £4,301-33,000	Statutory Fee	per band B premises per annum	326	180.00	180.00	0.00%	n/a
PREMISES LICENCES (Holders of premises licences and club premises certificate) - Band C - rateable value £33,001-£87,000	Statutory Fee	per band C premises per annum	75	295.00	295.00	0.00%	n/a
PREMISES LICENCES (Holders of premises licences and club premises certificate) - Band D - rateable value £87,001-£125,000	Statutory Fee	per band D premises per annum	18	320.00	320.00	0.00%	n/a
PREMISES LICENCES (Holders of premises licences and club premises certificate) - Band E - rateable value £125,000 and over	Statutory Fee	per band E premises per annum	22	350.00	350.00	0.00%	n/a
PERSONAL LICENCE	Statutory Fee	per licence	110	37.00	37.00	0.00%	n/a

OTHER FEES AND CHARGES

Supply of copies of information contained in register	Cost Recovery	per black & white A4 sheet		0.10	0.10	0.00%	S
Supply of copies of information contained in register	Cost Recovery	per black & white A3 sheet		0.20	0.20	0.00%	S
Supply of copies of information contained in register	Cost Recovery	per black & white A0 sheet		1.10	1.10	0.00%	S
Supply of copies of information contained in register	Cost Recovery	per colour A4 sheet		0.20	0.20	0.00%	S
Supply of copies of information contained in register	Cost Recovery	per colour A3 sheet		0.50	0.50	0.00%	S
Supply of copies of information contained in register	Cost Recovery	per colour A0 sheet		1.70	1.70	0.00%	S
Application for copy of licence or summary on theft, loss etc of premises licence or summary	Statutory Fee	per application		10.50	10.50	0.00%	n/a
Notification of change of name or address (holder of premises licence)	Statutory Fee	per change		10.50	10.50	0.00%	n/a
Application to transfer to a newly individual as premises supervisor	Statutory Fee	per application		23.00	23.00	0.00%	n/a



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Application to transfer premises licence	Statutory Fee	per application		23.00	23.00	0.00%	n/a
Interim authority notice	Statutory Fee	per notice		23.00	23.00	0.00%	n/a
Application for making of a provisional statement	Statutory Fee	per statement		315.00	315.00	0.00%	n/a
Application for copy of certificate or summary on theft, loss etc of certificate or summary	Statutory Fee	per copy		10.50	10.50	0.00%	n/a
Notification of change of name or alteration of club rules	Statutory Fee	per change		10.50	10.50	0.00%	n/a
Change of relevant registration address of club	Statutory Fee	per change		10.50	10.50	0.00%	n/a
Temporary event notice	Statutory Fee	per notice		21.00	21.00	0.00%	n/a
Application of copy of notice on theft, loss etc of temporary event notice	Statutory Fee	per copy		10.50	10.50	0.00%	n/a
Application of copy of licence on theft, loss etc of personal licence	Statutory Fee	per copy		10.50	10.50	0.00%	n/a
Notification of change of name or address (personal licence)	Statutory Fee	per change		10.50	10.50	0.00%	n/a
Notice of interest in any premises	Statutory Fee	per notice		21.00	21.00	0.00%	n/a

Gambling Act 2005

Bingo Premises	Cost Recovery	per licence		2,677.50	2,677.50	0.00%	n/a
Bingo Premises	Cost Recovery	per variation		1,339.00	1,339.00	0.00%	n/a
Bingo Premises	Cost Recovery	per transfer		918.00	918.00	0.00%	n/a
Bingo Premises	Cost Recovery	Annual Fee		765.00	765.00	0.00%	n/a
Adult Gaming Centre Premises	Cost Recovery	per licence		1,530.00	1,530.00	0.00%	n/a
Adult Gaming Centre Premises	Cost Recovery	per variation		765.00	765.00	0.00%	n/a
Adult Gaming Centre Premises	Cost Recovery	per transfer		918.00	918.00	0.00%	n/a
Adult Gaming Centre Premises	Cost Recovery	Annual Fee		765.00	765.00	0.00%	n/a
Betting Premises (Track)	Cost Recovery	per licence		1,913.00	1,913.00	0.00%	n/a
Betting Premises (Track)	Cost Recovery	per variation		957.00	957.00	0.00%	n/a
Betting Premises (Track)	Cost Recovery	per transfer		727.00	727.00	0.00%	n/a
Betting Premises (Track)	Cost Recovery	Annual Fee	1	765.00	765.00	0.00%	n/a
Betting Premises (Other)	Cost Recovery	per licence		2,300.00	2,300.00	0.00%	n/a
Betting Premises (Other)	Cost Recovery	per variation		1,148.00	1,148.00	0.00%	n/a
Betting Premises (Other)	Cost Recovery	per transfer		918.00	918.00	0.00%	n/a
Betting Premises (Other)	Cost Recovery	Annual Fee		300.00	300.00	0.00%	n/a
Family Entertainment Centre Premises	Cost Recovery	per licence		1,530.00	1,530.00	0.00%	n/a
Family Entertainment Centre Premises	Cost Recovery	per variation		765.00	765.00	0.00%	n/a
Family Entertainment Centre Premises	Cost Recovery	per transfer		727.00	727.00	0.00%	n/a
Family Entertainment Centre Premises	Cost Recovery	Annual Fee		574.00	574.00	0.00%	n/a
Temporary Use Notices	Cost Recovery	per notice		500.00	500.00	0.00%	n/a
Temporary Use Notices	Cost Recovery	per copy		25.00	25.00	0.00%	n/a
Gaming Machine Permit 10 years (Up to 2 machines)	Statutory Fee	per permit		50.00	50.00	0.00%	n/a
Club Gaming Machine Permit 5 years (Up to 3 machines)	Statutory Fee	per permit	3	100.00	100.00	0.00%	n/a



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Club Gaming Machine Permit	Statutory Fee	Annual Fee	27	50.00	50.00	0.00%	n/a
Small Lotteries	Statutory Fee	per setup	80	40.00	40.00	0.00%	n/a
Small Lotteries	Statutory Fee	per renewal		20.00	20.00	0.00%	n/a
CCTV Cameras							
Ware Town Council	Cost Recovery	per camera		2,911.00		n/a	n/a
Hertford Town Council	Cost Recovery	per camera		2,429.00		n/a	n/a
Bishop's Stortford Town Council	Cost Recovery	per camera		2,444.00		n/a	n/a
Ware Town Council	Cost Recovery	per annum			10,600.00	n/a	n/a
Hertford Town Council	Cost Recovery	per annum			21,330.00	n/a	n/a
Bishop's Stortford Town Council	Cost Recovery	per annum			21,800.00	n/a	n/a
Misc Building Control and Development Management Charges							
Copies of any documents	Discretionary	per black & white A4 sheet	limited	0.10	0.10	0.00%	n/a
Copies of any documents	Discretionary	per colour A4 sheet	limited	0.20	0.20	0.00%	n/a
Copies of any documents	Discretionary	per black & white A3 sheet	limited	0.20	0.20	0.00%	n/a
Copies of any documents	Discretionary	per colour A3 sheet	limited	0.40	0.40	0.00%	n/a
Copies of any documents	Discretionary	per black & white A2 sheet	limited	1.00	1.00	0.00%	n/a
Copies of any documents	Discretionary	per colour A2 sheet	limited	2.00	2.00	0.00%	n/a
Copies of any documents	Discretionary	per black & white A1 sheet	limited	1.50	1.50	0.00%	n/a
Copies of any documents	Discretionary	per colour A1 sheet	limited	3.00	3.00	0.00%	n/a
Copies of any documents	Discretionary	per black & white A0 sheet	limited	2.00	2.00	0.00%	n/a
Copies of any documents	Discretionary	per colour A0 sheet	limited	4.00	4.00	0.00%	n/a
Copies of documents provided on an electronic disc	Discretionary	per disc provided	limited	15.50	15.50	0.00%	n/a
Ordnance Survey Extracts	Cost Recovery	up to 6 copies	limited	-	-	0.00%	-
Historical Research (where records available)	Discretionary	per hour (or part)	limited	77.00	77.00	0.00%	n/a
Legal obligation agreements - clause monitoring fee	Cost Recovery	per obligation issue		310.00	nil	-100.00%	n/a
Legal obligation agreements - confirmation of compliance by third parties or where the monitoring fee has not been paid	Discretionary	per hour (or part of) after first hour	limited	77.00	77.00	0.00%	n/a
Certificate of no outstanding Building control regulated work or letter of comfort	Cost Recovery	per certificate / letter	limited	35.00	35.00	0.00%	n/a
Letter confirming exemption from Building Control regulations	Cost Recovery	per letter	limited	35.00	35.00	0.00%	n/a
Rejuvenation of closed Building Control file (not previously approved)	Cost Recovery	per file	limited	50.00	50.00	0.00%	n/a
High Hedge consultation and investigation	Cost Recovery	per consultation and investigation	v limited	515.00	515.00	0.00%	n/a



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Fee for discharge of or compliance with a condition	Statutory Fee	per request (any number of conditions) relating to works of extension or alteration to an existing dwelling	numerous	28.00	28.00	0.00%	n/a
Fee for discharge of or compliance with a condition	Statutory Fee	per request (any number of conditions) all other developments	v limited	97.00	97.00	0.00%	n/a
Retrieval of externally stored microfilmed records	Discretionary	per microfilmed record	v limited	4.60	4.60	0.00%	n/a

PRE-APPLICATION ADVICE

Householder proposals	Discretionary	Initial fee	numerous	25.00	25.00	0.00%	S
Householder proposals	Discretionary	Secondary fee	limited	12.50	12.50	0.00%	S
Request for informal confirmation that proposed development comprises 'permitted development'. (Not Lawful Development Certificate)	Discretionary	Initial fee	limited	41.60	41.60	0.00%	S
Request for informal confirmation that proposed development comprises 'permitted development'. (Not Lawful Development Certificate)	Discretionary	Secondary fee	limited	20.83	20.83	0.00%	S
Largescale Major Development Proposals	Discretionary	Initial fee	limited	833.33	1,000.00	120.00%	S
Largescale Major Development Proposals	Discretionary	Secondary fee	limited	416.67	500.00	120.00%	S
Smallscale Major Development Proposals	Discretionary	Initial fee	limited	600.00	700.00	117.00%	S
Smallscale Major Development Proposals	Discretionary	Secondary fee	limited	300.00	350.00	117.00%	S
Minor Development (single new or replacement dwellings and other development of less than 50sqm floorspace)	Discretionary	Initial fee	modest amount	250.00	300.00	20.00%	S
Minor Development (single new or replacement dwellings and other development of less than 50sqm floorspace)	Discretionary	Secondary fee	modest amount	125.00	150.00	20.00%	S
Minor Development (all other minor development)	Discretionary	Initial fee	modest amount	341.67	375.00	10.00%	S
Minor Development (all other minor development)	Discretionary	Secondary fee	modest amount	170.83	187.50	10.00%	S
Minor Development (all other minor development)	Discretionary	Initial fee	modest amount	341.67	375.00	10.00%	S
Minor Development (all other minor development)	Discretionary	Secondary fee	modest amount	170.83	187.50	10.00%	S
Any development where affordable housing is required by virtue of the Council's planning policies and is to be provided	Discretionary	Initial fee	modest amount	87.50	100.00	15.00%	S
Other Development	Discretionary	Initial fee	modest amount	87.50	100.00	15.00%	S
Other Development	Discretionary	Secondary fee	modest amount	43.75	50.00	15.00%	S
Advertisement proposals	Discretionary	Initial fee	limited	41.67	41.67	0.00%	S
Advertisement proposals	Discretionary	Secondary fee	limited	20.83	20.83	0.00%	S
Heritage advice	Discretionary	Initial fee	modest amount	41.67	41.67	0.00%	S
Heritage advice	Discretionary	Secondary fee	modest amount	20.83	20.83	0.00%	S

FEES IN RESPECT OF APPLICATIONS FOR PLANNING APPROVAL OF RESERVED MATTERS

TYPE OF DEVELOPMENT - OPERATIONS

1 Erection of Dwellinghouses (other than development within category 6)

a) i) Where application is for outline planning permission and site area does not exceed 2.5 hectares	Statutory Fee	per 0.1 hectare of site area	modest amount	385.00	385.00	0.00%	E/OS?
a) ii) Where application is for outline planning permission and site exceeds 2.5 hectares	Statutory Fee	per 2.5 hectare site	modest amount	9,527.00	9,527.00	0.00%	E/OS?



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT	
For each 0.1 hectares in excess of 2.5 hectares, to a maximum in total of £125,000	Statutory Fee	per additional 0.1 hectares	modest amount	115.00	115.00	0.00%	E/OS?
(b) i) where the number of dwelling houses to be created by development is 50 or fewer,	Statutory Fee	per dwelling house	numerous	385.00	385.00	0.00%	E/OS?
b) ii) where number of dwelling houses to be created by development exceeds 50, and	Statutory Fee	per 50 dwelling house site	limited	19,049.00	19,049.00	0.00%	E/OS?
for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum of £250,000	Statutory Fee	per additional dwelling house	limited	115.00	115.00	0.00%	E/OS?
2 Erection of buildings (not in categories 1, 3, 4, 5, or 7)							
a) i) Where application is for outline planning permission and site area does not exceed 2.5 hectares,	statutory Fee	per 0.1 hectare of site area	modest amount	385.00	385.00	0.00%	E/OS?
a) ii) Where application is for outline planning permission and site exceeds 2.5 hectares, and	statutory Fee	per 2.5 hectare site	modest amount	9,527.00	9,527.00	0.00%	E/OS?
for each 0.1 hectares in excess of 2.5 hectares, to a maximum in total of £125,000	statutory Fee	per additional 0.1 hectares	modest amount	115.00	115.00	0.00%	E/OS?
(b) i) in other cases where no floor space is to be created	statutory Fee	per case	limited	195.00	195.00	0.00%	E/OS?
b) (ii) where the area of gross floor space to be created does not exceed 40 sq metres	statutory Fee	per case	modest amount	195.00	195.00	0.00%	E/OS?
b) (iii) where the area of gross floor space to be created does exceed 40 sq metres but not 75 sq metres	statutory Fee	per case	modest amount	385.00	385.00	0.00%	E/OS?
b) (iv) where the area of gross floor space to be created exceeds 75 sq metres but not 3750 sq metres	statutory Fee	per 75 sq metres of area	modest amount	385.00	385.00	0.00%	E/OS?
(v) where the area of gross floor space to be created exceeds 3750 sq metres, and	statutory Fee	per case	modest amount	19,049.00	19,049.00	0.00%	E/OS?
for each 75 sq metres in excess of 3750, up to a maximum of £250,000	statutory Fee	per additional 75 sq metres	modest amount	115.00	115.00	0.00%	E/OS?
3 Erection on land used for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings in category 4)							
(a) i) Where application is for outline planning permission and site area does not exceed 2.5 hectares,	Statutory Fee	per 0.1 hectares of site	limited	385.00	385.00	0.00%	E/OS?
a) ii) Where application is for outline planning permission and site exceeds 2.5 hectares, and	Statutory Fee	per 2.5 hectare site	limited	9,527.00	9,527.00	0.00%	E/OS?
for each 0.1 hectares in excess of 2.5 hectares, to a maximum in total of £125,000	Statutory Fee	per additional 0.1 hectares	limited	115.00	115.00	0.00%	E/OS?
b) (i) where the area of gross floor space to be created does not exceed 465 sq metres	Statutory Fee	per case	limited	80.00	80.00	0.00%	E/OS?
b) (iii) where the area of gross floor space to be created does exceed 465 sq metres but not 540 sq metres	Statutory Fee	per case	limited	385.00	385.00	0.00%	E/OS?
b) iii) where the area of gross floor space to be created exceeds 540 sq metres but not 4215	Statutory Fee	per case	limited	385.00	385.00	0.00%	E/OS?
for each 75 sq metres in excess of 540	Statutory Fee	per additional 75 sq metres	limited	385.00	385.00	0.00%	E/OS?
b) iv) where the area of gross floor space to be created exceeds 4215 sq metres, and	Statutory Fee	per case	limited	19,049.00	19,049.00	0.00%	E/OS?
for each 75 sq metres in excess of 4215, up to a maximum of £250,000	Statutory Fee	per additional 75 sq metres	limited	115.00	115.00	0.00%	E/OS?
4 Erection of glasshouses on land used for the purposes of agriculture							
a) where the area of gross floor space to be created does not exceed 465 sq metres	Statutory Fee	per case	v limited	80.00	80.00	0.00%	E/OS?
b) where the area of gross floor space to be created exceeds 465 sq metres	Statutory Fee	per case	v limited	2,150.00	2,150.00	0.00%	E/OS?
5 Erection, alteration or replacement of plant or machinery							
(a) where the site area does not exceed 5 hectares,	Statutory Fee	per 0.1 hectares	v limited	385.00	385.00	0.00%	E/OS?
(b) where the site area exceeds 5 hectares, and	Statutory Fee	per 5 hectare site	v limited	19,049.00	19,049.00	0.00%	E/OS?
for each 0.1 hectare in excess of 5 hectares, subject to a maximum of £250,000	Statutory Fee	per additional 0.1 hectares	v limited	115.00	115.00	0.00%	E/OS?
6 Enlargement, improvement or other alterations of existing dwellinghouses							
(a) where application relates to one dwellinghouse	Statutory Fee	per application	numerous	172.00	172.00	0.00%	E/OS?
(b) where application relates to two or more dwellinghouses	Statutory Fee	per application	limited	339.00	339.00	0.00%	E/OS?



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
7 Carrying out of operations within the curtilage of a dwelling for the purposes ancillary to the enjoyment of the dwelling (gates, fences, walls etc)	Statutory Fee	numerous	172.00	172.00	0.00%	E/OS?
8 Construction of car parks, service roads and other means of access on land used for a single undertaking, where the development is required for a purpose incidental to the existing use of the land.	Statutory Fee	limited	195.00	195.00	0.00%	E/OS?
9 Carrying out of any operations connected with exploratory drilling for oil or natural gas						
(a) where the site area does not exceed 7.5 hectares,	Statutory Fee	per 0.1 hectares	385.00	385.00	0.00%	E/OS?
(b) where the site area exceeds 7.5 hectares,	Statutory Fee	per site of 7.5 hectares	28,750.00	28,750.00	0.00%	E/OS?
for each 0.1 hectare in excess of 5 hectares, subject to a maximum of £250,000	Statutory Fee	per additional 0.1 hectares	115.00	115.00	0.00%	E/OS?
10 Carrying out of any operations not coming within any of the above categories						
(a) in the case of operations for the winning and working of minerals - (i) where the site area does not exceed 15 hectares	Statutory Fee	per 0.1 hectares	195.00	195.00	0.00%	E/OS?
(a) in the case of operations for the winning and working of minerals - (ii) where the site area exceeds 15 hectares	Statutory Fee	per 15 hectare site	29,112.00	29,112.00	0.00%	E/OS?
for each 0.1 hectare in excess of 15 hectares, subject to a maximum of £65,000	Statutory Fee	per additional 0.1 hectares	115.00	115.00	0.00%	E/OS?
(b) in any other case, subject to a maximum of £1,690	Statutory Fee	per 0.1 hectares	195.00	195.00	0.00%	E/OS?
11 Change of use of a building to use as one or more separate dwellinghouses						
(a) where change is from a previous use as a single dwellinghouse to be two or more dwellinghouses (i) Where the change of use is to use is 50 or fewer dwellinghouses	Statutory Fee	per additional dwellinghouse	385.00	385.00	0.00%	E/OS?
(a) where change is from a previous use as a single dwellinghouse to be two or more dwellinghouses (ii) where the change of use is to more than 50 dwellinghouses, and	Statutory Fee	per change	19,049.00	19,049.00	0.00%	E/OS?
for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum of £250,000	Statutory Fee	per dwellinghouse in excess of 50	115.00	115.00	0.00%	E/OS?
(b) in other cases (i) Where the change of use is to use is 50 or fewer dwellinghouses	Statutory Fee	per additional dwellinghouse	385.00	385.00	0.00%	E/OS?
(b) in other cases (ii) where the change of use is to more than 50 dwellinghouses, and	Statutory Fee	per change	19,049.00	19,049.00	0.00%	E/OS?
for each dwellinghouse in excess of 50 dwellinghouses, subject to a maximum of £250,000	Statutory Fee	per dwellinghouse in excess of 50	115.00	115.00	0.00%	E/OS?
12 Use of land for disposal of refuse or waste materials; or for the deposit of material remaining after minerals have been extracted from land; or use of land for storage of materials in the open						
(a) where the site area does not exceed 15 hectares,	Statutory Fee	per 0.1 hectares	195.00	195.00	0.00%	E/OS?
(b) where the site exceeds 15 hectares	Statutory Fee	per site	29,112.00	29,112.00	0.00%	E/OS?
for each 0.1 hectare in excess of 15 hectares, to a maximum in total of £65,000	Statutory Fee	per 0.1 hectares in excess of 15	115.00	115.00	0.00%	E/OS?
13 Making a material change for use of a building or land (other than above);	Statutory Fee		385.00	385.00	0.00%	E/OS?
14 a) Lawful Development Certificate - Existing Use - in breach of a planning condition	Statutory Fee	per certificate	as full planning application	as full planning application	0.00%	E/OS?
14 b) Lawful Development Certificate - Existing Use - lawful not to comply with a particular condition	Statutory Fee	per certificate	195.00	195.00	0.00%	E/OS?
14 c) Lawful Development Certificate - Proposed Use	Statutory Fee	per certificate	half the normal planning application fee	half the normal planning application fee	0.00%	E/OS?
15 Prior Approval						
(a) Agricultural and Forestry buildings & operations or demolition of buildings	statutory Fee	limited	80.00	80.00	0.00%	E/OS?
(b) Telecommunications Code Systems Operators	statutory Fee	limited	385.00	385.00	0.00%	E/OS?
(c) Prior Approval of Proposed Change of Use to State Funded School	statutory Fee	v limited	80.00	80.00	0.00%	E/OS?



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
(d) Prior Approval of Proposed Change of Use of Agricultural Building to flexible use within Shops, Financial and Professional services, Restaurants and Cafes, Business, Storage or Distribution, Hostels, or Assembly or Leisure	statutory Fee		limited	80.00	80.00	0.00%	E/OS?
(e) Notification of a Proposed Change of Use to Dwelling(s)	statutory Fee		limited	80.00	80.00	0.00%	E/OS?

16 Application for a New Planning Permission to replace an Extant Planning Permission

(a) Applications in respect of major developments	statutory Fee		limited	575.00	575.00	0.00%	E/OS?
(b) Applications in respect of householder developments	statutory Fee		limited	57.00	57.00	0.00%	E/OS?
(c) Applications in respect of other developments	statutory Fee		limited	195.00	195.00	0.00%	E/OS?

Application for a Non-material Amendment Following a Grant of Planning Permission

(a) Applications in respect of householder developments	statutory Fee		limited	28.00	28.00	0.00%	E/OS?
(b) Applications in respect of other developments	statutory Fee		limited	195.00	195.00	0.00%	E/OS?

SCALE OF FEES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

1 Advertisements displayed on business premises, on the forecourt of business premises or on other land within the curtilage of business premises, wholly with reference to all or any of the following matters:-

(a) the nature of the business or other activity carried out on the premises;	statutory Fee		limited	110.00	110.00	0.00%	E/OS?
(b) the goods sold or the services provided on the premises or;	statutory Fee		limited	110.00	110.00	0.00%	E/OS?
(c) the name and qualifications of the person carrying on such business or activity or supplying such goods or services.	statutory Fee		limited	110.00	110.00	0.00%	E/OS?
2 Advertisements for the purpose of directing members or the public to, or otherwise drawing attention to the existence of, business premises which are in the same locality as the site on which the advertisement is to be displayed but which are not visible from that site.	statutory Fee		limited	110.00	110.00	0.00%	E/OS?
3 All other advertisements.	statutory Fee		limited	385.00	385.00	0.00%	E/OS?

New Dwellings up to 300m² floor area and not more than 3 storeys

1 new dwelling, full plans	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
1 new dwelling, full plans	Cost Recovery	Inspection Fee	numerous	498.87	498.87	0.00%	S
1 new dwelling, full plans	Cost Recovery	Building Notice	numerous	679.15	679.15	0.00%	S
2 new dwellings, full plans	Cost Recovery	Plan Fee	limited	250.00	250.00	0.00%	S
2 new dwellings, full plans	Cost Recovery	Inspection Fee	limited	641.92	641.92	0.00%	S
2 new dwellings, full plans	Cost Recovery	Building Notice	limited	909.78	909.78	0.00%	S
3 new dwellings, full plans	Cost Recovery	Plan Fee	limited	333.33	333.33	0.00%	S
3 new dwellings, full plans	Cost Recovery	Inspection Fee	limited	811.35	811.35	0.00%	S
3 new dwellings, full plans	Cost Recovery	Building Notice	limited	1,168.51	1,168.51	0.00%	S
4 new dwellings, full plans	Cost Recovery	Plan Fee	limited	416.67	416.67	0.00%	S
4 new dwellings, full plans	Cost Recovery	Inspection Fee	limited	887.17	887.17	0.00%	S
4 new dwellings, full plans	Cost Recovery	Building Notice	limited	1,331.92	1,331.92	0.00%	S
5 new dwellings, full plans	Cost Recovery	Plan Fee	limited	500.00	500.00	0.00%	S
5 new dwellings, full plans	Cost Recovery	Inspection Fee	limited	990.22	990.22	0.00%	S
5 new dwellings, full plans	Cost Recovery	Building Notice	limited	1,521.70	1,521.70	0.00%	S
More than 5 new dwellings, full plans	Cost Recovery	Fees/Notice	limited	Individual Charge	Individual Charge	0.00%	S
Conversion of an existing dwelling into two flats	Cost Recovery	Plan Fee	modest amount	208.33	208.33	0.00%	S



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Conversion of an existing dwelling into two flats	Cost Recovery	Inspection Fee	modest amount	346.56	346.56	0.00%	S
Conversion of an existing dwelling into two flats	Cost Recovery	Building Notice	modest amount	554.89	554.89	0.00%	S
Conversion of an existing dwelling into three flats	Cost Recovery	Plan Fee	limited	208.33	208.33	0.00%	S
Conversion of an existing dwelling into three flats	Cost Recovery	Inspection Fee	limited	513.37	513.37	0.00%	S
Conversion of an existing dwelling into three flats	Cost Recovery	Building Notice	limited	721.70	721.70	0.00%	S
Supplementary charge if electrical or gas works are not carried out and registered by a person who is a member of a government approved competent persons scheme. This is increased where the number of electrical circuits involved excee	Cost Recovery		limited	200.00	200.00	0.00%	

Domestic extensions up to 3 storeys and 100m2 floor area and electrical work (inc. loft conversions and certain garages/ carports)

2a) Domestic Extensions, Loft Conversions, Garages and Car Ports

Certain garages and car ports under 30m2 may be exempt buildings. Please contact Building Control to discuss.

'Extension' includes attached garages and non-exempt conservatories

'Loft Conversion' is the formation of habitable accommodation in an existing loft space of a house or flat

'Garage Conversion' is the formation of habitable accommodation in an existing garage.

Extension internal floor area under 10m2	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Extension internal floor area under 10m2	Cost Recovery	Inspection Fee	numerous	272.40	272.40	0.00%	S
Extension internal floor area under 10m2	Cost Recovery	Building Notice	numerous	468.33	468.33	0.00%	S
Extension internal floor area under 10m2	Cost Recovery	Regularisation	numerous	585.42	585.42	0.00%	E/OS?
Extension internal floor area over 10m2 and under 40m2	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Extension internal floor area over 10m2 and under 40m2	Cost Recovery	Inspection Fee	numerous	385.49	385.49	0.00%	S
Extension internal floor area over 10m2 and under 40m2	Cost Recovery	Building Notice	numerous	589.41	589.41	0.00%	S
Extension internal floor area over 10m2 and under 40m2	Cost Recovery	Regularisation	numerous	736.76	736.76	0.00%	E/OS?
Extension internal floor area over 40m2 and under 100m2	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Extension internal floor area over 40m2 and under 100m2	Cost Recovery	Inspection Fee	numerous	498.58	498.58	0.00%	S
Extension internal floor area over 40m2 and under 100m2	Cost Recovery	Building Notice	numerous	710.48	710.48	0.00%	S
Extension internal floor area over 40m2 and under 100m2	Cost Recovery	Regularisation	numerous	888.10	888.10	0.00%	E/OS?
Loft Conversion internal floor area under 40m2	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Loft Conversion internal floor area under 40m2	Cost Recovery	Inspection Fee	numerous	338.93	338.93	0.00%	S
Loft Conversion internal floor area under 40m2	Cost Recovery	Building Notice	numerous	542.84	542.84	0.00%	S
Loft Conversion internal floor area under 40m2	Cost Recovery	Regularisation	numerous	678.55	678.55	0.00%	E/OS?
Loft Conversion internal floor area over 40m2 and under 100m2	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Loft Conversion internal floor area over 40m2 and under 100m2	Cost Recovery	Inspection Fee	numerous	471.98	471.98	0.00%	S
Loft Conversion internal floor area over 40m2 and under 100m2	Cost Recovery	Building Notice	numerous	707.83	707.83	0.00%	S
Loft Conversion internal floor area over 40m2 and under 100m2	Cost Recovery	Regularisation	numerous	884.78	884.78	0.00%	E/OS?
Extension Loft conversions and extensions where the total floor area exceeds 100m2	Cost Recovery	Fees/Notice	numerous	Individual Charge	Individual Charge	0.00%	Various
Erection (or extension) to form a garage or carport under 40m2	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Erection (or extension) to form a garage or carport under 40m2	Cost Recovery	Inspection Fee	numerous	94.11	94.11	0.00%	S
Erection (or extension) to form a garage or carport under 40m2	Cost Recovery	Building Notice	numerous	271.43	271.43	0.00%	S
Erection (or extension) to form a garage or carport under 40m2	Cost Recovery	Regularisation	numerous	339.28	339.28	0.00%	E/OS?



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Erection (or extension) to form a garage or carport between 40m2 and 100m2	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Erection (or extension) to form a garage or carport between 40m2 and 100m2	Cost Recovery	Inspection Fee	numerous	195.23	195.23	0.00%	S
Erection (or extension) to form a garage or carport between 40m2 and 100m2	Cost Recovery	Building Notice	numerous	367.22	367.22	0.00%	S
Erection (or extension) to form a garage or carport between 40m2 and 100m2	Cost Recovery	Regularisation	numerous	459.02	459.02	0.00%	E/OS?
Extensions where the total floor area exceeds 100m2	Cost Recovery	Fees/Notice	numerous	Individual Charge	Individual Charge	0.00%	Various

2a) Domestic Alterations

The below four alteration categories attract a 30% discount if undertaken at the same time as works listed in Table 2a. (Excluding Regularisations)

Alterations up to £2,000 estimated cost of works	Cost Recovery	Plan Fee	numerous	83.33	83.33	0.00%	S
Alterations up to £2,000 estimated cost of works	Cost Recovery	Inspection Fee	numerous	62.50	62.50	0.00%	S
Alterations up to £2,000 estimated cost of works	Cost Recovery	Building Notice	numerous	145.83	145.83	0.00%	S
Alterations up to £2,000 estimated cost of works	Cost Recovery	Regularisation	numerous	182.29	182.29	0.00%	E/OS?
Alterations over £2,000 and up to £5,000 estimated cost of works	Cost Recovery	Plan Fee	numerous	83.33	83.33	0.00%	S
Alterations over £2,000 and up to £5,000 estimated cost of works	Cost Recovery	Inspection Fee	numerous	154.17	154.17	0.00%	S
Alterations over £2,000 and up to £5,000 estimated cost of works	Cost Recovery	Building Notice	numerous	237.50	237.50	0.00%	S
Alterations over £2,000 and up to £5,000 estimated cost of works	Cost Recovery	Regularisation	numerous	296.88	296.88	0.00%	E/OS?
Alterations over £5,000 and up to £10,000 estimated cost of works	Cost Recovery	Plan Fee	numerous	83.33	83.33	0.00%	S
Alterations over £5,000 and up to £10,000 estimated cost of works	Cost Recovery	Inspection Fee	numerous	235.98	235.98	0.00%	S
Alterations over £5,000 and up to £10,000 estimated cost of works	Cost Recovery	Building Notice	numerous	319.32	319.32	0.00%	S
Alterations over £5,000 and up to £10,000 estimated cost of works	Cost Recovery	Regularisation	numerous	399.15	399.15	0.00%	E/OS?
Garage conversion	Cost Recovery	Plan Fee	numerous	166.67	166.67	0.00%	S
Garage conversion	Cost Recovery	Inspection Fee	numerous	110.78	110.78	0.00%	S
Garage conversion	Cost Recovery	Building Notice	numerous	277.45	277.45	0.00%	S
Garage conversion	Cost Recovery	Regularisation	numerous	346.81	346.81	0.00%	E/OS?
Alterations where the estimated cost of works exceeds £10,000	Cost Recovery	Fees/Notice	numerous	Individual Charge	Individual Charge	0.00%	Various
Installation of up to 20 replacement windows or external doors	Cost Recovery	Plan Fee	numerous	133.33	133.33	0.00%	S
Installation of up to 20 replacement windows or external doors	Cost Recovery	Building Notice	numerous	133.33	133.33	0.00%	S
Installation of up to 20 replacement windows or external doors	Cost Recovery	Regularisation	numerous	166.67	166.67	0.00%	E/OS?
Supplementary charge for the above categories if associated electrical or gas works are not carried out and registered by a person who is a member of a government approved competent persons scheme. This	Cost Recovery		numerous	290.00	290.00	0.00%	
Electrical works involving up to 12 circuits	Cost Recovery	Plan Fee	limited	241.67	241.67	0.00%	S
Electrical works involving up to 12 circuits	Cost Recovery	Building Notice	limited	241.67	241.67	0.00%	S
Electrical works involving up to 12 circuits	Cost Recovery	Regularisation	limited	302.08	302.08	0.00%	E/OS?
Electrical works involving more than 12 circuits	Cost Recovery	Fees/Notice	limited	Individual Charge	Individual Charge	0.00%	Various

Institutional residential, office, shop, assembly and recreational

Extension under 10m ²	Cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Extension under 10m ²	Cost Recovery	Inspection Fee	limited	281.84	281.84	0.00%	S
Extension under 10m ²	Cost Recovery	Regularisation	limited	560.64	560.64	0.00%	E/OS?



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Extension over 10m ² and under 40m ²	Cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Extension over 10m ² and under 40m ²	Cost Recovery	Inspection Fee	limited	431.63	431.63	0.00%	S
Extension over 10m ² and under 40m ²	Cost Recovery	Regularisation	limited	747.87	747.87	0.00%	E/OS?
Extension over 40m ² and under 100m ²	Cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Extension over 40m ² and under 100m ²	Cost Recovery	Inspection Fee	limited	812.06	812.06	0.00%	S
Extension over 40m ² and under 100m ²	Cost Recovery	Regularisation	limited	1,223.40	1,223.40	0.00%	E/OS?
Extension where the total floor area exceeds 100m ²	Cost Recovery	Fees	limited	Individual Charge	Individual Charge	0.00%	Variou
Internal alterations under £5,000 estimated cost of works	Cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Internal alterations under £5,000 estimated cost of works	Cost Recovery	Inspection Fee	limited	110.78	110.78	0.00%	S
Internal alterations under £5,000 estimated cost of works	Cost Recovery	Regularisation	limited	346.81	346.81	0.00%	E/OS?
Internal alterations over £5,000and under £10,000 estimated cost of works	Cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Internal alterations over £5,000and under £10,000 estimated cost of works	Cost Recovery	Inspection Fee	limited	222.27	222.27	0.00%	S
Internal alterations over £5,000and under £10,000 estimated cost of works	Cost Recovery	Regularisation	limited	486.17	486.17	0.00%	E/OS?
Installation of mezzanine floor up to 100m ²	Cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Installation of mezzanine floor up to 100m ²	Cost Recovery	Inspection Fee	limited	166.10	166.10	0.00%	S
Installation of mezzanine floor up to 100m ²	Cost Recovery	Regularisation	limited	415.96	415.96	0.00%	E/OS?
Shop refurbishment under £15,000 estimated cost of works	Cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Shop refurbishment under £15,000 estimated cost of works	Cost Recovery	Inspection Fee	limited	332.91	332.91	0.00%	S
Shop refurbishment under £15,000 estimated cost of works	Cost Recovery	Regularisation	limited	624.47	624.47	0.00%	E/OS?

Industrial and Storage

Extension under 10m ²	cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Extension under 10m ²	cost Recovery	Inspection Fee	limited	213.76	213.76	0.00%	S
Extension under 10m ²	cost Recovery	Regularisation	limited	475.53	475.53	0.00%	E/OS?
Extension over 10m ² and under 40m ²	cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Extension over 10m ² and under 40m ²	cost Recovery	Inspection Fee	limited	363.55	363.55	0.00%	S
Extension over 10m ² and under 40m ²	cost Recovery	Regularisation	limited	662.77	662.77	0.00%	E/OS?
Extension over 40m ² and under 100m ²	cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Extension over 40m ² and under 100m ²	cost Recovery	Inspection Fee	limited	730.36	730.36	0.00%	S
Extension over 40m ² and under 100m ²	cost Recovery	Regularisation	limited	1,121.28	1,121.28	0.00%	E/OS?
Extension where the total floor area exceeds 100m ²	cost Recovery	Fees	limited	Individual Charge	Individual Charge	0.00%	Variou
Internal alterations under £5,000 estimated cost of works	cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Internal alterations under £5,000 estimated cost of works	cost Recovery	Inspection Fee	limited	110.78	110.78	0.00%	S
Internal alterations under £5,000 estimated cost of works	cost Recovery	Regularisation	limited	346.81	346.81	0.00%	E/OS?
Internal alterations over £5,000and under £10,000 estimated cost of works	cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Internal alterations over £5,000and under £10,000 estimated cost of works	cost Recovery	Inspection Fee	limited	222.27	222.27	0.00%	S
Internal alterations over £5,000and under £10,000 estimated cost of works	cost Recovery	Regularisation	limited	486.17	486.17	0.00%	E/OS?



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Neighbourhood Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Installation of mezzanine floor up to 100m ²	cost Recovery	Plan Fee	limited	166.67	166.67	0.00%	S
Installation of mezzanine floor up to 100m ²	cost Recovery	Inspection Fee	limited	166.10	166.10	0.00%	S
Installation of mezzanine floor up to 100m ²	cost Recovery	Regularisation	limited	415.96	415.96	0.00%	E/OS?

HOSTELS

Hillcrest Hostel Single Room (excl. service charges)	Cost Recovery	per week	72	195.00	195.00	0.00%	E/OS?
Hillcrest Hostel Double Room (excl. service charges)	Cost Recovery	per week	218	220.00	220.00	0.00%	E/OS?
Hillcrest Hostel Family Room (excl. service charges)	Cost Recovery	per week	258	230.00	230.00	0.00%	E/OS?
Bed & Breakfast - Single person	Discretionary	per week		97.65	100.10	2.50%	E/OS?
Bed & Breakfast - Single person	Discretionary	per day	403	13.95	14.30	2.50%	E/OS?
Bed & Breakfast - Single person and one child	Discretionary	per week		129.50	132.72	2.50%	E/OS?
Bed & Breakfast - Single person and one child	Discretionary	per day	145	18.50	18.96	2.50%	E/OS?
Bed & Breakfast - Single person and two children	Discretionary	per week		140.70	144.20	2.50%	E/OS?
Bed & Breakfast - Single person and two children	Discretionary	per day	225	20.10	20.60	2.50%	E/OS?
Bed & Breakfast - Couple	Discretionary	per week		129.50	132.72	2.50%	E/OS?
Bed & Breakfast - Couple	Discretionary	per day	76	18.50	18.96	2.50%	E/OS?
Bed & Breakfast - Couple and one child	Discretionary	per week		151.90	155.68	2.50%	E/OS?
Bed & Breakfast - Couple and one child	Discretionary	per day	44	21.70	22.24	2.50%	E/OS?
Bed & Breakfast - Couple and two children	Discretionary	per week		164.15	168.28	2.50%	E/OS?
Bed & Breakfast - Couple and two children	Discretionary	per day	88	23.45	24.04	2.50%	E/OS?
Bed & Breakfast - Additional children up to 16	Discretionary	per week		13.30	13.65	2.50%	E/OS?
Bed & Breakfast - Additional children up to 16	Discretionary	per day	349	1.90	1.95	2.50%	E/OS?



Fees and Charges: Customer & Community Services

Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge	2016/17 Charge	Year on Year Variance	VAT
			£	£	%	

HIRE CHARGES FOR HERTFORD THEATRE

WEEKDAYS Auditorium am (9am to 1pm)	Discretionary		256.00	264.00	3.00%	E
WEEKDAYS Auditorium am per hour	Discretionary		64.00	66.00	3.00%	E
WEEKDAYS Auditorium pm (1pm to 6pm)	Discretionary		395.00	405.00	2.50%	E
WEEKDAYS Auditorium pm per hour	Discretionary		79.00	81.00	2.50%	E
WEEKDAYS Auditorium Evening (6pm to midnight)	Discretionary		534.00	546.00	2.20%	E
WEEKDAYS Auditorium Evening per hour	Discretionary		89.00	91.00	2.20%	E
WEEKDAYS Auditorium 9am-6pm (discounted rate)	Discretionary		551.00	569.00	3.30%	E
WEEKDAYS Auditorium 1pm-midnight (discounted rate)	Discretionary		779.00	801.00	2.80%	E
WEEKDAYS Auditorium 9am-midnight (discounted rate)	Discretionary		985.00	1,015.00	3.00%	E
WEEKDAYS Studio am (9am to 1pm)	Discretionary		88.00	100.00	13.60%	E
WEEKDAYS Studio am per hour	Discretionary		22.00	25.00	13.60%	E
WEEKDAYS Studio pm (1pm to 6pm)	Discretionary		135.00	125.00	-7.40%	E
WEEKDAYS Studio pm per hour	Discretionary		27.00	25.00	-7.40%	E
WEEKDAYS Studio Evening (6pm to midnight)	Discretionary		162.00	150.00	-7.40%	E
WEEKDAYS Studio Evening per hour	Discretionary		37.00	25.00	-32.40%	E
WEEKDAYS Studio 9am-6pm (discounted rate)	Discretionary		193.00	200.00	3.60%	E
WEEKDAYS Studio 1pm-midnight (discounted rate)	Discretionary		307.00	250.00	-18.50%	E
WEEKDAYS Studio 9am-midnight (discounted rate)	Discretionary		375.00	350.00	-6.67%	E
WEEKDAYS River Room am (9am to 1pm)	Discretionary		88.00	100.00	13.60%	E
WEEKDAYS River Room am per hour	Discretionary		22.00	25.00	13.60%	E
WEEKDAYS River Room pm (1pm to 6pm)	Discretionary		135.00	125.00	-7.40%	E
WEEKDAYS River Room pm per hour	Discretionary		27.00	25.00	-7.40%	E
WEEKDAYS River Room Evening (6pm to midnight)	Discretionary		162.00	150.00	-7.40%	E
WEEKDAYS River Room Evening per hour	Discretionary		37.00	25.00	-32.40%	E
WEEKDAYS River Room 9am-6pm (discounted rate)	Discretionary		193.00	200.00	3.60%	E
WEEKDAYS River Room 1pm-midnight (discounted rate)	Discretionary		307.00	250.00	-18.50%	E
WEEKDAYS River Room 9am-midnight (discounted rate)	Discretionary		375.00	350.00	-6.67%	E
WEEKDAYS Foyer am (9am to 1pm)	Discretionary		88.00	100.00	13.60%	E
WEEKDAYS Foyer am per hour	Discretionary		22.00	25.00	13.60%	E
WEEKDAYS Foyer pm (1pm to 6pm)	Discretionary		135.00	125.00	-7.40%	E
WEEKDAYS Foyer pm per hour	Discretionary		27.00	25.00	-7.40%	E
WEEKDAYS Foyer Evening (6pm to midnight)	Discretionary		162.00	150.00	-7.40%	E
WEEKDAYS Foyer Evening per hour	Discretionary		37.00	25.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS Auditorium am (9am to 1pm)	Discretionary		316.00	324.00	2.50%	E
WEEKENDS AND BANK HOLIDAYS Auditorium am per hour	Discretionary		79.00	81.00	2.50%	E
WEEKENDS AND BANK HOLIDAYS Auditorium pm (1pm to 6pm)	Discretionary		445.00	455.00	2.20%	E



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
WEEKENDS AND BANK HOLIDAYS Auditorium pm per hour	Discretionary			89.00	91.00	2.20%	E
WEEKENDS AND BANK HOLIDAYS Auditorium Evening (6pm to midnight)	Discretionary			750.00	780.00	4.00%	E
WEEKENDS AND BANK HOLIDAYS Auditorium Evening per hour	Discretionary			125.00	130.00	4.00%	E
WEEKENDS AND BANK HOLIDAYS Auditorium 9am-6pm (discounted rate)	Discretionary			661.00	679.00	2.70%	E
WEEKENDS AND BANK HOLIDAYS Auditorium 1pm-midnight (discounted rate)	Discretionary			1,072.00	1,085.00	1.20%	E
WEEKENDS AND BANK HOLIDAYS Auditorium 9am-midnight (discounted rate)	Discretionary			1,311.00	1,359.00	3.70%	E
WEEKENDS AND BANK HOLIDAYS Studio am (9am to 1pm)	Discretionary			136.00	100.00	-26.40%	E
WEEKENDS AND BANK HOLIDAYS Studio am per hour	Discretionary			34.00	25.00	-26.40%	E
WEEKENDS AND BANK HOLIDAYS Studio pm (1pm to 6pm)	Discretionary			185.00	125.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS Studio pm per hour	Discretionary			37.00	25.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS Studio Evening (6pm to midnight)	Discretionary			282.00	150.00	-46.80%	E
WEEKENDS AND BANK HOLIDAYS Studio Evening per hour	Discretionary			47.00	25.00	-46.80%	E
WEEKENDS AND BANK HOLIDAYS Studio 9am-6pm (discounted rate)	Discretionary			291.00	200.00	-31.27%	E
WEEKENDS AND BANK HOLIDAYS Studio 1pm-midnight (discounted rate)	Discretionary			417.00	250.00	-40.00%	E
WEEKENDS AND BANK HOLIDAYS Studio 9am-midnight (discounted rate)	Discretionary			533.00	350.00	-34.30%	E
WEEKENDS AND BANK HOLIDAYS River Room am (9am to 1pm)	Discretionary			136.00	100.00	-26.47%	E
WEEKENDS AND BANK HOLIDAYS River Room am per hour	Discretionary			34.00	25.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS River Room pm (1pm to 6pm)	Discretionary			185.00	125.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS River Room pm per hour	Discretionary			37.00	25.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS River Room Evening (6pm to midnight)	Discretionary			282.00	150.00	-46.80%	E
WEEKENDS AND BANK HOLIDAYS River Room Evening per hour	Discretionary			47.00	25.00	-46.80%	E
WEEKENDS AND BANK HOLIDAYS River Room 9am-6pm (discounted rate)	Discretionary			291.00	200.00	-31.27%	E
WEEKENDS AND BANK HOLIDAYS River Room 1pm-midnight (discounted rate)	Discretionary			417.00	250.00	-40.00%	E
WEEKENDS AND BANK HOLIDAYS River Room 9am-midnight (discounted rate)	Discretionary			533.00	350.00	-34.30%	E
WEEKENDS AND BANK HOLIDAYS Foyer am (9am to 1pm)	Discretionary			136.00	100.00	-26.47%	E
WEEKENDS AND BANK HOLIDAYS Foyer am per hour	Discretionary			34.00	25.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS Foyer pm (1pm to 6pm)	Discretionary			185.00	125.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS Foyer pm per hour	Discretionary			37.00	25.00	-32.40%	E
WEEKENDS AND BANK HOLIDAYS Foyer Evening (6pm to midnight)	Discretionary			282.00	150.00	-46.80%	E
WEEKENDS AND BANK HOLIDAYS Foyer Evening per hour	Discretionary			47.00	25.00	-46.80%	E
WEEKLY Auditorium Mon - Sunday (amateur)	Discretionary			5,275.00	5,375.00	1.90%	E
WEEKLY Auditorium Mon - Sunday (professional)	Discretionary			6,600.00	6,750.00	2.30%	E
WEEKLY Studio Mon - Sunday	Discretionary			2,100.00	2,150.00	2.40%	E
WEEKLY River Room Mon - Sunday	Discretionary			2,600.00	2,150.00	-17.30%	E
Concert Grand Piano	Discretionary	per 3 hours	not available	130.00	135.00	3.80%	S
Piano Tuning	Discretionary		not available	64.50	70.00	8.50%	S
Electric Piano	Discretionary		not available	38.50	40.00	3.90%	S



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
LCD Projector & Screen	Discretionary		not available	50.00	55.00	10.00%	S
Portable PA Unit	Discretionary		not available	45.00	50.00	10.00%	S
Radio Mic	Discretionary		not available	29.17	30.00	2.80%	S
Hand Radio Mic	Discretionary		not available	5.00	5.50	10.00%	S
Cinema - Adults	Discretionary		20,560	5.83	5.83	0.00%	S
Cinema - Concessions	Discretionary			4.17	4.17	0.00%	S

PARKING

Off Street Resident Season Ticket - Port Vale	Statutory		13	229.17	229.17	0.00%	S
Off Street Resident Season Ticket - Crown Terrace	Discretionary		1	1,026.00	1,026.00	0.00%	S
Off Street Resident Season Ticket - Baldock Street - Ware	Statutory		1	800.83	800.83	0.00%	S
Off Street Business Permit - Charrington's House BS Long Stay	Discretionary		79			0.00%	
On Street Resident Season Ticket - 1st Permit	Cost Recovery		1,400	36.00	36.00	0.00%	n/a
On Street Resident Season Ticket - 2nd Permit	Cost Recovery		275	72.00	72.00	0.00%	n/a
On Street Resident Season Ticket - 3rd Permit (only available where possible in B1 (Stansted Rd, BS), B2 (Dunmow Rd, BS), B3 (Windhill BS), B7 Chantry BS), W2 (Coronation Rd Ware)	Cost Recovery		10	72.00	72.00	0.00%	n/a
On Street Resident Season Ticket - Motorcycle permit	Cost Recovery		4	19.00	19.00	0.00%	n/a
On Street Resident Season Ticket - Contractor permit	Cost Recovery	per week	20	21.00	21.00	0.00%	n/a
On Street Resident Season Ticket - Business permit	Cost Recovery	per annum	8	315.00	315.00	0.00%	n/a
On Street Resident Season Ticket - Carers/ Special permits (discretionary)	Cost Recovery		282	36.00	36.00	0.00%	n/a
On Street Resident Season Ticket - Visitors Vouchers	Cost Recovery	per hour	283,870	0.10	0.10	0.00%	n/a
On Street Resident Season Ticket - Visitors Vouchers	Cost Recovery	per hour pensioners	n/a	0.05	0.05	0.00%	n/a
On Street Resident Season Ticket - Charge for Temporary Dispensation from Parking Restrictions	Cost Recovery		436	15.00	15.00	0.00%	n/a
On Street Residents Parking Permits - Folly Island - 2nd Permit	Cost Recovery		26	55.00	55.00	0.00%	n/a
Penalty Charges issued under Regulation 9 of the General Regulations - Higher Level Penalty Charge - Paid within 21 days	Statutory	per PCN	5,220	35.00	35.00	0.00%	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Higher Level Penalty Charge - Paid after 21 days	Statutory	per PCN	772	70.00	70.00	0.00%	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Higher Level Penalty Charge - Paid after service of charge certificate	Statutory	per PCN	230	105.00	105.00	0.00%	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Lower Level Penalty Charge - Paid within 21 days	Statutory	per PCN	9,365	25.00	25.00	0.00%	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Lower Level Penalty Charge - Paid after 21 days	Statutory	per PCN	1,446	50.00	50.00	0.00%	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Lower Level Penalty Charge - Paid after service of charge certificate	Statutory	per PCN	521	75.00	75.00	0.00%	OS
Penalty Charges issued under Regulation 10 of the General Regulations. - Higher Level Penalty Charge - Paid within 21 days	Statutory	per PCN	0	35.00	35.00	0.00%	OS
Penalty Charges issued under Regulation 10 of the General Regulations. - Higher Level Penalty Charge - Paid after 21 days	Statutory	per PCN	0	70.00	70.00	0.00%	OS
Penalty Charges issued under Regulation 10 of the General Regulations. - Higher Level Penalty Charge - Paid after service of charge certificate	Statutory	per PCN	0	105.00	105.00	0.00%	OS
Penalty Charges issued under Regulation 10 of the General Regulations - Lower Level Penalty Charge - Paid within 21 days	Statutory	per PCN	0	25.00	25.00	0.00%	OS
Penalty Charges issued under Regulation 10 of the General Regulations - Lower Level Penalty Charge - Paid after 21 days	Statutory	per PCN	0	50.00	50.00	0.00%	OS



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge	2016/17 Charge	Year on Year Variance	VAT
				£	£	%	
Penalty Charges issued under Regulation 10 of the General Regulations - Lower Level Penalty Charge - Paid after service of charge certificate	Statutory	per PCN	0	75.00	75.00	0.00%	OS
Bishop's Stortford market traders' tariff - Link Road	Discretionary	per Thursday or Saturday	not available	2.32	2.32	0.00%	S
Bishop's Stortford market traders' tariff - Northgate End	Discretionary	per Thursday or Saturday	not available	2.32	2.32	0.00%	S
Bishop's Stortford market traders' tariff - Apton Road	Discretionary	per Thursday or Saturday	not available	2.32	2.32	0.00%	S
Old London Road - Hertford - Market Traders	Discretionary	per day	not available	3.00	3.00	0.00%	S
Old London Road - Hertford - Coach / Lorry tariff	Discretionary	per visit	2	12.50	12.50	0.00%	S
Priory Street - Ware - Market Traders	Discretionary	per day	not available			0.00%	S
Stanstead Abbots - Short stay - 0 - 1 hrs	Discretionary	per ticket		0.33	0.33	0.00%	S
Stanstead Abbots - Short stay - 1 - 2 hrs	Discretionary	per ticket		0.67	0.67	0.00%	S
Stanstead Abbots - Short stay - 2 - 3 hrs	Discretionary	per ticket		1.00	1.00	0.00%	S
Stanstead Abbots - Long stay - 3hrs +	Discretionary	per ticket		2.08	2.08	0.00%	S
Buntingford - 0 - 1 hrs	Discretionary	per ticket	30,817	-	-	0.00%	S
Buntingford - 1 - 2 hrs	Discretionary	per ticket	290	-	-	0.00%	S
Buntingford - 2 - 3 hrs	Discretionary	per ticket	2,080	-	-	0.00%	S
Buntingford - 3hrs +	Discretionary	per ticket	n/a	1.67	1.67	0.00%	S
Bishop's Stortford - Short stay (7:30 - 16:00), 0 - 30 mins	Discretionary	per ticket	195,461	-	-	0.00%	S
Bishop's Stortford - Short stay (7:30 - 16:00), 30 - 90 mins	Discretionary	per ticket	505,206	0.67	0.67	0.00%	S
Bishop's Stortford - Short stay (7:30 - 16:00), 90 mins - 3 hrs	Discretionary	per ticket	227,046	1.67	1.67	0.00%	S
Bishop's Stortford - Short stay (7:30 - 16:00), 3 - 5 hrs	Discretionary	per ticket	150,406	3.00	3.00	0.00%	S
Bishop's Stortford - Short stay (16:00 - 18:30), 0 - 30 mins	Discretionary	per ticket	39,024	-	-	0.00%	S
Bishop's Stortford - Short stay (16:00 - 18:30), 30 mins & longer	Discretionary	per ticket	39,550	0.67	0.67	0.00%	S
Bishop's Stortford - Long stay, 5 hrs	Discretionary	per ticket	20,514	3.00	3.00	0.00%	S
Bishop's Stortford - Long stay, all day	Discretionary	per ticket	47,285	3.67	3.67	0.00%	S
Bishop's Stortford - Jackson Square - 7.30 - 18:30, 0 - 1 hrs	Discretionary	per ticket	83,913	0.67	0.67	0.00%	S
Bishop's Stortford - Jackson Square - 7.30 - 18:30, 1 - 2 hrs	Discretionary	per ticket	8,832	1.25	1.25	0.00%	S
Bishop's Stortford - Jackson Square - 7.30 - 18:30, 2 - 3 hrs	Discretionary	per ticket	4,336	1.83	1.83	0.00%	S
Bishop's Stortford - Jackson Square - 7.30 - 18:30, 3 - 4 hrs	Discretionary	per ticket	1,079	2.42	2.42	0.00%	S
Bishop's Stortford - Jackson Square - 7.30 - 18:30, 4 - 5 hrs	Discretionary	per ticket	801	3.00	3.00	0.00%	S
Bishop's Stortford - Elm Road - 7.30 - 16:00, 0 - 30 mins	Discretionary	per ticket	262	-	-	0.00%	S
Bishop's Stortford - Elm Road - 7.30 - 16:00, 30 mins - 5 hrs	Discretionary	per ticket	969	1.67	1.67	0.00%	S
Bishop's Stortford - Elm Road - 7.30 - 16:00, all day	Discretionary	per ticket	4,539	2.50	2.50	0.00%	S
Bishop's Stortford - Elm Road - 16:00 - 18:30, 0 - 30 mins	Discretionary	per ticket	63	-	-	0.00%	S
Bishop's Stortford - Elm Road - 16:00 - 18:30, 30 mins & longer	Discretionary	per ticket	72	0.67	0.67	0.00%	S
Bishop's Stortford - Grange Paddocks A (9:00 - 17:00), all day	Discretionary	per ticket	2,410	2.50	2.50	0.00%	S
Bishop's Stortford - Grange Paddocks B (9:00 - 17:00), 0 - 2.5 hrs	Discretionary	per ticket	50,217	-	-	0.00%	S
Bishop's Stortford - Grange Paddocks B (9:00 - 17:00), 2.5 - 5 hrs	Discretionary	per ticket	354	1.67	1.67	0.00%	S



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Bishop's Stortford - Grange Paddocks C (9:00 - 17:00), 0 - 2.5 hrs	Discretionary	per ticket	30,661	-	-	0.00%	S
Hertford - Short stay (7:30 - 16:00), 0 - 30 mins	Discretionary	per ticket	112,358	-	-	0.00%	S
Hertford - Short stay (7:30 - 16:00), 30 - 90 mins	Discretionary	per ticket	211,037	0.67	0.67	0.00%	S
Hertford - Short stay (7:30 - 16:00), 90 mins - 3 hrs	Discretionary	per ticket	123,298	1.67	1.67	0.00%	S
Hertford - Short stay (7:30 - 16:00), 3 - 5 hrs	Discretionary	per ticket	150,406	3.00	3.00	0.00%	S
Hertford - Short stay (16:00 - 18:30), 0 - 30 mins	Discretionary	per ticket	43,424	-	-	0.00%	S
Hertford - Short stay (16:00 - 18:30), 30 mins & longer	Discretionary	per ticket	34,349	0.67	0.67	0.00%	S
Hertford - Long stay, 5 hrs	Discretionary	per ticket	20,514	3.00	3.00	0.00%	S
Hertford - Long stay, all day	Discretionary	per ticket	47,285	3.67	3.67	0.00%	S
Hertford - Wallfields Visitor Car Park (Mon - Fri 9:00 - 17:00), 0 - 2 hrs	Discretionary	per ticket	n/a	-	-	0.00%	S
Hertford - Wallfields Visitor Car Park (Mon - Fri 9:00 - 17:00), 2 - 3 hrs	Discretionary	per ticket	n/a	0.67	0.67	0.00%	S
Hertford - Wallfields Visitor Car Park (Mon - Fri 9:00 - 17:00), 3 - 4 hrs	Discretionary	per ticket	n/a	1.25	1.25	0.00%	S
Hertford - Wallfields Visitor Car Park (Mon - Fri 9:00 - 17:00), 4 - 5 hrs	Discretionary	per ticket	n/a	1.83	1.83	0.00%	S
Ware - Short stay (7:30 - 16:00), 0 - 30 mins	Discretionary	per ticket	105,711	-	-	0.00%	S
Ware - Short stay (7:30 - 16:00), 30 - 90 mins	Discretionary	per ticket	103,452	0.50	0.50	0.00%	S
Ware - Short stay (7:30 - 16:00), 90 mins - 3 hrs	Discretionary	per ticket	39,193	1.25	1.25	0.00%	S
Ware - Short stay (7:30 - 16:00), 3 - 5 hrs	Discretionary	per ticket	24,299	2.25	2.25	0.00%	S
Ware - Short stay (16:00 - 18:30), 0 - 30 mins	Discretionary	per ticket	29,168	-	-	0.00%	S
Ware - Short stay (16:00 - 18:30), 30 mins & longer	Discretionary	per ticket	15,097	0.67	0.67	0.00%	S
Ware - Long stay, 5 hrs	Discretionary	per ticket	8,675	2.25	2.25	0.00%	S
Ware - Long stay, all day	Discretionary	per ticket	15,129	2.92	2.92	0.00%	S
Sawbridgeworth - Short stay, 0 - 1 hrs	Discretionary	per ticket	83,913	-	-	0.00%	S
Sawbridgeworth - Short stay, 1 - 2 hrs	Discretionary	per ticket	8,832	0.42	0.42	0.00%	S
Sawbridgeworth - Short stay, 2 - 3 hrs	Discretionary	per ticket	4,336	0.83	0.83	0.00%	S
Sawbridgeworth - Short stay, 3 - 4 hrs	Discretionary	per ticket	1,079	1.25	1.25	0.00%	S
Sawbridgeworth - Short stay, 4 - 5 hrs	Discretionary	per ticket	801	1.67	1.67	0.00%	S
Sawbridgeworth - Long stay, 5 hrs	Discretionary	per ticket	n/a	1.67	1.67	0.00%	S
Sawbridgeworth - Long stay, all day	Discretionary	per ticket	2,396	2.92	2.92	0.00%	S

ANIMAL CONTROL

Stray dog with ID chip (unless first offence and dog is collected the same day)	Statutory	per dog	1	25.00	25.00	0.00%	n/a
Stray dog without ID chip	Statutory		4	25.00	25.00	0.00%	n/a
Stray dog collected			29	21.00	21.00	0.00%	n/a
Kennel Charges	Discretionary	per night	21	15.00	15.00	0.00%	n/a
ID chipping dogs (Ind)	Discretionary	per chip	0	17.50	17.50	0.00%	S
ID chipping dogs (Campaign)	Discretionary	per chip	0	9.17	9.17	0.00%	S
Small dead animal removal	Discretionary	per animal	0	33.33	34.16	2.50%	S
Assistance to third party organisations	Discretionary	per hour	0	28.33	29.16	2.86%	S



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Provision of dog waste bag	Discretionary	per box of 5000	0	28.33	29.16	2.93%	S
Dog Fouling Sign	Discretionary	per sign	0	12.50	12.50	0.00%	S
Allotments							
Allotments (25.3m ²)	Discretionary	per annum	244	3.40	3.50	2.94%	n/a
Outdoor Exercise Group Activities *							
Charges for personal trainers and organisations are levied to commercial organisations and individuals using EHC owned land for organised group activities where a charge is levied to participants either directly or through a membership scheme. These are ceiling prices and may be reduced at the discretion of the Head of Environmental Services for shorter time periods or where activities are undertaken in partnership with the Council in pursuit of corporate objectives relating to health and well being. These charges do not apply to the Council's own Leisure Services contractor.							
Organisations - per site	Cost Recovery		4	1,200.00	1,230.00	2.50%	n/a
Personal Trainers - per trainer	Cost Recovery		2	450.00	461.25	2.50%	n/a
REFUSE COLLECTION - Commercial Refuse Collection							
Paid Collections (excl. HCC disposal costs)	Cost Recovery	medium	0	72.50	74.50	2.76%	S
Paid Collections (excl. HCC disposal costs)	Cost Recovery	large	0	150.00	154.00	2.67%	S
Mixed Hereditaments - charged according to the proportion of trade waste collected.	Cost Recovery		0	Individual charge			
Commercial Events - Cleansing / Refuse Collection	Cost Recovery	per hour	0	73.20	77.00	5.19%	S
REFUSE COLLECTION - Domestic Refuse Collection							
Bulky Waste Collection - 1 Item	Cost Recovery	per collection	675	23.50	25.00	6.38%	n/a
Bulky Waste Collection - 2 Items	Cost Recovery	per collection	412	33.50	35.00	4.48%	n/a
Bulky Waste Collection - 3 Items	Cost Recovery	per collection	158	44.50	45.00	1.12%	n/a
Bulky Waste Collection - 4 Items	Cost Recovery	per collection	83	54.50	55.00	1.00%	n/a
Bulky Waste Collection - Load - small	Cost Recovery	per collection	7	65.00	65.00	0.00%	n/a
Bulky Waste Collection - Load - medium	Cost Recovery	per collection	4	94.50	95.00	0.50%	n/a
Bulky Waste Collection - Load - large	Cost Recovery	per collection	3	141.00	142.00	1.00%	n/a
Bulky Collection Cancellation Fee	Cost Recovery	per cancellation		10.00	10.00	0.00%	n/a
REFUSE COLLECTION - Other							
Cleansing private land (Performance area - regular schedule)	Cost Recovery	per linear metre per annum		23.00	23.50	2.17%	S
Cleansing private land - ad hoc litter picking	Cost Recovery	per hour		72.15	74.00	2.56%	S
Abandoned Vehicles (end of life vehicles) surrendered and removed by LA	Cost Recovery	per vehicle	8	40.00	41.00	2.50%	S
Abandoned Vehicles (end of life vehicles) surrendered and removed by LA	Cost Recovery	per caravan	0	61.90	63.50	2.58%	S
Cleaning graffiti on private land (chemical cleaning only. Subject to damage waiver from land owner and site survey. Graffiti removal from private land is at the discretion of the Head of Environmental Services and will not be undertaken where there is a risk of damaging surfaces, traffic management requirements or significant health and safety implications. Individual charges may be waived at the discretion of the Head of Environmental Services as part of campaigns or in the interests of preventing or discouraging significant levels of crime and disorder)	Cost Recovery	per m ²		52.25	53.50	2.39%	n/a
Cleaning graffiti - small items	Cost Recovery	per item		31.50	32.50	3.17%	n/a
REFUSE COLLECTION - Clinical							
Charge per site	Statutory	per visit (max 26)	766	13.93	14.50	4.09%	S
Sharps containers	Statutory	per container	968	8.15	8.50	4.29%	S



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Sacks - trade (infectious waste)	Statutory	per sack	4,315	4.90	5.20	6.12%	S
Sacks - domestic (infectious waste)	Statutory	per sack	750	0.66	0.90	6.06%	n/a
Sacks - trade (Offensive waste)	Statutory	per sack	400	2.95	3.00	1.69%	S
Sacks - domestic (Offensive waste)	Statutory	per sack	350	0.66	0.70	6.06%	n/a
Extra Sacks delivery charge	Statutory	per occasion	0	25.00	25.50	2.00%	n/a

COMMERCIAL WASTE

Note: The below are 'ceiling' prices and subject to the discretion of the Head of Environmental Services. For these commercial waste collection services the minimum contract period is 3 months. A minimum of 3 months notice must be given by the customer to cancel the contract. In the event of the customer cancelling the contract or the Council terminating the contract for non-payment, no refund will be given for the service not supplied during the notice period

Commercial Waste Collection Services - sacks	Statutory	per 50	294	85.00	89.00	4.71%	E
Commercial Waste Collection Services - 240 litres	Statutory	per bin per annum	87	381.50	401.00	5.11%	E
Commercial Waste Collection Services - 340 litres	Statutory	per bin per annum	163	439.00	461.00	5.01%	E
Commercial Waste Collection Services - 660 litres	Statutory	per bin per annum	81	746.00	783.00	4.96%	E
Commercial Waste Collection Services - 1,100 litres	Statutory	per bin per annum	430	937.00	984.00	5.02%	E
Prescribed Waste Collection Service - Sacks	Statutory	per 50	4	49.00	51.00	4.08%	E
Prescribed Waste Collection Service - 240 litres	Statutory	per bin per annum	48	290.50	298.00	2.58%	E
Prescribed Waste Collection Service - 340 litres	Statutory	per bin per annum	48	309.50	318.00	2.75%	E
Prescribed Waste Collection Service - 660 litres	Statutory	per bin per annum	12	520.00	533.00	2.50%	E
Prescribed Waste Collection Service - 1,100 litres	Statutory	per bin per annum	177	562.50	577.00	2.58%	E
Prescribed Waste for Educational Establishments - Sacks	Statutory	per 50	0	49.00	51.00	4.08%	E
Prescribed Waste for Educational Establishments - 240 litres	Statutory	per bin per annum	0	263.50	270.00	2.47%	E
Prescribed Waste for Educational Establishments - 340 litres	Statutory	per bin per annum	0	295.00	302.00	2.37%	E
Prescribed Waste for Educational Establishments - 660 litres	Statutory	per bin per annum	2	481.00	493.00	2.49%	E
Prescribed Waste for Educational Establishments - 1,100 litres	Statutory	per bin per annum	214	520.00	533.00	2.50%	E
Bin removal & re-delivery charge following non-payment	Statutory	per occasion	3	25.00	25.50	2.00%	E
Extra sacks delivery charge	Statutory	per occasion	0	25.00	25.50	2.00%	E

PEST CONTROL

Payment for domestic premises is to be made by card at the time of booking. Cash/cheque payments are only to be offered if resident is unable to pay by card. Payment at the time of treatment is to be discouraged. This is due to the high cost of handling cash and cheque payments.

Commercial Premises - Rats & Mice	Discretionary	per hour or part hour	55	60.50	62.00	2.48%	S
Commercial Premises - Contract service available	Discretionary	per annum	20	individual price	individual price	n/a	S
Commercial Premises - Wasps	Discretionary	one nest job	11	49.50	51.50	4.04%	S
Commercial Premises - Ants	Discretionary	one nest job	1	49.50	51.50	4.04%	S
Commercial Premises - Additional nests	Discretionary	per add. nest	2	17.25	17.50	1.45%	S
Commercial Premises - Bed Bugs	Discretionary	per hour or part hour	40	60.00	62.00	3.33%	S
Commercial Premises - Fleas	Discretionary	per hour or part hour	3	60.00	62.00	3.33%	S
Commercial Premises - Cockroaches	Discretionary	per hour or part hour	4	60.00	62.00	3.33%	S
Commercial Premises - Squirrels	Discretionary	per hour or part hour	0	60.00	62.00	3.33%	S



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Commercial Premises - Cluster Fly Infestation	Discretionary	per hour or part hour	1	60.00	62.00	3.33%	S
Commercial Premises - Visit for Advice ONLY	Discretionary	per hour or part hour	0	60.00	62.00	3.33%	S
Commercial Premises - Servicing of electronic fly killers	Discretionary	per annum	0	individual price	individual price	n/a	S
Commercial Premises - Sale of electronic fly killers	Discretionary	per unit	0	individual price	individual price	n/a	S
Commercial Premises - Pigeon / Bird Proofing	Discretionary	per job	0	individual price	individual price	n/a	S
Commercial Premises - Installation of air vent covers, proofing small holes	Discretionary	per job	0	individual price	individual price	n/a	S
Commercial Premises - Installation of bristle strips	Discretionary	per job	0	individual price	individual price	n/a	S
Commercial Premises - Supply and fit insect screens	Discretionary	per job	0	individual price	individual price	n/a	S
Domestic Premises - Rats A call out charge of £25 per job will be levied irrespective of whether rats are found. A 'job' can include up to 3 visits included in the call out price. No charge is recoverable where rats are reported in public places.	Discretionary	per job	289	20.83	50.00	140.04%	S
Domestic Premises - Mice	Discretionary	per job	52	45.83	50.00	9.10%	S
Domestic Premises - Wasps	Discretionary	one nest job	191	41.67	45.83	9.98%	S
Domestic Premises - Ants	Discretionary	one nest job	1	45.83	45.83	0.00%	S
Domestic Premises - Additional nests	Discretionary	per add. nest	10	17.09	17.50	2.40%	S
Domestic Premises - Cluster Fly Infestation	Discretionary	one job (up to 3 visits)	6	58.96	62.00	5.16%	S
Domestic Premises - Bed Bugs	Discretionary	one job (up to 3 visits)	7	166.67	170.84	2.50%	S
Domestic Premises - Bed Bugs	Discretionary	additional visits	2	60.42	61.93	2.50%	S
Domestic Premises - Squirrels	Discretionary	per job	1	77.50	79.44	2.50%	S
Domestic Premises - Fleas	Discretionary	per hour	23	48.75	83.33	70.93%	S
Domestic Premises - Cockroaches	Discretionary	per hour	1	48.75	50.00	2.56%	S
Domestic Premises - Visit for Advice ONLY	Discretionary	per half hour	53	20.83	21.60	3.70%	S
Domestic Premises - Return Visit Charge (rats & mice)	Discretionary	per job	3	60.42	61.93	2.50%	S
Domestic Premises - Installation of air vent covers, proofing small holes	Discretionary	per job	0	individual price	individual price		S
Domestic Premises - Installation of bristle strips	Discretionary	per job	0	individual price	individual price		S
Domestic Premises - Additional charge for a smoke test in drain (rodents)	Discretionary	per occasion	4	29.17	50.00	71.41%	S
Concessionary fee for residents in receipt of income related benefit - waived in cases of hardship at the discretion of the Head of Environmental Services	Discretionary	per job	107	12.50	12.50	0.00%	S

Markets

Hertford & Bishop's Stortford - Standard pitch 3m x 2.1m (10' x 7') Bishop's Stortford only; Where five consecutive weeks are taken, the fifth week will be free.	Discretionary	per pitch	3,414	21.80	n/a	n/a	E
Hertford - Standard pitch 3m x 2.1m (10' x 7')	Discretionary	per pitch		21.80	21.80	0.00%	
Hertford & Bishop's Stortford - Casual Trader pitch 3m x 2.1m (10' x 7')	Discretionary	per pitch	408	26.00	n/a	n/a	E
Hertford - Casual Trader pitch 3m x 2.1m (10' x 7')	Discretionary	per pitch		26.00	26.00	0.00%	
Hertford & Bishop's Stortford - Additional space	Discretionary	per 0.3m (per sq ft)	1	1.20	n/a	n/a	E
Hertford - Additional space	Discretionary	per 0.3m (per sq ft)		1.20	1.20	0.00%	
Ware - Standard pitch 3m x 2.1m (10' x 7') Where five consecutive weeks are taken, the fifth week will be free.	Discretionary	per pitch	855	14.00	14.00	0.00%	E
Ware - Casual Trader pitch 3m x 2.1m (10' x 7')	Discretionary	per pitch	64	15.60	15.60	0.00%	E



Fees and Charges: Customer & Community Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Ware - Additional space	Discretionary	per 0.3m (per sq ft)		1.20	1.20	0.00%	E
Charity Stall - Any Market	Discretionary			10.90	10.90	0.00%	E
Electricity Fee Charges	Cost Recovery	per stall per day		3.00	3.10	3.00%	n/a
Market Licence - Commercial - up to 10 stalls	Discretionary			32.10	32.80	2.20%	n/a
Market Licence - Commercial - up to 11 - 30 stalls	Discretionary		93	53.55	54.90	2.50%	n/a
Market Licence - Commercial - up to 31plus stalls	Discretionary			111.45	114.25	2.50%	n/a
Market Licence - Charity	Discretionary			22.10	22.65	2.50%	n/a
Farmers Markets - Hertford (own stall)	Discretionary		0	23.00	23.55	2.40%	E
Farmers Markets - Hertford (East Herts stall)	Discretionary		188	27.00	27.70	2.60%	E
Farmers Markets - Jackson Square	Discretionary	per quarter	4	1,475.06	1,511.90	2.50%	E

Freedom of Information Act 2000 / Environmental Information Regulations 2004 / Reuse of Public Sector Information Regulations 2005 / Data Protection Act 1998

Freedom of Information / Data Protection - First 2.5 days free	Statutory	per case	566	-	-	0.00%	S
Freedom of Information / Data Protection - After 2.5 days	Statutory	per case	0	450.21	450.21	0.00%	S
and an additional	Statutory	per hour	0	25.00	25.00	0.00%	S
Environmental Information Regulations 2004 - Staff time	Statutory	per hour	10	25.00	25.00	0.00%	S
Reuse of Public Sector Information Regulations 2005 - Reuse of Public Sector Information Regulations 2005	Statutory	per hour	0	25.00	25.00	0.00%	S
Reuse of Public Sector Information Regulations 2005 - Information that has a commercial value -	Statutory		0	individual price	individual price	n/a	
Photocopying (black & white)	Statutory	per A4 sheet	0	0.10	0.10	0.00%	S
Photocopying (black & white)	Statutory	per A3 sheet	0	0.20	0.20	0.00%	S
Photocopying (black & white)	Statutory	per A0 sheet	0	1.10	1.10	0.00%	S
Photocopying (colour)	Statutory	per A4 sheet	0	0.20	0.20	0.00%	S
Photocopying (colour)	Statutory	per A3 sheet	0	0.50	0.50	0.00%	S
Photocopying (colour)	Statutory	per A0 sheet	0	1.70	1.70	0.00%	S
Printing (black & white)	Statutory	per hour	0	45.11	45.11	0.00%	S
Printing (colour)	Statutory	per hour	0	45.11	45.11	0.00%	S
CDs (if information is held electronically)	Statutory	per hour	0	24.68	24.68	0.00%	S
Converting to electronic or microfiche	Cost Recovery		0	individual price	individual price	n/a	
Postage	Cost Recovery		0	individual price	individual price	n/a	
Subject Access Requests (discretionary)	Statutory		0	10.00	10.00	0.00%	n/a



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Leisure (external contract)

Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge	2016/17 Charge	Year on Year Variance	VAT
			£	£	%	

Wet Side
These are maximum prices the contractor may charge. However they expect to offer various discounts as part of ongoing marketing and promotion exercises

Swimming Pools - Casual pay & swim, all five sites - Adults	per session		4.30	4.30	0.00%	
Swimming Pools - Casual pay & swim, all five sites - Juniors (under 16 years old)	per session		2.20	2.20	0.00%	
Swimming Pools - Casual pay & swim, all five sites - 60+ and Concessionary	per session		2.20	2.20	0.00%	
Swimming Pools - Casual pay & swim, all five sites - Family Swim - 2 adults and up to 3 children	per session		9.75	9.75	0.00%	
Season Tickets- Casual pay & swim all pools - Adults	per 12 sessions		43.00	43.00	0.00%	
Season Tickets- Casual pay & swim all pools - Juniors (under 16 years old) and Concessionary	per 12 sessions		22.00	22.00	0.00%	
Season Tickets- Casual pay & swim all pools - 60+ and Concessionary	per 12 sessions		22.00	22.00	0.00%	
Monthly 'Swim Fit' scheme from - Ward Freman only - Adult monthly swim scheme	per month, by direct debit		20.00	20.00	0.00%	
Monthly 'Swim Fit' scheme from - Ward Freman only - Annual swim scheme	per annum		200.00	200.00	0.00%	
Club hire of 25m Pool weekdays - Grange Paddocks	per hour		76.00	76.00	0.00%	
Club hire of 25m Pool weekdays - Hartham	per hour		76.00	76.00	0.00%	
Club hire of 25m Pool weekdays - Fanshawe					0.00%	
Club hire of 25m Pool weekdays - Swim Club	per hour		72.00	72.00	0.00%	
Club hire of 25m Pool weekdays - Sub Aqua	per hour		72.00	72.00	0.00%	
Club hire of 25m Pool weekdays - Leventhorpe	per hour		72.00	72.00	0.00%	
Club hire of 25m Pool weekdays - Ward Freman	per hour		72.00	72.00	0.00%	
Club hire 25m pool weekends - Grange Paddocks	per hour		92.00	92.00	0.00%	
Club hire 25m pool weekends - Hartham	per hour		92.00	92.00	0.00%	
Club hire 25m pool weekends - Fanshawe					0.00%	
Club hire 25m pool weekends - Swim Club	per hour		84.00	84.00	0.00%	
Club hire 25m pool weekends - Leventhorpe	per hour		84.00	84.00	0.00%	
Club hire 25m pool weekends - Ward Freman	per hour		84.00	84.00	0.00%	
Pool Parties (inclusive) - Grange Paddocks (main pool, 3 lifeguards & inflatable)	per hour		155.00	155.00	0.00%	
Pool Parties (inclusive) - Grange Paddocks (Small pool)	per hour		105.00	105.00	0.00%	
Pool Parties (inclusive) - Grange Paddocks (main pool only)					0.00%	
Pool Parties (inclusive) - Hartham (main pool, 3 lifeguards & inflatable)	per hour		195.00	195.00	0.00%	
Pool Parties (inclusive) - Hartham (Small pool)	per hour		115.00	115.00	0.00%	
Pool Parties (inclusive) - Fanshawe (3 lifeguards & inflatable)	per hour		125.00	125.00	0.00%	
Pool Parties (inclusive) - Leventhorpe (3 lifeguards & inflatable)	per hour		125.00	125.00	0.00%	
Pool Parties (inclusive) - Ward Freman (3 lifeguards & inflatable)	per hour		125.00	125.00	0.00%	
Pool Parties (inclusive) - Ward Freman (3 lifeguards & inflatable)	per 90mins		175.00	175.00	0.00%	
Pool Parties (inclusive) - Hire of teaching/small pool at weekends for Galas	per hour		30.00	30.00	0.00%	
Hire of 25m pool for Large Charities / Sponsored swim	per hour		150.00	150.00	0.00%	
Hire of 25m pool for Commercial	per hour		150.00	150.00	0.00%	



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Leisure (external contract)

Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge	2016/17 Charge	Year on Year Variance	VAT
			£	£	%	
Hire of 25m pool for Galas - including set up for competition , excl l/gs	per hour		150.00	150.00	0.00%	
Hire of 25m pool for Hire of teaching/small pool at weekends for Galas	per hour		30.00	30.00	0.00%	
Swimming Lessons - Single	per 30 min		5.85	5.85	0.00%	
Swimming Lessons - Monthly DD	per 30 min		24.40	24.40	0.00%	
Swimming Lessons - Schools (per pupil)	per 30 min		2.20	2.20	0.00%	
Swimming Lessons - Lifeguarding	per hour		30.00	30.00	0.00%	
Water Aerobics - Single			6.50	6.50	0.00%	
Holiday Courses - Crash Course Swim 5 days			29.25	29.25	0.00%	
Private Parties - Additional Lifeguard for parties or lessons etc	per hour		30.00	30.00	0.00%	
Private Parties - Hartham and Fanshawe	per hour		30.00	30.00	0.00%	

Dry Side
 These are maximum prices the contractor may charge. However they expect to offer various discounts as part of ongoing marketing and promotion exercises

Leventhorpe - Junior (14 & 15 year olds)	joining fee and induction		15.00	15.00	0.00%	
Leventhorpe - Adult/Concession/Student (16+ in full time education)	joining fee and induction		20.00	20.00	0.00%	
Leventhorpe - Adult	per session		5.35	5.35	0.00%	
Leventhorpe - Junior (14 & 15 year olds)	per session		3.00	3.00	0.00%	
Leventhorpe - Concession/Student (16+ in full time education) casual user (off peak)	per session		3.30	3.30	0.00%	
Leventhorpe - East Herts Council staff	per session		3.10	3.10	0.00%	
Leventhorpe - Monthly (6 month contract)	per month by direct debit		17.00	17.00	0.00%	
Leventhorpe - Monthly DD (no contract)	per month by direct debit		26.00	26.00	0.00%	
Leventhorpe - East Herts Council staff	per month by direct debit		15.00	15.00	0.00%	
Leventhorpe - Annual membership	Annual		150.00	150.00	0.00%	
Leventhorpe - East Herts Council staff	Annual		150.00	150.00	0.00%	
Fanshawe - Junior (14 & 15 year olds)	joining fee and induction		20.00	20.00	0.00%	
Fanshawe - Adult/Concession/Student (16+ in full time education)/GP Referral DD membership	joining fee and induction		25.00	25.00	0.00%	
Fanshawe - Adult/Concession/Student (16+ in full time education) casual annual membership	joining fee and induction		30.00	30.00	0.00%	
Fanshawe - Adult (peak)	per session		7.20	7.20	0.00%	
Fanshawe - Adult (off peak)	per session		5.40	5.40	0.00%	
Fanshawe - Junior (14 & 15 year olds)	per session		3.10	3.10	0.00%	
Fanshawe - Concession/Student (16+ in full time education) casual user (off peak)	per session		5.00	5.00	0.00%	
Fanshawe - East Herts Council staff	per session		3.70	3.70	0.00%	
Fanshawe - Monthly DD (no contract)	per month by direct debit		36.00	36.00	0.00%	
Fanshawe - Concession/Student (16+ in full time education)/GP Referral (off peak)	per month by direct debit		25.00	25.00	0.00%	
Fanshawe - East Herts Council staff	per month by direct debit		20.00	20.00	0.00%	
Fanshawe - Fitness Adult - DD - NEW following the introduction of the new PT/Training room	per month by direct debit		36.00	36.00	0.00%	
Other (Fanshawe only) - GP Referral session (8 weeks)	per session		3.80	3.80	0.00%	



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Leisure (external contract)

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge	2016/17 Charge	Year on Year Variance	VAT
				£	£	%	
Other (Fanshawe only) - Ex-GP Referral		per session		5.00	5.00	0.00%	
Other (Fanshawe only) - Cardiac Re-hab session (8 weeks)		per session		3.90	3.90	0.00%	
Other (Fanshawe only) - Healthy Herts session		per session		3.90	3.90	0.00%	
Other (Fanshawe only) - Technogym Key - Fanshawe only		per key		20.00	20.00	0.00%	
GYM & STUDIO - Casual (annual fee) includes induction fee		joining fee		50.00	50.00	0.00%	
GYM & STUDIO - Adult/Concessionary (DD member) includes induction fee		joining fee		40.00	40.00	0.00%	
GYM & STUDIO - Casual User (peak)		per session		7.40	7.40	0.00%	
GYM & STUDIO - Casual User (off peak)		per session		5.60	5.60	0.00%	
GYM & STUDIO - Concessionary/Student Casual User (off peak)		per session		5.10	5.10	0.00%	
GYM & STUDIO - Active Junior 11 - 15 year old (off peak)		per session		3.70	3.70	0.00%	
GYM & STUDIO - East Herts Council staff		per session		3.70	3.70	0.00%	
GYM & STUDIO - Monthly (single)		per month		39.50	39.50	0.00%	
GYM & STUDIO - Monthly (couple)		per month		68.00	68.00	0.00%	
GYM & STUDIO - Corporate (single)		per month		33.00	33.00	0.00%	
GYM & STUDIO - Senior 60+ (single)		per month		30.00	30.00	0.00%	
GYM & STUDIO - Active Junior 11 - 15 year old		per month		22.00	22.00	0.00%	
GYM & STUDIO - Concession/Student Monthly/GP Referral (off peak only)		per month		30.00	30.00	0.00%	
GYM & STUDIO - East Herts Council staff		per month		24.00	24.00	0.00%	
GYM & STUDIO - Annual Membership (single)		annual		395.00	395.00	0.00%	
GYM & STUDIO - Annual Membership (couple)		annual		680.00	680.00	0.00%	
GYM & STUDIO - Annual Corporate (single)		annual		330.00	330.00	0.00%	
GYM & STUDIO - Annual Senior		annual		300.00	300.00	0.00%	
GYM & STUDIO - Annual 16 - 18 year old		annual		300.00	300.00	0.00%	
GYM & STUDIO - Annual Concession/Student (off peak only)		annual		300.00	300.00	0.00%	
GYM & STUDIO - East Herts Council staff		annual		240.00	240.00	0.00%	
Other - GP Referral session (8 weeks)		per session		3.80	3.80	0.00%	
Other - Ex-GP Referral		per session		5.00	5.00	0.00%	
Other - Cardiac Re-hab session (8 weeks)		per session		3.90	3.90	0.00%	
Other - Healthy Herts session		per session		3.90	3.90	0.00%	
Other - Creche - members		1 hr		2.90	2.90	0.00%	
Other - Creche - members		2hrs		5.60	5.60	0.00%	
Other - Creche - members		3hrs		8.20	8.20	0.00%	
Other - Creche - non-members		1 hr		4.40	4.40	0.00%	
Other - Creche - non-members		2hrs		8.40	8.40	0.00%	
Other - Creche - non-members		3hrs		13.00	13.00	0.00%	
Parties - Dance party (includes team leader & instructor)		8+		110.00	110.00	0.00%	



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Leisure (external contract)

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Studio Hire - Hartham		per hour		30.00	30.00	0.00%	
Studio Hire - Grange Paddocks		per hour		25.00	25.00	0.00%	
Studio Hire - Group Exercise		per session		6.00	6.00	0.00%	
Studio Hire - Creche hire (Grange Paddocks) includes team leader				60.00	60.00	0.00%	
Recreation Facilities - Hartham - Hertford, Open Space (Area A) - Commercial Organisations and Promoters		first day		650.00	650.00	0.00%	
Recreation Facilities - Hartham - Hertford, Open Space (Area A) - Commercial Organisations and Promoters		day thereafter		170.00	170.00	0.00%	
Recreation Facilities - Kingsmead, Open Space		first day		400.00	400.00	0.00%	
Recreation Facilities - Kingsmead, Open Space		day thereafter		120.00	120.00	0.00%	
Recreation Facilities - Buryfield - Ware, Open Space - Commercial Organisations and Promoters		per day		120.00	120.00	0.00%	
Recreation Facilities - Buryfield - Ware, Open Space - Commercial Organisations and Promoters		per week		415.00	415.00	0.00%	
Recreation Facilities - Buryfield - Ware, Open Space - All other hirers		per day		65.00	65.00	0.00%	
Recreation Facilities - Buryfield - Ware, Open Space - All other hirers		per week		215.00	215.00	0.00%	
Football Pitches - Hartham and Presdales including shower facilities, Senior pitch		per game		60.00	60.00	0.00%	
Football Pitches - Hartham and Presdales including shower facilities, Junior (16 years and under) pitch		per game		30.00	30.00	0.00%	
Football Pitches - Hartham and Presdales including shower facilities, Mini Soccer pitch		per game		25.00	25.00	0.00%	
Football Pitches - Grange Paddocks including shower facilities, Senior pitch		per game		60.00	60.00	0.00%	
Football Pitches - Grange Paddocks including shower facilities, Junior (16 years and under) pitch		per game		30.00	30.00	0.00%	
Football Pitches - Grange Paddocks including shower facilities, Mini Soccer pitch		per game		25.00	25.00	0.00%	
Football Pitches - Kingsmead - no changing facilities, Senior pitch		per game		40.00	40.00	0.00%	
Football Pitches - Kingsmead - no changing facilities, Junior (16 years and under) pitch		per game		20.00	20.00	0.00%	
Football Pitches - Kingsmead - no changing facilities, Mini Soccer pitch		per game		18.50	18.50	0.00%	
Football Pitches - Out of season training		per team		19.00	19.00	0.00%	
Tennis Court - Adult		per hour		6.00	6.00	0.00%	
Tennis Court - Junior (16 years and under) & OAP		per hour		3.00	3.00	0.00%	
Bowls - Season OAP/Junior (16 years and under)		per season		47.00	47.00	0.00%	
Bowls - Game		per game		4.50	4.50	0.00%	
Bowls - Game OAP/Junior (16 years and under)		per game		2.50	2.50	0.00%	
Bowls - 1/2 Season		per 1/2 season		50.00	50.00	0.00%	
Bowls - 1/2 Season OAP/Junior (16 years and under)		per 1/2 season		25.00	25.00	0.00%	



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Finance & Support Services

Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
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LAND CHARGES

Registration of a charge in Part II of the register	Statutory	per charge		67.00	67.00	0.00%	OS
Filing a definite certificate of the Lands Tribunal under rule 10 (3)	Statutory	per certificate		2.50	2.50	0.00%	OS
Filing a judgement or order, or written request for the variation or cancellation of any entry in Part 11 of the register	Statutory	per item		7.00	7.00	0.00%	OS
Inspection of documents filed in the register under rule 10, in respect of each parcel of land	Statutory	per parcel of land		2.50	2.50	0.00%	OS
Office copy of any plan or other document filed pursuant to the rules	Statutory	per copy		Individual Charge	Individual Charge	n/a	OS
Personal Search inclusive of printout		for print out	0	5.00	-		OS
Official search (including issue of official certificate of search) in the whole of the register		per search	2,928	21.00	21.00	0.00%	OS
And in addition, in respect of each parcel of land above one, where under rule II (3) more than one parcel is included in the same requisition (for a search in the whole or part of the register), subject to a maximum of £16.00		per additional search	<5	5.00	5.00	0.00%	OS
Answering form of enquiry - Part I Enquiries - One parcel of land - Residential / Commercial		per enquiry	2,844	66.00	66.00	0.00%	OS
Answering form of enquiry - Part I Enquiries - each additional parcel		per enquiry	not readily available	20.00	20.00	0.00%	OS
Answering form of enquiry - Part II Enquiries - Where relating to one parcel of land only or to several parcels and delivered on a single form - Each printed enquiry numbered in the form 4 - 21		per enquiry	not readily available	12.00	12.00	0.00%	OS
Answering form of enquiry - Part II Enquiries - Where relating to one parcel of land only or to several parcels and delivered on a single form - numbered in the form 22		per enquiry	not readily available	20.00	20.00	0.00%	OS
Answering form of enquiry - Part II Enquiries - Any and each further enquiry added by solicitors		per enquiry	<20	25.00	25.00	0.00%	OS
Abstract of Title		per abstract		15.40	20.00	30.00%	OS
and an additional		per sheet copied		0.21	0.25	20.00%	

LEGAL CHARGES

Notice of Transfer		per hour		110.00	120.00	9.00%	S
Deed of Variation		per hour		110.00	120.00	9.00%	S
Deed of Covenant Copy		per hour		110.00	120.00	9.00%	S
Deed of Covenant Engrossment		per hour		110.00	120.00	9.00%	S
Postponement of Charge		per hour		110.00	120.00	9.00%	S
Litigation, Conveyancing and Planning matters		per hour		110.00	120.00	9.00%	S
Sale of Council Minutes		per civic year		110.00	120.00	9.00%	Z

Extract of Electoral Register

Fee for sale of the Register	Statutory	per sale provided electronically		20.50	20.00	-3.00%	Z
and an additional	Statutory	per thousand or part thousand entries		1.50	1.50	0.00%	Z
Fee for sale of the Register	Statutory	per sale printed		10.00	10.00	0.00%	Z
and an additional	Statutory	per thousand or part thousand entries		5.00	5.00	0.00%	Z
Fee for sale of the list of overseas electors	Statutory	per sale provided electronically		20.50	20.00	-3.00%	Z
and an additional	Statutory	per thousand or part thousand entries		1.50	1.50	0.00%	Z



ESSENTIAL REFERENCE PAPER H

Fees and Charges: Finance & Support Services

	Basis of Charge	Unit of Charge	2014/15 Volume	2015/16 Charge £	2016/17 Charge £	Year on Year Variance %	VAT
Fee for sale of the list of overseas electors	Statutory	per sale printed		10.00	10.00	0.00%	Z
and an additional	Statutory	per thousand or part thousand entries		5.00	5.00	0.00%	Z
Revenues							
Council Tax penalty for failure to promptly notify or provide information	Statutory	per first offence	0	70.00	70.00	0.00%	n/a
Council Tax penalty for failure to promptly notify or provide information	Statutory	per subsequent offence	0	280.00	280.00	0.00%	n/a
Summons and Liability Order	Cost Recovery	per order	4,200	80.00	80.00	0.00%	n/a
Letting of Council Offices							
Council Chamber - Hertford	Discretionary	per hour		30.00	30.00	0.00%	n/a
Other Rooms - Hertford	Discretionary	per hour		20.00	20.00	0.00%	n/a

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CAPITAL PROGRAMME 2015/16 - 2019/20

	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
NEW SCHEMES:						
FINANCE & SUPPORT SERVICES			80,000	-	-	-
CUSTOMER & COMMUNITY SERVICES			410,000	-	-	95,000
NEIGHBOURHOOD SERVICES			-	-	-	-
SUB-TOTAL	-	-	490,000	-	-	95,000
EXISTING SCHEMES:						
FINANCE & SUPPORT SERVICES	1,009,280	21,734,270	1,358,800	720,000	814,950	727,010
CUSTOMER & COMMUNITY SERVICES	781,710	944,060	759,130	629,000	269,000	269,000
NEIGHBOURHOOD SERVICES	927,500	736,140	2,000,090	908,500	908,500	908,500
SUB-TOTAL	2,718,490	23,414,470	4,118,020	2,257,500	1,992,450	1,904,510
GRAND TOTAL	2,718,490	23,414,470	4,608,020	2,257,500	1,992,450	1,999,510



FINANCE AND SUPPORT SERVICES

	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
NEW SCHEMES							
Compliance Works to Swimming Pools							
Fabric improvements to Swimming Pools	S. Whinnett			40,000	-	-	-
Glazing & equalities access works to Swimming Pools	S. Whinnett			40,000	-	-	-
ICT Schemes							
New Asset Management System	P. Gregory			Included in IT Capital Rolling Programme			
TOTAL NEW SCHEMES		-	-	80,000	-	-	-
EXISTING SCHEMES							
Charringtons House 2nd Floor Suite Refurbishment							
Maximise return from Council assets by generating rental income & business rates income for the Council once the suite is refurbished	A. Osborne	-	-	300,000	-	-	-
Leventhorpe Swimming Pool, Sawbridgeworth *							
Renew main supply fan to the main pool area	S. Whinnett	-	-	25,000	-	-	-
Hartham Swimming Pool, Hertford							
Pool Hall Air Handling Renewal - to remove the existing unreliable air handling plant serving the pool hall & replace with a new energy efficient system	S. Whinnett	135,000	139,130	-	-	-	-
Refurbishment of Pool Filters to ensure the efficiency of the pools filtration plant operation & to maintain the pools water quality	S. Whinnett	-	-	25,000	-	-	-
Grange Paddocks Swimming Pool, Bishop's Stortford							
To treat laminated timber beams to ensure they are properly protected from high humidity & chemicals used in the treatment of the pool water	S. Whinnett & J. Earley	-	-	-	25,000	-	-
Replace existing handrail & tiles to walls, steps & base of pool	M. Kingsland & S. Whinnett	35,000	35,000	-	-	-	-
Renew Pool Heat Exchanger & defective pipework	S. Whinnett	-	35,000	-	-	-	-
Fanshawe Swimming Pool, Ware *							

FINANCE AND SUPPORT SERVICES

	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
Refurbish/Replace Pool Filters, to maintain efficient operation of the pool filter & pool water quality	S. Whinnett	-	-	20,000	-	-	-
Replace Pool Circulating Pumps	S. Whinnett	-	-	20,000	-	-	-
Joint Provision Pools (Ward Freman, Leventhorpe & Fanshawe) - Replacement Air Conditioning to Offices	S. Whinnett	15,000	-	15,000	-	-	-
Hartham & Grange Paddocks Swimming Pool - Resurfacing & Lining. To provide clearly marked out car parking bays to enable efficient & effective parking by the public	S. Whinnett	65,000	65,000	-	-	-	-
OPERATIONAL BUILDINGS							
Rolling programme for planned preventative capital maintenance of operational buildings	S. Whinnett & J. Earley	250,000	125,000	250,000	250,000	250,000	250,000
Hertford Theatre Entrance Lobby Roof - to replace the existing defective roof with new leak free, energy efficient roof and reduce overheating in the entrance lobby / foyer area in summer months	S. Whinnett & J. Earley	-	1,200	18,800	-	-	-
Hertford Theatre Energy Saving Auditorium Lighting - to replace the existing auditorium lighting with energy efficient / low maintenance LED lighting	S. Whinnett & J. Earley	-	50,690	-	-	-	-
Hertford Theatre - To replace the existing defective building service control system with a new fully integrated system to ensure that the Building Services systems in the Theatre are efficiently controlled & achieve energy efficient use of the building services	S. Whinnett & J. Earley	-	40,000	-	-	-	-
Buntingford Service Centre - Air Conditioning to Office - to improve the working conditions for staff located in the front offices of the Service Centre by reducing temperatures in the summer months	S. Whinnett & J. Earley	-	15,000	-	-	-	-
Wallfields Offices - Refurbishment of Windows, to ensure the efficient and safe operation of the windows so as to provide a comfortable environment for staff	S. Whinnett	-	15,000	-	-	-	-



FINANCE AND SUPPORT SERVICES

	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
Wallfields Offices - Refurbishment Works to Old Building, to include lighting replacement	S. Whinnett/T. Smith	-	1,070	-	-	-	-
Replacement of Chairs & Desks	T. Smith	10,000	13,000	10,000	10,000	10,000	10,000
Purchase of Old River Lane site, Bishop's Stortford	A. Taylor & S. Drinkwater	-	20,495,690	-	-	-	-
Footbridge over the River Stort, Bishop's Stortford	A. Osborne	-	37,620	-	-	-	-
North Drive, Ware							
Reconstruct road & drainage	A. Osborne	13,440	11,920	-	-	-	-
IT Schemes							
Revenues & Benefits Programme	H. Lewis	10,600	-	-	-	-	-
Replacement Infrastructure (Note 1)	P. Wain	35,000	44,280	35,000	35,000	154,950	67,010
Establishment of LES & internet links to replace MPLS	H. Lewis	-	63,000	-	-	-	-
BACS Software	P. Tyler	-	5,000	-	-	-	-
Funding for Applications	P. Tyler	16,070	16,330	40,000	-	-	-
Windows Server Licensing	P. Wain	5,000	-	-	-	-	-
Merging IT systems - Licensing & Env Health	B. Simmonds	-	68,000	-	-	-	-
Integrated Dev Mgt and Bldg Ctrl Systems	K. Steptoe	-	40,670	-	-	-	-
Service Desk & Utilities	H. Lewis	12,170	26,170	-	-	-	-
Shared service print investment costs 50%	H. Lewis	-	20,500	-	-	-	-
Shared service accommodation costs 50%	H. Lewis	7,000	-	-	-	-	-
New Desktop Software	H. Lewis	-	5,000	-	-	-	-
Rolling programme to be utilised on ICT projects subject to ITSG review	H. Lewis	400,000	114,380	600,000	400,000	400,000	400,000
Telephony Software Licensing	H. Lewis	-	3,200	-	-	-	-
Business Objects Licensing	H. Lewis	-	41,800	-	-	-	-
New HR & Payroll System	P. Tyler	-	55,000	-	-	-	-
Liberty Telephone Platform	P. Tyler	-	20,000	-	-	-	-
Wi-Fi Project	H. Lewis	-	77,000	-	-	-	-
Client Equipment	H. Lewis	-	35,000	-	-	-	-
Corporate Scanners	H. Lewis	-	18,620	-	-	-	-
TOTAL EXISTING SCHEMES		1,009,280	21,734,270	1,358,800	720,000	814,950	727,010
FINANCE AND SUPPORT SERVICES TOTAL		1,009,280	21,734,270	1,438,800	720,000	814,950	727,010

CUSTOMER AND COMMUNITY SERVICES

	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
NEW SCHEMES							
Device Responsive Template							
Revised website templates including new navigation, enhanced accessibility and device responsiveness	A. McWilliams			20,000	-	-	-
Car Park Management System							
To implement a cost effective car park management system for the Council to manage its car parks for the next 10 years	A. Pulham			340,000	-	-	-
Open Space Improvements at the Wash, Hertford							
Improved amenity for local residents and visitors to the town by enhancing this key area at the centre of Hertford (Note 13)	I. Sharratt			-	-	-	50,000
Folly View Open Space Improvements, Hertford							
Improved amenity for local residents and visitors to the town by providing an attractive open space for people to sit and enjoy the historic river frontage (Note 13)	I. Sharratt			-	-	-	15,000
Cannons Mill Lane Open Space Improvements, Bishop's Stortford							
Improved amenity for local residents and future residents of Bishops Stortford North Development (Note 13)	I. Sharratt			-	-	-	30,000
Refurbishment of Hertford Theatre Café/Bar							
The layout, design and equipment provision is in need of upgrade in order to meet the needs of our customers and maximise the potential for revenue generation	B. Cannell			50,000	-	-	-
TOTAL NEW SCHEMES				410,000	-	-	95,000
EXISTING SCHEMES							
Hertford Theatre							
Hertford Theatre replacement of 6 lighting hoists	W. O'Neill		32,700	-	-	-	-



CUSTOMER AND COMMUNITY SERVICES

	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
Imp to common land open space - Llamas Land, Watton-at-Stone (Note 1)	W. O'Neill	-	4,000	-	-	-	-
Refuse Collection & Recycling							
Containers Replacement Programme	D. Allen	100,000	100,000	100,000	100,000	100,000	100,000
Replacement Litter Bins	D. Allen	5,500	6,030	5,500	5,500	5,500	5,500
Commercial Waste Bins	D. Allen	33,500	48,500	33,500	33,500	33,500	33,500
Bell Street, Sawbridgeworth							
Modernise the public convenience facilities, whilst providing storage space for Sawbridgeworth T C, relieving EHC of the ongoing revenue burden of this service	D. Allen	-	70,000	-	-	-	-
Provision of Play Equipment							
Play equipment & infrastructure replacement	I. Sharratt	50,000	90,940	50,000	50,000	50,000	50,000
Open space improvements at Bishop's Park, Bishop's Stortford							
Installation of a car park, footpath improvements & health/play facilities. (Note 2)	I. Sharratt	-	-	106,000	-	-	-
Woodland restoration at Presdales Recreation Ground, Ware							
Installation of a circular walk, car park improvements & woodland restoration. (Note 3)	I. Sharratt	-	-	-	85,000	-	-
Play Area Hartham Common, Hertford							
Installation of new play equipment, landscape enhancements and ancillary improvements, to include bespoke seating areas and tree & shrub planting. (Note 4)	I. Sharratt	-	-	-	275,000	-	-
Play Area The Bourne, Ware (Phase 2)							
Installation of a fitness & play facility for older children & open space access improvements to include new footpath, new play equipment & tree planting. (Note 5)	I. Sharratt	41,200	41,200	-	-	-	-
Play Area Grange Paddocks, Bishop's Stortford							
Install new play area, to include new activity equipment & surfacing. New footpath & installation of new seating. (Note 6)	I. Sharratt	-	-	95,500	-	-	-
The Bourne, Ware							

CUSTOMER AND COMMUNITY SERVICES	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
Replace existing equipment with natural play equipment & installation of new fencing around the play area.	I. Sharratt	-	110	-	-	-	-
Pishiobury Park, Sawbridgeworth							
Wetland Habitat Project - improvements to boardwalk/paths permitting safe access to the wetland area of the park (Note 7)	I. Sharratt	-	12,180	-	-	-	-
Hartham Common, Hertford							
Potential projects include development of water play area, improvements to car parking & pedestrian access	I. Sharratt	25,000	-	25,000	-	-	-
Southern Country Park, Bishop's Stortford							
Boardwalk installation across balancing pond to improve the functionality & attractiveness of this Green Flag award winning park (Note 9)	I. Sharratt	-	80,400	-	-	-	-
Buryfield Recreation Ground, Ware							
Installation of play area to encourage healthy activity for younger children (Note 10)	I. Sharratt	60,750	60,750	-	-	-	-
3G Artificial Turf Pitch development at Hartham Common, Hertford							
To replace the under utilised Hartham Common tennis courts with 3 floodlit 3G 5-a-side pitches (Note 11)	I. Sharratt	-	84,800	-	-	-	-
Energy Efficiency & Carbon Reduction Measures							
Installation of solar panels at Wallfields, Hertford	D. Thorogood/S. Whinnett	-	45,000	-	-	-	-
Castle Weir Micro Hydro Scheme							
To provide a small Hydro-electricity turbine in the river Lee at Hertford Weir. This is an invest to save project and will generate electricity providing power for Hertford Theatre and for sale to the Grid. The scheme is subject to a rigorous approval process by the Environment Agency for flood risk and protection of biodiversity	C. Cardoza	200,980	-	200,980	-	-	-
Economic Development							
Environmental Enhancements to East Herts town centres	P. Pullin	-	38,000	-	-	-	-
Bishop's Stortford Market Improvement Scheme	P. Pullin	45,300	22,650	22,650	-	-	-



CUSTOMER AND COMMUNITY SERVICES

	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
'My Incubator' - this project will enable WENTA (enterprise agency for Herts & Beds) to continue to deliver support, advice and incubation and services from premises at the Ware campus of Hertford Regional College to start-up businesses in East Herts	P. Pullin	-	10,000	-	-	-	-
Community Capital Grants							
Capital grants provide the right tools for people to get involved with projects that improve facilities such as green spaces or community buildings – inspiring ownership and pride.	C. Pullen	138,480	108,070	120,000	80,000	80,000	80,000
Presdales Pavilion, Ware							
New Paving & landscaping at the front of the pavilion	M. Kingsland	-	2,050	-	-	-	-
Hartham Pavilion Refurbishment							
Create new public toilet space, redevelop existing café area, create functional changing area for footballers & incorporate meeting/training room. (Note 12)	M. Kingsland	62,000	62,000	-	-	-	-
Replacement of Filming & Production Equipment							
Purchase of updated filming equipment to provide efficient & high quality digital video production services within the Council	A. McWilliams	19,000	19,000	-	-	-	-
Installation of Automated Telling Machines at Hertford & Bishop's Stortford	R. Ranford	-	5,900	-	-	-	-
TOTAL EXISTING SCHEMES		781,710	944,060	759,130	629,000	269,000	269,000
CUSTOMER AND COMMUNITY SERVICES TOTAL		781,710	944,060	1,169,130	629,000	269,000	364,000



NEIGHBOURHOOD SERVICES

	Project Manager	2015/16 Original Budget £	2015/16 Revised Budget £	2016/17 Original Budget £	2017/18 Original Budget £	2018/19 Original Budget £	2019/20 Original Budget £
NEW SCHEMES							
				-	-	-	-
TOTAL NEW SCHEMES		-	-	-	-	-	-
EXISTING SCHEMES							
River & Watercourse Structures							
Improve, maintain & renew structures along rivers and watercourses to alleviate possible flooding throughout the district.	G. Field	47,500	87,470	47,500	47,500	47,500	47,500
Repairs & Renewals Scheme (Flood Grants) Note 1	G. Field	-	20,350	-	-	-	-
Air Quality Capital Grant Scheme - Subway improvement works in Hertford to include bespoke artwork & signage (Note 1)	G. Field	-	31,320	-	-	-	-
Land Management Programme							
Land Management Asset Register & Associated Works	G. Field	20,000	50,000	50,000	50,000	50,000	50,000
Private Sector Improvement Grants							
Disabled Facilities (Note 2)	S. Winterburn	450,000	350,000	694,150	530,000	530,000	530,000
Disabled Facilities - Discretionary	S. Winterburn	90,000	50,000	100,000	60,000	60,000	60,000
Decent Home Grants	S. Winterburn	200,000	50,000	150,000	120,000	120,000	120,000
Energy Grants	S. Winterburn	39,000	39,000	20,000	20,000	20,000	20,000
Future Social Housing Schemes	S. Drinkwater	-	-	820,740	-	-	-
Capital Salaries	P. Gregory	26,000	26,000	26,000	26,000	26,000	26,000
Historic Building Grants							
Enable grants to be offered to the owners of historic buildings to encourage their maintenance and upkeep	K. Steptoe	55,000	32,000	91,700	55,000	55,000	55,000
TOTAL EXISTING SCHEMES		927,500	736,140	2,000,090	908,500	908,500	908,500
NEIGHBOURHOOD SERVICES TOTAL		927,500	736,140	2,000,090	908,500	908,500	908,500

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Capital Programme Funding Statement 2015/16 to 2019/20

	2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	Total £'000
Proposed Capital Programme	23,414	4,608	2,258	1,992	2,000	34,272
To be funded by:						
Capital Receipts:						
Capital Receipts Bfwd	1,275	-	-	-	-	-
Capital Receipts New	1,112	1,640	1,270	800	500	5,322
Capital Receipts Sub-total	2,387	1,640	1,270	800	500	6,597
Government grants:						
DFG - specified capital grant (note 1)	293	293	293	293	293	1,465
Third Party contributions:						
R&R Flood Grants (DEFRA)	20	-	-	-	-	20
Station Rd W-at-S, Llama land	4	-	-	-	-	4
St Michael's M, Boardwalk SC Park	70	-	-	-	-	70
Cintel Site 106, Buryfield play area	51	-	-	-	-	51
Hartham Pavilion (s106 monies)	62	-	-	-	-	62
Presdales walk (s106)	-	-	85	-	-	85
Play Area Hartham (s106)	-	-	275	-	-	275
Play Facility - The Bourne (s106)	6	-	-	-	-	6
Play Area GP (s106)	-	14	-	-	-	14
3G Artificial Turf Pitch, Hartham (s106)	25	-	-	-	-	25
Third Party Sub-total	238	14	360	-	-	612
Revenue Contribution	981	25	25	25	25	1,081
Internal Funding	19,515	2,636	310	874	1,182	24,517
Total Funding	23,414	4,608	2,258	1,992	2,000	34,272

Notes:

- 1 With effect from 2015/16 Disabled Facilities Grant income will no longer be funded direct from the Government but will be distributed via Hertfordshire County Council under the Better Care Fund arrangements.

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East Herts Council Reserves Policy

1.0 The Council's Reserves Policy

- 1.1 The current Reserves Policy was approved by Council at its meeting in February 2011.
- 1.2 The Policy sets out a maximum and minimum level of General Reserves. There is no maximum or minimum level set for Earmarked Reserves but the Policy states that they generally will be expected to be used within the period of the MTFP.
- 1.3 General reserves are a working balance to manage cash flows and limit the need for temporary borrowing and to provide a contingency for unforeseeable events and emergency spending. Earmarked reserves are set aside for a defined purpose to meet known or predicted future liabilities.
- 1.4 The minimum level of General Reserves to be held under the Policy is £3m: to be specific the sum of the General Fund and General Reserve (less any amount in the Building Control Account) should not normally be less than £3m.
- 1.5 The maximum level of general reserves is based on adding a basket of figures and proportions to give a quantum figure, as follows:

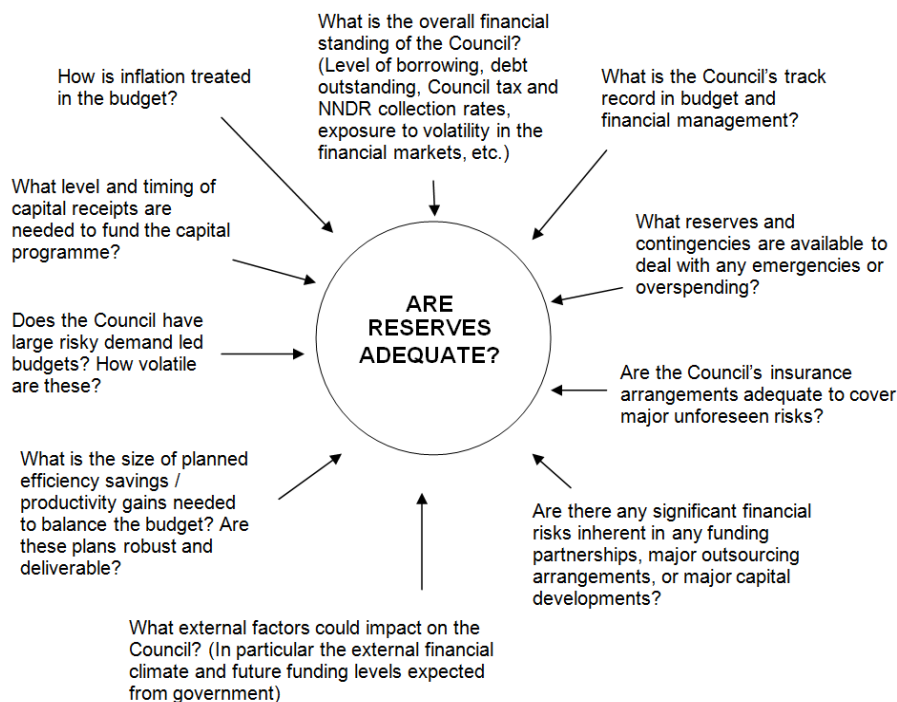
Table 1: Calculation of the maximum level of general reserves to be held

CALCULATION	POSITION AS AT 31/03/15 £m
40% of the budget requirement at start of year (2015/16: £8.800m)	3.520
2.5% of total assets in the last audited financial statements (2014/15: £130.878m)	3.272
The sum of future planned withdrawals and/or contributions to the general reserve in the last approved MTFP	0.000
Less any sum held as an insurance reserve (at 31/03/2015)	(1.010)
TOTAL:	5.782

- 1.6 General Reserves at the end of the 2014/15 financial year stood at £5.167m, £0.615m within the Policy threshold.

2.0 Why Councils need to hold Reserves

- 2.1 Reserves are an essential part of good financial management. They help Councils cope with unpredictable financial pressures, help them smooth the impact of known spending requirements over time, and help to fund any in-year overspending. The level, purpose, and planned use of reserves are important factors for elected Members and council officers to consider in developing medium-term financial plans and setting annual budgets.
- 2.2 There is no set formula for deciding what level of reserves is appropriate and councils are free to determine the level of reserves they hold. Where councils hold very low reserves there may be little resilience to financial shocks and sustained financial challenges. However where reserves are too high there may be opportunity costs involved in holding these reserves (for example a lack of investment in making service changes that could generate better outcomes for residents and/or increased savings or revenue generation for the Council).
- 2.3 The requirement for financial reserves is acknowledged in statute (Local Government Finance Act 1992). Full Council is responsible for approving the level of reserves and the Reserves Policy whilst the Section 151 Officer has a statutory duty to report publically to Council on the adequacy of reserves when calculating the annual budget requirement.
- 2.4 CIPFA issues guidance on reserves and the latest guidance (LAAP Bulletin 99) identifies the issues to consider in determining an appropriate level of reserves as follows:



3.0 Reporting of Reserves

3.1 As a minimum, the annual budget report and the final accounts report will set out opening balances, expected or actual transfers to and from reserves together with closing balances. The Director of Finance and Support Services as S151 officer will comment on the adequacy of reserves in those reports.

3.2 During the year the adequacy of reserves will be reviewed as part of the health check monitoring in the light of any significant budget variances. If the balance on general reserves appears likely to move outside of the minimum boundary the need for corrective action will be considered in the next planned health check report or earlier if the Council's S151 officer so requires.

4.0 Governance arrangements in respect of reserves (extracted from Financial Regulations (3.8))

4.1 In the event of a department underspend the Executive may establish an earmarked reserve and approve appropriations thereto where the purpose of that reserve is to defer expenditure included in a budget (or supplementary budget) approved by the Council where the expenditure in subsequent years will be in respect of the purpose for which the original budget (or supplementary budget) was approved.

4.2 Proposals to appropriate more than £100,000 to a single reserve or more than £500,000 in aggregate in any year beyond sums set out in the Medium Term Financial Plan shall be subject to the prior approval of the Council.

5.0 Current Reserve balances

5.1 Table 2 below summarises the balances currently held in Earmarked Reserves:

Table 2: Forecast Earmarked Reserve Balances

	Balance 31 March 2015 £'000	Forecast 31 March 2016 £'000	Balance 31 March 2017 £'000	Balance 31 March 2018 £'000	Balance 31 March 2019 £'000	Balance 31 March 2020 £'000
GENERAL RESERVES:						
General Fund	3,854	3,854	3,854	3,854	3,854	3,854
General Reserve	1,313	1,194	1,194	1,194	1,194	1,194
EARMARKED RESERVES:						
Interest Equalisation Reserve	1,503	1,203	903	903	903	903
Insurance Fund	1,010	1,136	1,136	1,136	1,136	1,136
Emergency Planning Reserve	37	37	37	37	37	37
LDF/Green Belt Reserve	519	273	83	22	0	0
Housing Condition Survey Reserve	93	64	68	82	96	60
Council Elections Reserve	77	5	32	60	87	15
Sinking fund - Leisure Utilities / Pension Reserve	231	231	231	231	231	231
Performance Reward Grant Reserve	22	9	9	9	9	9
Waste Recycling Income Volatility Reserve	300	300	300	300	300	300
Footbridge Reserve	150	150	150	150	150	150
Transformation Reserve	2,782	2,302	2,339	2,295	2,267	2,267
DCLG Preventing Repossessions	30	25	15	15	15	15
Environmental Pollution	14	14	14	14	14	14
New Homes Bonus Priority Spend	3,816	3,498	4,134	4,951	5,561	6,136
Collection Fund Reserve	1,551	747	130	0	0	0
DEFRA Flood Support	93	0	0	0	0	0
Commercial Property Fund	500	401	401	401	401	401
Pension Fund Additional Contribution Reserve	1,000	0	0	0	0	0
Single Person Homelessness	12	0	0	0	0	0
Neighbourhood Planning	45	45	18	18	18	18
IER	34	34	34	34	34	34
Traffic Regulation Order Consolidation	0	5	0	5	0	5
Total	18,986	15,527	15,082	15,711	16,307	16,779

STRESS TEST: FINANCIAL RISKS FACING THE COUNCIL

RISK CRITERIA USED IN ASSESSING ADEQUACY OF RESERVES	COMMENTARY ON EAST HERTS POSITION	RISK RATING
The treatment of pay and price inflation in the budget	Estimated pay and price inflation is fully provided in service budgets so low risk of services overspending due to inflationary pressures. A 1% increase in pay or price inflation equates to £110k.	LOW
Estimates of the level and timing of capital receipts to fund the capital programme	Capital receipts not yet received are taken into account when financing the capital programme. The anticipated use in 2016/17 is £1.6m which could be funded internally if the capital receipts are not generated.	MEDIUM
The level of demand led pressures and volatile/risky budgets	<p>Council Tax Support scheme: The number of claimants seems to be relatively stable at present. Medium term demand will depend a lot on the national/local economy and as the population ages the cost of the scheme will rise. Each 1% increase in CTS equates to £8k.</p> <p>CT Collection rate remains stable but dependent on state of local economy.</p> <p>NDR income remains volatile as the amount we collect is dependent on the number of appeals made.</p> <p>Housing Benefits: we get pound for pound subsidy from government to cover the benefits we pay out. The financial risk is in making overpayments (by mistake or through fraud) and the Council not collecting this back from the claimant. Predicting demand for housing benefits is also very difficult and future demands will partially depend on the type of new housing built in the area.</p> <p>Fees and charges: income budgets are reviewed annually as part of the budget setting and are based on the most up-to-date information available at the time. A 5% shortfall on car park income = £160k and in other income = £85k.</p>	<p>LOW AT THE MOMENT</p> <p>LOW to MEDIUM</p> <p>HIGH</p> <p>MEDIUM</p> <p>LOW / MEDIUM</p>

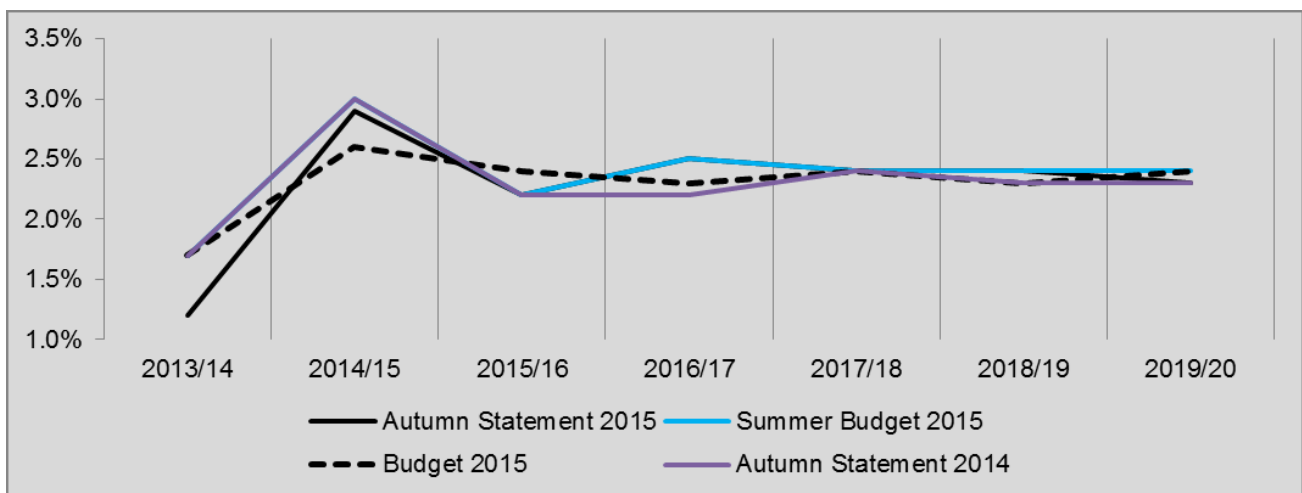
RISK CRITERIA USED IN ASSESSING ADEQUACY OF RESERVES	COMMENTARY ON EAST HERTS POSITION	RISK RATING
The robustness and level of planned efficiency savings / productivity gains	The savings yet to be identified in the MTFP from 2017/18 are significant and will require advance planning to achieve in order to set balanced budgets.	MEDIUM
The financial risks inherent in any significant funding partnerships, outsourcing contracts, or major capital developments	East Herts has an increasingly complicated model of service delivery. More services are procured through contract or through partnership delivery models. The Council could face short term financial risks if a partner/contractor pulls out of an arrangement (even though there would be an exist strategy written into the agreement). In addition, the increasing amount of budget contractually committed means there is less flexibility in the short term to divert resources towards a short term budget pressure.	MEDIUM
The overall financial standing of the Council (level of borrowing, debt outstanding, cash balances, exposure to volatility in the financial markets, etc.)	<p>Level of borrowing: The Council has loans totalling £7.7m of which £6.2m falls due in 2020. The likelihood of the Council not having sufficient investments to repay this debt is very low.</p> <p>The Council's cash and investment holdings as at end of 2014/15: were £70m. The Council's Treasury Management Strategy currently favours a risk adverse approach to its investments with a requirement that 50% of investments are in short term UK treasury bills or other short dated bank deposits in order for the Council to have ready access to cash. The biggest risk is a decrease in the UK bank base rate which is unlikely to fall.</p> <p>The move to property investment endorsed in the 2014/15 Treasury Management Strategy will increase the Council's risk exposure.</p> <p>There is a longer term risk that the Council may no longer be able to fund its capital programme from cash reserves/investments in the future. This depends on whether the amount invested in capital expenditure remains at its current level and other demands.</p>	LOW

ECONOMIC UPDATE:

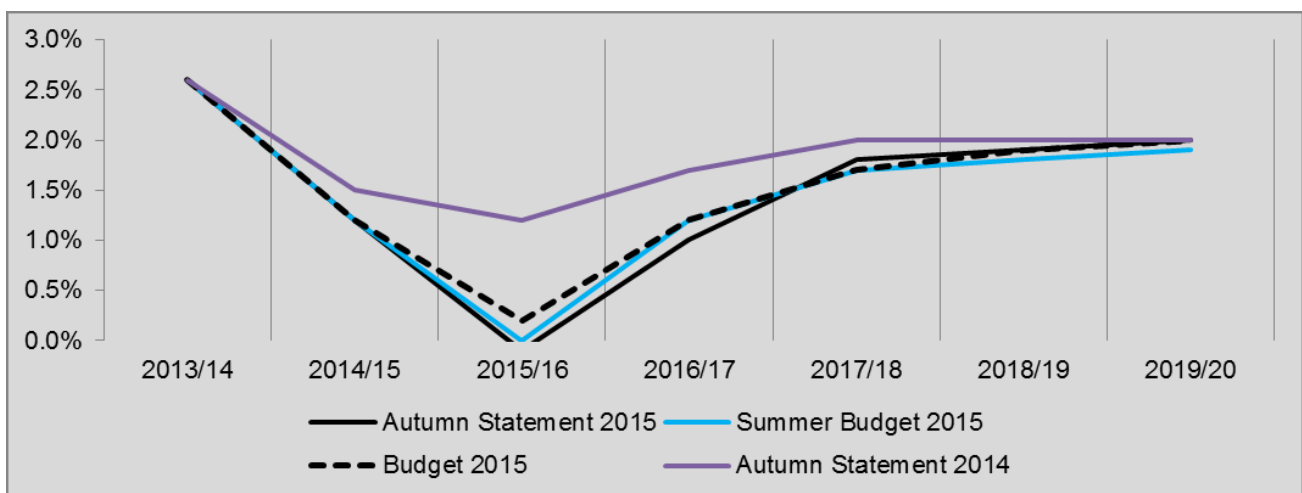
GDP growth has been slightly slower during 2015 than in 2014, and this pattern continued with quarter-on-quarter growth of 0.5% in the third quarter of 2015. Private spending on consumption and investment remained robust, but there was marked weakness in the contribution to growth from net overseas trade. GDP growth is close to the OBR's estimate of potential growth, suggesting that the output gap is narrowing slowly.

UK GDP is expected to grow at an average of around 2.4% from 2015/16 onwards. Consumer spending and business investment will be the main drivers of UK growth in these years. Risks to growth in the short term arise from international risks, particularly in relation to emerging markets. But there are also growth possibilities if the global environment improves and productivity growth rates accelerate in the UK.

The chart below shows the Office for Budget Responsibility (OBR) GDP Growth Forecast:



CPI inflation has been flat at close to zero for most of 2015. This is a step down from the average rate of inflation during 2014 and 2013. Current weakness is driven by falling prices in the goods element of the CPI basket, and while services inflation has remained steadier at around 2.5% during 2015, this too has fallen from rates in earlier years. The Bank of England Inflation Report highlighted that the Monetary Policy Committee (MPC) intends to focus policy on ensuring that growth and employment is sustained in order to meet the 2% inflation target. The MPC are expected to start to raise interest rates gradually during the first half of 2016, with rates forecast to be back to around 3% by 2020. The chart below shows the Office for Budget Responsibility (OBR) CPI Inflation Forecast:



Business Consultation 2015

The 2015 consultation was conducted by the Economic Development Manager in partnership with the Hertfordshire Chamber of Commerce and the Federation of Small Business. Working with organisations representative of business has the advantage of identifying business opinion from a wide range of members through a reliable methodology e.g. business surveys conducted by the organisations and regular ongoing direct consultation that the Council is not resourced to deliver. The disadvantage is that some of the local flavour can be lost. However, direct local consultation can sometimes result in an over emphasis on specific issues with car parking as a common example.

Consultation took place with business representatives from Bishop's Stortford, Hertford and Ware. The consultation took place in the context of informing the development of the Economic Development Strategy through the identification of current priorities of local businesses.

The Federation of Small Business has approximately 240 members from East Herts. The Hertfordshire Chamber of Commerce has a strong East Herts membership as a proportion of 1,000 members across the county. The headline summary of responses from each organisation is included below. It is worth stating that businesses are not always fully aware of the budget responsibilities of local authorities; however the results do provide a snapshot of the views of local businesses.

Emerging issues

The following issues were discussed and suggestions made by local businesses:

Bishop's Stortford

- A need for greater working between East Herts Council, Hertfordshire County Council, Uttlesford Council and Essex County Council to deliver economic objectives.
- East Herts Council should lobby for improvements in infrastructure vital for business growth, e.g. A120 improvements, broadband coverage, employment land.
- Work with local colleges to deliver employment skills.
- Parking; residents CPZ is not business friendly.
- Investigate partnerships with the Universities of Cambridge and Hertfordshire to bring in new businesses.

- Collaborate with partners to take a joined-up approach to market Hertfordshire.
- Support local businesses through appropriate marketing of growth hub, provide more incubation space for business start-ups, support growth of manufacturing and investigate Business Improvement Districts.

Hertford

- More promotion of local businesses by East Herts Council, particularly businesses located away from the town centre.
- Set up business groups to represent different areas of the town. These groups could facilitate business-to-business trading and networking within East Herts.
- Focus on boosting the daytime economy in the town centre. East Herts Council can facilitate this by running and/or supporting events, e.g. additional markets, boating activities on the river, tourism activity. Could East Herts Council fund activity to boost the economy?
- Explore how the retail offer could be improved.
- Communicate in a simple way the responsibilities of each council, i.e. East Herts, Hertfordshire County Council and Hertford Town Council.
- Measures to address skills shortages and business recruitment needs especially the development of technical skills including through apprenticeship and graduate schemes.

Ware

- The need for the right blend of workforce skills and qualities was raised, including support for apprenticeships.
- Access to business advice and support including signposting to available grants and finance. Improved communication on support available from the Local Enterprise Partnership and Growth Hub.
- Improved broadband in specific locations.
- Recognition of the importance of the visitor economy and destination management. Explore the potential to promote Hertfordshire as a whole rather than East Herts as a destination in its own right.
- The need for the Council to engage directly with local businesses on a regular basis and in a variety of ways, e.g. networking meetings, email updates and social media.

GLOSSARY OF FINANCIAL TERMINOLOGY

Budget:

A statement of an authority's plans for net revenue or capital expenditure over a specified period of time. The annual budget is prepared as part of the Council's Annual Council Tax setting process. The budget, once approved, is an instrument of delegation which is used to authorise, monitor and control expenditure (and income). Legally every Council must set a budget by the 11th March preceding the financial year.

Capital Charges:

Charges to services for the use of assets (property, land, equipment) needed to provide the service. Their purpose is to ensure that the cost of services reflects the true economic cost of financing and consuming the capital assets (property, vehicles, equipment and plant) used in the delivery of the service. The payment is a notional one i.e. it is not cash backed.

Capital expenditure:

Spend on assets that have a lasting value, for example, land, buildings and large items of equipment such as vehicles. This can also include indirect expenditure in the form of grants or loans to other persons or bodies.

Capital Programme:

The Council's plan of future spending on capital projects such as buying land, buildings, vehicles and equipment.

Capital Receipts:

The proceeds from the disposal of land or other assets. These receipts can be used to finance capital but not revenue expenditure.

Central Support Charges:

The transfer of costs from central services departments to service departments to reflect the support services provided, e.g. payroll

CIPFA:

The Chartered Institute of Public Finance and Accountancy are one of the UK accountancy institutes. Uniquely, CIPFA specialise in the public sector. Consequently CIPFA holds the responsibility for setting accounting standards for local government.

Collection fund:

A statutory account maintained by the Council recording the amounts collected from Council Tax and Business Rates and from which it pays the precept to Hertfordshire County Council, the Police Authority and various town and parish councils.

Collection Fund surplus (or deficit):

Any year-end balance of the council tax collection fund (which can be a deficit or a surplus) is shared between the county council (a precepting authority), the local police authority and East Herts. Any year-end balance of the business rates collection fund is shared between central government, East Herts and Hertfordshire County Council in the same proportions as their shares of business rates income.

Department for Communities and Local Government (DCLG):

A government department created in May 2006 that promotes community cohesion and equality and is responsible for housing, urban regeneration, planning and local government.

Contingency Budget:

This is money set-aside centrally in the Council's base budget to meet the cost of unforeseen items of expenditure, such as higher than expected inflation or new responsibilities. The Executive agrees all contingency funding requests through the Health Check monitoring process.

Corporate Budgets:

These are budget items that are not service specific and comprise the Council's interest payments, investment income, and annual contribution to the Pension Fund deficit. Corporate Budgets also include the Contingency Budget and the New Homes Bonus Priority Spend Fund which at the beginning of the year have not been allocated to specific services.

Council Tax Base:

The Council Tax base for a Council is used in the calculation of council tax and is equal to the number of Band D equivalent properties. To work this out, the Council counts the number of properties in each band and works out an equivalent number of Band D equivalent properties. The band proportions are expressed in ninths and are specified in the Local Government Finance Act 1992. They are: A 6/9, B 7/9, C 8/9, D 9/9, E 11/9, F 13/9, G 15/9 and H 18/9, so that Band A is six ninths of the 'standard' Band D, and so on.

CPI and RPI:

The main inflation rate used in the UK is the CPI (Consumer Price Index), the Chancellor of the Exchequer bases the UK inflation target on the CPI. The CPI inflation target is currently set at 2%. The CPI differs from the RPI (Retail Price Index) in that CPI excludes housing costs.

DEFRA:

Department for Environment, Food and Rural Affairs.

DWP:

Department for Work and Pensions.

Earmarked Reserves:

Reserves which are set aside for specific purposes: for example:

- To provide resilience against future risks such (e.g. Interest Equalisation Reserve and Insurance Fund)
- Smoothing the impact of uneven expenditure between years (e.g. local elections reserve)
- To create policy capacity for one-off priority funding (e.g. New Homes Bonus Priority Spend Reserve)

Fees and Charges:

Income raised from making charges for the provision of services such as licence permits, car parking and planning fees.

Financial Year:

The local authority financial year commences on 1st April and finishes on the following 31st March.

Forecast Outturn:

The estimated financial position at the end of the financial year.

General Reserves:

Amounts built up that are not set-aside for specific purposes but to meet any unforeseen pressures.

Gross Domestic Product (GDP):

GDP is defined as the value of all goods and services produced within the overall economy.

Net Cost of Services:

This is the cost of providing the Council's customer-facing and back-office services.

Non Domestic Rates (NDR):

Also known as 'business rates': a form of taxation on commercial and business properties (i.e. non-domestic properties). The Government determines the rate at which it is imposed nationally, but it is collected by billing authorities (district and borough councils). Up until 31 March 2013 business rates were all paid into a central national pool and then redistributed to authorities according to resident population numbers. From 2013/14 local authorities retain a "Local Share", (50%), the aim of which is to provide an incentive to help businesses set up and grow.

New Homes Bonus:

Under this scheme Councils receive a new homes bonus (NHB) per each new property built in the borough for the first six years following completion. Payments are based on match funding the council tax raised on each property with an additional amount for affordable homes. It is paid as a non ring-fenced grant.

Office for Budget Responsibility (OBR):

A non-departmental advisory body that provides independent forecasts on the UK economy.

Original Budget:

This is the budget for the new financial year agreed annually by Council in February.

Prudential Borrowing:

The Local Government Act 2003 replaced detailed central government controls over the level of local authority capital expenditure with a system of self-regulation based upon a requirement to ensure that capital expenditure plans are affordable, sustainable and prudent, as prescribed in CIPFA's prudential code.

Revenue Contribution to Capital Outlay (RCCO):

Use of the revenue budget to finance capital expenditure.

Revenue Expenditure:

The day-to-day running expenses on services provided by Council.

Revenue Support Grant (RSG):

A general non ring-fenced government grant to support councils' general revenue expenditure.

Section 31 Grants:

These are government awarded grants to compensate councils for central government policy decisions in respect of rate reliefs. These grants are not ring-fenced.

Section 106:

Section 106 agreements, also known as planning obligations, are agreements between developers and local planning authorities that are negotiated as part of a condition of planning consent.

The Town and Country Planning Act 1990 enables local authorities to negotiate contributions towards a range of infrastructure and services, such as community facilities, public open space, transport improvements and/or affordable housing.

Section 151 officer:

Legally Councils must appoint under section 151 of the Local Government Act 1972 a named chief finance officer to give them financial advice, in East Herts' case this is the post of the Director of Finance & Support Services.

Sources of Funding:

This term is used at East Herts to mean general and not service specific sources of income such as New Homes Bonus, NDR, and Revenue Support Grant.

Specific Grants:

As the name suggests funding through a specific grant is provided for a specific purpose and cannot be spent on anything else e.g. Housing Benefit Subsidy grant.

Spending Review:

The Spending Review is an internal Government process in which the Treasury negotiates budgets for each Government Department.

Treasury Management:

The process of managing the Council's cash flows, borrowing and cash investments to support East Herts' finances. Details are set out in the Treasury Management Strategy which is approved by Executive and Full Council in February each year.

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EAST HERTS COUNCIL

EXECUTIVE – 2 FEBRUARY 2016

REPORT BY EXECUTIVE MEMBER FOR FINANCE AND SUPPORT SERVICES

TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY 2016-17

WARDS AFFECTED: All

Purpose/Summary of Report:

- This report sets out proposals for Council approval on the following:
 - The Treasury Management Strategy and Annual Investment Strategy for 2016-17 including the 2016-17 Prudential Indicators.

<u>RECOMMENDATIONS FOR COUNCIL:</u> that:	
(A)	the comments of the joint meeting of Scrutiny Committees and the Audit Committee be received;
(B)	the Treasury Management Strategy and Annual Investment Strategy, as now submitted, be approved;
(C)	the Prudential Indicators, as now submitted, be approved; and
(D)	the counterparty and approved countries listing , as now submitted, be approved.

1.0 Background

- 1.1 Treasury management is defined as: ‘The management of the Council’s investments and cash flows, its banking arrangements, money market and capital transactions; the effective control of the risks associated with these activities; and the pursuit of optimum returns consistent with the Council’s risk management policy for

treasury management.’

- 1.2 The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management (the Code) recommends that Members be updated on treasury management activities regularly through the Treasury Management Strategy Statement (TMSS), Annual Investment Strategy (AIS) and mid and year end reports. This report, therefore, ensures this Council is implementing best practice in accordance with the Code.
- 1.3 The Council is required by the CIPFA Treasury Management Code of Practice to approve a Treasury Management Strategy and Annual Investment Strategy each year. The purpose of the Strategy is to ensure that there is adequate cash flow to fund the Council’s revenue and capital aspirations in both short and longer term.
- 1.4 The Strategy sets out a risk management policy for the investment of surplus cash. The Strategy is designed to obtain the highest possible yield, contingent upon investments being secure, and there being sufficient liquidity to meet the Council’s daily cash needs.
- 1.5 The Council is required by the CIPFA Prudential Code to approve each year a set of Prudential Indicators. The Indicators must be approved by Full Council before the beginning of each financial year. Their purpose is to help the Council ensure that its capital investment plans are affordable, prudent and sustainable.

2.0 Report

- 2.1 Please refer to the recommended Treasury Management Strategy and Annual Investment Strategy in **Essential Reference Paper ‘B’: Treasury Management Strategy and Annual Investment Strategy 2016-17**.
- 2.2 There have been no additional regulatory changes since those that were included in the revised Treasury Management Strategy submitted to the Audit Committee on 21 January 2015. No additional changes to the 2016-17 Strategy have been proposed.
- 2.3 Prudential Indicators are included in **Essential Reference Paper ‘B’: Treasury Management Strategy and Annual Investment Strategy 2015-16** paragraphs 2.1, 2.2, 2.4, 2.6, 2.7, 3.1, 3.2 and 3.4.

- 2.4 Please refer to the recommended counterparty and approved countries for investments listings in **Essential Reference Paper ‘B’**:

Appendix 5.1. Treasury Management Practice (TMP1) – Credit and Counterparty Risk Management Credit Rating Tables 2015-16. This is an updated format recommended by our Treasury Advisors Capita Asset Services. Instruments that are no longer in the market have been removed. There have been no further changes to listing provided with the Treasury Management Strategy 2015-16 submitted to the Audit Committee on 21 January 2015.

Appendix 5.2. Approved countries for investments

- 2.5 The Treasury Management Strategy also includes the Council’s Minimum Revenue Provision (MRP) policy. The Strategy recommends that the Council continue to have a nil MRP.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper ‘A’**.

Background Papers

None

Contact Member: Councillor Geoffrey Williamson – Executive Member for Finance and Support Services.
geoffrey.williamson@eastherts.gov.uk

Contact Officer: Adele Taylor – Director of Finance and Support Services, Extn: 1401. adele.taylor@eastherts.gov.uk

Report Author: Nicola Munro – Principal Accountant, Extn: 2044.
nicola.munro@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

<p>Contribution to the Council's Corporate Priorities/ Objectives:</p>	<p>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</p> <p>This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p>Place – Safe and Clean</p> <p>This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity – Improving the economic and social opportunities available to our communities</p> <p>This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
<p>Consultation:</p>	<p>Not Applicable.</p>
<p>Legal:</p>	<p>The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management recommends that members be updated on treasury management activities regularly (Treasury Management Strategy Statement, annual and midyear reports). This report therefore ensures this Council is implementing best practice in accordance with the Code.</p> <p>The report fulfils the following legislative requirements:</p> <ul style="list-style-type: none"> • Reporting of prudential Indicators in line with the requirements of the CIPFA Code of Practice. • Reporting to those charged with governance a mid-year treasury management report.
<p>Financial:</p>	<p>Within the body of the report.</p>
<p>Human Resource:</p>	<p>Not Applicable.</p>

Risk Management:	Within the body of the report.
Health and wellbeing – issues and impacts:	Not Applicable.

East Herts District Council

Treasury Management Strategy Statement

Minimum Revenue Provision Policy Statement
and Annual Investment Strategy

2016/17 to 2018/19

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1 INTRODUCTION

1.1 Background

The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses. On occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

CIPFA defines treasury management as:

"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

1.2 Reporting requirements

The Council is required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of policies, estimates and actuals.

Prudential and treasury indicators and treasury strategy (this report) - The first, and most important report covers:

- the capital plans (including prudential indicators);
- a minimum revenue provision (MRP) policy (how residual capital expenditure is charged to revenue over time);
- the treasury management strategy (how the investments and borrowings are to be organised) including treasury indicators; and
- an investment strategy (the parameters on how investments are to be managed).

A mid year treasury management report – This will update members with the progress of the capital position, amending prudential indicators as necessary, and whether any policies require revision.

An annual treasury report – This provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

Scrutiny

The above reports are required to be adequately scrutinised before being recommended to the Council. This role is undertaken by the Audit Committee and Joint Meeting of Scrutiny Committees.

1.3 Treasury Management Strategy for 2016/17

The strategy for 2016/17 covers two main areas:

Capital issues

- the capital plans and the prudential indicators;
- the minimum revenue provision (MRP) policy.

Treasury management issues

- the current treasury position;
- treasury indicators which limit the treasury risk and activities of the Council;
- prospects for interest rates;
- the borrowing strategy;
- policy on borrowing in advance of need;
- debt rescheduling;
- the investment strategy;
- creditworthiness policy; and
- policy on use of external service providers.

These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, CLG MRP Guidance, the CIPFA Treasury Management Code and CLG Investment Guidance.

1.4 Training

The CIPFA Code requires the S151 officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. Treasury Management training has been undertaken by members of the audit committee on 25th November 2015 and further training will be arranged as required.

The training needs of treasury management officers are periodically reviewed.

1.5 Treasury management consultants

The Council uses Capita Asset Services, Treasury solutions as its external treasury management advisors.

The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.

It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

2 THE CAPITAL PRUDENTIAL INDICATORS 2016/17 – 2018/19

The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist members' overview and confirm capital expenditure plans.

2.1 Capital expenditure

This prudential indicator is a summary of the Council's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. Members are asked to approve the capital expenditure forecasts:

Capital expenditure	2014/15 Actual £'000	2015/16 Estimate £'000	2016/17 Estimate £'000	2017/18 Estimate £'000	2018/19 Estimate £'000	2019/20 Estimate £'000
Total	1,859	23,365	5,160	2,258	1,992	2,000

Other long term liabilities. The above financing need excludes other long term liabilities, such as leasing arrangements which already include borrowing instruments.

The table below summarises the above capital expenditure plans and how these plans are being financed by capital or revenue resources. Any shortfall of resources results in a funding borrowing need.

Capital expenditure	2014/15 Actual £'000	2015/16 Estimate £'000	2016/17 Estimate £'000	2017/18 Estimate £'000	2018/19 Estimate £'000	2019/20 Estimate £'000
Total	1,859	23,365	5,160	2,258	1,992	2,000
Financed by:						
Capital receipts	1,132	2,387	1,640	1,270	800	500
Capital grants	459	293	293	293	293	293
Capital reserves	243	238	14	360	-	-
Revenue	25	981	25	25	25	25
Net financing need for the year	0	19,466	3,188	310	874	1,182

2.2 The Council's borrowing need (the Capital Financing Requirement)

The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's underlying borrowing need. Any capital expenditure above, which has not immediately been paid for, will increase the CFR.

The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the borrowing need in line with each assets life.

The CFR includes any other long term liabilities (e.g. PFI schemes, finance leases). Whilst these increase the CFR, and therefore the Council's borrowing requirement, these types of scheme include a borrowing facility and so the Council is not required to separately borrow for these schemes. The Council currently has £888k of such schemes within the CFR.

The Council is asked to approve the CFR projections below:

£m	2014/15 Actual	2015/16 Estimate	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate	2018/19 Estimate
Capital Financing Requirement						
Total CFR	(43,082)	(23,904)	(21,012)	(21,008)	(20,134)	(18,952)
Movement in CFR	(280)	19,178	2,892	4	874	1,182
Movement in CFR represented by						
Net financing need for the year (above)	0	19,466	3,188	310	874	1182
Less MRP/VRP and other financing movements	(280)	(288)	(296)	(306)	0	0
Movement in CFR	(280)	19,178	2,892	4	874	1,182

2.3 Minimum revenue provision (MRP) policy statement

The Council is required to pay off an element of the accumulated General Fund capital spend each year (the CFR) through a revenue charge (the minimum revenue provision - MRP), although it is also allowed to undertake additional voluntary payments if required (voluntary revenue provision - VRP).

Following the disposal of the Council's Housing Stock and the retention of outstanding debt, the Council has a negative CFR. MRP has therefore been set as nil.

CLG regulations have been issued which require the full Council to approve **an MRP Statement** in advance of each year. A variety of options are provided to councils, so long as there is a prudent provision. The Council is recommended to approve the following MRP Statement

For authorities which participate in LAMS, LAPP or CSB using the cash backed option, the mortgage lenders require a 5 year cash advance from the local authority to match the 5 year life of the indemnity. The cash advance placed with the mortgage lender provides an integral part of the mortgage lending, and should therefore be treated as capital expenditure and a loan to a third party. The Capital Financing Requirement (CFR) will increase by the amount of the total indemnity. The cash advance is due to be returned in full at maturity, with interest paid annually. Once the cash advance matures and funds are returned to the local authority, the returned funds are classed as a capital receipt, and the CFR will reduce accordingly. As this is a temporary (5 year) arrangement and the funds will be returned in full, there is no need to set aside prudent provision to repay the debt liability in the interim period, so there is no MRP application. The position should be reviewed on an annual basis.

2.4 Core funds and expected investment balances

The application of resources (capital receipts, reserves etc.) to either finance capital expenditure or other budget decisions to support the revenue budget will have an ongoing impact on investments unless resources are supplemented each year from new sources (asset sales etc.). Detailed below are estimates of the year end balances for each resource and anticipated day to day cash flow balances.

Year End Resources £m	2014/15 Actual	2015/16 Estimate	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate
Fund balances / reserves	18,986	15,545	14,362	14,148	14,138	14,080
Capital receipts	1,275	0	0	0	0	0
Provisions	2,675	2,675	2,675	2,675	2,675	2,675
Other	(2,969)	(3,142)	(3,142)	(3,142)	(3,342)	(3,342)
Total core funds	19,967	15,078	13,895	13,681	13,471	13,413
Working capital*	(703)	(703)	(703)	(703)	(703)	(703)
Under/over borrowing	50,582	31,404	28,512	28,008	27,364	26,452
Expected investments	69,846	45,779	41,704	40,986	40,132	39,162

* Working capital balances shown are estimated year end; these may be higher mid-year

2.5 Affordability prudential indicators

The previous sections cover the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances. The Council is asked to approve the following indicators:

2.6 Ratio of financing costs to net revenue stream

This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

%	2014/15 Actual	2015/16 Estimate	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate
Ratio	4.54	4.70	4.81	4.68	4.47	4.32

The estimates of financing costs include current commitments and the proposals in this budget report.

2.7 Incremental impact of capital investment decisions on council tax

This indicator identifies the revenue costs associated with proposed changes to the three year capital programme recommended in this budget report compared to the Council's existing approved commitments and current plans. The assumptions are based on the budget, but will invariably include some estimates, such as the level of Government support, which are not published over a three year period.

Incremental impact of capital investment decisions on the band D council tax

£	2014/15 Actual	2015/16 Estimate	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate
Council tax - band D	12.51	30.39	12.36	12.13	11.85	11.73

3 BORROWING

The capital expenditure plans set out in Section 2 provide details of the service activity of the Council. The treasury management function ensures that the Council's cash is organised in accordance with the the relevant professional codes, so that sufficient cash is available to meet this service activity. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

3.1 Current portfolio position

The Council's treasury portfolio position at 31 March 2015, with forward projections are summarised below. The table shows the actual external debt (the treasury management operations), against the underlying capital borrowing need (the Capital Financing Requirement - CFR), highlighting any over or under borrowing.

£m	2014/15 Actual £'000	2015/16 Estimate £'000	2016/17 Estimate £'000	2017/18 Estimate £'000	2018/19 Estimate £'000	2019/20 Estimate £'000
External Debt						
Debt at 1 April	7.5	7.5	7.5	7.5	7.5	7.5
Expected change in Debt	0	0	0	0	0	0
Other long-term liabilities (OLTL)	0.9	0.6	0.3	0	0	0
Expected change in OLTL	0	0	0	0	0	0
Actual gross debt at 31 March	8.4	8.1	7.8	7.5	7.5	7.5
The Capital Financing Requirement	(43,082)	(23,904)	(21,012)	(21,008)	(20,134)	(18,952)
(Under) / over borrowing	(43,073.6)	(23,895.9)	(21,004.2)	(21,000.5)	(20,126.5)	(18,944.5)

Within the prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well-defined limits. One of these is that the Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2016/17 and the following two financial years. This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue purposes.

The S151 Officer reports that the Council complied with this prudential indicator in the current year and does not envisage difficulties for the future. This view takes into account current commitments, existing plans, and the proposals in this budget report.

3.2 Treasury Indicators: limits to borrowing activity

The operational boundary. This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt.

Operational boundary	2015/16 Estimate £'000	2016/17 Estimate £'000	2017/18 Estimate £'000	2018/19 Estimate £'000
Debt	9	9	9	9
Other long term liabilities	1	1	1	1
Total	10	10	10	10

The authorised limit for external debt. A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

1. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all councils' plans, or those of a specific council, although this power has not yet been exercised.
2. The Council is asked to approve the following authorised limit:

Authorised limit £m	2015/16 Estimate	2016/17 Estimate	2017/18 Estimate	2018/19 Estimate
Debt	12	12	12	12
Other long term liabilities	1	1	1	1
Total	13	13	13	13

3.3 Prospects for interest rates

The Council has appointed Capita Asset Services as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives their central view.

Capita Asset Services Interest Rate View														
	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19
Capita Asset Services View	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.50%	1.50%	1.75%	1.75%	2.00%	2.00%	2.00%
5yr PWLB Rate	2.30%	2.40%	2.60%	2.70%	2.80%	2.80%	2.90%	3.00%	3.20%	3.30%	3.40%	3.50%	3.50%	3.60%
10yr PWLB View	2.90%	3.00%	3.10%	3.20%	3.30%	3.40%	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.10%	4.10%
25yr PWLB View	3.60%	3.70%	3.80%	3.90%	4.00%	4.10%	4.10%	4.20%	4.30%	4.30%	4.40%	4.40%	4.40%	4.50%
50yr PWLB Rate	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.00%	4.10%	4.20%	4.20%	4.30%	4.30%	4.30%	4.40%

UK: UK GDP growth rates in 2013 of 2.2% and 2.9% in 2014 were the strongest growth rates of any G7 country; the 2014 growth rate was also the strongest UK rate since 2006 and the 2015 growth rate is likely to be a leading rate in the G7 again, probably being second to the US. However, quarter 1 of 2015 was weak at +0.4% (+2.9% y/y) though there was a rebound in quarter 2 to +0.7% (+2.4% y/y) before weakening again to +0.5% (2.3% y/y) in quarter 3. The November Bank of England

Inflation Report included a forecast for growth to remain around 2.5 – 2.7% over the next three years, driven mainly by strong consumer demand as the squeeze on the disposable incomes of consumers has been reversed by a recovery in wage inflation at the same time that CPI inflation has fallen to, or near to, zero since February 2015 this year. Investment expenditure is also expected to support growth. However, since the August Inflation report was issued, worldwide economic statistics have distinctly weakened and the November Inflation Report flagged up particular concerns for the potential impact on the UK.

The Inflation Report was notably subdued in respect of the forecasts for inflation; this was expected to barely get back up to the 2% target within the 2-3 year time horizon. However, once the falls in oil, gas and food prices over recent months fall out of the 12 month calculation of CPI, there will be a sharp tick up from the current zero rate to around 1 percent in the second half of 2016. The increase in the forecast for inflation at the three year horizon was the biggest in a decade and at the two year horizon was the biggest since February 2013. There is considerable uncertainty around how quickly inflation will rise in the next few years and this makes it difficult to forecast when the MPC will decide to make a start on increasing Bank Rate.

USA: The American economy made a strong comeback after a weak first quarter's growth at +0.6% (annualised), to grow by no less than 3.9% in quarter 2 of 2015, but then weakened again to 2.1% in quarter 3. The downbeat news in late August and in September about Chinese and Japanese growth and the knock on impact on emerging countries that are major suppliers of commodities, was cited as the main reason for the Fed's decision at its September meeting to pull back from a first rate increase. However, the nonfarm payrolls figure for growth in employment in October was very strong and, together with a likely perception by the Fed. that concerns on the international scene have subsided, has now firmly opened up the possibility of a first rate rise in December.

EZ: In the Eurozone, the ECB fired its big bazooka in January 2015 in unleashing a massive €1.1 trillion programme of quantitative easing to buy up high credit quality government and other debt of selected EZ countries. This programme of €60bn of monthly purchases started in March 2015 and it is intended to run initially to September 2016. This appears to have had a positive effect in helping a recovery in consumer and business confidence and a start to a significant improvement in economic growth. GDP growth rose to 0.5% in quarter 1 2015 (1.0% y/y) but came in at +0.4% (+1.5% y/y) in quarter 2 and +0.3% in quarter 3. However, the recent downbeat Chinese and Japanese news has raised questions as to whether the ECB will need to boost its QE programme if it is to succeed in significantly improving growth in the EZ and getting inflation up from the current level of around zero to its target of 2%.

Greece: During July, Greece finally capitulated to EU demands to implement a major programme of austerity and is now cooperating fully with EU demands. An €86bn third bailout package has since been agreed though it did nothing to address the unsupportable size of total debt compared to GDP. However, huge damage has been done to the Greek banking system and economy by the resistance of the Syriza Government, elected in January, to EU demands. The surprise general election in September gave the Syriza government a mandate to stay in power to implement austerity measures. However, there are major doubts as to whether the size of cuts and degree of reforms required can be fully implemented and so Greek exit from the euro may only have been delayed by this latest bailout.

- Investment returns are likely to remain relatively low during 2016/17 and beyond;
- Borrowing interest rates have been highly volatile during 2015 as alternating bouts of good and bad news have promoted optimism, and then pessimism, in financial markets. Gilt yields have continued to remain at historically phenomenally low levels during 2015. The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring higher borrowing costs in later times, when authorities will not be able to avoid new borrowing to finance new capital expenditure and/or to refinance maturing debt;
- There will remain a cost of carry to any new borrowing which causes an increase in investments as this will incur a revenue loss between borrowing costs and investment returns.

3.4 Borrowing strategy

The Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy is prudent as investment returns are low and counterparty risk is relatively high.

Against this background and the risks within the economic forecast, caution will be adopted with the 2016/17 treasury operations. The S151 Officer will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:

- *if it was felt that there was a significant risk of a sharp FALL in long and short term rates (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings will be postponed, and potential rescheduling from fixed rate funding into short term borrowing will be considered.*
- *if it was felt that there was a significant risk of a much sharper RISE in long and short term rates than that currently forecast, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position will be re-appraised with the likely action that fixed rate funding will be drawn whilst interest rates are still lower than they will be in the next few years.*

Any decisions will be reported to Executive/Council at the next available opportunity.

Treasury management limits on activity

There are three debt related treasury activity limits. The purpose of these are to restrain the activity of the treasury function within certain limits, thereby managing risk and reducing the impact of any adverse movement in interest rates. However, if these are set to be too restrictive they will impair the opportunities to reduce costs / improve performance. The indicators are:

- Upper limits on variable interest rate exposure. This identifies a maximum limit for variable interest rates based upon the debt position net of investments;
- Upper limits on fixed interest rate exposure. This is similar to the previous indicator and covers a maximum limit on fixed interest rates;
- Maturity structure of borrowing. These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing, and are required for upper and lower limits.

The Council is asked to approve the following treasury indicators and limits:

£m	2016/17	2017/18	2018/19
Interest rate exposures			
	Upper	Upper	Upper
Limits on fixed interest rates based on net debt	100%	100%	100%
Limits on variable interest rates based on net debt	50%	50%	50%
Maturity structure of fixed interest rate borrowing 2016/17			
Under 12 months			0%
12 months to 2 years			0%
2 years to 5 years			80%
5 years to 10 years			0%
10 years to 20 years			0%
20 years to 30 years			0%
30 years to 40 years			20%
40 years to 50 years			0%
Maturity structure of variable interest rate borrowing 2016/17			
Under 12 months			0%
12 months to 2 years			0%
2 years to 5 years			0%
5 years to 10 years			0%
10 years to 20 years			0%
20 years to 30 years			0%
30 years to 40 years			0%
40 years to 50 years			0%

3.5 Policy on borrowing in advance of need

The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

Risks associated with any borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

3.6 Debt rescheduling

As short term borrowing rates will be considerably cheaper than longer term fixed interest rates, there may be potential opportunities to generate savings by switching from long term debt to short term debt. However, these savings will need to be considered in the light of the current treasury position and the size of the cost of debt repayment (premiums incurred).

The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings;
- helping to fulfil the treasury strategy;
- enhance the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

Consideration will also be given to identify if there is any residual potential for making savings by running down investment balances to repay debt prematurely as short term rates on investments are likely to be lower than rates paid on current debt.

All rescheduling will be reported to the Council, at the earliest meeting following its action.

3.7 Municipal Bond Agency

It is likely that the Municipal Bond Agency, currently in the process of being set up, will be offering loans to local authorities in the near future. It is also hoped that the borrowing rates will be lower than those offered by the Public Works Loan Board (PWLB). This Authority intends to make use of this new source of borrowing as and when appropriate.

4 ANNUAL INVESTMENT STRATEGY

Introduction: changes to credit rating methodology

The main rating agencies (Fitch, Moody's and Standard & Poor's) have, through much of the financial crisis, provided some institutions with a ratings "uplift" due to implied levels of sovereign support. Commencing in 2015, in response to the evolving regulatory regime, all three agencies have begun removing these "uplifts" with the timing of the process determined by regulatory progress at the national level. The process has been part of a wider reassessment of methodologies by each of the rating agencies. In addition to the removal of implied support, new methodologies are now taking into account additional factors, such as regulatory capital levels. In some cases, these factors have "netted" each other off, to leave underlying ratings either unchanged or little changed. A consequence of these new methodologies is that they have also lowered the importance of the (Fitch) Support and Viability ratings and have seen the (Moody's) Financial Strength rating withdrawn by the agency.

In keeping with the agencies' new methodologies, the rating element of our own credit assessment process now focuses solely on the Short and Long Term ratings of an institution. While this is the same process that has always been used for Standard & Poor's, this has been a change in the use of Fitch and Moody's ratings. It is important to stress that the other key elements to our process, namely the assessment of Rating Watch and Outlook information as well as the Credit Default Swap (CDS) overlay have not been changed.

The evolving regulatory environment, in tandem with the rating agencies' new methodologies also means that sovereign ratings are now of lesser importance in the assessment process. Where through the crisis, clients typically assigned the highest sovereign rating to their criteria, the new regulatory environment is attempting to break the link between sovereign support and domestic financial institutions. While this authority understands the changes that have taken place, it will continue to specify a minimum sovereign rating of AA+. This is in relation to the fact that the underlying domestic and where appropriate, international, economic and wider political and social background will still have an influence on the ratings of a financial institution.

It is important to stress that these rating agency changes do not reflect any changes in the underlying status or credit quality of the institution. They are merely reflective of a reassessment of rating agency methodologies in light of enacted and future expected changes to the regulatory environment in which financial institutions operate. While some banks have received lower credit ratings as a result of these changes, this does not mean that they are suddenly less credit worthy than they were formerly. Rather, in the majority of cases, this mainly reflects the fact that implied sovereign government support has effectively been withdrawn from banks. They are now expected to have sufficiently strong balance sheets to be able to withstand foreseeable adverse financial circumstances without government support. In fact, in many cases, the balance sheets of banks are now much more robust than they were before the 2008 financial crisis when they had higher ratings than now. However, this is not universally applicable, leaving some entities with modestly lower ratings than they had through much of the "support" phase of the financial crisis.

4.1 Investment policy

The Council's investment policy has regard to the CLG's Guidance on Local Government Investments ("the Guidance") and the revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code"). The Council's investment priorities will be security first, liquidity second, then return.

In accordance with the above guidance from the CLG and CIPFA, and in order to minimise the risk to investments, the Council applies minimum acceptable credit criteria in order to generate a list of highly creditworthy counterparties which also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the Short Term and Long Term ratings.

Ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To this end the Council will engage with its advisors to maintain a monitor on market pricing such as "credit default swaps" and overlay that information on top of the credit ratings.

Other information sources used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.

Investment instruments identified for use in the financial year are listed in **Appendix 5.1** under the 'specified' and 'non-specified' investments categories. Counterparty limits will be as set through the Council's treasury management practices – schedules.

4.2 Creditworthiness policy

This Council applies the creditworthiness service provided by Capita Asset Services. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody's and Standard and Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- credit watches and credit outlooks from credit rating agencies;
- CDS spreads to give early warning of likely changes in credit ratings;
- sovereign ratings to select counterparties from only the most creditworthy countries.

This modelling approach combines credit ratings, credit Watches and credit Outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the suggested duration for investments. The Council will therefore use counterparties within the following durational bands:

- **Yellow:** 5 years *
- **Dark pink:** 5 years for Enhanced money market funds (EMMFs) with a credit score of 1.25
- **Light pink:** 5 years for Enhanced money market funds (EMMFs) with a credit score of 1.5

- **Purple:** 2 years
- **Blue:** 1 year (only applies to nationalised or semi nationalised UK Banks)
- **Orange:** 1 year
- **Red:** 6 months
- **Green:** 100 days
- **No colour:** not to be used

Y	Pi1	Pi2	P	B	O	R	G	N/C
1	1.25	1.5	2	3	4	5	6	7
Up to 5yrs	Up to 5yrs	Up to 5yrs	Up to 2yrs	Up to 1yr	Up to 1yr	Up to 6mths	Up to 100days	No Colour

4.2 Creditworthiness policy

The primary principle governing the Council's investment criteria is the security of its investments, although the yield or return on the investment is also a key consideration. After this main principle, the Council will ensure that:

- It maintains a policy covering both the categories of investment types it will invest in, criteria for choosing investment counterparties with adequate security, and monitoring their security. This is set out in the specified and non-specified investment sections below; and
- It has sufficient liquidity in its investments. For this purpose it will set out procedures for determining the maximum periods for which funds may prudently be committed. These procedures also apply to the Council's prudential indicators covering the maximum principal sums invested.

The Director of Finance will maintain a counterparty list in compliance with the following criteria and will revise the criteria and submit them to Council for approval as necessary. These criteria are separate to that which determines which types of investment instrument are either specified or non-specified as it provides an overall pool of counterparties considered high quality which the Council may use, rather than defining what types of investment instruments are to be used.

Credit rating information is supplied by Capita Asset Services, our treasury consultants, on all active counterparties that comply with the criteria below. Any counterparty failing to meet the criteria would be omitted from the counterparty (dealing) list. Any rating changes, rating Watches (notification of a likely change), rating Outlooks (notification of a possible longer term change) are provided to officers almost immediately after they occur and this information is considered before dealing. For instance, a negative rating Watch applying to a counterparty at the minimum Council criteria will be suspended from use, with all others being reviewed in light of market conditions.

The criteria for providing a pool of high quality investment counterparties (both specified and non-specified investments) is:

- Banks 1 - good credit quality – the Council will only use banks which:
 - are UK banks; or
 - are non-UK and domiciled in a country which has a minimum sovereign Long Term rating of AAA

and have, as a minimum, the following Fitch, Moody's and Standard and Poors credit ratings (where rated):

- i. Short Term – F1
 - ii. Long Term – A-
- Banks 2 – Part nationalised UK bank – Royal Bank of Scotland. This bank can be included provided it continues to be part nationalised or it meets the ratings in Banks 1 above.
 - Banks 3 – The Council's own banker for transactional purposes if the bank falls below the above criteria, although in this case balances will be minimised in both monetary size and time.
 - Bank subsidiary and treasury operation - The Council will use these where the parent bank has provided an appropriate guarantee or has the necessary ratings outlined above.
 - Building societies - The Council will use all societies which meet the ratings for banks outlined above;
 - Money market funds (MMFs) – AAA
 - Enhanced money market funds (EMMFs) - AAA
 - UK Government (including gilts, Treasury Bills and the DMADF)
 - Bonds issued by a financial institution which is guaranteed by the UK government.
 - Sovereign bond issues (i.e. other than the UK Government)
 - Local authorities, parish councils etc.
 - Supranational institutions
 - Local Authority Mortgage Scheme (LAMS), Local Authority Partnership Purchase Scheme (LAPP) and Custom Build and Self Build Scheme (CSB). These are classified as being policy investments, rather than a treasury management investment, and are therefore outside of the specified / non specified categories.
 - Corporate Bonds
 - Floating Rate Notes
 - Property Funds

A limit of 60% will be applied to the use of non-specified investments.

Use of additional information other than credit ratings. Additional requirements under the Code require the Council to supplement credit rating information. Whilst the above criteria relies primarily on the application of credit ratings to provide a pool of appropriate counterparties for officers to use, additional operational market information will be applied before making any specific investment decision from the agreed pool of counterparties. This additional market information (for example Credit Default Swaps, negative rating Watches/Outlooks) will be applied to compare the relative security of differing investment counterparties.

Time and monetary limits applying to investments. The time and monetary limits for institutions on the Council's counterparty list are as follows (these will cover both specified and non-specified investments):

	Fitch Long term Rating (or equivalent)	Money and/or % Limit	Time Limit
Banks 1 higher quality	AAA	£10m / 80%	5yrs
Banks 1 medium quality	AA-	£10m / 75%	1yr
Banks 1 lower quality	A-	£10m / 70%	100 Days
Banks 2 – part nationalised	N/A	£20m / 75%	1yr
Limit 3 category – Council's banker (not meeting Banks 1)	N/A	N/A	1 day
Other institutions limit	-	£10m / 70%	1yr
DMADF	AAA	unlimited	6 months
Local authorities	N/A	unlimited / 60%	5yrs
	Fund rating	Money and/or % Limit	Time Limit
Money market funds	AAA	unlimited	liquid
Enhanced money market funds	AAA	unlimited	liquid
Property Funds	Based on external credit assessment by the Council's Treasury Management Advisors. UK asset investment.	£20 million at fund entry. Maximum of two Funds at any one time for viability.	Long Term investment

The proposed criteria for specified and non-specified investments are shown in **Appendix 5.1** for approval.

4.3 Country and sector limits

Due care will be taken to consider the country, group and sector exposure of the Council's investments.

The Council has determined that it will only use approved counterparties from countries with a minimum sovereign credit rating of AA+ from Fitch (or equivalent). The list of countries that qualify using this credit criteria as at the date of this report are shown in **Appendix 5.2**. This list will be added to, or deducted from, by officers should ratings change in accordance with this policy.

In addition:

- no more than 20% will be placed with any non-UK country at any time;
- limits in place above will apply to a group of companies;
- sector limits will be monitored regularly for appropriateness.

4.4 Investment strategy

In-house funds. Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months).

Investment returns expectations. Bank Rate is forecast to remain unchanged at 0.5% before starting to rise from quarter 2 of 2016. Bank Rate forecasts for financial year ends (March) are:

- 2016/17: 1.00%
- 2017/18: 1.75%
- 2018/19: 2.00%

The suggested budgeted investment earnings rates for returns on investments placed for periods up to 100 days during each financial year for the next eight years are as follows:

- 2016/17: 0.90%
- 2017/18: 1.50%
- 2018/19: 2.00%
- 2019/20: 2.25%
- 2020/21: 2.50%
- 2021/22: 3.00%
- 2022/23: 3.00%
- Later years: 3.00%

The overall balance of risks to these forecasts is currently to the downside (i.e. start of increases in Bank Rate occurs later). However, should the pace of growth quicken and / or forecasts for increases in inflation rise, there could be an upside risk.

Investment treasury indicator and limit - total principal funds invested for greater than 364 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment, and are based on the availability of funds after each year-end.

The Council is asked to approve the treasury indicator and limit: -

Maximum principal sums invested > 364 days			
£m	2016/17	2017/18	2018/19
Principal sums invested > 364 days	£30m	£30m	£30m

For its cash flow generated balances, the Council will seek to utilise its business reserve instant access and notice accounts, money market funds and short-dated deposits (overnight to 100 days) in order to benefit from the compounding of interest.

4.5 Investment risk benchmarking

This Council will use an investment benchmark to assess the investment performance of its investment portfolio of 7 day, 1, 3, 6 or 12 month LIBID uncompounded.

4.7 End of year investment report

At the end of the financial year, the Council will report on its investment activity as part of its Annual Treasury Report.

5 APPENDICES

5.1 APPENDIX: Treasury Management Practice (TMP1) – Credit and Counterparty Risk Management

SPECIFIED INVESTMENTS: All such investments will be sterling denominated, with maturities up to maximum of 1 year, meeting the minimum 'high' quality criteria where applicable.

NON-SPECIFIED INVESTMENTS: These are any investments which do not meet the specified investment criteria. A maximum of 75% will be held in aggregate in non-specified investment

A variety of investment instruments will be used, subject to the credit quality of the institution, and depending on the type of investment made it will fall into one of the above categories.

The criteria, time limits and monetary limits applying to institutions or investment vehicles are:

	Minimum credit criteria / colour band	** Max % of total investments/ £ limit per institution	Max. maturity period
Debt Management Account Deposit facility – UK Government	N/A	100%	6 months
UK Government gilts	UK sovereign rating	80%	12 months
UK Government Treasury bills	UK sovereign rating	80%	12 months
Fixed Bonds – Corporate, Financial, Supranational or Covered.	AAA	40%	12 months
Money market funds	AAA	100%	Liquid
Enhanced money market funds with a credit score of 1.25	AAA	100%	Liquid
Enhanced money market funds with a credit score of 1.5	AAA	100%	Liquid
Local authorities	N/A	100%	12 months
Term deposits with banks and building societies	Blue Orange Red Green No Colour	80%	12 months 12 months 6 months 100 days Not for use

CDs or corporate bonds with banks and building societies	Blue Orange Red Green No Colour	50%	12 months 12 months 6 months 100 days Not for use
Gilt funds	UK sovereign rating	100%	

Accounting treatment of investments. The accounting treatment may differ from the underlying cash transactions arising from investment decisions made by this Council. To ensure that the Council is protected from any adverse revenue impact, which may arise from these differences, we will review the accounting implications of new transactions before they are undertaken.

NON-SPECIFIED INVESTMENTS: A maximum of 75% will be held in aggregate in non-specified investment

1. Maturities of ANY period

	Minimum Credit Criteria / Colour band	Use	Max % of total investments	Max. maturity period
Fixed term deposits with variable rate and variable maturities: -Structured deposits	Blue Orange Red Green No Colour	In-house	80%	12 months 12 months 6 months 100 days Not for use
Certificates of deposit issued by banks and building societies	Blue Orange Red Green No Colour	In-house and Fund Managers	80%	12 months 12 months 6 months 100 days Not for use
Fixed Bonds – Corporate, Financial, Supranational or Covered.	AAA	In-house and Fund Managers	10%	5 years
Floating rate notes	AAA	In house and Fund Managers	10%	5 years
Collective Investment Schemes structured as Open Ended Investment Companies (OEICs)				
Corporate bond fund	AAA	In house and Fund Managers	10%	5 years
Property fund	Based on external credit assessment from the Council's Treasury Management Advisors. UK asset investment.	In house and Fund Managers	£20m at fund entry. Maximum of two Funds at any one time for viability.	Long Term

2. Maturities in excess of 1 year

	Minimum Credit Criteria / Colour Band	Use	Max % of total investments	Max. maturity period
Term deposits – local authorities	N/A	In-house and Fund Managers	60%	5 Years
Term deposits – banks and building societies	Blue Orange Red Green No Colour	In-house and Fund Managers	80%	12 months 12 months 6 months 100 days Not for use
Certificates of deposit issued by banks and building societies	Blue Orange Red Green No Colour	In-house and Fund Managers	80%	12 months 12 months 6 months 100 days Not for use
UK Government Gilts	UK sovereign rating	In-house and Fund Managers	80%	10 years
Fixed Bonds – Corporate, Financial, Supranational or Covered.	AAA	In-house and Fund Managers	10%	5 years
Sovereign bond issues (other than the UK govt)	AAA	Fund Managers	50%	10 years
Collective Investment Schemes structured as Open Ended Investment Companies (OEICs)				
Property fund	Based on external credit assessment from the Council's Treasury Management Advisors. UK asset investment.	In house and Fund Managers	£20m at fund entry. Maximum of two Funds at any one time for viability.	Long Term

5.2 APPENDIX: Approved countries for investments

This list is based on those countries which have sovereign ratings of AA+ or higher and also have banks operating in sterling markets which have credit ratings of green or above in the Capita Asset Services credit worthiness service.

AAA

- Australia
- Canada
- Denmark
- Germany
- Singapore
- Sweden
- Switzerland

AA+

- Finland
- Netherlands
- U.K.
- U.S.A.

Note: This list is correct as at 11 November 2015

5.3 APPENDIX: Treasury management scheme of delegation

(i) Full board / Council

- receiving and reviewing reports on treasury management policies, practices and activities;
- approval of annual strategy.

(ii) Boards/committees/council/responsible body

- approval of/amendments to the organisation's adopted clauses, treasury management policy statement and treasury management practices;
- budget consideration and approval;
- approval of the division of responsibilities;
- receiving and reviewing regular monitoring reports and acting on recommendations;
- approving the selection of external service providers and agreeing terms of appointment.

(iii) Body/person(s) with responsibility for scrutiny

- reviewing the treasury management policy and procedures and making recommendations to the responsible body.

5.4 APPENDIX: The treasury management role of the Section 151 Officer

The S151 (responsible) Officer

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance;
- submitting regular treasury management policy reports;
- submitting budgets and budget variations;
- receiving and reviewing management information reports;
- reviewing the performance of the treasury management function;
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function;
- ensuring the adequacy of internal audit, and liaising with external audit;
- recommending the appointment of external service providers.

EAST HERTS COUNCIL

EXECUTIVE - 2 FEBRUARY 2016

REPORT BY EXECUTIVE MEMBER FOR DEVELOPMENT MANAGEMENT AND COUNCIL SUPPORT

GREAT AMWELL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

WARD(S) AFFECTED: Great Amwell

Purpose/Summary of Report

- To enable Members to consider the Great Amwell Conservation Area Appraisal following public consultation.

<u>RECOMMENDATIONS FOR COUNCIL:</u> that:	
(A)	the responses to the public consultation be noted and the Officer responses and proposed changes to the Great Amwell Conservation Area Appraisal be supported;
(B)	authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Development Management and Council Support, to make any further minor and consequential changes to the Appraisal which may be necessary; and
(C)	the Great Amwell Conservation Area Appraisal be adopted.

1.0 Background.

1.1 East Herts has a rich environmental heritage which includes 42 Conservation Areas. The East Herts Local Plan commits

the Council to review its Conservation Areas, a requirement which is also set out in national legislation.

- 1.2 The review of Great Amwell Conservation Area is one of a series of reviews being undertaken and this is the latest one for consideration.
- 1.3 Each document identifies the special character of the respective Conservation Area together with the elements that should be retained or enhanced and those which detract from the identified character. Existing boundaries are reviewed and, where appropriate, practical enhancement proposals are suggested.
- 1.4 Once Members have considered each Appraisal, and the document has been adopted by the Council, it becomes a 'material consideration' in the process of determining planning applications.

2.0 The Great Amwell Conservation Area Appraisal

- 2.1 The Great Amwell Conservation Area was designated in 1988. The Conservation Area Appraisal was completed in 2015 and the Draft Appraisal went through a period of public consultation from 14 October until 25 November 2015, with a public meeting held on 14 October 2015 which about 30 persons attended. The headline issues are set out in the following paragraphs:
- 2.2 *General content of draft Appraisal:* The draft Appraisal proposed revisions to the Conservation Area boundary to include land at the southern end of Cautherly Lane, particularly the curtilage of Pepper Hill House and minor adjustments elsewhere. The latter minor adjustments elsewhere more accurately reflect existing boundaries. The document identifies the key environmental features and the manner in which they can be controlled. In relation to Great Amwell the most relevant ones are: Listed Buildings including structures in their curtilages; non listed buildings of quality worthy of protection; other unlisted distinctive features worthy of protection and important open land and spaces.

- 2.3 *Listed buildings and structures in their curtilages:* These are protected by legislation and have been identified in the Appraisal.
- 2.4 *Non listed buildings of quality worthy of protection:* Several have been identified that make a positive contribution to the Conservation Area and these should be retained through the planning process. Some non-listed residential buildings have good quality architectural features of high quality whose formal protection could be achieved through the introduction of an Article 4 Direction which is a course of action the Council has yet to consider.
- 2.5 *Other unlisted distinctive features worthy of protection:* A number have been identified and include walls and railings which are important to the character of Great Amwell, particularly those railings alongside the New River that should be retained.
- 2.6 *Important open land and spaces:* The Appraisal has identified a number of such important open spaces that materially contribute to the character or appearance of the Conservation Area that should be protected through the planning process.
- 2.7 *Enhancement proposals to deal with detracting elements:* Some have been identified and include railings and boundary walls in need of repair, damaged signage and an untidy site. It is accepted that such improvements will often only be carried out with the co-operation of owners and other local bodies and organisations. However the District Council may have a role to play in some instances, for example by offering technical advice; by determining applications and where appropriate offering grant assistance.

3.0 Consultation Feedback

- 3.1 Several responses were received, including from the Parish Council and from local residents including an objection from the owners of Pepper Hill House concerning the inclusion of their property within the Conservation Area. No response was received from the Great Amwell Society although it was

represented at the public meeting.

- 3.2 A summary of comments received through the consultation process and officer responses are set out in the table included as **Essential Reference Paper B**.
- 3.3 **Essential Reference Paper C** is a copy of the Great Amwell Conservation Appraisal and Management Plan as it appeared at the consultation draft stage with track changes to text and alterations to plans that incorporate the necessary changes made in response to consultation comments. Further minor changes will be incorporated reflecting the status of the final document once Members have considered it for adoption.
- 3.4 **Conclusion.** In summary, following a site visit with the Council's Arboricultural Officer and for reasons set out in **Essential Reference Paper B**, it is no longer considered appropriate to extend the Conservation Area along Cautherly Lane as first proposed in the draft document. Subject to this amendment which also includes a further very minor adjustment to the boundary at Cautherly Lane, it is recommended that the Great Amwell Conservation Area Appraisal and Management Plan be adopted and be used in the process of determining planning applications.

4.0 Implications/Consultations

- 4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper A**.

Background Papers

None

Contact Member: Councillor S Rutland-Barsby, Executive Member for Development Management and Council Support
suzanne.rutland-barsby@eastherts.gov.uk

Contact Officer: Kevin Steptoe – Head of Planning and Building Control Ext 1407
kevin.steptoe@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER A

IMPLICATIONS/CONSULTATIONS

<p>Contribution to the Council's Corporate Priorities/ Objectives:</p>	<p>Place This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
<p>Consultation:</p>	<p>Community consultation has been undertaken as set out in the report.</p>
<p>Legal:</p>	<p>Preparation of the Appraisal fulfils statutory requirements.</p>
<p>Financial:</p>	<p>Costs associated with the preparation of the Appraisal are met from within existing staffing and operational budgets.</p> <p>The Appraisal suggests works and actions which could be undertaken to enhance the character and appearance of the Conservation Area and remove detracting elements which would generally be the responsibility of individual owners. Other actions such as the possible introduction of an Article 4 Direction might result in additional cost but the Council is not committed to undertaking such further action. Such costs can be further assessed should such a decision be reached.</p>
<p>Human Resource:</p>	<p>No additional staffing implications.</p>
<p>Risk Management:</p>	<p>No significant risk issues.</p>
<p>Health and Wellbeing issues and impacts:</p>	<p>Securing and improving the local environment.</p>

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ESSENTIAL REFERENCE PAPER B

Issue	Representations made	Officer comment
<p>Proposed extension to the Conservation Area along Cautherly Lane.</p>	<p>The Parish Council has <i>'no objection to the proposal to extend the boundaries of the Great Amwell Conservation Area'</i>.</p> <p>Other representations in this section (unless otherwise stated) are from the owners of Pepper Hill House, located at the southern end of Cautherly Lane who object to the proposed inclusion.</p> <p>They express concern regarding trees of Scotch pine species and previous dangers these have caused. They state these trees are regularly checked and because of the danger they are perceived to represent the owners need freedom to act at short notice without reference to the Council.</p> <p>Apart from the house which is listed and thus protected, the remainder of the property is not visible to the public and is secluded.</p> <p>Other fields close by which are not included are of rural character and visible and may be susceptible to future development pressures.</p>	<p>Noted: but see detailed response below.</p> <p>The fieldworker could not originally gain access to Pepper Hill House. However following the owner's objection contact was made and site visit arranged with the Council's Arboricultural officer on 13 Nov.2015.</p> <p>Pepper Hill House, a listed building, was proposed for inclusion within the Conservation Area to provide protection for several fine Scots Pine trees whose crowns are visible from the public domain. However on gaining access officers' were persuaded by the owners' concerns relating to these trees and particularly noted the close proximity of some of them to the house. Officers also accept the secluded nature of much of the site. Thus officers conclude the original principle of extending the Conservation Area needs to be reconsidered.</p> <p>As noted these 'fields' are generally rural and open in character. Land to the east of Cautherly Lane forms part of the open countryside. It is a common misconception that protection from development is afforded by including land within a Conservation Area but this is not necessarily the</p>

	<p>Another respondent made a representation to the effect that all of Cautherly Lane should be included.</p> <p>Support the aim of preserving the sunken lane but draw attention to limited funding available and to the damage caused by vehicles using the lane. Also draw attention to lack of management of trees which the owners believe belong to the Council.</p> <p>In a follow up note from the owners of Pepper Hill House, the point is made in respect to land 'outside our fence line which is or may be held in the future to be our responsibility' that the owners of Pepper Hill House cannot monitor control or accept responsibility for damage caused by others which they are unable to control or prevent.</p> <p>The Parish Council is concerned over the potential inclusion of any proposal to introduce one way traffic management in any area of the parish.</p>	<p>case. However all land in the area is within the Green Belt.</p> <p>The sunken lane is attractive. However Conservation Area legislation would not protect its profile or sunken nature. Designation would afford protection to trees through a notification process which may differ dependant on the condition of the tree (for example immediate action can be taken if there is risk of serious harm, with follow up notification). Hedgerows however are covered by separate legislation but do not apply to those associated with dwelling houses where no protection is afforded. Interpretation as to what constitutes a tree or a hedgerow can sometimes be difficult. The impact of Conservation legislation to the lane itself is therefore limited.</p> <p>The issue of ownership would seem to be at variance between some parties with HCC advising in their opinion the ownership of the tree/hedge boundary is not that of the County Council. Outstanding issues of ownership and maintenance would need to be resolved between any parties in dispute and any private owner challenge would need to be made to HCC Boundaries and Land Charges team.</p> <p>The draft document noted environmental damage being caused by traffic and posed the question as to whether or not there was support for</p>
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	<p>On the other hand the owners of Pepper Hill House would support the introduction of a one way system for Cautherly Lane with features to regulate traffic and protect the banks.</p> <p>Another respondent suggests the lane should not be one way as this will encourage speeding but that traffic should be limited and some way devised to protect the verges. Also suggests hedgerows could be reinstated in areas of damaged banks.</p>	<p>considering methods of easing traffic conflict to overcome this.</p> <p>The differing views concerning the introduction of a one way system are noted.</p> <p>HCC have advised that any requests for highway improvements would need to be presented to the local County Councillor and supported by the County Council's Locality officer who would consider the following: community need, policy, affordability and priority.</p> <p>Taking the above considerations into account it is no longer proposed to extend the Conservation Area along Cautherly Lane as originally suggested by the draft document. A further very minor adjustment is proposed to exclude a short length of the Cautherly Lane to further accommodate the objection of Pepper Hill House.</p> <p>The issue of future traffic management is a local matter and the limited reference in the draft Appraisal is no longer included.</p>
Other representations.		
General representation of support.	Full support offered <i>'for the continuation and expansion of the Great Amwell Conservation area as outlined.'</i>	Noted but see above in respect of the draft proposed extension of Cautherly Lane.
Non listed buildings that make an important architectural or historic contribution.	A respondent questions whether or not two properties 'Rosehill' and 'Elbrook' make such a contribution and should be so identified.	These properties have been re-examined and it remains the officers view they should not be identified due to the degree of later alterations affecting their original characters.

<p>Other distinctive features that make an important architectural or historic contribution.</p>	<p>The Parish Council would welcome any measure resulting in boundary railings becoming 'listed'.</p> <p>Another representation noted that the railings adjacent to New River should be preserved.</p>	<p>These railings are a significant environmental asset as identified by the Appraisal which advises that <i>'Careful consideration needs to be given as to the potential of making them subject to an Article 4 Direction but in the first instance the issue should be discussed with the owners who are believed to be Thames Water'</i>. Officers are currently in the early stages of pursuing such discussions, including repair works, with Thames Water.</p>
<p>Open space, Gypsy Lane/ A1170 junction.</p>	<p>The respondent advises this is a former gravel pit filled with trees and which acts as a nature reserve.</p>	<p>The site which is covered with trees and shrubs may support wildlife. It lies beyond the Conservation Area and within the Green Belt. There is no justification for including it within the Conservation Area particularly now the extension along Cautherly Lane is no longer proposed.</p>



**GREAT AMWELL CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN**

DRAFT FOR CONSULTATION 2015



A simple gravestone marks the burial place of Harold Abrahams (1899-1978) the 1924 Olympic runner who inspired the film Chariots of Fire. On top of the gravestone stones placed by visitors reflect Jewish tradition.

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GREAT AMWELL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

DRAFT FOR CONSULTATION

2015

This Appraisal has been produced by Officers of East Hertfordshire District Council to assess the current condition of the Great Amwell Conservation Area, to identify where improvements can be made and to advise of any boundary changes that are appropriate. The document is in draft form and will be subject to public consultation and agreement by District Council Members.

In preparing the document the fieldworker was unable to gain access to certain properties many of which were securely gated and owners not available at the time of survey. Thus it was not possible to view some areas that were thus inaccessible.

1. Introduction.

1.1. The historic environment cannot be replaced and is a resource that is both fragile and finite. Particularly in an age when society and its needs change with rapidity, the various historic and architectural elements of Conservation Areas can be perceived to interact in a complex manner and create a 'unique sense of place' that is appreciated by those lucky enough to reside in such special places and the many interested persons who appreciate and visit them.

1.2. East Hertfordshire District has a particularly rich and vibrant built heritage, featuring 42 Conservation Areas and approximately 4,000 fine listed buildings displaying a variety of styles representative of the best of architectural and historic designs from many centuries. Generally and very importantly the clear distinction between built form and open countryside has been maintained.

1.3. The District is situated in an economically buoyant region where an attractive environment, employment opportunities and excellent transport links, road rail and air, make it a popular destination to live and work. In addition to London a short commuting distance away, the District is influenced by other factors beyond its administrative area, such as Stansted Airport and the towns of Harlow and Stevenage. With such dynamics it is inevitable that the historic environment will be subject to pressures which emphasize the need to protect it.

1.4. The East Hertfordshire Local Plan Second Review, adopted in April 2007, recognises these facts and commits the Council to review its

Conservation Areas and their boundaries. The production of this document is very much part of this process.

1.5. Conservation Areas are environments which are considered worthy of protection as a result of a combination of factors such as the quality of design and setting of the buildings or their historic significance. In addition to the individual qualities of the buildings themselves, there are other factors such as the relationships of the buildings with each other, the quality of the spaces between them and the vistas and views that unite or disrupt them. The relationship with adjoining areas and landscape, the quality of trees, boundary treatments, advertisements, road signage, street furniture and hard surfaces, are also important features which can add to or detract from the Conservation Area.

1.6. This Appraisal recognises the importance of these factors and will consider them carefully. Once approved this document will be regarded as a 'material consideration' when determining planning applications. If appropriate the document puts forward simple practical management proposals that would improve the character of the Conservation Area and which are capable of being implemented as and when resources permit.

1.7. The recommendations concerning non-listed buildings and structures are normally formed by the field workers observations made from the public realm and seldom involve internal inspection or discussions with owners. Thus such recommendations contained in this Appraisal might be subject to reconsideration through the planning application process, where that is necessary, and which would involve the submission of additional information. Similar considerations apply to estimating dates of buildings.

1.8. This Conservation Appraisal will:

- Identify the special character of Great Amwell Conservation Area.**
- Identify elements that should be retained or enhanced;**
- Identify detracting elements;**
- Review the existing boundaries;**
- Put forward practical enhancement proposals;**

1.9. The document will be prepared in partnership with the Parish Council and the local community through the consultation process. Several historic pictures have been included sourced from www.stanstead-abbotts.co.uk courtesy of Brian Johnson. This web site contains many local pictures of the area that are of considerable interest.

1.10. Acknowledgement and thanks are recorded to Hertfordshire County Council whose Historic Environment Unit has been particularly helpful.

1.11. This document is written in three parts: Part A - Legal and Policy Framework. Part B - Appraisal; Part C - Management Proposals.

PART A - LEGAL AND POLICY FRAMEWORK

2. Legal and Policy framework.

2.1. The legal background for designating a Conservation Area is set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This states that the Council shall from time to time designate Conservation Areas, which are defined as being *'areas of special architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance'*. The same section of the Act also requires that Councils undertake periodic reviews.

2.2. Section 71 of the Act requires Councils to *'formulate and publish proposals for the preservation and enhancement'* of Conservation Areas and hold a public meeting to consider them.

2.3. Within Conservation Areas there are additional planning controls and if these are to be supported it is important that the designated areas accord with the statutory definition and are not devalued by including land or buildings that lack special interest.

2.4. Planning permission is required for the demolition of a building in a Conservation Area but is subject to certain exceptions. For example, it does not apply to Listed Buildings which are protected by their own legislation but is relevant to other non listed buildings in the Conservation Area above a threshold size set out in legislation*. Looking for and assessing such buildings is therefore a priority of this Appraisal.

* The demolition of a building not exceeding 50 cubic metres is not development and can be demolished without planning permission. Demolition of other buildings below 115 cubic metres are regarded as 'Permitted Development' granted by the General Permitted Development Order, subject to conditions that may require the Council's 'prior approval' regarding methods of proposed demolition and restoration.

2.5. **Certain ecclesiastical buildings (which are for the time being used for ecclesiastical purposes) are not subject to local authority administration provided an equivalent approved system of control is operated by the church authority. This is known as the 'ecclesiastical exemption'. Importantly in such circumstances, church authorities still need to obtain any other necessary planning permissions under the Town and Country Planning Act 1990.**

2.6. The Town and Country Planning (General Permitted Development Order) 1995 (as amended), defines the range of minor developments for which planning permission is not required and this range is more restricted in Conservation Areas. For example, the Order currently requires that the addition of dormer windows to roof slopes, various

types of cladding, satellite dishes fronting a highway and a reduced size of extensions, all require planning permission in a Conservation Area.

2.7. However, even within Conservation Areas there are other minor developments that do not require planning permission. So as to provide further protection the law allows Councils to introduce additional controls if appropriate. Examples of such controls can include some developments fronting a highway or open space, such as an external porch, the painting of a house or the demolition of some gates, fences or walls. The removal of important architectural features that are important to the character or appearance of a Conservation Area such as distinctive porches, windows or walls or railings to some non-listed properties can be subject to a more detailed assessment and if appropriate made subject to protection by a legal process known as an 'Article 4 Direction' which withdraws 'Permitted Development Rights'. The use of such Directions needs to be made in justified circumstances where a clear assessment of each Conservation Area has been made. In conducting this Appraisal, consideration will be given as to whether or not such additional controls are necessary.

2.8. Works to Trees. Another additional planning control relates to trees located within Conservation Areas. Setting aside various exceptions principally relating to size, any proposal to fell or carry out works to trees has to be 'notified' to the Council. The Council may then decide whether to make the tree/s subject to a Tree Preservation Order. This Appraisal diagrammatically identifies only the most significant trees or groups of trees that make an important contribution to the character of the Conservation Area, particularly when viewed from the public realm. Other trees not specifically identified may still be suitable for statutory protection. Many trees within the Conservation Area at Great Amwell have already been made subject to Tree Preservation Orders.

2.9. Some hedges may be protected by the Hedgerow Regulations 1997. This legislation is extremely complicated and only applies in certain situations that are determined by the location and extent of the hedge, its age and or its historical importance, the wildlife it supports and its number of woody species. The Regulations do not apply to domestic garden hedges. However such garden hedges which are considered to be visually important have been identified in anticipation that their qualities are recognised by the owner and that they will be retained on a voluntary basis.

2.10. National Planning Policy Framework. The principle emphasis of the framework is to promote sustainable development. Economic, social and environmental roles should not be considered in isolation because they are mutually dependent and positive improvements in the quality of the built, natural and historic environment should be sought, including replacing poor design with better design. Whilst architectural styles should not be imposed it is considered proper to reinforce local distinctiveness.

2.11. Of particular relevance to this document, the National Planning Policy Framework advises as follows:

- **There should be a positive strategy in the Local Plan for the conservation of the historic environment and up-to-date evidence used to assess the significance of heritage assets and the contribution they make.**
- **Conservation Areas. Such areas must justify such a status virtue of being of *'special architectural or historic interest'*.**
- **Heritage assets. A Heritage asset is defined as *'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listings)'*.**
- **Considerable weight should be given to conserving such heritage assets and the more important they are the greater the weight. For example the effect of an application affecting a non- designated heritage asset should be taken into account and a balanced judgment reached. Substantial harm to or loss of a grade II Listed Building should be exceptional whilst harm to heritage assets of higher status, e.g. a grade I or II* Listed Building should be wholly exceptional.**
- **Local Planning Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance and proposals that preserve such elements should be approved.**
- **The use of Article 4 Directions to remove national permitted development rights should be limited to situations *'where this is necessary to protect local amenity or the well being of the area...'***
- **Green Areas. Such areas of particular importance can properly be identified for special protection as Local Green Spaces in selected situations.**

2.12. East Hertfordshire's environmental initiatives and Local Plan Policies. East Hertfordshire is committed to protecting Conservation Areas and implementing policies which preserve and enhance them; to support their preservation through the publication of design and technical advice and to be pro-active by offering grants and administering an Historic Buildings Grant Service. With regard to the latter grants are awarded on a first come first served basis in relation to works which result in the maintenance of listed buildings and other

unlisted buildings of architectural or historic interest. The maximum grant will not normally exceed £1,000.

2.13. In respect of the above the Council has produced a number of leaflets and guidance notes that are available on the Council's web site or on request.

2.14. The Council also has a 'Buildings at Risk Register', originally produced in 2006 and updated in 2012/13. In relation to Great Amwell Conservation Area there are no such buildings identified as being 'At Risk' although some exist elsewhere in the parish. This document is available on the Councils web site. Grant assistance not exceeding £10,000 may be available for necessary works that lead to such buildings' long term security.

2.15. The East Herts. Local Plan was adopted by the Council in 2007. The 'saved' policies set out in the plan remain in force and are relevant in relation to Conservation Area and Historic Building considerations. The Local Plan and its policies can be viewed on the Councils website or a copy can be obtained from the Council (contact details are set out in section 7).

2.16. In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Council is in the process of preparing a planning policy document which will replace the 2007 Local Plan. This will be known as the East Herts District Plan (DP). Once adopted the DP will contain the relevant Council planning policies. As currently drafted this emerging District Plan advises that new development in a Conservation Area should, *inter alia*, conform with the content of the relevant Appraisal.

2.17. Great Amwell Conservation Area was designated in 1988.

Part B - APPRAISAL

3. Origins and Historical Development

3.1. There are over 25 records within the existing Conservation Area held by the County Archaeologist. A general description of the village from this source reads *'In writing of Great Amwell in the late 18th century the Quaker poet John Scott describes how 'the roofs of russet thatch rise mix'd with trees, above whose swelling tops ascends the tall church tow'r...'*The same source advises that in the early 17th century the New River was cut close to the village...and in the later 18th century the New River Company's Chief Engineer, Robert Mylne (died 1811)...and landscaped a water garden ...Test pits on 11 sites around the village in 2013 produced post medieval and 19th century pottery but two pits in the centre produced earlier material including a sherd of late Iron Age pottery.

3.2. Prehistoric. Palaeolithic implements are recorded as having been found in the centre of the village in the late 19th century. Beyond the Conservation Area a Bronze Age spearhead was found in 1934. A test pit dug in 2014 revealed late Iron Age sherds. These finds indicate there is likely to have been settlement from the Stone Age onwards.

3.3. Roman settlement. A number of urns said to be Roman and quantities of coin were reportedly found near Great Amwell Vicarage in 1847. The same test pit dug in 2014 referred to above also revealed Roman pottery. This is indicative of Roman settlement in the area which is not surprising.

3.4. The Domesday Book was a census commissioned by William I in 1086. In relation to Great and Little Amwell it states that Ralph (land of Ralph de Tosay) holds (Great and Little) Amwell. It is assessed at 14 1/2 hides. There is land for 16 ploughs. In demesne 7 hides, and there are 2 ploughs, and there can be another 2. There 24 villans with a priest and 4 Frenchmen and 7 bordars have 8 ploughs, and there can be 4 (more). There are 19 cottars and 2 slaves and 1 mill rendering 6s; meadow for 16 ploughs, pasture for the livestock of the village, woodland for 200 pigs, and from pasture and hay, 10s. In all it is worth £14 10s; when received £12. It would also appear that a Ralph de Limesy laid claim to land here. Source: Domesday Book a complete translation, Alecto Historical Associations Penguin Books 2002. (Note: Rev. W. J. Harvey's book 'Great Amwell Past and Present', published in 1896, attributes the above description to Ralph de Limesy).

3.5. Glossary of terms: A 'Hide' was a standard unit of land measurement interpreted to be about 120 acres. A 'villan' was a peasant legally tied to land he worked on and of higher economic status than a 'bordar' or 'cottar'. The latter occupied a cottage in return for services provided. 'Demesne' essentially means land belonging to the lord of the manor.

3.6. In the 17th century the New River was constructed by Sir Hugh Myddelton to bring fresh water to London. It was built 1608-1613 and Edward Wright, a mathematician, was employed to survey and direct its course. The total fall over its original 40 mile length was less than 6 metres. The river together with its associated structures represents a considerable engineering enterprise and achievement. Reverend W.J. Harvey writing in 1896 says *the churchyard is situated on the slope of a rather steep hill; at the bottom flows, the New River, carrying its wealth of life and health (i.e. water) to the greatest metropolis in the world.*

3.7. A picture of the settlement as it can be recognised today is set out in Kelly's Directory of 1874 which refers as follows: The church of St John the Baptist...is an ancient building...and was beautified and repaired in 1856-57, when the floor of the chancel was raised, and stained glass windows added...In 1866 it was restored, and seated with

open benches; the cost of these alterations was £1,200, (equating to about £130,000 today) defrayed partly by rate, partly by subscription. Reid the Shakespeare commentator is buried here... There are National Schools for the children of both sexes. A pleasure fair is held here on Whit Monday. Charities amounting to £30 yearly are distributed in bread and blankets... Here are chalk and gravel pits. The neighbourhood is very picturesque, and has been celebrated by the poet, John Scott of Amwell. Just below the church is a bridge over the New River, and near it are two small islands, planted with scrubs and evergreens; one the one near the bridge is a stone bearing the following sonnet (in part) *Amwell! Perpetual be thy stream, nor e'er thy springs be less, which thousands drink who never dream...* The soil is clay and gravel; subsoil clay and chalk. The chief crops are barley, wheat, peas and oats.

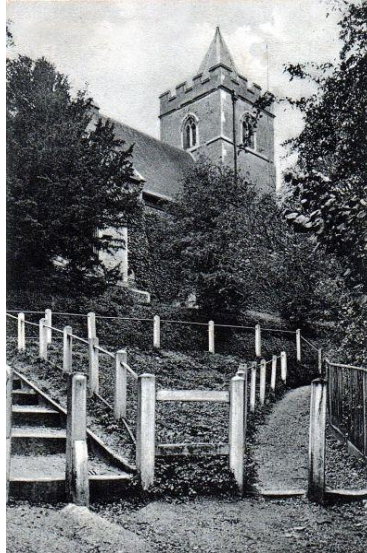
3.8. Kelly's Directory of 1874 lists in addition to farmers, the following commercial entries, namely: Beer retailers (2), shopkeeper, laundress, lime merchant, Great Amwell lime kilns, shopkeeper and post mistress. The same reference identifies the population of the parish in 1871 as being 2,245 (the parish included parts of Hoddeston, Ware, Hertford Heath and Haileybury College).

3.9. The publication, Place Names of Hertfordshire, Cambridge University Press 1970 advises several names, including Emmewelle (1086), Ammewell(e) (1225). According to tradition Emma, wife of Canute, is supposed to have given her name to the well below the church but the place name may be older than that.

3.10. A plan dating from 1874 shows the village as being heavily treed much as today. Interestingly it shows extensive watercress beds within the Conservation Area to the north of Amwell Lane on land now used as horse paddocks. Also school for Boys and Girls (now a Listed Building, the Old School House). Elsewhere beyond the Conservation Area there are several gravel pits; two lime kilns and a chalk pit. Also a pumping station off Amwell Hill to the north of the Conservation Area. Also allotment gardens to the west of Pepper Hill off Gypsy Lane and a branch railway line which opened in 1863 and closed to passengers and freight respectively in 1964 and 1965.

3.11. By 1897 additional water cress beds had been established and another pumping station, located in the south east extremity of the Conservation Area had been n built.

3.12. Water cress cultivation had ceased by 1937. By this time a concrete works with access to the railway (now Furlong Way) had established. Elsewhere a nursery complex had established to the west of Pepper Hill where such facilities had much expanded by 1963.



Picture 1. Postcard early 20th century



Picture 2. Swimming Pool, Great Amwell. Formerly part of Concrete Utilities in Lower Road. Apparently well used until the company closed. Date unknown but looks mid 20th century. Identified as swimming pool on mapping of 1938 in the general area of modern day Bridle Way.



Picture 3. Early 20th century postcard - a very muddy Lower Road. These historic pictures appear courtesy of Brian Johnson www.stanstead-abbotts.co.uk. This latter web site contains other local pictures of interest.

3.13. Plan 1 shows the existing Conservation Area boundary approximately imposed on mapping dating from 1874.

4. GENERAL DESIGNATIONS AND CRITERIA USED TO IDENTIFY IMPORTANT ENVIRONMENTAL FEATURES.

4.1. Scheduled Ancient Monuments.

4.2. Areas of Archaeological Significance.

4.3. Listed buildings. Individually listed buildings have been identified, plotted and a selected few are briefly described, such abbreviated descriptions being based on the Dept. of Culture Media and Sport's list, occasionally with additional comments by the fieldworker. Full descriptions can be obtained on line at Historic England's website or Heritage Gateway website (www.heritagegateway.org.uk) Listed Buildings are protected from unauthorised demolition, alteration or extension. Structures, including railings and walls, within the curtilage of listed buildings, if they are pre-1948, are subject to the same controls as listed buildings.

4.4. Non listed buildings of quality and worthy of protection. Such other non-listed buildings and structures that make an important architectural or historic contribution to the Conservation Area have been separately identified. The basic questions asked in identifying such buildings/structures are:

- (a) Is the non listed building/structure of sufficient architectural or historic interest whose general external form and appearance remains largely unaltered?**
- (b) Does the building contain a sufficient level of external original features and materials?**
- (c) Has the building retained its original scale without large inappropriate modern extensions that destroy the visual appearance particularly in respect of the front elevation?**
- (d) Is the building visually important in the street scene?**

4.5. Trees and Hedgerows. The basic criteria for identifying important trees and hedgerows are:-

- (a) They are in good condition.**
- (b) They are visible at least in part from public view points.**

- (c) They make a significant contribution to the street scene or other publicly accessible areas.

4.6. Open spaces or gaps of quality that contribute to the visual importance of the Conservation Area where development would be inappropriate have been identified. The basic question asked in identifying such areas is does the open space or gap form an important landscape feature contributing to the general spatial quality and visual importance of the Conservation Area? Private open spaces forming an important setting for an historic asset and unkempt spaces that have the potential to be enhanced are candidates for selection subject to complying with the principle question.

4.7. Other distinctive features that make an important visual or historic contribution are noted and shown diagrammatically. In relation to walls and railings those above prescribed heights in a Conservation Area (1m abutting a highway including a footpath or bridleway, water course or open space or 2m elsewhere) are protected and require permission for their demolition).

4.8. Reference has previously been made to the potential of introducing Article 4 Directions in justified circumstances and the criteria for their selection in relation to retaining features associated with selected non listed properties is as follows:

- **In relation to chimneys, these need to be in good condition, contemporary with the age of the property, prominent in the street scene and complete with chimney pots. Exceptionally particularly important chimney stacks without pots may be selected.**
- **In relation to selected windows, these need to be on front or side elevations, fronting and visible from the street/s, generally contemporary with the age of the property or of a sympathetic historic design and where the majority of windows of respective elevations retain their original characteristics and have not been replaced by disruptive modern glazing units.**
- **In relation to other features, these may include good quality architectural detailing to non-listed buildings, constructed of wood, metal or other materials.**
- **In relation to providing protection against demolition of walls or railings, those selected need to be below the prescribed heights (those abutting a highway including a footpath or bridleway, water course or open space 1m or 2m elsewhere in a Conservation Area require permission for their demolition), be prominent in the street scene and**

make a positive architectural or historic contribution to its visual appearance.

- It may also be appropriate to introduce Article 4 Directions to retain quality buildings below the prescribed Permitted Development threshold.

4.9. Features that are out of character with the Conservation Area and detract or are in poor repair have been identified.

4.10. Important views are identified.

4.11. Conservation Area boundaries. In suggesting any revisions to the Conservation Area boundaries, principal consideration has been given as to whether or not the land or buildings in question form part of an area of special architectural or historic interest whose character or appearance should be conserved. The Conservation Area can include open land that has historical associations with the built form. This may particularly be the case if such open land is environmentally important and visually forms part of the Conservation Area's setting and is distinct from open farmland.

5. GENERAL CHARACTER AND SETTING OF Great Amwell.

5.1. In terms of its wider setting, the Landscape Character Assessment produced in 2007 as a Supplementary Planning Document, describes the Great Amwell Ridge and Slopes in part thus *This is certainly an unusual area, due to the complexity of land uses, but its rarity lies in the historical associations with the creation of the New River and the limpid tranquillity of the area around the monument. The New River is unusual and its monument unique and is remarkably peaceful.*

5.2. There are 34 Listed Buildings within the existing Conservation Area. Of this total, 1 dates from the 11th century; 2 date from the 17th century; 13 from the 18th century (38%) and 18 from the 19th century (53%).

5.3. The Listed Buildings are Grade II excepting the church which is grade II*.

5.4. This Appraisal also identifies some other buildings and other features such as railings of high quality that are not listed but that should be retained. These date from the 19th century and are an important element in the high environmental quality of the Conservation Area and make a contribution to its built form and historical evolution. Selected numbers of these buildings have good quality windows, chimneys and other architectural features worthy of additional protection.

5.5. There is a Grade II Historic Park and Garden and other open spaces of quality that should be protected.

5.6. There is a Wildlife Site diagrammatically shown in the centre of the village.

5.7. Trees are a very important environmental feature and enhance many areas adding character and diversity to many local street and footpath scenes.

5.8. This Appraisal proposes ~~an extension and~~ some minor adjustments to the Conservation Area which are described later in the document.

6. DETAILED CHARACTER ANALYSIS.

6.1 ***General overview.*** Great Amwell Conservation Area is an extensive area of historic buildings, some in large grounds and dominated by significant areas of tree cover, some of whose qualities have already been recognised and protected by Tree Preservation Orders. A considerable number of footpaths provide access and walkways, including those along side the New River, a linear landscape feature of great visual and historic importance. Part of the latter is a designated garden, listed Grade II on Historic England's Register of Historic Parks and Gardens and is described elsewhere in this Appraisal. There are ~~areas of~~ narrow sunken lanes which add to the general character and diversity.

6.2 ***Scheduled Ancient Monuments.*** There are none.

6.3. ***Archaeological Sites.*** There is an area embracing most of the Listed Buildings in the centre of the village.

6.4. ***Individually Listed Buildings.*** A selection of descriptions have been included in abbreviated form and set out below. Any occasional comments by the fieldworker are in italics. The range of building/structure types is quite exceptional for a small village.

6.5. Monument to The New River on smaller island below the church - Grade II. 1818 in the form of a square stone pedestal on a chamfered base with ball finial. Inscribed with lines are said to have been composed by Archdeacon Nares. A neo-classical monument.



Picture 4. Grade II neo classical monument dating from the early 19th century relating to the New River.

6.6. Monument to the memory of Sir Hugh Myddelton on larger island below church - Grade II. Monumental pedestal and swagged urn in Coade stone, dated by inscription 1800 by Robert Mylne. Inscriptions in English or Latin. On south 'Sacred to the memory of Sir Hugh Myddelton, Baronet, whose successful care, assisted by the patronage of his King, conveyed this stream to London. An immortal work: since men cannot more nearly imitate the Deity, than in bestowing Health.'

6.7. Emma's Well and Memorial Stone - Grade II. A brick revetted basin for the spring from which Amwell takes its name, and which was one of the 2 sources of the New River of 1609-13 (the other being Chadwell at Ware). 18/19th century buff brick revetment walls to D-shaped pool with island, weir, sluice and overflow, presumably representing repairs and renewals of the original arrangement. On slope between road and spring an upright white stone memorial slab inscribed with verses from the poem 'Amwell' by the Quaker poet John Scott of Amwell (1730-1783). *Approached by steps with railings.*

6.8. Stocks in churchyard west of tower - Grade II. Village stocks. Probably 17th or 18th century. Oak. 2 tall rectangular end posts capped in lead. Each has a central rectangular slot from ground level, half a metre in height, to receive the 2 horizontal oak timbers with semi-circular notches to secure the legs. The stocks are recorded as being replaced in their original position by R W Mylne on the occasion of Victoria's Jubilee in 1887 and being moved to the churchyard from behind the George IV PH in the 1920's.



Picture 5. Listed grade II village stocks said to have been moved to their present location in the churchyard in the 1920's.

6.9. Mylne mausoleum in churchyard to east of chancel - Grade II. Mausoleum. 1800 by Robert Mylne (1733 - 1811). Buff brick and York stone slab roof. A plain rectangular building in fine brickwork in Flemish-bond. Doorway bricked up. Stone memorial tablets to the Mylne family. The roof is surmounted by a large square pedestal with moulded base and cap, with a fluted stone urn on top. Coade- stone circular plaque of a mourner on west side of pedestal, Mylne achievement on east side.

6.10. Plomer monument in churchyard south-west of chancel - Grade II Monument of 1728 to William Plomer. Carved and moulded limestone. On a moulded square base a tall square pedestal with projecting moulded capstone. Each face a raised and fielded panel inscribed. On top a tall tapering panelled obelisk on arched and scrolled feet, topped by a moulded cornice and fluted urn.

6.11. The Flint House - Grade II. 1842- 4 by William Chadwell Mylne (1781-1863) for himself. Uncoursed unknapped flints with yellow brick dressings. Hipped slate roof with wide overhanging eaves. Grouped central chimneys. Service rooms in basement approached by sunken way from west and tunnel under lawn on north side. Similar tunnel may have extended to east. In breakfast room 2 half-height relief figures, of naval officer with sextant and seaman with rope.



Picture 6. Flint House, a fine listed property 1842- 4 by William Chadwell Mylne (1781-1863) for himself. Access to service areas and accommodation segregated.

6.12. Statue in grounds of Flint House 60 metres east- north-east of house - Grade II. Early 19th century. Lifesize Coade stone statue of Duke of Wellington, seated with cloak and decorations, holding a scroll in right hand resting on knee. The head is damaged. Probably sited by W C Mylne who built Flint House and laid out the gardens 1842- 4.



Picture 7. Listed statue of the Duke of Wellington. Damaged head and other elements in need of restoration. Expert advice needed.

6.13. Observatory Tower, at Walton Lodge 10 metres west of house - Grade II. Two storey observatory tower. 18th century, moved to present

site by Mylne family between 1822 and 1839. Originally built by a Mr Hodson of Hoddesdon about half a mile south east of village. Buff brick with short top section of weather boarded timber framing. Conical roof of tiles. Lead top and ball finial.



Picture 8. Observatory tower moved to present site by the Milne family in the early to mid 19th century. One of the many various unusual structures that contribute to the rich local heritage.

6.14. Vicarage Lodge - Grade II. Small house, 19th century. Timber framed and weather boarded with gabled thatched roof. A picturesque single storey T-shaped house. Open thatched veranda on south with rough-hewn supports. Tall terracotta chimney pot. A picturesque cottage ornee.

6.15. Parish Church of St John the Baptist - Grade II*. From eleventh century, rectangular nave and smaller apsidal chancel, 15th century west tower, north vestry 1836, restoration 1866 for Rev. Richard Parrott. Uncoursed knapped flint with stone dressings. Chancel part-rendered. Stumpy octagonal tiled spire behind battlements of buttressed 3-stage tower. Original Norman low round headed chancel arch. A small church of great antiquity retaining its Norman apse, found in only 2 other churches in county, and features of outstanding interest. An essential

landmark in this hillside village and an important element in the landscaped setting of The New River.

6.16. Cathrow monument in churchyard - Grade II. A large churchyard monument, circa 1800. Stone with cast iron railings. A fine neo-classical mausoleum in the form of a square temple with low pitched roof inscribed on west face: 'The family vault of George Cathrow Esq. of Hoddesdon.' .An important neo- classical monument.



Picture 9. An important neo classical monument listed grade II and in good condition.

6.17. The Old Vicarage - Grade II. Former vicarage. 1840 (plaque on chimney) built for Rev. Mordaunt Barnard (1795 - 1885) vicar 1826 - 1864. Red brick with stone and stucco dressings and steep old red tile roofs. An interesting vicarage of 1840 on a prominent site above the river. Part of a group with former Schoolhouse to north.

6.18. Amwell Marsh Pumping Station - Grade II. Pumping Station

building. 1883 for the New River Company, erected by Frederick Hitch of Ware. Yellow stock brick with portland stone dressings, red brick inset panels and hipped red tile roofs. A tall rectangular engine house raised on a high base with outside stair at rear. Elaborate arcaded treatment with recessed panels of red brick. Originally steam driven and said to have had a beam-engine. Forms a group with the Engineers House beside The New River.



Picture 10. Marsh Cottage, former engineers house associated with the adjacent pumping station.

6.19. Glebe House - Grade II. 1864 built for Rev. Richard Parrott vicar 1864 - 1893 who also restored the church in 1866. Brickwork roughcast, with exposed bands of red brick and plinth. Romanesque pedimented red brick porch, hipped slate roof with overhanging eaves and plastered soffit. Two storeys, 3- windows with 2- light casements and moulded architraves.

6.20. River Cottage by the footbridge over The New River - Grade II. 17th century remodelled in early 19th century by W C Mylne as his house, altered 1891 by Robert Mylne (date and initials on plastered chimney). Oldest part probably timber framed, cased in red brick. Newer parts buff brick. Steep old red tile roofs with sinuous 19th century bargeboards. A picturesque Cottage Ornee associated with the Mylne family.



Picture 11. Early 19th century postcard illustration of River Cottage. Photo reproduced courtesy of Brian Johnson www.stanstead-abbotts.co.uk.

6.21. Gate piers, Screen Wall, Gate and Gateway at Amwell Grove - Grade II. Gate piers and garden gateway and gate. Mid 19th century, probably by William Chadwell Mylne for this Mylne family property. Gateway with depressed round arch in 2 orders in gauged brick with keystone. Projecting impost band and chamfered plinth. Square headed wooden gate with upper part open. Cast iron openwork scrolled panel over with Mylne arms.

6.22. Other non listed buildings that make an important architectural or historic contribution. The George IV public house. Dating from late 19th/early 20th century. Two storey yellow brick to ground floor, red to first floor. Tiled roof, chimney with pots. Decorative wooden detailing and central frieze with decorative brick surround. Early windows worthy of retention. Rubbed brick lintels with decorative brick detailing beneath cills to ground floor windows. A good quality building of considerable character whose features should be protected through normal development control.



Picture 12. The George IV PH. A late 19th/early 20th century building of quality with many architectural features worthy of preservation through normal development control.

6.23. The Folly, Amwell Lane. Early 20th century. Yellow brick with decorative bay window to ground floor. Slate roof with decorative ridge tiles and finial; chimney with pots to rear. Recessed entrance inscribed The Folly 1907. The site is untidy with partly decrepit modern garage and abandoned derelict plant machinery that would benefit from improvements being made to rectify this. Selected features are candidates for protection by possible Article 4 Direction subject to further consideration and notification.



Picture 13. The Folly Amwell Lane. An early 20th century property whose site appearance could be much improved. Selected features such as the bay window and its detailing are worthy of retention and possible additional protection.

6.24. The Cottage corner of Cautherly Lane and Madgeways Lane. Large red brick house with tiled roof probably dating from early/mid 20th century. 2 no. tall brick chimneys. Entrance to front with tiled canopy above. Selected features are candidates for protection by possible Article 4 Direction subject to further consideration and notification.



Picture 14. The Cottage probably dating from the early/mid 20th century. Typical of its period and worthy of retention.

6.25. Former group of farm buildings at Sheepcote Farm now converted. These buildings retain much of their original general form and their conversions have used traditional materials to create sympathetic adaption particularly in terms of retaining their original massing.

6.26. Willows, Cautherly Lane. A later 20th century property the fieldworker was advised was built in the 1970's. A flat roofed contemporary building of timber with flint panels with strong horizontal emphasis. Displays fine modern features particularly to the interior. A later 20th century building whose contemporary architecture adds value to the Conservation Area.

6.27. Other distinctive features that make an important architectural or historic contribution. Walls and railings are protected to varying degrees virtue of exceeding specified height relevant to the Conservation Area or being within the curtilage of a Listed Building unless otherwise noted.

6.28. Simple metal railings to part of north boundary to churchyard and also flint wall with brick piers of various heights in similar location.

6.29. Flint and brick wall to front of Well House about 2 m in height. Also flint and brick wall of similar height on opposite side of road with vertical crack possibly caused by adjacent mature tree.

6.30. Prominent brick wall to north of footpath 16 of various heights up to approximately 3m. Wooden entrance gates in need of repair. Forms part of southern boundary to Amwell Grove. Some repair work needed.



Picture 15. A fine brick wall important and visually prominent in the public domain adjacent to a well used footpath. As can be seen some repairs necessary and consideration should be given to the removal of selected vegetation.

6.31. Sections of yellow and red brick wall on west side of Cautherly Lane some sections with piers; also gate piers surmounted with stone balls.

6.32. Walls principally of flint construction of various heights to boundary of The Flint House on Hillside Lane extending along east side of Cautherly Lane to Stable House.

6.33. Metal fence to front, sides and rear of Marsh Cottage and Amwell Marsh pumping station believed to be in the ownership of Thames Water, parts in need of refurbishment/repainting. Side fences not abutting road or waterway and less than 2m in height are unprotected where an Article 4 Direction may be appropriate subject to further consideration.



Picture 16. Good quality robust historic railings in need of minor repainting/refurbishment.

6.34. Boundary metal railings in two general locations adjacent to New River firstly defining south edge of Amwell Lane and secondly north edge of New River, south of Lower Road. These low railings less than 1m in height abutting road or waterway (and so exempt from Conservation Area control relating to demolition) are assumed to date from the late 19th/early 20th century and are of robust construction and are of environmental merit and historic interest. Their extent (both within and beyond the Conservation Area) makes them features of considerable visual interest in the village. Of horizontal rails supported by metal posts. Several sections are in need of repair. Careful consideration needs to be given as to the potential of making them subject to an Article 4 Direction but in the first instance the issue should be discussed with the owners who are believed to be Thames Water.



Pictures 17-19. Prominent boundary railings forming boundary to New River. Assumed to be in the ownership of Thames Water. Collectively they are an important environmental feature of the village and it is very important they should be retained. Being less than 1m in height abutting a road or waterway they are not protected from demolition by legislation relating to Conservation Areas. Some repairs are necessary. The railings (including those beyond the Conservation Area) are potential candidates for protection by an Article 4 Direction. However in the first instance it is suggested discussions take place with Thames Water.

6.35. War Memorial. Simple stone cross on plinth approached by steps. At the time of survey it was noted that the inscribed lettering had deteriorated but this has recently been rectified. Those achieving this important action are to be commended.



Picture 20. The re-inscribed War Memorial. The lettering which had deteriorated has now been re -inscribed. Those responsible for this important initiative are to be commended.

6.36. Wall mounted George VI letter box on Cauthery Lane. An interesting piece of street furniture whose importance will increase with the passage of time. The detail includes the King's Royal Cipher with Roman numerals and Tudor crown.



Picture 21. Wall mounted George VI letter box. An attractive piece of street furniture that should be retained. By W.T. Allen of London.

6.37. Important Open Spaces. The churchyard is a most remarkable historic open space with an extensive range of tombstones many dating from Victorian times that display many types and designs. Some are listed that have been previously described. Within the churchyard there are a number of good quality mature trees including Irish Yews. A simple gravestone marks the burial place of Harold Abrahams (1899-1978) the 1924 Olympic runner who inspired the film Chariots of Fire. On top of the gravestone are stones placed by visitors which are a mark of respect reflecting Jewish tradition (see cover photograph).



Picture 22. A most remarkable churchyard with an extensive range of Victorian and later headstones. Modern headstones are generally sympathetically designed.

6.38. Grassed area between Amwell Lane and New River. A long narrow linear grassed strip rising from Amwell Lane to New River defined by low railings (see above) to Amwell Lane. The river at higher level is accessed by steps in one location. A key quality of the area is its simplicity and openness which should not be compromised. Together with New River and the belt of mature trees to the south of the river provides an environmental feature of the highest visual and historic quality.



Picture 23. Grassed area between Amwell Lane and New River. A long narrow linear grassed strip whose quality is its simplicity and openness. This should not be compromised. Together with New River and the belt of mature trees it is an environmental feature of the highest visual and historic quality.

6.39. Important Water features. New River together with its attendant islands at Amwell Pool and associated Listed Buildings and other non listed railings collectively represent features of the highest visual and historic importance as explained elsewhere in this Appraisal. The river itself appears well maintained.



Picture 24. New River is a feature of significant environmental, visual and historic importance.

6.40. Wildlife sites. There is a Wildlife site diagrammatically identified in the centre of the village. Its description reads simply as '*Buildings and environs important for protected species*'.

6.41. Historic Parks and Gardens. Amwell Grove and Amwell Pool - Grade II. The descriptions below are based on Historic England's description. Some parts of the description may have altered (for example the fieldworker was advised by the owner that reference to Kitchen Garden was no longer applicable).

6.42. A late 18th and early 19th century picturesque landscape connected with a late 18th century country house. The gardens and pleasure grounds are divided into two sections, to the west and east of Cautherly Lane. The western section surrounds Amwell Grove and comprises the associated gardens, being largely laid to informal lawns enclosed by mature trees, overlying a hillside leading down from the south to the New River to the north. The kitchen garden lies in the south-east corner of the western section of the site, adjacent to Cautherly Lane.

6.43. The eastern section, divided from the western section by the bridge carrying Cautherly Lane, is dominated by the Pool, created by Robert Mylne by enlarging the course of the New River in the mid 1790s. The Pool is approximately oval in shape, with two islands, created as part of Mylne's landscaping. The long, narrow, south-east island is laid to lawn and planted with mature trees, including a weeping willow and yew. Towards the centre stands a listed Coade stone monument (Robert Mylne 1800) to the memory of Sir Hugh Myddleton, comprising a pedestal and swagged urn with inscriptions in English and Latin on the four faces of the pedestal. The monument overlooks the site of Emma's Well to the north-east. On the approximately circular north-west island stands a further listed stone monument (1818, probably W C Mylne) to the New River, facing the bridge to the north-west. This island is also laid to lawn with mature trees including a Wellingtonia and yew. On the north side of the Lane, included within the registered area, lies Emma's Well* and memorial stone (see Listed Building section above).

* Note Emma's Well is described as being in the registered Garden area and EHDC mapping records need changing accordingly. The boundary shown on the accompanying map is otherwise as shown on EHDC records.

6.44. **Particularly important trees and hedgerows.** Those trees that are most important are shown very diagrammatically on the accompanying plans. Many are not shown as the fieldworker experienced difficulty of access as previously explained.

6.45. **Sunken Lanes.** Madgeways Lane and part of Cautherly Lane are sunken and narrow whose qualities add to the diversity of the Conservation Area in these locations. Their alignments are the same as shown on 19th century mapping. Over the years their unmettled surfaces would have been eroded by continuous use, erosion and weather, particularly where the topography was steep. By these processes and over the years they became sunken and then frozen in time when they were properly surfaced. They are visually important and of historic interest. They are being eroded by traffic in places, ~~and their narrowness causes traffic issues for passing vehicles. Has thought ever been given to introducing measures to overcome this?~~

6.46. **Important views.** A selection as shown on accompanying plans.

6.47. Elements out of character with the Conservation Area. Church Notice board. In need of minor repair repainting. Detracts from this historic central location to a modest degree. Untidy site at The Folly Amwell Lane, detracts from early 20th century property worthy of retention. Selected elements of woodland and horse paddocks north side of Amwell Lane. These areas consist of woodland with some mature trees and horse paddocks with hedge to front. Selected areas would benefit from landscape improvement.



Picture 25. The church notice board would benefit by refurbishment or replacement.

6.48. Opportunities to secure improvements. Undertake modest improvements to church notice board. Seek owner's co-operation in improving visual appearance of The Folly and its curtilage, Amwell Lane. Repair/refurbishment of metal railings in various locations believed to be responsibility of Thames Water whose cooperation in undertaking selective repairs is sought prior to consideration relating to removing Permitted Development rights (Article 4 Direction). Prominent brick wall adjacent to footpath 16 where some repair works to structure and to wooden entrance gates would be beneficial. Consider landscape improvement plan to enhance the qualities of woodland and horse paddocks north side of Amwell Lane.

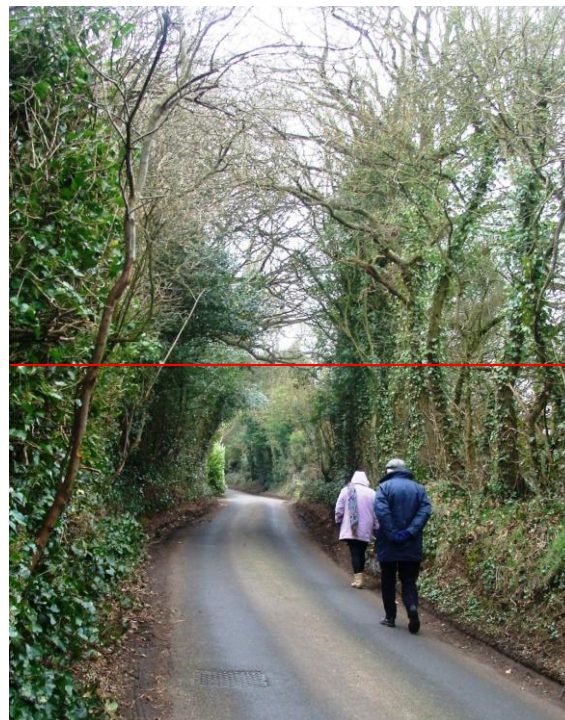


Picture 26. Wall and door adjacent to footpath 16 would benefit from repairs.

6.49. Overall summary - Great Amwell is characterised with a diverse range of visually and historically important elements. It has a significant and diverse environment together with architectural features including a wide range of important listed buildings and structures. The whole is located in a heavily treed setting with many mature specimens of quality. New River is of great visual and historic significance. A number of features have been identified in need of additional protection and these include unprotected railings at Amwell Lane and elsewhere adjacent to New River. The area is assuredly worthy of its designated Conservation Area status.

6.50. Suggested boundary changes. Revised boundaries are shown on the accompanying plan/s.

~~6.51. The Conservation Area has been extended in a southerly direction along Cautherly Lane to include the remaining element of the sunken lane and Pepper Hill House, a Listed Building (principally dating from the 19th century and said to have formerly been a Coaching House) with mature coniferous trees surrounding it.~~



~~Picture 27. The Conservation Area is proposed to be extended along Cautherly Lane in recognition of its sunken nature and the environmental and historical contribution it makes to the community.~~

6.521. Additionally a A minor adjustment is made to the north east boundary of group of converted farm buildings formerly Sheepcote Farm, Lower Road.

~~**6.52. A further very minor adjustment has been made on Cautherly Lane moving a short length of the present boundary of Pepper Hill House on**~~

the western side of the Lane to the eastern side to accommodate the objection received from Pepper Hill House.

6.53. Additional explanation. There are individual areas such as the mid 20th century housing development of Madgeways Close, whose buildings are of limited architectural or historic importance. However this housing has a unifying common architectural theme of brick and boarding construction. Similar considerations apply to St John the Baptist primary school which is an undistinguished modern building located near the avenue of lime trees forming the obvious south east boundary of the Conservation Area in this location. In both cases it would be difficult to sensibly redraw the boundaries to exclude such areas so their retention as 'neutral' buildings within the Conservation is accepted.

PART C - MANAGEMENT PROPOSALS.

7. MANAGEMENT PROPOSALS.

7.1. *Revised Conservation Area Boundaries.* The revised boundaries include the following amendments. ~~Their e~~Exact boundary alignments are shown on the accompanying plan to which the reader is referred.

~~(a) An extension in a southerly direction along Cautherly Lane to include the remaining element of the sunken lane and Pepper Hill House and curtilage.~~

~~(ba)~~ Minor adjustments to the north east rear boundary of group of converted farm buildings, formerly Sheepcote Farm, Lower Road.

(b) Minor shift on Cautherly Lane relating to short central section, moving boundary from western to eastern side.

7.2. *General Planning Control and Good Practice within the Conservation Area.* All 'saved' planning policies are contained in the East Herts. Local Plan Second Review adopted in April 2007. It is currently against this document and the National Planning Policy Framework that the District Council will process applications. In due course the 2007 Local Plan will be replaced by the District Plan whose policies will then be relevant.

7.3. Applicants considering submitting any application should carefully consider the relevant policies and if necessary contact Officers to seek pre-application advice.

Telephone 01279 655261 (For development proposals ask for Development Management. For general conservation advice ask for a Conservation Officer).

E-mail: planning@eastherts.gov.uk

Website: www.eastherts.gov.uk

Or write to Development Management, East Herts District Council,
Wallfields, Pegs Lane, Hertford SG13 8EQ

7.4. Applicants may also wish to refer to one of the several Guidance Notes previously referred to and available on line.

7.5. *Planning Control - Potential need to undertake an Archaeological Evaluation.* Within the sites designated as being a Scheduled Ancient Monument or within an Area of Archaeological Significance, the contents of policies BH1, BH2 and BH3 are particularly relevant.

7.6. *Listed Building Control and Good Practice.* Those buildings that are individually listed are identified. Other pre-1948 buildings, structures or walls within the curtilage of a Listed Building are similarly protected in law.

7.7. Listed Buildings are a significant asset in contributing to the quality of the Conservation Area. It is essential that their architectural detailing is not eroded nor their other qualities and settings compromised.

7.8. *Planning Control – Other Unlisted Buildings that make an Important Architectural or Historic Contribution.* Within the existing Conservation Areas this Appraisal has identified five unlisted buildings/ groups of buildings that are considered to have sufficient qualities to be described thus. Any proposal involving the demolition of these buildings is unlikely to be approved.

7.9. There are other distinctive features that are integral to some of the important unlisted buildings identified in the paragraph above that make an important architectural or historic contribution, including selected chimneys, windows and other architectural detailing. In one situation protection already exists through existing planning controls but in other cases protection could only be provided by removing Permitted Development Rights via an Article 4 Direction. The associated legislation is complex. Should the Council consider such a course of action appropriate there would be a process of notifying the affected owners separately at a later date. This would be associated with further detailed consideration and possible refinement.

7.10. *Planning Control – Other unlisted distinctive features that make an Important Architectural or Historic Contribution.* This Appraisal has identified a number of walls that make a particular contribution to the character of the Conservation Area. Any proposal involving their demolition is unlikely to be approved. Removal of other PD rights

involving the alteration to any non listed walls is also an option open to the Council if justified.

7.11. However there are significant lengths of important railings that are not protected as they do not exceed the specified heights relevant to Conservation Area Legislation. These are located alongside New River. Removal of Permitted Development rights relating to demolition and alteration via an Article 4 Direction is a course of action open to the Council subject to notification and further detailed consideration. However as previously noted discussion with the owner is the most appropriate first stage of consideration.

7.12 *Planning control - Wildlife Site.* Any development that adversely affects wildlife species occupying such sites will not normally be permitted and would need clear justification. Proposals will be considered against Policies ENV 14 and ENV 16.

7.13. *Planning Control - Important Historic Park and Garden.* Amwell Grove and Amwell Pool is an important grade II listed garden. Proposals that significantly harm its special character will not be permitted and will be considered against Policy BH16.

7.14. *Planning Control - Important open land, open spaces and gaps and New River.* This Appraisal has identified the following particularly important open spaces: The churchyard, the grassed area between Amwell Lane and New River and New River itself. These spaces will be protected.

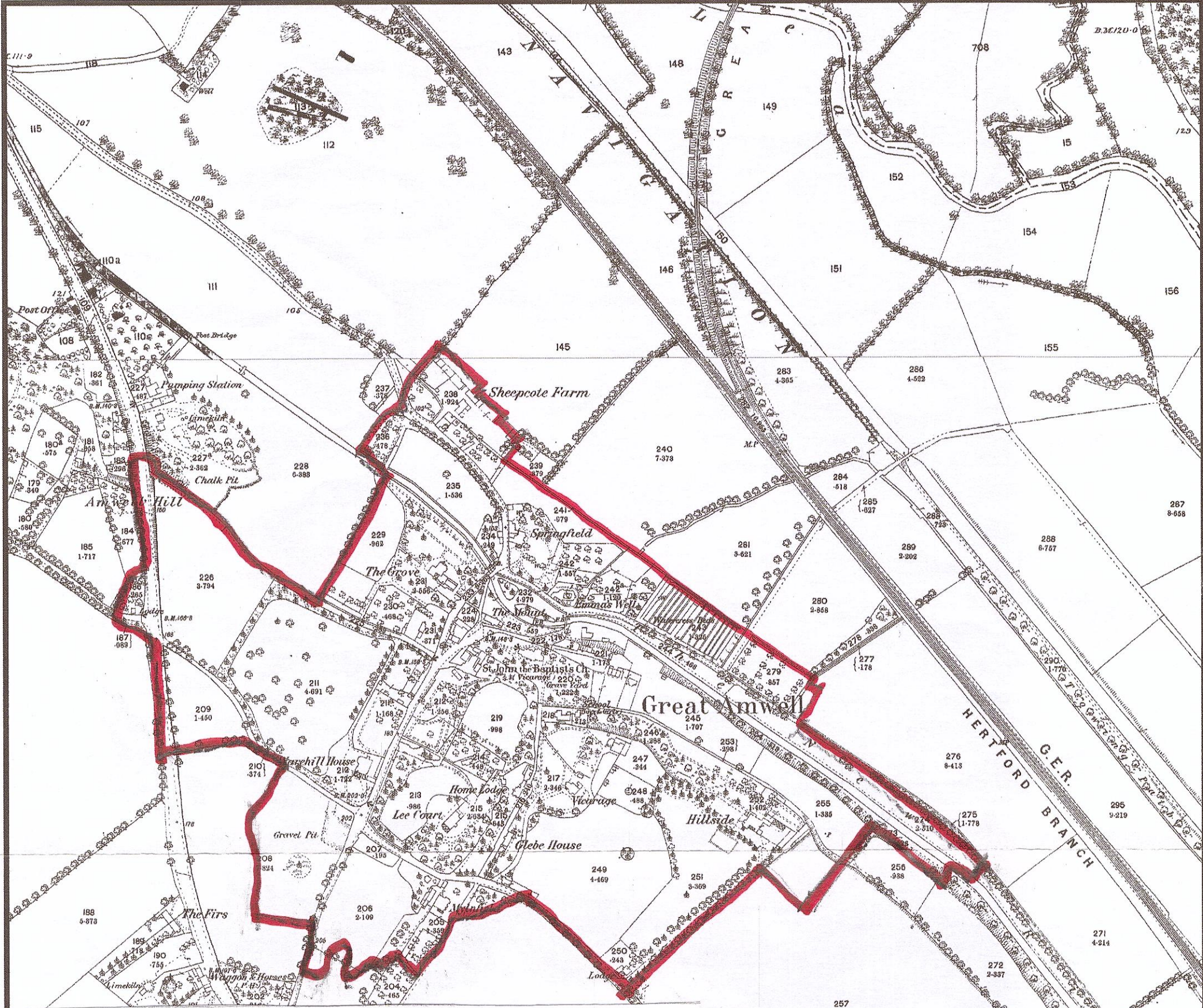
7.15. *Planning Control - Particularly important trees and hedgerows.* Only the most significant trees are shown diagrammatically. It has not been possible to plot trees on inaccessible land. Many trees are subject to Tree Preservation Orders. Subject to certain exceptions all other trees in a Conservation Area are afforded protection and a person wanting to carry out works has to notify the Council. Owners are advised to make regular inspections to check the health of trees in the interests of amenity and Health and Safety.

7.16. *Planning Control - Important views.* A selection of general views are diagrammatically shown. Policy BH6 is particularly relevant.

7.17. *Enhancement Proposals.* The Appraisal has identified a number of elements that detract which are summarised in the Table below together with a proposed course of action; other actions are also identified. Within the staff and financial resources available, Council Officers will be pro-active and provide assistance. It must be recognized that such improvements will generally be achieved only by the owner's co-operation.

Detracting element	Location	Proposed Action.
Church Notice	Entrance to	Suggest minor

board.	churchyard.	repairs/repainting.
Untidy site.	The Folly Amwell Lane.	Contact owner and discuss potential of securing improvements.
Railings in need of refurbishment/repair.	Various locations principally south side of Amwell Lane and elsewhere near New River.	In first instance discuss issue with Thames Water, believed to be the owner.
Wall and gates in need of repair.	To north of footpath 16.	Contact owner and discuss potential of securing improvements.
Other Actions.		
Amend EHDC mapping records to record that Emma's Well is within the registered historic garden area.		
Contact Historic England and advise their plotting in respect of Vicarage Lodge is incorrect.		
Consider improvement to woodland and horse paddock area north side of Amwell Lane.		
Is there any support for considering methods of easing traffic conflict on Madgeways Lane and the southern end of Gautherly Lane?		



GREAT AMWELL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN DRAFT FOR CONSULTATION 2015.

Historic plan from 1874-1894 with existing Conservation Area boundary approximately plotted. © Crown copyright and database right 2014. Ordnance Survey 100018528

Website: www.eastherts.gov.uk
 E-mail: caappraisal@eastherts.gov.uk
 Phone: 01279 655261(ask for the Conservation Officer)

East Herts District Council
 Pegs Lane, Hertford, SG13 8EQ

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CHARACTER ANALYSIS KEY

EXISTING CONSERVATION AREA BOUNDARY



PROPOSED EXTENSIONS TO THE CONSERVATION AREA



PROPOSED REDUCTIONS OF THE CONSERVATION AREA



AREAS OF ARCHAEOLOGICAL SIGNIFICANCE



INDIVIDUALLY LISTED BUILDINGS/STRUCTURES



OTHER INDIVIDUALLY LISTED FEATURES

Walls/railings

Tombstones

Statues etc



STATUE IN NEED OF REPAIR / REFURBISHMENT

UNLISTED BUILDINGS THAT MAKE AN IMPORTANT ARCHITECTURAL OR HISTORIC CONTRIBUTION



OTHER DISTINCTIVE FEATURES THAT MAKE AN IMPORTANT ARCHITECTURAL OR HISTORIC CONTRIBUTION

Walls/railings

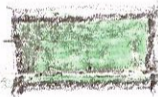
Tombstones

War Memorial

Post Box



IMPORTANT OPEN SPACES



IMPORTANT WATER FEATURES



SUNKEN LANES



GENERAL LOCATION OF IMPORTANT TREES/HEDGEROWS



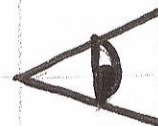
WILDLIFE SITES



IMPORTANT HISTORIC PARKS AND GARDENS



IMPORTANT VIEWS



ELEMENTS OUT OF CHARACTER WITH THE CONSERVATION AREA



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MANAGEMENT PLAN KEY

All 'saved' Local Plan Policies and Government planning policies set out in the 'National Planning Policy Framework' (NPP) currently apply as appropriate.

A new District Plan (DP) is being prepared that when adopted will contain the relevant DP planning policies.

REVISED CONSERVATION AREA BOUNDARY: Local Policies BH5-BH6 particularly apply

AREAS OF ARCHAEOLOGICAL SIGNIFICANCE: Local Policies BH1-BH3 particularly apply

INDIVIDUALLY LISTED BUILDINGS/STRUCTURES: NPP policies apply

OTHER INDIVIDUALLY LISTED FEATURES: NPP policies apply

Walls/railings

Tombstones

Statues etc

LISTED STATUE IN NEED OF REPAIR/ REFURBISHMENT

UNLISTED BUILDINGS TO BE PROTECTED FROM DEMOLITION

OTHER DISTINCTIVE FEATURES TO BE PROTECTED FROM DEMOLITION WITHIN PARAMETERS OF EXISTING LEGISLATION: (includes features within the curtilage of Listed Buildings and walls/railings above the specified heights)

Walls/railings

Tombstones

War Memorial

Post Box

SELECTED FEATURES ON UNLISTED BUILDINGS WHERE ADDITIONAL CONTROLS ARE PROPOSED SUBJECT TO FURTHER CONSIDERATION AND NOTIFICATION (by Article 4 Direction)

UNPROTECTED WALLS/RAILINGS TO BE PROTECTED FROM DEMOLITION BY THE POSSIBLE INTRODUCTION OF ADDITIONAL CONTROLS (Article 4 Direction)

IMPORTANT OPEN SPACES TO BE PROTECTED

IMPORTANT WATER FEATURES TO BE PROTECTED

SUNKEN LANES: possible consideration of traffic management ?

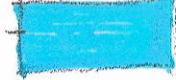
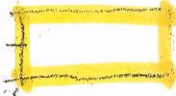
GENERAL LOCATION OF IMPORTANT TREES/HEDGEROWS TO BE PROTECTED WITHIN PARAMETERS OF LEGISLATION

WILDLIFE SITES TO BE PROTECTED: Local policies Env 14 and Env 16 particularly apply

IMPORTANT HISTORIC PARKS AND GARDENS TO BE PROTECTED: Local policy BH16 particularly applies

SELECTED IMPORTANT VIEWS TO BE PROTECTED

PROPOSED ENHANCEMENTS



W
T
S
R



T

WM

PB

A4



~~A4~~



WS



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EAST HERTS COUNCIL

EXECUTIVE – 2 FEBRUARY 2016

REPORT BY THE LEADER OF THE COUNCIL

REQUEST FOR AREA DESIGNATION FOR NEIGHBOURHOOD
PLANNING: HERTINGFORDBURY

WARD(S) AFFECTED: HERTFORD RURAL SOUTH

Purpose/Summary of Report

- To enable the consideration of an application for the designation of a Neighbourhood Area.

<u>RECOMMENDATION FOR EXECUTIVE:</u> that:	
(A)	the application for the designation of a Neighbourhood Area, submitted by Hertingfordbury Parish Council, be supported.

1.0 Background

1.1 Hertingfordbury Parish Council submitted an application for the designation of a Neighbourhood Area to the Council on 19th November 2015. Agreement to the designation of a Neighbourhood Area is required by the Council as Local Planning Authority (LPA) before a Neighbourhood Plan can be formulated. In the report, East Herts District Council is identified as 'The Council' and Hertingfordbury Parish Council is 'HPC'.

1.2 The application was made in the form of a letter from Hertingfordbury Parish Council with an attached plan setting the area to which the application relates. The letter and plan form **Essential Reference Paper 'B'** to this report.

2.0 Consultation

2.1 The Council has undertaken the appropriate consultation with regard to the application submission. The consultation ran from 26th November to 24th December 2015, which was advertised online on the EHDC neighbourhood planning pages and in the local newspaper.

2.2 Comments have been received in response to the area designation application. Formal objections to the area designation have been received from Nabarro, on behalf of Tarmac; these are summarised below.

2.3 The objections received on behalf of **Tarmac** are in regard to the **Birchall Garden Suburb (BGS)** and **Panshanger Park** sites. Suggested amendments to the area designation have been put forward to exclude Panshanger Park and Birchall Garden Suburb sites from the neighbourhood plan area designation. These have been illustrated at **Essential Reference Paper 'C'**.

2.4 A summary of the issues and reasons to exclude these sites, are:

- the impact the neighbourhood plan area designation will have upon the planning processes of EHDC and Welwyn Hatfield Borough Council in relation to the emerging BGS site in the emerging Local Plans;
- the conflict between the proposed area boundary with the strategic cross boundary planning priorities;
- the risk of conflict between the District Plan and neighbourhood plan;
- the on-going development and future restoration of Panshanger Park;
- the appropriateness of the area designation with regard to the land uses, connectivity, character of the parish; and
- the ability of the Parish Council to adequately resource the undertaking of a neighbourhood plan.

2.5 As part of the comments, a recent decision by Epping Forest District Council to exclude land adjacent to Harlow in response to a neighbourhood area request by North Weald Parish Council for reasons of prematurity and uncertainty over the direction of growth in this area, has also been included in the consultation

submission and can be viewed at ERP 'C'. Also, a decision made in the Royal Courts of Justice regarding the decision of (*the application of Daws Hill Neighbourhood Forum*) v *Wycombe DC* [2014] was submitted.

- 2.6 Further comments have been received from **Welwyn Hatfield Borough Council** (WHBC) they consider that there is a risk of added complexity by granting neighbourhood plan status to the entire parish boundary as the Birchall Garden Suburb site is being promoted jointly by EHDC & WHBC through their respective Local Plan processes. Another concern is the entitlement of Parish Councils to 25% of any Community Infrastructure Levy (CIL) monies, where a CIL is in place and a neighbourhood plan has been adopted and this may not be directed to infrastructure to support BGS.
- 2.7 Representations have been received from Gascoyne Cecil Estates in response to the proposals and comments from Tarmac regarding the BGS site. Gascoyne Cecil Estates has identified that part of the site is in their ownership. Gascoyne Cecil Estates do not support their land being excluded from the neighbourhood plan area designation and are generally supportive of the neighbourhood plan.
- 2.8 Comments have been received from **Hertfordshire County Council** regarding minerals and waste planning matters. The proposed neighbourhood plan area sits entirely within the Sand and Gravel belt as identified in the Hertfordshire Minerals Local Plan 2007. The sites, Panshanger Quarry and Water Hall Quarry Complex, are both identified in the existing Hertfordshire Minerals Local Plan, to be used to meet the county's need for land-won aggregate. Panshanger Quarry is an active extraction site with permission to extract sand and gravel until December 2030. Water Hall Quarry is currently inactive however permission has been granted until February 2017, for sand and gravel reserve extraction. The site is used as an inert landfill site, at Bunkers Hill, and has permission for this activity until December 2017.
- 2.9 In regard to waste, HCC identify that Cole Green Service Station, Water Hall Quarry Complex and HWRC Cole Green are safeguarded under Policy 5: Safeguarding of Sites in the Waste Core Strategy & Development Management Policies document. In order to ensure there is a strategic network of waste management

provision within the county, HCC will oppose any development proposals that are likely to prejudice the use of safeguarded areas for waste management.

- 2.10 HCC do not object to the area designation application, however request that minerals and waste matters be taken into account during the neighbourhood plan process, as the Minerals and Waste Local Plan forms part of the Development Plan.
- 2.11 A meeting was held between representatives of the Parish Council, representatives from Tarmac, officers from Welwyn Hatfield Borough Council and East Herts, 11th January 2016. This was held to allow the Parish Council to set out their reasons for developing a neighbourhood plan and for the Council to further understand the objections received during the consultation.
- 2.12 All received comments can be viewed at **Essential Reference Paper 'C'**. The objections and concerns will be dealt with in the following section of the report.

3.0 Considerations

- 3.1 Two main areas of consideration to be taken into account when determining an application for the designation of a Neighbourhood Area are set out in Schedule 9 of the Localism Act 2011. One of these is that the authority determining the application must have regard to the desirability of maintaining the existing boundaries of neighbourhood plan areas already designated.
- 3.2 No weight needs to be given to this consideration in this case as no other Neighbourhood Areas are currently designated in Hertingfordbury parish.
- 3.3 The other area of consideration is the desirability of designating the whole of the area of a parish council as the Neighbourhood Area.

Site Boundaries

- 3.4 The consideration centred on this issue has been raised from the consultation responses from Tarmac (on behalf of BGS land interests) and from WHBC. WHBC and Tarmac have both

suggested excluding the BGS site from the neighbourhood planning area due to the added level of complexity as the site is being promoted as a joint strategic site in both planning authorities emerging Local Plans.

- 3.5 In regard to the above issues, joint working continues between WHBC and Tarmac, the landowners and other stakeholders. BGS plays an important role in delivering EHDC and WHBC's strategic requirements/needs. Further work will be progressed as part of the District Plan and will be a strategic policy in the emerging District Plan. The Council will endeavour to work on strategic matters such as master planning, density and scale of development, Green Belt and other issues with stakeholders through the District Plan process. For these reasons, the Council does not foresee the development of a neighbourhood plan to have a negative impact upon the delivery of this site.
- 3.6 National planning policy states that '*neighbourhood plans must be in general conformity with the strategic policies of the Local Plan...Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them.*' (Para. 184, NPPF) It is anticipated that the neighbourhood plan will work in conjunction with the emerging policies of the District Plan. It is the role of the planning authority to ensure any neighbourhood plan is in conformity with the strategic policies of the Local Plan. As neighbourhood planning activity grows nation-wide, it is recognised that neighbourhood plans can be developed alongside emerging Local Plans. It is within the interests of HPC to bring the neighbourhood plan forward with the emerging District Plan.
- 3.7 As part of the consultation, the decision in the High Court (*on the application of Daws Hill Neighbourhood Forum) v Wycombe DC [2014]*) was submitted to the Council (can be seen at ERP 'C'). This decision identified, by law, that the neighbourhood planning legislation entitles Council's to exclude areas from neighbourhood area designation. This endorsed Wycombe District Council's decision to exclude strategic sites from the Daws Hill Neighbourhood Forum area. This decision identifies that the Council may amend a neighbourhood planning area to exclude strategic sites, where it is deemed suitable. The circumstances, however, are different to those presented here and are not considered material in the consideration of this neighbourhood planning area designation. The circumstances were that the

planning applications were at an advanced stage and Wycombe DC deemed the neighbourhood plan ineffective in influencing this site as the neighbourhood plan was at commencement.

- 3.8 In this instance, it is considered suitable that the parish council want to be involved in the forward planning processes of this strategic site through the means of a neighbourhood plan. Neighbourhood plans are in place to shape development on the community level; however, any work undertaken by the neighbourhood planning group is not considered to hinder on-going District Plan progress and may inform future proposals for this site. It will be the Council's role to ensure constructive partnership working between relevant stakeholders.
- 3.9 The reference to the recent decision by Epping Forest District Council (EFDC) to exclude certain areas from the area designation has been examined. North Weald Parish Council requested area designation to cover the entire parish, which is located adjacent to Harlow and is being considered as a strategic growth site. EFDC chose to exclude part of the area designation adjacent to Harlow as there are outstanding issues including the level of housing and employment growth, Green Belt designation, infrastructure as well as others which have not been decided yet. A key difference here is that EFDC were at a less advanced stage in terms of identifying strategic sites for development. As a result of the EFDC decision, the Parish Council questioned the decision of being treated differently to other neighbourhood area requests and has since considered pursuing legal challenge to the decision.
- 3.10 The decision is a relevant case to take account of; it is recognised that many strategic matters are still to be agreed. However, the BGS site has been identified in the draft District Plan and significant work has taken place to identify its deliverability and viability going forward.
- 3.11 WHBC's concern regarding the potential impact of having a neighbourhood plan to only cover the EHDC part of the joint strategic is recognised. It is acknowledged that neighbourhood planning would form part of the Development Plan, once adopted. It is the role of the Council to ensure the neighbourhood plan and its policies are consistent and in conformity with the NPPF and the Local Plan policies in place. The Council will seek to ensure

the neighbourhood plan policies do not reduce the coherence of the BGS site overall by working with the Parish Council throughout the neighbourhood plan process.

- 3.12 Consideration has been given to the proposals presented from Tarmac to the Council from the consultation; whilst there could be some merit in excluding these sites (Panshanger Park and BGS), this disregards the general ethos of Localism. Neighbourhood plans present an opportunity for positive working with an active group in the community with access to local knowledge. Consultation and community engagement is an inherent part of the planning system and engagement would be required as part of progressing with this site regardless. Neighbourhood planning has been introduced as part of the Localism Act for communities to use to be engaged in the plan-making process. Therefore, by excluding this site, the Council could be at risk of alienating the community from involvement in the process.
- 3.13 It is also important to note that the proposed neighbourhood plan area represents the parish council boundary. BGS and Panshanger Park form part of the area, however this does not form the entire scope of the neighbourhood plan. The Council is cognisant of the character of the parish, the rural nature of the villages and the issues of connectivity the A414 creates. It remains within the parish council's right to relate the neighbourhood plan to the historical parish boundary as this is a known, established area.

Neighbourhood plan process

- 3.14 The neighbourhood plan process requires consultation as part of developing the plan. The process enables the Council (and other stakeholders) to review at various stages and to comment prior to adoption. Independent Examination is also required. Therefore sufficient safeguards are considered to be in place to ensure there is conformity and all views are taken into consideration.
- 3.15 It is also appropriate to note that the LPA, or any other party, cannot preclude the content and direction the neighbourhood plan will take. It cannot be assumed therefore that the intention of the neighbourhood plan will be to conflict with the emerging District Plan.

- 3.16 It is the Parish Council's responsibility to adequately resource the neighbourhood plan as it progresses reflecting the scale and scope suitable to the scale of a neighbourhood plan. The Council will provide support in terms of advice and guidance throughout the plan-making progress. Therefore little weight can be given to this consideration.

Panshanger Park

- 3.17 The Council is aware of the complexity of the Panshanger Park site and the agreements in place. HCC Minerals and Waste have identified the main issues in relation to waste and minerals sites and have not objected to the neighbourhood plan area designation. It is recognised that neighbourhood plan policies cannot cover matters related to waste and minerals sites. HCC will continue to be consulted upon as the neighbourhood plan progresses.
- 3.18 Tarmac refer to the future proposals for the Park. HPC has already been involved with the consideration of the future of the Park and therefore any concern that a NP may now delay or jeopardise this is not considered to be a risk which any significant weight can be attached.

Other matters

- 3.19 A further matter was raised by WHBC with regard to the monies communities are entitled to if the Community Infrastructure Levy (CIL) is introduced. WHBC highlight the risk that monies need to deliver vital infrastructure as part of the BGS site may be diverted elsewhere. At this stage, the Council has not made a decision on whether to adopt a CIL, therefore it is too early to identify whether this will affect development.
- 3.20 At the current stage of the emerging District Plan it is considered suitable to bring the neighbourhood plan area designation forward for approval.

4.0 Conclusion

- 4.1 Having considered the issues raised during the consultation, whilst there are outstanding strategic issues still to be resolved through the emerging District Plan, this should not necessarily

prevent neighbourhood plans progressing. As identified in national policy and practice guidance, neighbourhood plans can be developed alongside emerging Local Plans and should reflect the strategic principles.

4.2 Moreover, neighbourhood planning is an integral part of the planning system with legislative backing through the Localism Act. The LPA is charged with determining applications for the designation of Neighbourhood Areas. In this case, designation of a parish for neighbourhood planning purposes.

5.0 Implications/Consultations

5.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

Contact Member: Linda Haysey – Leader of the Council
linda.haysey@eastherts.gov.uk

Contact Officer: Kevin Steptoe – Head of Planning and Building Control
01992 531407
kevin.steptoe@eastherts.gov.uk

Report Author: Isabelle Haddow – Senior Planning Officer, Planning Policy
isabelle.haddow@eastherts.gov.uk

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

<p>Contribution to the Council's Corporate Priorities/ Objectives:</p>	<p>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</p> <p>This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p>Place – Safe and Clean</p> <p>This priority focuses on sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity – Improving the economic and social opportunities available to our communities</p> <p>This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
<p>Consultation:</p>	<p>The application for the designation of a Neighbourhood Area was the subject of consultation.</p>
<p>Legal:</p>	<p>The formulation of a Neighbourhood Plan is established in the Localism Act 2011.</p>
<p>Financial:</p>	<p>The formulation of a Neighbourhood Plan, if it progresses to the stages of referenda and adoption will lead to costs for the Council.</p>
<p>Human Resource:</p>	<p>There will be a requirement for Planning Officers to provide advice and guidance in relation to the formulation of any Neighbourhood Plan.</p>
<p>Risk Management:</p>	<p>The issues which are favourable or otherwise to the formulation of a Neighbourhood Plan are considered in the report.</p>
<p>Health and wellbeing – issues and impacts:</p>	<p>The link between planning and health has long been established. The built and natural environments are major determinants of health and wellbeing.</p>

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HERTINGFORDBURY PARISH COUNCIL

NEIGHBOURHOOD PLAN AREA APPLICATION - NOVEMBER 2015

LOCALISM ACT 2011 (SCHEDULE 9) AND TOWN AND COUNTRY PLANNING ACT 1990 (SECTIONS 61F & 61G)

NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

Hertingfordbury Parish Council, as a “relevant body”, hereby formally submits an application to East Hertfordshire District Council as the local planning authority, for the designation of a Neighbourhood Area pursuant to the preparation of a Neighbourhood Development Plan (NDP).

BACKGROUND

Hertingfordbury Parish Council at its full Council meeting has resolved to instigate proceedings to establish a Neighbourhood Planning Group to lead on the formulation of a NDP for the Parish of Hertingfordbury. An application is hereby submitted under Regulation 5 of the Neighbourhood Planning (General) Regulations 2012.

The designation of the Neighbourhood Area is seen as the first formal step in the process of producing the NDP.

Regulation 5 requires the submission of the following documents as part of the application:

(A) A map which identifies the area to which the application relates, (B) A statement explaining why the area is appropriate to be designated as a Neighbourhood Area & (C) A statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990 (as amended).

(A) NEIGHBOURHOOD AREA MAP

A map is attached showing the area to which this application relates.

(B) NEIGHBOURHOOD AREA STATEMENT

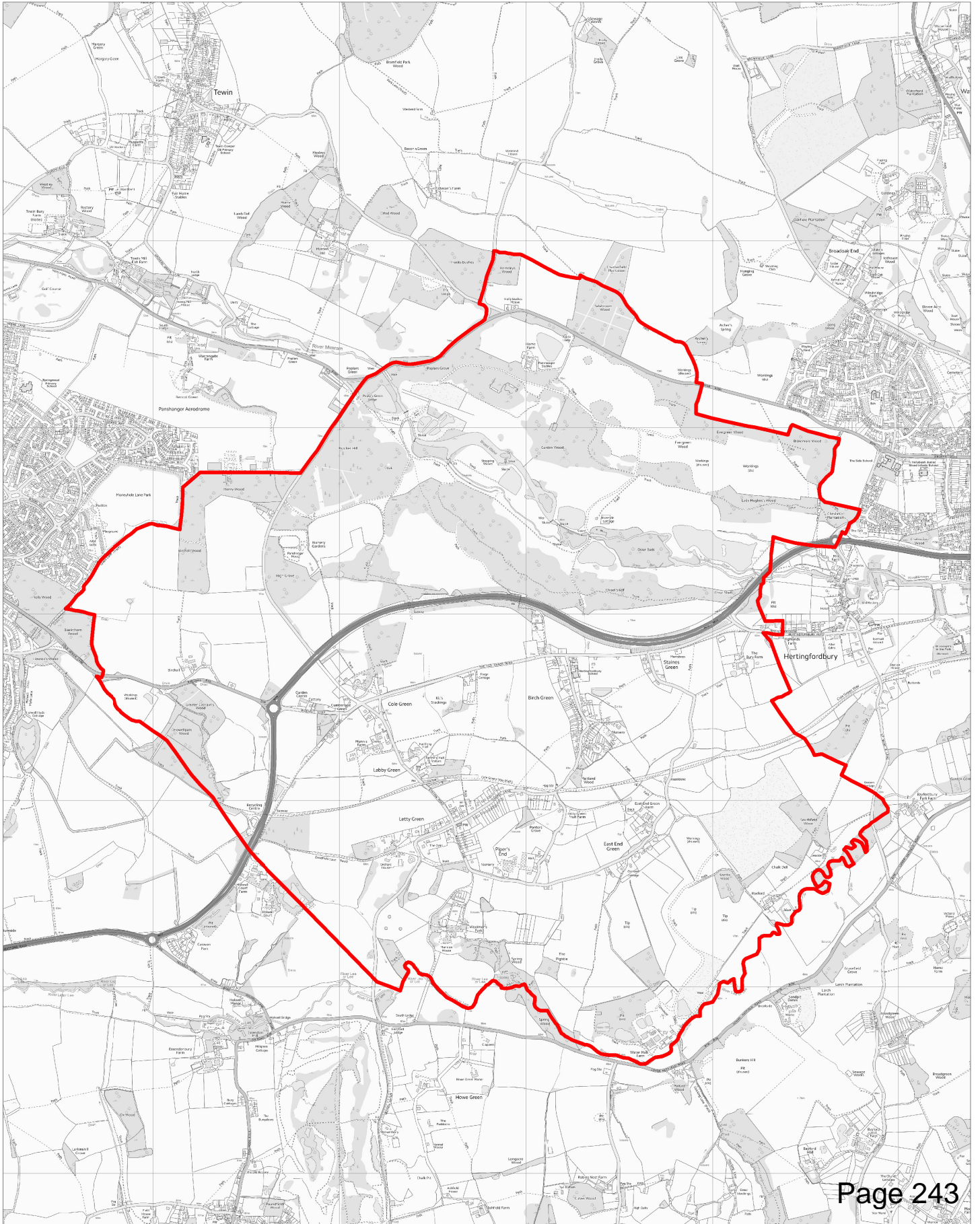
The proposed area covers the administrative boundaries of Hertingfordbury Parish Council, and includes the villages of Birch Green, Letty Green, Cole Green, Staines Green, East End Green and all of the surrounding areas within the Parish boundary. Schedule 9 of the Localism Act 2011, and Section 61G of the Town and Country Planning Act 1990, state that neighbourhood areas may not overlap. There are no known overlaps with other relevant bodies promoting other neighbourhood areas. In determining the application for designation, the local planning authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood and the desirability of maintaining the boundaries of already designated neighbourhood areas.

(C) RELEVANT BODY

This application for designation is submitted by Hertingfordbury Parish Council, which is considered to be a relevant body under the terms of Section 61G (2a) of the Town and Country Planning Act 1990.

For the reasons outlined above, the proposed neighbourhood area, as shown on the attached map, is considered to be appropriate and justified. Under Section 61G of the Town and Country Planning Act 1990, Hertingfordbury Parish Council is considered to be a “relevant body” for the purposes of this application. The Parish Council therefore respectfully request East Hertfordshire District Council to process this application in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012.

Hertingfordbury Parish Boundary



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**Chief Executive and Director of
Environment: John Wood**



East Herts District Council
Wallfields
Pegs Lane
Hertford
Herts
SG13 8EQ

**Spatial Planning & Economy Unit
Minerals and Waste Team**
CHN216
County Hall
Hertford, Herts SG13 8DN

spatialplanning@hertfordshire.gov.uk

Telephone : 01992 556404
Minicom : 01992 556611
Contact : David Hodbod
My ref : SPEU/DH/NP

Emailed to planningpolicy@eastherts.gov.uk

Date : 21 December 2015

Dear Isabelle Haddow,

Re: Hertingfordbury Neighbourhood Plan Area Consultation

I am writing in response to the consultation regarding Hertingfordbury Parish Council's application for the designation of a Neighbourhood Plan Area to provide comments in relation to minerals and waste planning matters.

In terms of minerals matters, the proposed Neighbourhood Plan Area sits entirely within the Sand and Gravel belt, as identified in the Hertfordshire Minerals Local Plan (adopted March 2007). As such, the county council, as Minerals Planning Authority, would raise concerns for any unnecessary sterilisation of minerals from non-mineral development.

Due to the location within the sand and gravel belt, the area has a rich history of minerals extraction as well as extant planning permissions allowing extraction to continue. Panshanger Quarry and Water Hall are both identified by Policy 3 of the existing Hertfordshire Minerals Local Plan as sites which should be used to meet the county's need for land-won aggregate.

Panshanger Quarry remains an active extraction site and has permission to extract sand and gravel until 31st December 2030. Subject to the completion of a Section 106 agreement and the application being called-in by the Secretary of State, permission has recently been granted by the Hertfordshire County Council Development Control Committee for the importation of inert waste material to enhance the restoration of the site.

The Water Hall Quarry Complex is currently inactive in terms of extraction as sand and gravel reserves only exist beneath the plant site. It is unknown whether this material will be dug but the site has permission for extraction until 21 February

2017. The site is currently used as an inert landfill site, at Bunkers Hill, and has permission for this activity until 31 December 2017.

Landfilling has occurred historically at a number of other locations in the proposed designation area, at Cole Green, Redland Gravel Ltd, Holwell Hyde and the land at Holwell Court Farm.

The proposed Neighbourhood Plan Area contains one Allocated Waste Site, Land of Birchall Lane (AS008), as shown in Section 4.6 of the Waste Site Allocations document (adopted June 2014). The county council considers the Allocated Waste Sites to be the most suitable locations to manage the county's existing and future waste arising throughout the duration of the existing Waste Local Plan period.

The area also contains three waste operations safeguarded under Policy 5: Safeguarding of Sites in the Waste Core Strategy & Development Management Policies document (adopted November 2012). These are Cole Green Service Station (SA009), Water Hall Quarry Complex (SA018) and HWRC Cole Green (SA082). In order to contribute to a continuing strategic network of waste management provision within the county, the county council will oppose development proposals which are likely to prevent or prejudice the use of the safeguarded areas for waste management unless alternative or enhanced provision is made for a facility dealing with the equivalent waste capacity or where it can be demonstrated that the need for those facilities can no longer be justified.

Further details of applications and historic landfill data can be provided during the Neighbourhood Plan preparation.

When areas for development are identified during the preparation of the Neighbourhood Plan the county council should be consulted so that further detailed comments can be provided in relation to minerals.

Although Neighbourhood Plans cannot include policies that cover minerals or waste development, it should be noted that when the Parish Council develops its vision and objectives for shaping development and growth, minerals and waste matters will need to be taken into account as Minerals and Waste Local Plans form part of the Development Plan. As outlined above, this particular proposed Neighbourhood Plan Area contains a history of operations relating to the county council responsibilities and therefore the county council would like to be consulted at future stages in the production of the Neighbourhood Plan.

Yours sincerely

David Hodbod

Planning Officer - Minerals and Waste Policy



Isabelle Haddow
East Herts District Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ
planningpolicy@eastherts.gov.uk

Dear Isabelle

Hertingfordbury Neighbourhood Plan

Thank you for consulting Welwyn Hatfield on the Hertingfordbury Neighbourhood Plan Area.

We note that the Parish Council have applied for the whole of their parish to be designated as the Neighbourhood Area. In normal circumstances we would have no concerns about a Neighbourhood Plan covering the whole parish area, but in this case we believe there are exceptional circumstances which should be taken into account. These relate to the land north of the A414 and west of Panshanger Lane that is being promoted as part of Birchall Garden Suburb, part of which would lie within the proposed neighbourhood plan area.

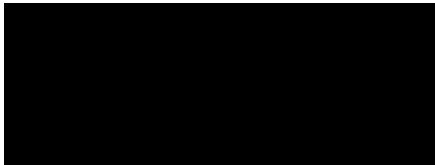
As you are aware, both your and our council are considering the merits of allocating this site in our respective local plans. This will be a complex process, not only because the site straddles our respective boundaries, but as it will also require the involvement of Herts County Council as the waste and minerals planning authority. Our concern is that the designation of a Neighbourhood Plan Area will add even more complexity to this process, with confusion over which development management policies would apply to which part of the site, even though the allocation itself would be a strategic matter.

It is also relevant that the Parish Council would be entitled to 25% of any CIL monies that might ultimately be levied on the development. Given the precarious viability of major sites to provide on-site facilities such as affordable housing and schools and to contribute towards off-site infrastructure improvements such as roads and utilities, there is a severe risk that development could be prejudiced. It is our understanding that the Parish Council would be under no obligation to spend such monies on infrastructure associated with the scheme from which it is derived.

There are precedents for excluding development sites of this nature, where the High Court and Court of Appeal have ruled that it would be lawful for a Council to take such an approach.

East Herts District Council is therefore asked to give careful consideration to the merits of excluding Birchall Garden Suburb site from the Hertingfordbury Neighbourhood Plan area.

Yours sincerely



Colin Haigh
Head of Planning



N A B A R R O



East Hertfordshire District Council
Council Offices
Wallfields
Pegs Lane
Hertford
SG13 8EQ

16 December 2015

Our ref: GB/CTB/L1990/00055/BGS
Your ref:

Dear Sirs

OBJECTION by Tarmac to application by Hertingfordbury Parish Council to designate a Neighbourhood Area on grounds of conflict with the emerging Local Plans and with their proposal for Birchall Garden Suburb.

We represent Tarmac which has a significant interest in the land which is included in the proposed Neighbourhood Area and as such is an interested party for the purposes of the relevant legislation.

As a preliminary issue we note that the Hertingfordbury Parish Council is the applicant for the area designation. In the absence of any information as to the basis for the identification of the Neighbourhood Area or the principles upon which a Neighbourhood Plan is being promoted Tarmac reserves the right to make further representations as to the vires of the Parish Council's application.

Notwithstanding the large extent of Tarmac's interests, Hertingfordbury Parish Council has made no attempt to discuss the proposed Neighbourhood Area with Tarmac. The Neighbourhood Area as currently put forward is likely to frustrate and undermine the proper forward planning processes of both East Hertfordshire District Council and Welwyn Hatfield Borough Council.

In common with other recent proposals for Neighbourhood Area designation elsewhere, we consider that the proposed boundaries of this particular Neighbourhood Area are misconceived, and in conflict with strategic cross boundary planning priorities.

We would note, in particular, the decision in the High Court in *R. (on the application of Daws Hill Neighbourhood Forum) v Wycombe DC* [2014] EWCA Civ 228 (copy attached) when it was established that where a Parish Council is the relevant body making the application for designation of the area, the local planning authority must have regard to the desirability of designating the whole of the Parish Council's area as a Neighbourhood Area and made clear that:

"it is not required to designate the whole, and may exclude part, of the Parish Council's area, thus ensuring that it will not be included in any neighbourhood area".

T +44 (0)114 279 4000 F +44 (0)114 278 6123
1 South Quay Victoria Quays Sheffield S2 5SY www.nabarro.com DX 712550 Sheffield 20

Nabarro LLP Solicitors
Registered office: 125 London Wall, London, United Kingdom EC2Y 5AL

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L1990/00055/83151263 v.3



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Date: 16 December 2015
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In the same case, Lord Justice Sullivan said that in addressing the question of appropriateness of the inclusion of land in a Neighbourhood Area in accordance with the requirements of Section 61G of the Town and Country Planning Act 1990:

“any decision by the local planning authority as to appropriateness must take into account the factual and policy matrix that exists in each individual case at the time that the decision is made”.

In this case the proposed Neighbourhood Area encompasses the whole of the administrative area of Hertingfordbury Parish Council (except apparently the village of Hertingfordbury itself) including that part of the proposed Birchall Garden Suburb within East Hertfordshire District. We would note in particular that:

- The Birchall Garden Suburb site is the focus of considerable forward strategic planning and design by both Welwyn Hatfield Borough Council and East Hertfordshire District Council, including Green Belt review and strategic development allocations. These matters are not within the remit of a Neighbourhood Plan to address. They are larger than local in respect of the extent of their impacts and consequent communities of interest.
- The area is being actively promoted by both local authorities as the next chapter of development of Welwyn Garden City.
- This is acknowledged by both authorities in their respective emerging local plans. Both authorities are well advanced in their plan making. It is understood that both authorities are seeking to progress quickly with their local plans which are programmed to be adopted in 2017.
- Given that the process for adopting a neighbourhood development plan could take as long as 21 months, it is likely that the local plans for both authorities will have been adopted prior to any Hertingfordbury Neighbourhood Plan.
- In the event of conflict between the proposed neighbourhood plan and the local plans, which we strongly suspect would arise, this would lead to considerable time and resources being wasted by all parties.

These are all material considerations which the local authority should take into account when considering whether the Birchall Garden Suburb site should be included in the Neighbourhood Area to be designated.

We would also note significant parallels with the decision of Epping Forest District Council to designate a smaller area than sought by North Weald Bassett Parish Council – a copy of the District Council's report and minutes on the application are enclosed. Importantly, that District Council excluded a potential strategic site within the Green Belt (Latton Priory) being considered for allocation in an emerging Local Plan which was at an earlier stage of preparation than both the Welwyn Hatfield and the East Hertfordshire Local Plans. A further significant parallel is that the area excluded by that District Council was also demarcated by a major road (in that case, the M11) and not populous.

In our submission, insofar as a Neighbourhood Area is designated at all, that part of the proposed Neighbourhood Area encompassed by the part of the Birchall Garden Suburb site within East Hertfordshire should be excluded, specifically the north western part of the proposed Neighbourhood



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Area that is bounded by the A414 and Panshanger Lane as illustrated on the attached plan (pink shading).

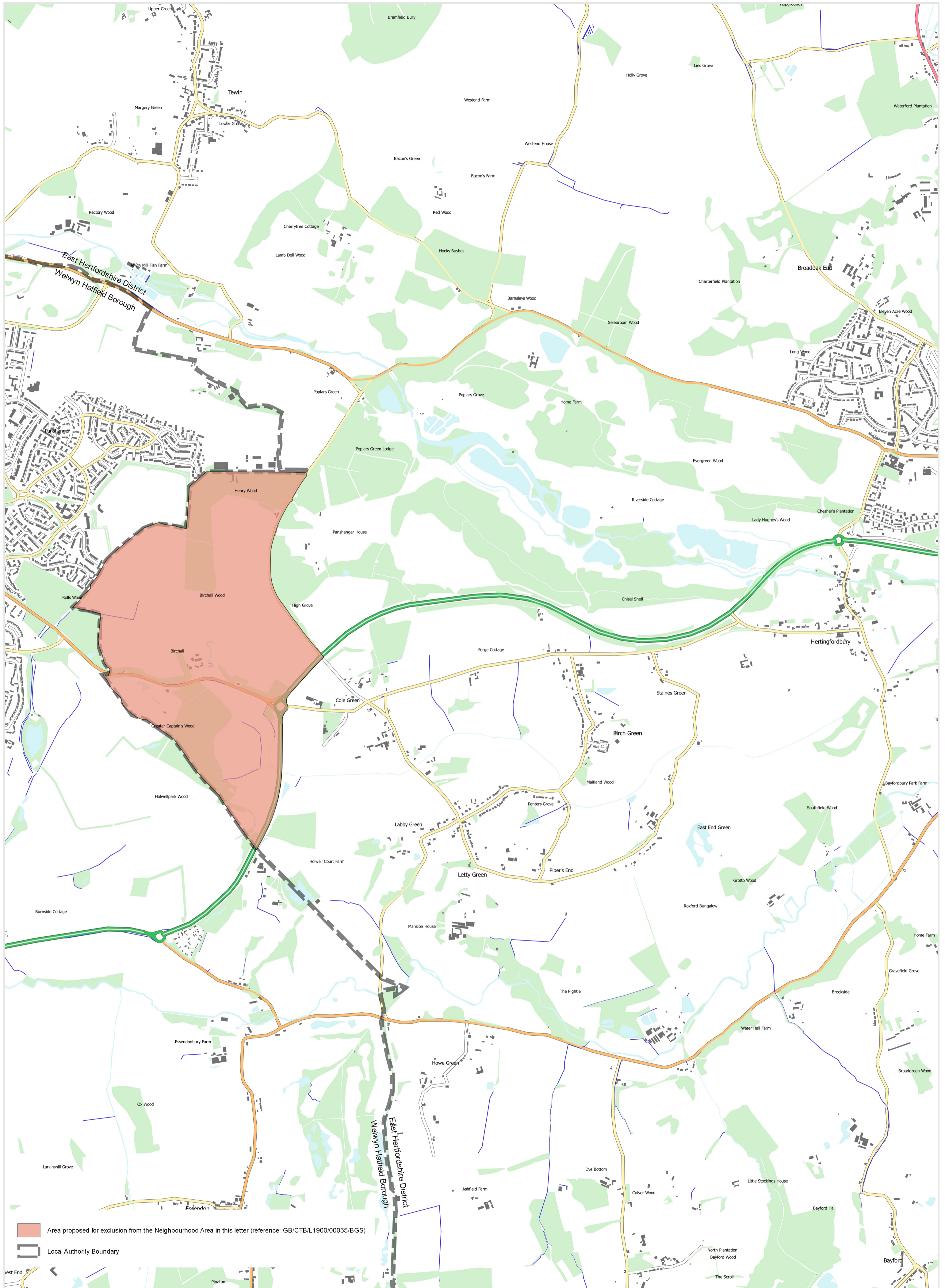
Separate representations are being made in connection with Tarmac's interest in Panshanger Park.

Please acknowledge safe receipt of this letter.

Yours faithfully

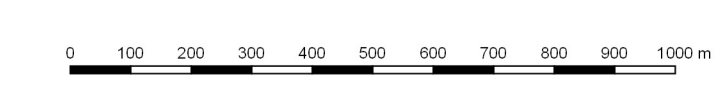


NABARRO LLP



Area proposed for exclusion from the Neighbourhood Area in this letter (reference: GB/CTB/L1900/00055/BGS)

Local Authority Boundary



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**Hertingfordbury Neighbourhood Area:
Area Proposed for Exclusion**

Drawn: MRP	Designed: JWT	Approved: JWT	Date: 16/12/2015 Scale: 1:12,500 @ A2	Draw: LAF/19-126 Rev:
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Report to the Cabinet

Report Reference: C-075-2014/15

Date of meeting: 9 March 2015



**Epping Forest
District Council**

Portfolio: Planning Policy

Subject: North Weald Bassett Neighbourhood Area Designation

**Responsible Officer: Ken Bean (01992 564610)
Amanda Thorn (01992 564543)**

Democratic Services: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

- (1) To agree the criteria for the assessment of applications for the designation of neighbourhood areas, including where it is proposed to designate an area with boundaries other than the area sought, for the purposes of preparing a Neighbourhood Plan as set out in Appendix 1;**
- (2) To agree that the application from North Weald Bassett parish for the designation of the whole parish for the purposes of preparing a Neighbourhood Plan should exclude an area to the west of the M11 for reasons as follows:**
 - (a) A number of strategic cross boundary matters have been identified for this part of the parish which include, but are not limited to, Green Belt review, cross district boundary agreement of housing and job growth figures, and planning and delivery of key strategic infrastructure including transport measures;**
 - (b) The matters identified in a) (above) are not within the remit of a Neighbourhood Development Plan to address;**
 - (c) A comprehensive assessment of all of the possible sites around Harlow (in Epping Forest, Harlow and East Hertfordshire District Council areas) must be carried out to ensure that the most suitable site(s) (if any at all) are allocated for development and ensure that any development takes account of the wider impact and larger “communities of interest beyond the parish”;**
 - (d) The area proposed for exclusion is defined by existing physical and administrative boundaries, and does not cover an area of high existing population.**
- (3) To agree an amendment to the delegated authority to the Director of Neighbourhoods, in consultation with the Portfolio Holder, to designate areas where there have been no representations, to include the consideration of strategic and cross boundary matters prior to designation of an area for the purposes of preparing a Neighbourhood Plan.**

Executive Summary:

An application for the designation of a Neighbourhood Area for the purposes of the preparation of a Neighbourhood Development Plan was received from North Weald Bassett Parish Council on 8 September 2014. This application, and the representation received in response to the advertisement of it, has prompted the Council to recommend the addition of a more detailed set of criteria to be applied to all subsequent applications, to assess each application for known and possible cross boundary matters of strategic importance which should be addressed via the Duty to Cooperate.

The location of North Weald Bassett Parish, immediately adjacent to Harlow's administrative boundary, and the possibility of strategic cross boundary growth via the Local Plans of Epping Forest, Harlow and East Hertfordshire District Councils, has caused the Council to question the desirability of designating the whole of the parish, for Neighbourhood Development Plan purposes, at this early stage in the preparation of the District Local Plan.

In considering the alternatives available, advice from Counsel has been received which confirms that the District Council has a broad discretion in determining whether it is desirable to designate the area which has been applied for. As a result, it is now determined that the north western part of the Parish, bounded by the M11 to the east, the administrative boundary with Harlow to the north, the Parish boundary to the west, and the London Road (B1393) and Rye Hill Road to the south, should be excluded from the Neighbourhood Area designation. (See attached map).

Reasons for Proposed Decision:

It is necessary to establish more detailed criteria to ensure consistent consideration of applications for neighbourhood areas, to ensure that strategic and cross boundary matters that should rightfully be addressed by the District Council under the Duty to Cooperate are identified and assessed prior to designation. To this end, the delegated authority previously provided to the Director of Neighbourhoods should now be amended to ensure this further assessment is carried out in all instances.

In summary, the reasons for proposing that a smaller area of North Weald Bassett parish is designated as a neighbourhood area are that given the location of the parish on the district boundary with Harlow, there are a number of strategic and cross boundary issues that must rightfully be considered under the Council's Duty to Cooperate. It is not within the remit of the neighbourhood planning function to address and deliver matters including, but not limited to, Green Belt review, cross boundary agreement of housing and job growth figures, and planning and delivery of key strategic infrastructure.

Other Options for Action:

- (i) To not establish clear criteria on the designation of neighbourhood plan areas.
- (ii) To designate the whole of North Weald Bassett parish area as a neighbourhood area.
- (iii) To designate the whole of North Weald Bassett parish area as a neighbourhood area, alongside a memorandum of understanding (or similar) setting out the matters which can be addressed and desired sequencing of plan preparation.
- (iv) To designate alternative areas of the parish, as per part g. of Appendix 2.

Counsel's advice has been sought on the desirability and legality of the alternatives that were identified. As a result of that advice, Officers do not consider that option (iii) above would be

lawfully available to the Council.

Report:

1. Neighbourhood Planning was introduced as part of the Localism Act 2011. It enables town/parish councils and Neighbourhood Forums to actively participate in plan making by creating Neighbourhood Development Plans (NDP). A NDP, once it has been approved in the community via referendum and subsequently 'made' by the Local Planning Authority (LPA), forms part of the statutory development plan and is therefore used in the determination of planning applications. NDPs can include housing and employment land allocations, policies and design statements; they can be as simple or as complicated as the town/parish council choose. Crucially, the NDP must be in general conformity with national planning policy as well as the strategic policies of the District Council's Local Plan.

2. To date seven applications for the designation of neighbourhood areas have been received from parish councils, and five of these have been approved. All five have included the whole parish. The application recently received from Loughton is currently out for consultation and the final application is the subject of this report. Each of the areas that have been designated to date are for complete parish areas. In these areas, no matters of a strategic nature have been identified and, in accordance with the regulations, it was considered desirable and appropriate for the whole of the parish areas to be designated for the purposes of preparing a neighbourhood plan.

3. In a parished area a LPA is required to have regard to the desirability of designating the whole of the area of a parish or town council as a neighbourhood area (s61G(4) of TCPA 1990 refers). The LPA should take into account the parish or town council's statement explaining why the area applied for is considered appropriate to be designated as such. Whilst the LPA should aim to designate the area applied for, it can refuse to do so if it considers the area is not appropriate. Where it does so, the LPA must give reasons. Therefore, Local Authorities have some flexibility in determining whether it is desirable to designate the whole parish and subsequent case law supports this approach. The Court of Appeal determined that in the case of *Daws Hill (R (Daws Hill Neighbourhood Forum) v Wycombe District Council, (2013))* that the Council has not acted unlawfully in designating a smaller area than that which had been applied for. The key matter in that case was that the area contained two strategic development sites, (as allocated in the Core Strategy), and the District Council did not consider it was desirable for these areas to be included as part of the Neighbourhood Plan area.

4. The Government's Planning Practice Guidance states that a neighbourhood area can include land allocated in a Local Plan as a strategic site. The guidance advises that "where a proposed neighbourhood area includes such a site, those wishing to produce a neighbourhood plan or Order should discuss with the local planning authority the particular planning context and circumstances that may inform the local planning authority's decision on the area it will designate." However, Local Plan preparation for Epping Forest District is at a stage where it is not yet known to what extent there will be any strategic land allocations, and in what location if there are any. For the Harlow area, it is more likely (although not certain) that some strategic allocations will be made.

5. An application for designation of a Neighbourhood Area was made by North Weald Bassett Parish Council on 8 September 2014. It was recognised that this application, and any such subsequent application which includes land immediately adjacent to the administrative boundary of Harlow, is likely to raise issues of cross boundary/strategic concern. Therefore, Counsel's advice has been sought on the desirability and legality of a range of alternatives regarding the designation of an area for the purposes of preparing a Neighbourhood Plan. These are:

- (i) to designate the area as applied for (i.e. the whole parish);
- (ii) to designate the area as applied for, and draft a Memorandum of Understanding (or similar) between the Parish Council and District Council, setting out the strategic matters and areas that would be without the remit of the Neighbourhood Plan, and suggested sequencing to take forward the NDP; or
- (iii) to designate a smaller area of the parish.

6. It is clear that the 1990 Act (s61G(5)) confers on the Council a broad discretion as to whether it is appropriate to designate the entire parish, or any part thereof, as a neighbourhood area. In respect of the first and third alternatives, it is for the Council to determine whether it is desirable to take such action, and that a clear process would likely make such decisions lawful. Officers considered in detail the second option as a potential solution to consideration of complex and strategic issues in the broader Harlow area, and were particularly keen to pursue this alternative should it be confirmed as a lawful option. However, following advice received, it was determined this action would not be lawful as the Regulations make no allowance for conditional designation of neighbourhood plan areas.

7. In now considering the application for designation before the District Council by North Weald Bassett Parish Council, and any others that may be made by parishes that include cross boundary or strategic matters, it is important to set out a clear structure for how such applications will be considered. Further, as the Local Plan process evolves and strategic site allocations are identified throughout the district, it will be necessary to consider all subsequent applications for neighbourhood areas against the same criteria.

Criteria

8. National Planning Practice Guidance (NPPG) identifies the types of considerations that should be taken into account in determining whether a proposed neighbourhood area is desirable.

The following could be considerations when deciding the boundaries of a neighbourhood area:

- *village or settlement boundaries, which could reflect areas of planned expansion*
- *the catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities*
- *the area where formal or informal networks of community based groups operate*
- *the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style*
- *whether the area forms all or part of a coherent estate either for businesses or residents*
- *whether the area is wholly or predominantly a business area*
- *whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway*
- *the natural setting or features in an area*
- *size of the population (living and working) in the area*

Electoral ward boundaries can be a useful starting point for discussions on the appropriate size of a neighbourhood area; these have an average population of about 5,500 residents.

(NPPG ID 41-033-20140306)

9. The above guidance provides a framework for decision making and local criteria are presented at Appendix 1 for agreement by Cabinet.

Application by North Weald Bassett Parish Council

10. An application was received by Epping Forest District Council (EFDC) on 8 September 2014, and subsequently advertised with the period afforded for inviting representations on the application between 22 September and 31 October 2014. A single representation was received from Boyer Planning, on behalf of the promoters of land at Latton Priory, to the north west of North Weald Bassett parish and on the boundary with Harlow District Council. This representation did not raise an objection per se, but set out that there may be some logic to using the M11 as a dividing line in the parish, and only designating the eastern portion of the parish. In the event that the District Council were inclined to designate the whole of the parish, Boyer Planning have established that they would be willing to contribute information as it relates to Latton Priory to aid the preparation of a NDP.

11. Further to the period for representations ending, and as a result of the representation received from Boyer Planning, a view was sought from officers of Harlow District Council. That view stated *"In order to secure the proper strategic planning of the area I consider that it would be premature to include sites on the edge of Harlow, but in Epping, within the area of the NWB Neighbourhood Plan. This should only be considered once agreement has been reached between the respective LPA's on the housing numbers across the area. Even then growth around Harlow should be considered in the context of perhaps a joint Area Action Plan."*

12. The criteria established above and at Appendix 1, sets out the way in which the District Council will consider any applications for neighbourhood area designation. This identifies a clear framework against which the District Council will consider whether strategic/cross boundary matters that should rightfully be considered by the district Local Plan are, or are likely to be, present, and whether these should lead the Council to exclude part of a parish from a designation.

13. In this case it is clear there are a number strategic and cross boundary issues that must be analysed, discussed and agreed at a district level. It is not within the remit of the neighbourhood planning process to deal with matters including the overall establishment of housing and job growth figures, strategic transport matters and green belt boundary review. Further, the Duty to Cooperate requires that EFDC continues to work closely with neighbouring authorities and other key regulatory and infrastructure provision organisations, and at this level such matters are beyond the remit of the neighbourhood planning function. It is considered the possible presence of additional strategic allocations in North Weald Bassett village itself would be guided by the existing Masterplan, which provides substantial information upon which the parish council can prepare their NDP. This is a different policy position from that which exists in the area immediately adjoining Harlow.

14. As such, and in accordance with the 1990 Act (s61G(4)) it is not considered desirable to designate the whole of North Weald Bassett parish area as a neighbourhood area.

15. In considering the most appropriate area to be designated, regard has been had to National Planning Policy Guidance and legal advice. There are no clear parameters for how an amended designation should be formulated, but it would appear reasonable to ensure that any such revised designation is created on the basis of known factors. To this end, and for reasons set out in detail in Appendix 2, it is suggested that the area at the north western

extent of North Weald Bassett parish, bounded by the M11 motorway in the east, the district administrative boundary in the north, the parish boundary in the west and London Road (B1393) and Rye Hill Road to the south, is excluded from the neighbourhood area.

16. Should the District Council as part of its Local Plan make any allocations in the area excluded from the neighbourhood plan area, the Council would involve the Parish in the process and any subsequent masterplanning or Action Area Plan.

Resource Implications:

Neighbourhood Planning is supported by the Planning Policy team from within existing resources. Government funding is available at particular stages, and this is sought at the appropriate times.

Legal and Governance Implications:

The Localism Act 2011 introduced neighbourhood planning and brought about changes to the Town and Country Planning Act 1990 (as amended). Detailed guidance is provided by Neighbourhood Planning (General) Regulations 2012, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

Safer, Cleaner and Greener Implications:

The SCG Scrutiny Panel is required to keep under review the application of Strategic Environmental Assessment (SEA) as it applies to the preparation of the new Local Plan. The SEA is one of the key mechanisms by which alternative sites and policy options will be tested to determine which is the most appropriate to deliver the vision and objectives of the Local Plan.

Consultation Undertaken:

Representations were invited on the application for designation between 22 September and 31 October 2014. One representation was received, as set out in the body of this Report.

Background Papers:

North Weald Bassett Parish Council application for designation of Neighbourhood Area – 08/09/2014
Representation received from Boyer Planning – 31/10/2014
Further letter received from North Weald Bassett Parish Council – 07/01/2015

Risk Management:

There are a number of potential risks associated with this decision, which could include the Council's decision on the designation of the neighbourhood area being challenged. Accordingly, Counsel's advice has been sought to ensure that a lawful approach is being taken.

CABINET REPORT: APPENDIX 1
DESIGNATION OF NEIGHBOURHOOD AREAS

Area application received:

Assessment date:

Criterion	Response (Yes / No / N/A)	Justification
a. Does the application include the whole of a Parish area?		(Summarise case presented by Town / Parish Council)
b. If only part of the Parish has been applied for, have appropriate reasons been supplied to justify this approach?		
c. If more than one Parish area is seeking designation as a neighbourhood area, have appropriate reasons been supplied to justify this approach?		
d. Does the Parish immediately adjoin the district boundary?		(Provide description of relationship to adjoining authorities)
i. If yes, are there any known or potential cross boundary/strategic matters covered by the Duty to Cooperate that cannot reasonably be addressed via the Neighbourhood Plan process?		
e. Where the parish does not immediately adjoin the district boundary, are there any identified strategic matters for consideration by the Local Plan process, including those that may be covered by the Duty to Cooperate?		
i. If yes, does the presence of any of these issues suggest an amended area would be desirable?		
ii. If it is desirable to		

designate an alternative area, what is the new area that is proposed? (Reflecting guidance provided by NPPG section 41-033-20140306)		
<u>CONCLUSION/REASONS FOR DECISION</u>		

CABINET REPORT: APPENDIX 2
DESIGNATION OF NEIGHBOURHOOD AREAS

Area application received: **NORTH WEALD BASSETT PARISH COUNCIL**
Assessment date: **10 FEBRUARY 2015**

Criterion	Response (Yes / No / N/A)	Justification
a. Does the application include the whole of a Parish area?	Yes	Application letter dated 8 September 2014 identifies the Parish Council consider the area is appropriate for the following reasons: <ol style="list-style-type: none"> 1. The area defined is covered by North Weald Bassett Parish Council in it entirety. 2. The area is recognised by the local community, EFDC and ECC as being the Parish of North Weald Bassett. <p>The letter gives no explanation in planning terms as to why the area is considered appropriate.</p>
b. If only part of the Parish has been applied for, have appropriate reasons been supplied to justify this approach?	N/A	
c. If more than one Parish area is seeking designation as a neighbourhood area, have appropriate reasons been supplied to justify this approach?	N/A	
d. Does the Parish immediately adjoin the district boundary?	Yes	North Weald Bassett Parish immediately adjoins Harlow District Council area on its northern boundary.
i. If yes, are there any known or potential matters covered by the Duty to Cooperate that cannot lawfully or reasonably be addressed via the Neighbourhood Plan process?	Yes	The potential growth of Harlow, into land within Epping Forest District, has been mooted for more than decade. As a result of continuing changes to the national planning system, progress in terms of land allocations via Local Plans and an agreed method of delivery, have been delayed. The Duty to Cooperate requires Local Planning Authorities to establish matters of cross boundary significance, and to reach consensus on how these matters should be addressed. A number of such matters have been identified between Harlow and Epping Forest District Councils. These include, but are not limited to, establishment of housing and employment need figures, apportionment of growth needs across the SHMA/Functional Economic

		<p>Area, and identification and delivery of key strategic infrastructure. It is clear there are a number of key strategic matters that need to be addressed in taking forward the possible growth of Harlow, notwithstanding that at this stage, Epping Forest District Council has not yet determined whether such growth is the most appropriate to meet the needs of the district as a whole.</p> <p>Further, there are a number of known development interests on the borders of Harlow, all of which are being actively promoted for inclusion in the Local Plan. As above, Epping Forest District Council has not yet determined which, if any, of these sites may be appropriate for allocation in the Local Plan. However, the matters which must be addressed in order to reach reasonable conclusions are complex and wide ranging. It is not considered it would be reasonable for the Parish Council to undertake this function. The consideration of such matters also includes areas that are not part of the remit of a neighbourhood development plan, for example a Green Belt Review.</p> <p>The potential allocation at Latton Priory is an area where the issues of Green Belt Review, landscape sensitivity, transport infrastructure and links to Harlow are of particular concern. A cross boundary approach, including (at least) Epping Forest, Harlow and East Hertfordshire District Councils, is required to ensure a comprehensive assessment of all the possible sites around Harlow is carried out.</p> <p>If a stage is reached in which the area at Latton Priory is allocated for development purposes, there may then be an opportunity for the neighbourhood area to be altered. In the meantime, the District Council must continue to work closely with neighbouring district authorities under the Duty to Cooperate, and in due course will seek to actively engage with the parish council on any emerging proposals.</p>
<p>e. Where the parish does not immediately adjoin the district boundary, are there any identified strategic matters for consideration by the Local Plan process, including those that may be covered by the Duty to Cooperate?</p>	<p>N/A</p>	<p>North Weald Bassett parish immediately adjoins the district boundary, question d. above refers.</p>
<p>f. Considering d. and e. above, does the presence of any</p>	<p>Yes</p>	<p>It is not considered desirable to designate the whole of North Weald Bassett Parish as a neighbourhood area for reasons set out in d.</p>

<p>identified issues indicate an amended area would be desirable?</p>		<p>above.</p> <p>It would be more appropriate if the area immediately adjoining the district boundary, encompassing potential development sites bordering Harlow were not subject to a neighbourhood area designation.</p>
<p>g. If it is desirable to designate an alternative area, what is the new area that is proposed? (Reflecting guidance provided by NPPG section 41-033-20140306)</p>	<p>Yes</p>	<p>There are several alternatives available in considering the most appropriate and desirable area to be designated as a neighbourhood area. The law is clear that it is for the District Council to make such a determination, but that this must be fully justified. Planning Practice Guidance identifies that ward boundaries may provide an appropriate starting point. North Weald Bassett parish comprises three wards – Hastingwood, North Weald Village, and Thornwood.</p> <p>Exclusion of Hastingwood ward would enable comprehensive consideration of all of the area that immediately borders Harlow. However, a long held principle in considering possible development in this area is that the M11 provides a strong and defensible boundary, beyond which the growth of Harlow should not encroach. Further, Hastingwood and Foster Street would be excluded from any neighbourhood plan, and it is in these areas that the majority of the resident population and built development is found across Hastingwood ward. There are few residential properties in the area to the west of the M11 motorway. Given the absence of possible strategic development in the area to the east of the motorway, it would not seem appropriate to exclude the entirety of the area.</p> <p>A further submission from North Weald Bassett Parish Council, whilst making no mention of the aspirations for any potential neighbourhood plan, nor providing any justification in planning terms, does set out that the Parish Council does not consider it is logical to use the M11 solely as a boundary for any neighbourhood area. This is considered illogical by the Parish Council, because using the M11 as a boundary line would separate parts of wards. It would therefore appear that a compromise between the two positions would be reasonable, with the area in the north western corner of the parish (bounded by the M11 to the east, the district boundary to the north, the parish boundary to the west, and London Road (B1393) and Rye Hill Road to the south – plan attached) being excluded from the neighbourhood area.</p>
<p><u>CONCLUSION</u> In accordance with s. 61(G) of the Town and Country Planning Act 1990 (as amended) it is not</p>		

considered desirable to designate the whole of North Weald Bassett Parish Council as a neighbourhood area.

REASONS FOR DECISION

1. A number of strategic cross boundary matters have been identified which include, but are not limited to, Green Belt review, cross District boundary agreement of housing and job growth figures, and planning and delivery of key strategic infrastructure;
2. The matters identified in 1. (above) are not within the remit of a Neighbourhood Development Plan to address;
3. A comprehensive assessment of all of the possible sites around Harlow (in Epping Forest, Harlow and East Hertfordshire District Council areas) must be carried out to ensure that the most suitable site(s) (if any at all) are allocated for development.
4. The area proposed for exclusion is defined by existing physical and administrative boundaries, and does not cover an area of high existing population.

A revised area is proposed as per the attached plan.

Due Regard Record

Name of policy or activity:

Determination of Neighbourhood Area designation for North Weald Bassett

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, 'paying due regard', and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at 'formative stages' of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
Ken Bean / Amanda Thorn 18/02/2015	<ul style="list-style-type: none"> • The Cabinet report is seeking the designation of a neighbourhood area covering part of the Parish of North Weald Bassett • Once commenced, the Neighbourhood Plan may have various equality implications for a number of different groups, both in terms of the level of engagement that is undertaken during its preparation and the impact that any policies may have on different sections of the local community. However it is the duty of the Parish Council to consider such issues during the preparation of the neighbourhood plan, and as such, the neighbourhood plan should be subject to equality analysis separately. • For reasons set out in the Cabinet Report, it is not considered

	<p>desirable to designate the whole of the Parish for Neighbourhood Plan purposes. In summary these reasons relate the District Council's proper assessment of matters to be addressed under the Duty to Cooperation in respect of the preparation of the Council's District Local Plan.</p> <ul style="list-style-type: none">• The area proposed to be excluded from the Neighbourhood Area is defined on the basis of administrative boundaries and existing physical features, and is done so to deliver effective and appropriate spatial planning for the area. No equality issues are identified.
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EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 11 June 2015

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 9.55 pm

Members Present: C Whitbread (Chairman), S Stavrou (Vice-Chairman), R Bassett, W Breare-Hall, A Grigg, D Stallan, G Waller, H Kane and A Lion

Other

Councillors: K Angold-Stephens, N Bedford, S Kane, H Kauffman, A Mitchell MBE, R Morgan, A Patel, C C Pond, C P Pond, B Surtees, L Wagland and J M Whitehouse

Apologies: J Philip

Officers Present: G Chipp (Chief Executive), C O'Boyle (Director of Governance), R Palmer (Director of Resources), A Hall (Director of Communities), K Durrani (Assistant Director (Technical Services)), P Pledger (Assistant Director (Housing Property)), K Polyzoides (Assistant Director (Policy & Conservation)), K Bean (Planning Policy Manager), T Carne (Public Relations and Marketing Officer), S Devine (Private Sector Housing Manager), E Higgins (Insurance & Risk Officer), S Tautz (Democratic Services Manager), G J Woodhall (Democratic Services Officer) and J Leither (Webcasting Officer)

Also in attendance; C Pasterfield and L Edwards (Consultants)

1. WEBCASTING INTRODUCTION

The Leader of the Council made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

2. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

3. MINUTES

(1) That the minutes of the meeting held on 13 April 2015 be taken as read and signed by the Leader of the Council as a correct record.

4. REPORTS OF PORTFOLIO HOLDERS

Environment

The Environment Portfolio Holder made the following statement concerning the waste collection service operated in the District by Biffa Municipal Limited:

"I'm grateful for this opportunity to update the Cabinet, Members and residents on the latest situation with the waste, recycling and street cleansing services, delivered by our contractor, Biffa.

I'd like to begin by making it clear that I consider Biffa's failure to deliver a universally acceptable service, of the standard we require and our residents expect, to be extremely serious. I share the very real anger and frustration of all those who Biffa have let down, and especially those who have suffered repeated missed collections. I want to reiterate my sincere apologies to all those affected, and assure them that I and the Council's Officers are doing all in our power to compel Biffa to urgently resolve these problems. My statement this evening is not, therefore, a defence of this situation. Rather, it is an account of what has happened and what is being done to correct it.

I'd like to briefly remind the Cabinet of the procurement exercise that led to the appointment of Biffa.

The previous waste management contract expired in November last year. In March 2013 we began the procurement process by means of Competitive Dialogue, with initially eight bidders, which was reduced to 4 by the time we reached the final stage. In the early stages of the exercise the tender assessment criteria was based 60% on price and 40% on quality, but at the final stage this was changed to 50% for both price and quality, to reflect and emphasise this Council's focus on quality. The 50% awarded for quality was subdivided into 40% for a technical assessment by Officers and 10% for a Member interview panel.

The procurement process was led by a project team that consisted of Officers from this Council and representatives from Essex County Council and the Council's specialist consultants, WYG Environmental Limited. Key elements of the assessment process included considering company structure; company finances and insurances; the ability to deliver the services being tendered; health and safety; equalities, and business continuity.

At the Final Tender stage the Council asked the 4 remaining contractors to bid on 2 service levels – a Monday to Friday service and a Tuesday to Friday service – and agreed that the lowest priced submission for each of these would be considered for assessment. The highest scoring tender bid was from Biffa and that was based on a 4 day collection service – something they deliver in authorities elsewhere in the country. Biffa's bid was assessed by Technical Officers and the Council's expert consultants, WYG, who confirmed that the level of resources Biffa had allocated for the new service were sufficient and that there was no operational reason why a 4 day service would not be feasible.

The decision to award the 10 year contract to Biffa was made by Cabinet on 19 May 2014. There followed a mobilisation period to ensure a smooth transition from the previous contractor and this was completed on 4 November last year, when Biffa assumed responsibility for the service.

In their tender bid, Biffa proposed that the 4 day service commence in March of this year but, mindful that such a major service change would require considerable preparation, I instructed that this be put back to at least May. Accordingly, the new service commenced on 12 May. Biffa had, therefore, operated the service successfully for 6 months prior to the introduction of their new fleet, new technology, and the 4 day collection schedule.

Unfortunately, as is now widely recognised, a number of problems have beset the service from 12 May, not all of which are directly linked to the introduction of the 4 day service.

These include:

- IT failures affecting the in-cab technology that contains the new collection rounds and the supply of live information back to Biffa management and the Council;
- issues with the compactors on some of the new freighters not operating whilst the vehicles were in motion;
- problems with safety sensors on the bin lifts;
- faults with the on-board weighing equipment, that prevented the freighters from accepting the full pay load; and
- the need for the work force to familiarise themselves with new rounds and adapt to longer working days.

For many residents, the switch to a 4 day service also necessitated a change in the day, and time of day, of their collection. For some, notably those in Chigwell, Debden and Waltham Abbey, it also resulted in a change in the collection week of their recycling and black bin. A letter was sent to every household in the District detailing these changes, but a number of residents remained unclear as to the new arrangements and I accept that this communication could have, and should have, been clearer and measures put in place to mitigate the impact of the week change. I have instructed Officers to issue a reminder to residents of their collection day, mindful that the numerous catch-up collections Biffa have had to undertake has caused many people additional confusion. Further publicity will be distributed once the collection service is stabilised.

Of course, not all the services that Biffa provides have been affected. The vast majority of collections are completed successfully, and street cleansing services have continued with little or no disruption, but a significant number of residents, located across the District, have endured some, sometimes severe, disruption and inconvenience. It is estimated that the number of missed collections over the initial 4 week period was around 15,000, out of a total of 432,000. To date, this has generated around 9,000 phone calls and 3,000 emails to the Council's Customer Contact Centre.

As an outsourced service the ability of the Council to directly influence its delivery is inevitably limited but, from the moment these problems were identified, the Council's Officers and Staff have been working tirelessly to help Biffa address them, and to minimise the impact on residents. They have worked long hours, and in many cases over weekends, in often difficult circumstances. I would like to thank each of them for all they continue to do on behalf of our residents. If effort alone were sufficient to solve the problems Biffa have encountered, they would have been resolved a long time ago.

Biffa themselves have committed significant additional resources to dealing with the problems they have encountered, bringing in extra staff and vehicles and undertaking catch-up collections on Saturdays, Sundays and Mondays. However, the problems are not yet resolved, and collections are still being missed, so, together with the Leader, Chief Executive and the Director of Neighbourhoods, I continue to put pressure on Biffa at all levels of the company. Meetings are taking place with the Managing Director of Biffa Municipal, the Director Commercial, the Director Operations, the Regional Manager, the Business Manager, the Project Mobilisation Manager, the Process, Quality and Information Manager, and the Senior Business

Manager, amongst others. The next of these is tomorrow morning, after which I will be able to update Members again.

At the Overview and Scrutiny Committee meeting held on Tuesday of this week I asked that they undertake a thorough review of the implementation of the 4 day collection service, which I'm grateful to them for agreeing to do. It's very important that the causes of the problems we've faced are both identified and understood, and that lessons are learnt for the future. In the meantime, I can assure the Cabinet that my priority, and that of all those involved, is to bring a swift resolution to this situation."

A local Member for Chigwell Village reminded the Cabinet of the approach taken by a previous Portfolio Holder for Environment, who used a dedicated mobile phone to take calls from the public concerning refuse collections. There had been problems over the communication with residents; the letter that was sent out was confusing. The Member had particular concerns with the four-day collection service, especially that crews were now expected to collect 25% more refuse per day in the new service, and therefore needed an extra two hours per day to cope with the workload. A longer working day for the crews would also lead to more delays through getting held up in the afternoon school runs around the District. The Member had discussed the matter with a crew member in her street, who had stated that there was not enough time allocated to finish the new round, the workload for the crews had tripled under the new system, and that it was his opinion that the new service would never be stabilised. The Member had considerable concern about the effect of the missed collections on residents, and had been inundated with emails about the service from disgruntled residents. It was also highlighted that one of the drivers for the new service had been the desire to avoid catch-up services after a bank holiday, but only four of the eight annual bank holidays fell on a Monday each year. The Member opined that the new service would not work and that the number of missed collections endured by residents was not acceptable.

The Environment Portfolio Holder agreed that there were lessons to be learnt from the way that the Council had communicated with residents, although the Council had used a number of different channels to advertise the new service. Biffa had modelled the new 4-day collection service and the Council's consultants, WYG Environmental Limited, had agreed that the new service was deliverable. The routes would remain under review to deal with issues as they arose, and a 4-day collection service did work in other parts of the country. It was emphasised that there had been other drivers for the new service, and not just the need to avoid bank holiday catch-up services.

The Assistant Director of Neighbourhoods (Technical Services) added that Colchester Borough Council operated a four-day collection service, and a further three Essex District Councils were also considering it. The problems with the new fleet of freighters had not helped the situation, and had led to a snowballing effect of the problems being experienced. However, the modelling performed during the competitive dialogue process had indicated that a four-day collection service was achievable and this had been borne out by the analysis performed by the Council's consultants.

The local Member for Chigwell Village countered that the current routes were clearly not working, and that Chigwell was a particularly difficult area to collect from. The Member wanted to know if Biffa Municipal had surveyed the Epping Forest District properly before offering their four-day collection service as an option to the Council. The Member also noted that the parent company, Biffa Limited, was beginning

preparations to obtain a listing for a public stock flotation in 2016 and wondered whether this had had any effect upon their bid to win the contract for Epping Forest.

The Portfolio Holder stated that it would be sensible to review the current routes and improve them if necessary. It was acknowledged that residents would see freighters moving throughout the District without stopping to make collections, however it could simply be that the freighter was full and needed to travel to the Waste Transfer Station in Harlow to empty its contents. The Council did provide all the bidders for the new contract with evidence of the uniqueness of the District during the competitive dialogue process.

Another local Member for Loughton Broadway added that the inclusion of the green/garden waste collections in the four-day service was an extra burden upon the crews. The Member also expressed his gratitude to the staff for their efforts during this difficult time. The Assistant Director responded that the refuse staff were contracted to work from 7.00am to 4.00pm; the Harlow Waste Transfer Station closed at 4.30pm each evening. Staff welfare and morale was important to the Council, as some of the refuse collectors had been in situ for 25 years. Biffa would make additional resources available for green/garden waste collections during the growing season.

The local Member for Chigwell Village asserted that the evidence indicated a four-day collection service would not work in Epping Forest, and enquired what the cut-off point was for the current schedule, and whether there was a contingency plan. The Portfolio Holder assured Members that Biffa was being questioned as to the viability of the four-day collection service, but there was no cut-off point for the current collection service.

The Leader of the Council apologised to residents affected by problems with the move to a four-day collection service, and assured residents that the Council was working tirelessly to resolve the problems with the new collection schedule. The points raised by the local Member for Chigwell Village would be discussed with Biffa at the next meeting with the Council scheduled for tomorrow morning. It was reiterated that the Council's first duty was to restore the collections service for all residents across the District.

5. PUBLIC QUESTIONS

The Cabinet noted that there had been no public questions submitted for consideration.

6. OVERVIEW AND SCRUTINY

The Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 9 June 2015:

(a) A presentation from the Barts Health Trust which provided an update on the problems faced by the Trust, and particularly Whipps Cross Hospital. It was noted that the Trust was now in special measures and implementing an improvement programme.

(b) Reviewed the Key Decision List and the outturn of the Corporate Plan Key Objectives for 2014/15.

(c) Appointed the Members, Chairmen and Vice-Chairmen to the Select Committees and Task & Finish Panels for the municipal year.

(d) Agreed the Overview & Scrutiny Annual Report 2014/15 for consideration by the Council on 28 July 2015,

(e) Agreed to receive a presentation for Essex County Fire & Rescue Service in January 2016, and to investigate the recent problems experienced by Biffa with waste collections throughout the District.

The Cabinet's agenda was reviewed but there were no specific issues identified on any of the items being considered.

A local Member for Chigwell expressed concern that the report on Whipps Cross Hospital was the worst report seen at an Overview & Scrutiny meeting. Whipps Cross Hospital had a very bad reputation within medical circles, and there had been very few references to patients within the actual presentation itself. The Member requested a further presentation from the Health Trust in the near future.

The Leader of the Council agreed that Barts Health Trust should be requested to make an early return to the Council, and the Chairman of the Overview & Scrutiny Committee confirmed that this request had already been made.

7. NORTH WEALD BASSETT NEIGHBOURHOOD AREA DESIGNATION

The Portfolio Holder for Planning Policy presented a report regarding the designation of a Neighbourhood Area for the parish of North Weald Bassett.

The Portfolio Holder stated that an application for the designation of a Neighbourhood Area for the purposes of the preparation of a Neighbourhood Plan had been received from North Weald Bassett Parish Council on 8 September 2014. At the Parish Council's request, to allow additional time to consider the recommendation of the Council, the consideration and determination of the Parish Council's application was deferred at the Cabinet meeting held on 9 March 2015.

The Portfolio Holder informed the Cabinet that the location of North Weald Bassett Parish, immediately adjacent to Harlow's administrative boundary, and the possibility of strategic cross-boundary growth via the Local Plans of Epping Forest, Harlow and East Hertfordshire District Councils, had caused the Council to question the desirability of designating the whole of the Parish as a Neighbourhood Area for neighbourhood planning purposes. In considering the alternatives available, the Council had sought legal advice from Counsel specialising in planning law. Having considered that legal advice, it was thought that the District Council had a broad discretion in determining whether, in the particular circumstances relevant to this application, it was desirable to designate the entire area identified in the application. As a result, it had been proposed that the north western part of the Parish, bounded by the M11 motorway to the east, the administrative boundary with Harlow to the north, the Parish boundary to the west and the London Road (B1393) and Rye Hill Road to the south, should be excluded from the Neighbourhood Area designation (the attached map at appendix 2 of the report refers).

The Housing Portfolio Holder, who was a local Member for North Weald Bassett, commented that the District and Parish Councils had a good record of working together. The five Neighbourhood Plans within the District previously agreed had covered the whole area of a particular Parish or Town Council, but North Weald Bassett was seemingly being treated differently. Residents had legitimate concerns about further land being granted to Harlow District Council, as had happened for the development of the Church Langley estate nearly 25 years ago. It was also

highlighted that a public consultation had been commenced by the County Council over the possible siting of a Construction & Demolition Waste facility at Hastingwood on a site adjacent to both Junction 7 of the M11 motorway and the area to be omitted from the Neighbourhood Area. The Parish Council wished to work with the District Council over the future of the Parish, and the current approach contravened the aims and aspirations of the Localism Act 2011.

The Portfolio Holder acknowledged that the County Council's proposed siting of a Construction and Demolition Waste facility had been unexpected, and details of the consultation were only sent to County Council Members last week. The Portfolio Holder had already discussed the matter with the relevant County Council Portfolio Holder and made his objections to the plans known. He also stated that the District Council would still consult with the Parish Council over plans for the area of the Parish to be omitted, even if parts of it was subsequently designated as a Strategic Site. The recommendations before the Cabinet concurred with the legal advice received by the Council, and there had been no plans put forward for possible boundary changes to this District and Harlow.

Both the local Members for North Weald Bassett felt that there was the potential for Harlow District Council to gain land that was currently in the Epping Forest District. There could be a request for the M11 motorway to form a new boundary for Harlow District Council, with the potential for further development in that area. The Portfolio Holder reassured the Cabinet that Harlow District Council had been informed that the area to be omitted from the Neighbourhood Area designation would, irrespective of any future strategic site designation, remain as Epping Forest District Council land, and that any houses built in this area would therefore be Epping Forest District houses.

The Assistant Director of Neighbourhoods (Forward Planning & Economic Development) acknowledged the concerns of the Parish Council, and Officers would continue to work closely with the Parish Council, but Neighbourhood Plans could not deal with the cross-boundary strategic issues that were being raised in this particular area bordering Harlow. The Portfolio Holder confirmed that the Parish Council would be included in any consultations concerning the area in question.

Other members of the Cabinet pointed out that a Neighbourhood Plan would not prevent any development in a particular area; however, the Council could then use the planning process to argue against development when plans were submitted. A local Member for Chipping Ongar, Greensted and Marden Ash noted that there could be a two-tier approach to Neighbourhood Plans, with those Parishes on the Epping Forest boundary being treated differently. The need to include Local Councils in local planning issues was re-iterated.

The Portfolio Holder advised the Cabinet that Local Councils had been fully included in the Local Plan process to date, and that the District Council was always willing to listen to the views of the Town and Parish Councils.

Decision:

(1) That the exclusion of an area to the west of the M11 motorway from the application by North Weald Bassett Parish Council for the designation of the whole Parish for the purposes of preparing a Neighbourhood Plan be agreed for the following reasons:

- (a) a number of strategic cross boundary matters had been identified which included, but were not limited to, Green Belt review, cross district

boundary agreement of housing and job growth figures, and planning and delivery of key strategic infrastructure;

(b) the matters identified in (a) above were not within the remit of a Neighbourhood Plan to address;

(c) a comprehensive assessment of all of the possible sites around Harlow (in Epping Forest, Harlow and East Hertfordshire District Council areas) must be carried out to ensure that the most suitable site(s) (if any at all) were allocated for development in the Local Plans for these three Districts; and

(d) the proposed area to be excluded from the Neighbourhood Area designation was defined by existing physical and administrative boundaries, and did not cover an area of high existing population.

Reasons for Decision:

With regard to the location of the Parish on the District boundary with Harlow, there were a number of strategic and cross-boundary issues that had to be properly considered under the Council's Duty to Co-Operate. It was not within the remit of the neighbourhood planning process to address and deliver matters including, but not limited to, Green Belt review, cross-boundary agreement of housing and job growth figures, and the planning and delivery of key strategic infrastructure.

Other Options Considered and Rejected:

To designate the whole of North Weald Bassett Parish area as a Neighbourhood Area. However, this had been discounted due to the strategic and cross-boundary issues that had to be properly considered under the Council's Duty to Co-Operate.

To designate the whole of North Weald Bassett Parish area as a Neighbourhood Area, alongside a memorandum of understanding (or similar) setting out the matters which could be addressed and desired sequencing of plan preparation. However, as a result of the legal advice received from Counsel, this option was not considered to be lawfully available to the Council.

To designate alternative areas of the Parish. However, the law was clear that any such designation had to be fully justifiable.

8. HOUSING RELATED SUPPORT CHARGES

The Housing Portfolio Holder presented a report concerning Housing Related Support Charges and properties designated as being suitable for older people.

The Portfolio Holder reported that the Council had increased its Housing Related Support (HRS) charges to private Careline users and Council tenants living in sheltered and other housing designated for older people by amounts higher than inflation for 2015/16. This was mainly to cover an expected significant reduction in support funding to the Council from Essex County Council (ECC) of at least £133,000 (42%), which Officers from the County Council had advised would be made from April 2016, although it was also to achieve a position whereby the Council's Careline Service was fully self-funded.

The Portfolio Holder informed the Cabinet that, at a very late stage, the County Council decided not to proceed with the planned Housing Related Support funding

reduction for 2015/16. However, since the Council had already implemented the increased charges and advised all affected tenants, the Housing Portfolio Holder had decided to provide the Cabinet with a report on the main options available to respond to the associated implications of this late decision by the County Council.

The Portfolio Holder outlined the five options available to the Council, with an assessment of the advantages and disadvantages of each one. This exercise had also highlighted the fact that, due to annual reductions in Support funding from the County Council since 2003, the combined income from Housing Related Support charges and the County Council's funding no longer bore any resemblance to the cost of the providing the service. Consequently, all other Council tenants, who did not receive the service, now subsidised the cost by around £10 per property per annum. Therefore, the preferred option was to continue the previously agreed Housing Related Support Charges for the remainder of 2015/16 to Council tenants and private Careline users, and for the Portfolio Holder to present a plan to a future meeting of the Cabinet for how much the charges should be increased each year from April 2016 until the Scheme became self-funded, with regard to any further annual reductions from the County Council.

The Portfolio Holder apologised for the tabling of an addendum report, but it indicated the Tenant & Leaseholder Federation's reluctant support for the preferred option, along with a request that future Housing Related Support Charges be increased over as long a period as possible.

The Portfolio Holder added that the number of properties on housing estates previously designated as being suitable for older people had been reducing, to meet the demand for general needs housing. It was proposed to request the Housing Select Committee to consider whether more properties should be de-designated and to review the staffing levels for the Scheme Management Service to determine if the costs of the Scheme could be reduced further. The Select Committee would be requested to make recommendations to the Portfolio Holder accordingly.

The Cabinet noted the rationale behind the recommendation of the Portfolio Holder and was reassured by the fact that the Tenants & Leaseholders Federation understood the situation that the County Council had placed the District Council in. In response to questions from the Members present, the Portfolio Holder added that it was not known at the current time how long it would take to make the Scheme Management Service self-funded, as this would depend on future budget decisions made by the County Council, and that support for people in need had been provided with a subsidy from the Housing Revenue Account in the sum of £58,000 for 2015/16.

Decision:

(1) That, having regard to the comments of the Epping Forest Tenants & Leaseholders Federation tabled at the meeting, the approach to Housing Related Support (HRS) charges set out in Option 5 within the report be taken, namely to continue with the agreed 2015/16 charges and increase charges further from April 2016 over a period of time until the cost of the Scheme Management Service was self funded, and that:

(a) the HRS charges made to Council tenants and private Careline users for 2015/16 be continued for the remainder of the current year; and

(b) in advance of the budget cycle for 2016/17, a plan on how much HRS charges should be increased each year from April 2016 until the cost of the

Scheme Management Service became self-funded, with regard to any annual reductions in HRS funding from Essex County Council, be recommended by the Housing Portfolio Holder to the Cabinet;

- (2) That the Housing Select Committee be requested to:
 - (a) consider whether more properties specially designated for older people on housing estates should be de-designated, with future vacancies used to meet the increasing demand for younger housing applicants;
 - (b) review the associated level of staffing required to provide the Scheme Management Service to determine if staffing costs (and therefore HRS charges) could be reduced as a result; and
 - (c) make recommendations to the Housing Portfolio Holder accordingly; and
- (3) That letters be sent to all service users in February 2016, once the Cabinet had determined the HRS charges for 2016/17 and the amount of HRS funding to be received from Essex County Council for 2016/17 was known, explaining the proposed approach and the reasons.

Reasons for Decision:

It was felt that the under-recovery of costs for the Scheme Management Service was unfair on other Council tenants who did not receive the service, and was untenable in the longer term.

Other Options Considered and Rejected:

To rescind the 2015/16 increase in HRS charges and, where considered appropriate, refund payments made by tenants back to April 2015.

To rescind the 2015/16 increase by reducing the 2015/16 HRS charges mid-year to an amount below the 2014/15 HRS charge, in order to off-set the increased charges made from April 2015, and refund where appropriate.

To continue with the 2015/16 charges and take into account any increase above that required as a result of the expected ECC funding cut when setting charges for 2016/17.

Implement variations to the options above for different categories of service user.

9. REVISED PROGRAMME OF WORKS FOR OFF-STREET PARKING AT TORRINGTON DRIVE, LOUGHTON

The Housing Portfolio Holder introduced a report concerning the timing of the off-street parking scheme at Torrington Drive in Loughton.

The Portfolio Holder reminded the Cabinet that, at its meeting in February 2015, it had delegated authority to the Council Housebuilding Cabinet Committee to consider the benefits of providing off-street parking spaces in areas in close proximity to housebuilding sites at the same time as when the associated housebuilding feasibility study was considered and recommend to the Cabinet if and when any off-street parking sites were to be included in future years' programmes. When the Cabinet Committee on 5 March 2015 considered the housebuilding development site at

Burton Road in Loughton, consideration was also given to the provision of an off-street parking scheme in Torrington Drive in Loughton. The Cabinet Committee recommended that the scheme be progressed, subject to a public consultation with residents, and that the Director of Neighbourhoods be requested to include the new off-street parking spaces in a Residents Parking Scheme.

The Portfolio Holder stated that an evaluation of the Scheme had concluded it was possible to provide 64 parking spaces, which would enable one space to be allocated to each of the 64 west facing flats that overlooked the Central Line. Permits would be offered for these spaces at a cost of £43 per year and it was suggested that such permits should initially be limited to one per household. The total cost of the Scheme was estimated at £215,000, and the budget for off-street parking schemes currently stood at £1.9million. The proposed Scheme at Torrington Drive was already top of the ranking list for 2016/17, so the construction of the Scheme now would bring it forward by approximately nine months.

The Cabinet heard from a public speaker on this item who stated that residents had been requesting a solution for the parking issues in this area for some time now. The member of the public also requested that the new parking spaces be reserved for the residents of the west facing flats only; that none of the spaces should be made available to other residents in the area, such as Burton Road; and that the surrounding green areas be landscaped as part of the construction of the Scheme. Finally, the resident enquired as to why residents were being asked to pay for parking permits?

The Portfolio Holder responded that the Council would initially offer one space per household to cover all 64 of the west facing flats in Torrington Drive. The fee would enable the parking bays to be managed and enforced and, although the bays would not be numbered, only 64 permits would be issued for the 64 spaces. The local ward Councillors had been consulted upon each of the proposed off-street parking schemes and further public consultation would be undertaken as part of the process to determine the necessary application for planning consent. The Cabinet was reminded that a majority of the residents in the flats had to be in favour of the scheme for it to proceed.

The Assistant Director of Housing (Housing Property and Development) confirmed that the area around the west facing flats was heavily congested, and hence the proposed scheme before the Cabinet. If the remaining parts of Torrington Drive become equally congested then this would be examined at a later date. The Assistant Director confirmed that a Road Traffic Order would be required for the proposed scheme.

A local Member for Loughton Broadway welcomed the scheme, but was concerned about a possible lack of parking available for the proposed development in Burton Road, and highlighted a more general problem concerning parking in the area.

The Portfolio Holder reassured the Cabinet that the issue of parking in the Burton Road area would be considered when the planning application was determined by the District Development Management Committee. Visitor permits would be available for the proposed bays, and the Council would liaise with the North Essex Parking Partnership over enforcement issues in the area.

Decision:

(1) That the off-street parking scheme at Torrington Drive, Loughton be brought forward for inclusion in the 2015/16 off-street parking programme to coincide with the

Council Housebuilding development, subject to resident consultation and planning approval; and

(2) That any new off-street parking spaces be provided as a Residents Parking Scheme, consistent with other schemes across the District with permits limited to one per household.

Reasons for Decision:

The Cabinet Committee had agreed that a report be submitted to the Cabinet recommending that priority be given to the provision of an off-street parking scheme in Torrington Drive, Loughton being undertaken, subject to a resident consultation; and that the Director of Neighbourhoods be asked to give consideration to including any new off-street parking spaces being provided as a Residents Parking Scheme.

Other Options Considered and Rejected:

To not bring forward the off-street parking scheme at Torrington Drive. However, this would not offset the fears of local residents that any new housing development would create a parking problem in the future.

To not provide the parking spaces as a Residents Parking Scheme. However, this would create free parking for commuters and would not benefit the local residents.

To allow residents to apply for more than one parking permit on a first-come-first-served basis. However, this would mean some residents would not be able to park their car and the offer of a permit should be made accessible to all residents.

10. LOCAL DEVELOPMENT SCHEME AND LOCAL PLAN RESOURCING

The Portfolio Holder for Planning Policy presented a report regarding the agreement of the Local Development Scheme for 2015/16, and an update on the Local Plan budget.

The Portfolio Holder stated that the Council had a statutory obligation under the Localism Act 2011 to prepare a Local Development Scheme, which was the high level project plan for the preparation of the Epping Forest District Local Plan. The current Scheme had been approved in July 2014, and now required updating. The main factors that had affected the timetable for the production of the Local Plan since last year were:

- (i) the requirement for a comprehensive review of the Green Belt;
- (ii) the work required under the duty to co-operate and to update the Strategic Housing Market Assessment;
- (iii) the publication of the latest household projections for the period 2012-37 which had been published in February 2015;
- (iv) the additional work required to complete the Strategic Flood Risk Assessment; and
- (v) the advice and assistance provided for the development of Neighbourhood Plans.

The Portfolio Holder reported that the revised timetable for the preparation of the Local Plan indicated that the draft Local Plan public consultation would start in July 2016 and run until September 2016 to allow for the summer holiday period, it would then be published for representations in April 2017, submitted to the Planning Inspectorate in October 2017, the Examination in Public occurring in early 2018, and the final Plan adopted in September 2018.

The Portfolio Holder informed the Cabinet that expenditure on the Local Plan had been approximately £1.2million since 2004/05, and that estimated additional funds in the sum of £537,673 would be required up to 2018/19. This additional expenditure would be provided by the District Development Fund. The Council had experienced difficulties in recruiting experienced staff, despite the budgetary resources being made available, due to the limited number of suitably qualified applicants being available and competition from neighbouring authorities for such staff. Thus, it had been agreed to use the budget from the vacant Planning Officer and Technical Support posts to recruit a Senior Planner on a fixed term contract for 18 months.

The Portfolio Holder added that the Council continually needed to take account of more information made available once the Planning Inspector reports of recent Examinations in Public were published. Further items for the Evidence Base would be coming forward for decision later in the year. The Leader of the Council acknowledged that it was frustrating when the timetable was changed and the publication of the Local Plan was further delayed, but this was predominantly as a result of changes to the process by the Government. It was accepted that this was a long process. The legal advice received was that the Council's approach was right, and the mantra from the Queens Counsel engaged by the Council was "Do it once, do it well, do it right!".

Decision:

- (1) That the updated Local Development Scheme for 2015/16, attached at Appendix 1 of the report, be adopted and published on the Council's website; and
- (2) That expenditure against the Local Plan budget in 2014/15, the projected expenditure for 2015/16, and the estimated expenditure for 2015/16 and future years, including a need to reconsider the project fund as a whole in the next available budget cycle, be noted.

Reason for Decision:

The Council was obliged under the Localism Act 2011 to prepare and publish a Local Development Scheme so that the public and stakeholders were aware of the likely timing of key stages of the plan making process. The current Scheme, approved a year ago, was due for renewal.

To keep the Cabinet apprised of the current and likely future expenditure in respect of the Local Plan preparation process.

Other Options Considered and Rejected:

To not agree or vary the Local Development Scheme.

11. PROVISION OF NEW DEPOT AT OAKWOOD HILL

The Portfolio Holder for Asset Management & Economic Development presented a report concerning the provision of a new Depot at Oakwood Hill in Loughton.

The Portfolio Holder reported that, in order for the development of the Epping Forest Shopping Park at Langston Road to take place, the existing services at that Depot needed to be relocated. Therefore, it was proposed to relocate the Grounds Maintenance Service and Fleet Operations garage to a new depot at Oakwood Hill, also in Loughton. The design layout of the new buildings had been undertaken in consultation with the two services involved to ensure that the proposed accommodation and facilities would need their meets adequately. The project to construct the new depot was offered to five companies, of which three had submitted bids. The lowest bid received was from T. J. Evers Limited in the sum of £2,385,176 although this bid had only accounted for statutory signage and not signage specific to the depot services; this would be covered under the contingency allowance. In addition, statutory diversions had not been included in the tender price, which were the highways works necessary to construct the depot entrance and relocate the bus stop. It was estimated that £50,000 would cover these works.

A local Member for Loughton Broadway noted that the construction cost of the new Depot had not been included in the Development Appraisal for the construction of the Epping Forest Shopping Park. The Council's Development Consultant for the Shopping Park project confirmed that the cost for the new depot at Oakwood Hill had not been included, as it was being treated as a separate issue.

Decision:

(1) That the tender bid of £2,385,176 from T. J. Evers Ltd to undertake the design, build and construction of the new depot at Oakwood Hill for Grounds Maintenance and Fleet Operations be accepted; and

(2) That, pursuant to Overview and Scrutiny Rule 21 (Special Urgency), the Chairman of the Council be requested to waive the call-in arrangements for this decision due to its urgency as any delay in relocating services from Langston Road Depot may impact on the programme for delivering the new Epping Forest Shopping Park.

Reasons for Decision:

To provide new accommodation for relocated staff and to vacate the Langston Road Depot in order to facilitate the development of the Epping Forest Shopping Park.

Other Options Considered and Rejected:

To not relocate staff to this location and delay the construction of the Epping Forest Shopping Park.

12. SITE LICENCE CONDITIONS ON HOLIDAY CARAVAN AND CAMPING SITES

The Housing Portfolio Holder presented a report on the proposed Site Licence Conditions for Holiday Caravan and Camping sites.

The Portfolio Holder reminded the Cabinet that the Council was responsible, through its site licensing regime, for ensuring health, safety and fire safety provisions were satisfactory on the holiday caravan and camping sites within the District. The existing site licence conditions for holiday sites had not been reviewed for many years and were outdated. Following consultation with site operators, statutory consultees and other interested parties, new conditions had been produced which the Cabinet was

now being requested to adopt as the Epping Forest District Council Standard Site Licence Conditions for Holiday Camping and Caravan Sites.

The Portfolio Holder added that site licence conditions had been agreed for permanent residential sites in 2013, and for Gypsy, Roma and Traveller sites in 2014. This was the last set of site licence conditions that the Council had to review and implement, and the Portfolio Holder added his thanks to the Officers for their efforts over the past few years.

The Cabinet noted that the Council was now consulted upon by other authorities when they were undertaking similar exercises.

Resolved:

(1) That, following consultation with site operators, statutory consultees and other interested parties, the Standard Licence Conditions for Holiday Caravan and Camping Sites in Epping Forest District, as attached at Appendix 1 of the report, be adopted.

Reasons for Decision:

The Council was required to issue licences on all park homes sites in the District with conditions that were relevant, consistent and would adequately protect the health and safety of people residing at, or visiting the sites. The existing site licence conditions for Holiday Sites in the District had not been reviewed for many years.

Other Options Considered and Rejected:

To not produce new licence conditions. However, the existing conditions were outdated and could compromise the health and safety of those visiting the sites.

To not consult with site owners, statutory consultees and other interested parties. However, the relevant legislation required the licence holder to be given an opportunity to make representation before any changes were imposed, and that the Fire Service was consulted before any changes were made.

13. CORPORATE PLAN KEY OBJECTIVES - 2014-15 OUTTURN

The Leader of the Council presented a progress report on the achievement of the Council's Key Objectives for 2014/15.

The Leader stated that the Corporate Plan was the Council's key strategic planning document, setting out its priorities over the four-year period from 2011/12 to 2014/15, with strategic themes reflecting those of the Community Strategy for the District. Updates to the Corporate Plan were published annually, to reflect the Key Objectives for each year of the plan period and progress against the achievement of Key Objectives for previous years.

The Leader added that the annual identification of Key Objectives provided an opportunity for the Council to focus attention on how areas for improvement would be addressed, opportunities exploited and better outcomes delivered during the year. The Key Objectives were intended to provide a clear statement of the Council's overall intentions for each year, and were supported by a range of actions and deliverables designed to achieve specific outcomes. A range of Key Objectives for 2014/15 had been adopted by the Cabinet in April 2014, and progress in relation to

individual actions and deliverables was reviewed by the Cabinet and the Overview and Scrutiny Committee on a quarterly and outturn basis.

The Leader reported that, at the end of the year, 35 (65%) of the individual deliverables or actions supporting the Key Objectives had been achieved; and that 19 (35%) of the deliverables or actions had not been completed by year-end although significant progress had been made.

Decision:

(1) That the review of the end of year position in relation to the achievement of the Council's Key Objectives for 2014/15 be noted.

Reasons for Decision:

It was important that relevant performance management processes were in place to review progress against the Key Objectives, to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of under-performance.

Other Options Considered and Rejected:

No other options were appropriate in this respect. Failure to monitor and review performance against the Key Objectives and to consider corrective action where necessary, could have negative implications for the Council's reputation and judgements made about its progress, and might mean that opportunities for improvement were lost.

14. TENDER FOR INSURANCE POLICIES

The Finance Portfolio Holder presented a report on the outcome of the tender for the Council's insurance policies.

The Portfolio Holder reminded the Cabinet that the Council was currently insured almost exclusively through Zurich Municipal (ZM), an arrangement that had been in place for many years. When the last long term agreement was tendered in 2010 it was through a collaborative procurement exercise, sponsored by the Regional Improvement and Efficiency Partnership (RIEP), with eleven other authorities. The outcome of this process was disappointing as the only insurer to quote for the whole portfolio was Zurich Municipal, and Zurich Municipal were only prepared to enter into contracts for the whole portfolio of covers. Therefore, the Council had no option other than to enter into a new agreement with Zurich Municipal.

The Portfolio Holder reported that, for this renewal, the Council had conducted its own exercise, although given the specialised nature of insurance procurement it was necessary to first appoint a broker to assist with the process and to ensure the best possible response from the market. The Council obtained quotes from three brokers and selected Marsh Limited to assist with the procurement. Tenders were returned on 26 May 2015 by four different insurance companies. Having evaluated the tenders the most economically advantageous tender had been submitted by Zurich Municipal, which provided the Council with a significant saving. Therefore, it was recommended to enter into a further agreement with Zurich Municipal to provide the Council's insurance policies for five years, with an option to extend the cover for a further two years.

The Cabinet noted the projected saving of £125,000 for the Council's insurance premiums in 2015/16 from accepting the bid from Zurich Municipal.

Decision:

- (1) That the outcome of the tender exercise for the Council's insurance policies be noted;
- (2) That an agreement with Zurich Municipal be entered into for five years with an option to extend for a further two years; and
- (3) That, pursuant to Overview and Scrutiny Rule 21 (Special Urgency), the Chairman of Council be requested to waive the call-in arrangements for this decision due to its urgency as any delay would prejudice the Council's interests because there would be a gap between the expiry of the old policies and the commencement of the new policies leaving the Council uninsured for a short period.

Reason for Decision:

To provide the Council with comprehensive and cost effective insurance cover for the next five years, and Contract Standing Order C22 required approval from either the Council or the Cabinet before any tender valued in excess of £1 million could be accepted.

Other Options Considered and Rejected:

The Council could let a number of individual contracts for different parts of the policy portfolio to different insurance companies. However, this had not been recommended as it would be more costly and less efficient.

15. ANY OTHER BUSINESS

The Cabinet noted that there was no other urgent business for consideration at the meeting.

16. EXCLUSION OF PUBLIC AND PRESS

Decision:

- (1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the items of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
18	Licence for North Weald Market	3
19	Epping Forest Shopping Park	3

17. LICENCE FOR NORTH WEALD MARKET

The Portfolio Holder for Asset Management & Economic Development presented a report regarding the licence for the North Weald Market.

The Portfolio Holder reported that, at the meeting of the Asset Management and Economic Development Cabinet Committee on 21 October 2014, it was recommended and subsequently agreed by the Cabinet that the Council would vary the current licence to Hughmark International, the operator of the North Weald Market. This variation eliminated a fixed fee; instead the Council would receive 75% of any profit, after Hughmark's operational costs were met. This decision was taken to reflect the trend of declining trade and income generated by the market. In reaching this decision, the Cabinet sought a formal review of the variation to the licence after six months of further trading.

The Portfolio Holder stated that this review was undertaken at the Asset Management and Economic Development Cabinet Committee meeting on 23 April 2015. In reviewing the performance of the market over the last six months, the previous trend of declining trade and income had continued, and the Cabinet Committee felt that the overall position could not be improved. Therefore, it had been recommended that the Council should exercise its right to terminate the Licence, and re-tender the opportunity to hold regular outdoor events on the current market area at North Weald Airfield. Under the terms of the current Licence, the Council had to give notice by 30 June 2015 for the Licence to expire on 31 December 2015. Consequently, it had also been recommended that the call-in period for this decision should be waived under the Special Urgency rules in the Constitution.

The Cabinet acknowledged that the Market had provided a significant income to the Council in the past, but that the current trading conditions had worsened. It was also noted that the Council had provided every possible support to the Market in the previous two years but that it had become no longer sustainable.

Decision:

- (1) That, as recommended by the Asset Management & Economic Development Cabinet Committee, the Council's right to determine the Licence for North Weald Market be exercised, giving six months notice by 30 June 2015, due to the unlikely prospect of an improved trading position by the current market operator Hughmark International;
- (2) That the opportunity to hold regular outdoor events on the current market area at North Weald Airfield be re-tendered by the Council, and to include but not restricted to outdoor markets;
- (3) That the results of the procurement exercise in (2) above be reported to a future meeting of the Cabinet; and
- (4) That, pursuant to Overview & Scrutiny Rule 21 (Special Urgency), the Chairman of the Council be requested to waive the call-in arrangements for this decision due to the urgency arising from the contractual obligation to give notice of determining the licence by 30 June 2015.

Reasons for Decision:

To reduce the financial risk to the Council from the continued under-performance of the Market at North Weald Airfield.

To maximise the potential future return to the Council through the re-tendering of the opportunity to hold other outdoor events, including Markets, on the current market area at North Weald Airfield.

Other Options Considered and Rejected:

To allow the Market to operate under the current terms of the revised Licence. However, this would risk the Council being exposed to further reductions in income.

To seek further alterations to the current Licence. However, it was not thought likely that the Operator would make further concessions to the Council to improve its financial position.

18. EPPING FOREST SHOPPING PARK

The Portfolio Holder for Asset Management & Economic Development introduced a report concerning the Epping Forest Shopping Park.

The Portfolio Holder reminded the Cabinet that, in accordance with previous policy decisions to derive best value from the Council's assets and to generate revenue from the investment of capital resources, a number of development projects on Council owned land were currently being progressed. The most significant of these was the Epping Forest Shopping Park in Langston Road, Loughton, which had the capacity to generate employment for local people, provide a significant boost to the local economy, and ensure that retail spend was retained within the District.

The Portfolio Holder reported that, having obtained the necessary planning consent, and appointed a project team, who had undertaken the necessary development appraisal and cost estimate work, the Cabinet was being requested to agree a number of important considerations in progressing the project. The first of these was the buying out of the interest of the current joint venture partner, Polofind Limited, for a negotiated sum of £10.25million plus £410,000 for stamp duty and £153,750 for agents fees. The purchase price would include no further liability by Polofind Limited for the clawback provision of £2.25million. The second of these was obtaining the capital provision required to construct and let the shopping park, which it was estimated would cost a further £19.181million. The third consideration was the retention of the existing project team, who would be engaged directly by the Council once the purchase was complete, through the waiver of Contract Standing Orders C5 and C6, and the confirmation of the appointment of DAC Beachcroft as specialist construction lawyers.

The Portfolio Holder highlighted that the European Union procurement requirements (OJEU) would apply to the main building contract, but not to the Section 278 Highways Works Contract, and the Cabinet was requested to authorise the tendering of the Highways works as detailed in the Section 278 agreement to include any advance utilities costs to be met within existing resources allocated to the project to date. It was stressed that the additional procedures to comply with OJEU would make completing the project in time for a Christmas 2016 opening more challenging.

The Cabinet noted the current position on the marketing of the retail park and the potential anchor tenants, as well as the latest Development Appraisal for the project as provided by the Council's consultants. Whilst it was acknowledged that there was an element of risk if the Council became the sole owner operator, this would enable the Council to have full control of the tenant mix and retain all future income generated by the Shopping Park. It was also emphasised that the Cabinet would continue to receive regular monitoring reports at future meetings.

Local Members from Loughton asked a number of detailed questions concerning the development of the Shopping Park and its potential effects on nearby town centres. The Cabinet noted that there was a lack of such smaller centres inside the area

bounded by the M25 motorway, and that the potential anchor tenants all had stores at nearby locations which indicated their belief that a presence at the Shopping Park would be profitable. It was highlighted that the move of the Museum store from the depot at Langston Road was being funded by the National Lottery, and that the Council's refuse contractor no longer required space at the depot. Although enabling costs had not been included in the Development Appraisal, the savings for the Council from the Clawback provision almost offset the cost of building the new depot at Oakwood Hill, considered earlier in the meeting. The Portfolio Holder agreed to provide additional information on the project to Members at the special Council meeting scheduled for 23 June 2015, which had been arranged to consider the request for the necessary supplementary finance to progress the project.

Decision:

- (1) That the buy out of the interest of Polofind Limited in the Epping Forest Shopping Park development by the Council be agreed and in particular, the site known as T11 for the sum of £10,250,000 plus £410,000 for stamp duty and £153,750 for agents fees in accordance with the Heads of Terms attached as an Appendix to the report, which included no further liability by Polofind Limited for the clawback provision of £2,250,000 plus reimbursement of Professional Fees incurred in bringing the site forward;
- (2) That a Capital Supplementary Estimate be recommended to the Council for approval at the Extraordinary Meeting on 23 June 2015 in the sum of the £10,250,000, plus £410,000 for stamp duty and £153,750 for agents fees for the purchase and an estimated £642,000 for professional fees, plus a sum of £19,180,530 making a total of £30,636,280 based on the latest Development Appraisal to enable the Council to construct and let the Epping Forest Shopping Park;
- (3) That Contract Standing Orders C5 and C6 be waived to enable the Council to retain the existing project team, who would be engaged directly by the Council under new contracts developed by DAC Beachcroft, whose provisional appointment as specialist construction lawyers would be confirmed; and
- (4) That a temporary licence of 12 months for two units at Oakwood Hill Industrial Estate be entered into by the Council, to facilitate the vacating of the depot pending the completion of the Council's new depot facilities at Oakwood Hill, at a cost of £69,000 including internet, utilities and building insurance but not business rates, to be contained within existing provision.

Reasons for Decision:

A considerable amount of urgent work was necessary to bring forward the development of the Epping Forest Shopping Park, in order to achieve an opening for the Christmas period in 2016.

In addition, the Council's joint venture partner, Polofind Ltd, had conditioned their agreement to sell their interest at the proposed price, on the basis of a final decision being taken by the end of June 2015.

Other Options Considered and Rejected:

To not proceed with the purchase of Polofind's interest at this time; however, this could delay the project and the opening of the Shopping Park.

To enter into the formal Joint Venture Agreement with Polofind Limited and continue the development in partnership. However, the Council would not then have sole control over the project or the expected financial return.

To dispose of the Council's interest in the depot site to Polofind Limited, or to market the depot site with the benefit of the retail planning permission on the open market. However, this option had been previously rejected by the Council and although it would provide a capital receipt, it would not provide a revenue stream to support the provision of future Council services.

CHAIRMAN



Neutral Citation Number: [2014] EWCA Civ 228

Case No: C1/2013/0861

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION,
ADMINISTRATIVE COURT
MR JUSTICE SUPPERSTONE
CO/12288/2012

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: Thursday 6th March 2014

Before:

THE MASTER OF THE ROLLS
LORD JUSTICE SULLIVAN

and

LORD JUSTICE BRIGGS

Between:

(1) **DAWS HILL NEIGHBOURHOOD FORUM**
(2) **STEWART ARMSTRONG**
(3) **ANGUS LAIDLAW**

Appellants

- and -

(1) **WYCOMBE DISTRICT COUNCIL**
-and-
(2) **THE SECRETARY OF STATE FOR COMMUNITIES
AND LOCAL GOVERNMENT**
-and-
(3) **TAYLOR WIMPEY UK LIMITED**

Respondent

**First Interested
Party**

**Second
Interested Party**

(Transcript of the Handed Down Judgment of
WordWave International Limited
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165 Fleet Street, London EC4A 2DY
Tel No: 020 7404 1400, Fax No: 020 7831 8838
Official Shorthand Writers to the Court)

Paul Stinchcombe QC and Lisa Busch (instructed by **Leigh Day**) for the **Appellants**
Suzanne Ornsby QC and Isabella Tafur (instructed by **Wycombe District Council**) for the
Respondent

Morag Ellis QC and Stephanie Knowles (instructed by **Berwin Leighton Paisner LLP**) for
the **Second Interested Party**

The First Interested Party did not appear and was not represented

Hearing dates: 10th & 11th February 2014

Judgment
As Approved by the Court

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Lord Justice Sullivan:

Introduction

1. This is an appeal against the Order dated 13th March 2013 of Supperstone J dismissing the Appellants claim for judicial review of the Respondent's decision made on the 25th September 2012 to refuse the application made by the Daws Hill Residents' Association ("DHRA") for the designation of a neighbourhood area. The Respondent designated a smaller neighbourhood area excluding two strategic sites which had been included in the area specified in the application: the former RAF Daws Hill site, and the Handy Cross Sports Centre site.
2. Supperstone J set out the legislative framework, the factual background, and the reasons given by the Respondent for its decision, in paragraphs 3-14, 17-26 and 27-28 respectively, of his judgment: [2013] EWHC 513 (Admin). There was no challenge to those parts of the judgment. I gratefully adopt, and will not repeat them. For convenience, I have reproduced in an Annex to this judgment sections 61F and 61G which were inserted into the Town and Country Planning Act 1990 ("the 1990 Act") by the Localism Act 2011 ("the 2011 Act").

Section 61G

3. The proper interpretation of subsection 61G(5) of the 1990 Act is of central importance in this appeal. That subsection provides:

"If –

 - (a) a valid application is made to the authority,
 - (b) some or all of the specified area has not been designated as a neighbourhood area, and
 - (c) the authority refuse the application because they consider that the specified area is not an appropriate area to be designated as a neighbourhood area,

the authority must exercise their power of designation so as to secure that some or all of the specified area forms part of one or more areas designated (or to be designated) as neighbourhood areas."
4. At first sight, the Respondent's decision falls squarely within the terms of the subsection. The Respondent refused the DHRA's application because it considered that the area specified in that application (including the Daws Hill and Sports Centre sites) was not an appropriate area to be designated as a neighbourhood area, but it exercised its power of designation so as to secure that some of the specified area (excluding the Daws Hill and Sports Centre sites) became a neighbourhood area. The Appellants did not contend that the Respondent exercised its power of designation unlawfully because the reduced area comprised the whole, and not merely part, of a designated neighbourhood area.
5. Before Supperstone J the Appellants' primary submission was that the Respondent had acted unlawfully because in exercising its power of designation so as to exclude the two strategic sites from the designated neighbourhood area the Respondent had acted in such a manner as to frustrate the purposes of the 2011 Act: see paragraph 29 of the judgment. The Respondent contended that subsection 61G(5) conferred a wide discretion to be exercised having regard

to the factual and policy matrix that existed at the time the decision was taken (see paragraphs 40-41 of the judgment); and that the factors taken into account by the Respondent fell within the ambit of that broad discretion: see paragraphs 51-56 of the judgment. Supperstone J accepted the Respondent's submission. He concluded that the discretion conferred by section 61G(5) was a broad one, to be exercised having regard to the "specific factual and policy matrix that exists in the individual case at the time the determination is made", and that the Respondent had properly had regard to that matrix: see paragraph 57 of the judgment.

6. At the heart of Mr. Stinchcombe QC's submissions before this Court on behalf of the Appellants was a submission which was not made to Supperstone J, and which did not feature in the Appellants' original Grounds of Appeal. The new submission, incorporated into the Appellants' Amended Grounds of Appeal on the second day of the hearing, was that the discretion conferred by subsection 61G(5) - to decide what is an appropriate area to be designated as a neighbourhood area - is not a discretion to decide whether a given area should or should not be designated as a neighbourhood area, but is confined to a discretion to decide within which neighbourhood area any given site is to be included.
7. What was Parliament's intention in enacting the subsection? The starting point must be the language used in section 61G. In my judgment, that language does not support the existence of such a limitation. Both subsections (1) and (5) describe the designation function as a power, not a duty. On the face of it, a power given to a local planning authority to decide whether a specified area is "an appropriate area" to be designated as a neighbourhood area necessarily confers a broad discretion. The designation of an area as a neighbourhood area is not an end in itself. The purpose of designating an area as a neighbourhood area is to define the area within which a neighbourhood forum (outside the area of a Parish Council) is authorised to exercise certain planning powers: the making of a neighbourhood plan and/or a neighbourhood development order. When determining the issue of appropriateness it may, therefore, be necessary to have regard to a wide range of planning considerations.
8. It is true that if the authority refuses the application because it considers that the specified area is not an appropriate area to be designated as a neighbourhood area, subsection (5) then requires that the power of designation is to be exercised in a particular way, but the subsection does not require the power to be exercised so as to secure that all of the specified area forms part of an area that is, or is to be designated as a neighbourhood area. If Parliament had intended that the local planning authority should simply decide within which designated neighbourhood area any specified area should be included it would have required the power of designation to be exercised so as to secure that all, and not some or all, of the specified area forms part of a neighbourhood area. When imposing the duty on the manner in which the designation power must be exercised under subsection 61G(5) Parliament clearly envisaged that a local planning authority might exercise the power so as to designate a smaller area as a neighbourhood area leaving part or parts of the specified area outwith any neighbourhood area. In this appeal we are not concerned with the role of Parish Councils in the neighbourhood planning process, but it will be noted that even in a case where the "relevant body" making the application for designation of the area is a Parish Council, and the local planning authority must have regard to the desirability of designating the whole of the Parish Council's area as a neighbourhood area (see subsection 61G(4)(a)), it is not required to designate the whole, and may exclude part, of the Parish Council's area, thus ensuring that it will not be included in any neighbourhood area: see subsection 61G(3)(b).

9. Mr. Stinchcombe sought to overcome this difficulty, and to convert “some or all” in subsection 61G(5) into “all”, by advancing two propositions:-
- (1) That the power to designate a neighbourhood area is exercisable when an application is made by a “relevant body”, and the definition of “relevant body” in subsection 61G(2) includes in paragraph (b) “an organisation or body” which is, or is capable of being, designated as a neighbourhood forum (on the assumption that, for this purpose, the specified area is designated as a neighbourhood area). The capability threshold in paragraph 61G(2)(b) is a relatively low one. Any organisation or body that meets the relatively basic conditions set out in section 61F(5) is capable of being designated as a neighbourhood forum.
 - (2) While a local planning authority can lawfully decline to consider certain types of repeat proposals for designation of a neighbourhood area (see paragraph 5 of Schedule 4B to the 1990 Act), it may not lawfully refuse to consider a repeat application or applications made in respect of the excluded part or parts of a specified area in an earlier application.
10. Mr. Stinchcombe submitted that the combined effect of these two propositions was that any local planning authority considering whether a specified area is an appropriate area to be designated as a neighbourhood area must appreciate that if it designates only some, but not all of the specified area as a neighbourhood area, then a further application specifying that excluded area as an area to be designated as a neighbourhood area can promptly be made by an organisation or body which meets the low capability threshold for designation as a neighbourhood forum for that area; and if that is done subsection 61G(5) will require the local planning authority to use its power of designation so as to secure that some or all of that excluded area is included in a neighbourhood area; and if the local planning authority decides that only some, but not all, of the excluded area should be included in a neighbourhood area, the same application process can be repeated in respect of the remaining part or parts of the excluded area, until, by a process of salami slicing (my words), the local planning authority is eventually constrained to designate the whole of the excluded area as a neighbourhood area.
11. Mr. Stinchcombe submitted that this analysis of the legislative provisions led to the conclusion that Parliament intended, not that local planning authorities should decide whether a specified area is an appropriate area to be designated as a neighbourhood area, but within which designated (or to be designated) neighbourhood area it should be included. Parliament’s intention in enacting these provisions of the 2011 Act was, he submitted, that the whole of England should, wherever it is the wish of the local community, be covered by a patchwork of neighbourhood areas, within which neighbourhood forums will prepare neighbourhood development orders and neighbourhood development plans.
12. While the first of Mr. Stinchcombe’s propositions is correct, as far as it goes, it fails to recognise the discretion conferred upon the local planning authority by subsection 61F(5): the authority may, not must, designate an organisation or body meeting the conditions set out in that subsection as a neighbourhood area. Once again, the manner in which this subsection (5) discretion may be exercised is subject to a duty: to have regard to the desirability of designating a body that meets the criteria in subsection (7). Provided the local planning authority does have regard to the desirability of designation in such a case, it may still refuse an application for designation as a neighbourhood forum.
13. Mr. Stinchcombe submitted that even if the local planning authority refused an application for designation as a neighbourhood forum by a body meeting the capability threshold in section 61G(2)(b), it would still be obliged to determine the application for the specified area

to be designated as a neighbourhood area. In order to refuse that application the local planning authority would have to exercise its power under subsection 61G(5), thus bringing into effect the obligation to exercise the power so as to secure that some or all of the specified area was included in an area designated (or to be designated) as a neighbourhood area.

14. In my judgment, this submission takes insufficient account of the need to read sections 61F and 61G together. I accept the submission of Miss Ornsby QC on behalf of the Respondent that the two sections are inextricably interlinked. A neighbourhood forum is an organisation or body that is authorised to act in relation to a neighbourhood area if it is designated by a local planning authority as a neighbourhood forum for that area: see section 61F(3) of the 1990 Act, as applied to neighbourhood development plans by section 38C (1) and (2)(a) of the Planning and Compulsory Purchase Act 2004. Putting the matter at its simplest: one cannot have a neighbourhood forum without its neighbourhood area (see the conditions in subsection 61F(5)); and outside the area of a Parish council one cannot have a neighbourhood area without its neighbourhood forum (see subsection 61G(1)).
15. The inclusion of an organisation or body which is capable of being designated as a neighbourhood forum as a “relevant body” in subsection 61G(2) is readily understandable. When section 61G came into force on 15th November 2011 there were no designated neighbourhood areas or neighbourhood forums. In order to meet what would otherwise have been a “Catch 22” impasse – with no neighbourhood forum there could have been no application for designation of a neighbourhood area, and with no designated neighbourhood area there could have been no application for designation as a neighbourhood forum – it was necessary to enable the making of combined applications by organisations or bodies capable of becoming neighbourhood forums, both for designation as an neighbourhood forum and for designation of the neighbourhood area in relation to which the neighbourhood forum would be authorised to act: see regulations 5 and 8 of The Neighbourhood Planning (General) Regulations 2012.
16. Against this statutory background, where the only purpose of a designated neighbourhood area is to define the area within which a designated neighbourhood forum is authorised to act, the Appellants’ submission that provided an organisation or body which meets the capability threshold has made an application for designation of a specified area as a neighbourhood area, that application has a continuing life of its own, and must be determined under subsection 61G(5) even if the local planning authority has refused the applicant organisation or body’s application for designation as a neighbourhood forum, makes no sense. If the unsuccessful applicant for designation as a neighbourhood forum was the first applicant under the 2011 Act, the local planning authority would be unable to comply with that part of subsection 61G(6) which requires it to exercise its designating power so as to secure that some or all of the specified area forms part of one or more areas designated, or to be designated, as neighbourhood areas, because there would be no such areas.
17. For these reasons, I consider that sections 61F and 61G enable a local planning authority when considering a combined application by an organisation or body which is capable of being designated as a neighbourhood forum both for designation as a neighbourhood forum and for designation of the neighbourhood area for that neighbourhood forum, to exercise its power under section 61F(5) to refuse the application for designation as a neighbourhood forum. If it does so it may decline to determine the application for designation of the specified area as a neighbourhood area on the basis that an organisation or body whose application for neighbourhood forum designation has been refused is not a “relevant body”

because it is no longer “capable of being designated as a neighbourhood forum”. This would confine the need to exercise the section 61G(5) power of designation to those cases where the local planning authority did consider it appropriate to designate a neighbourhood forum, but did not think that the specified area was appropriate for designation as the neighbourhood area. In such a case, as in the present case, the local planning authority would be able (even if the applicant was the first successful applicant for neighbourhood forum status) to exercise its power of designation so as to ensure that some of the specified area was designated as a neighbourhood area.

18. While Parliament clearly envisaged that there might be repeat applications for designation, it would, to put it at its lowest, be surprising if, in enacting subsection 61G(5), Parliament had intended that a lawful decision by a local planning authority that the whole of a specified area was not an appropriate area to be designated as a neighbourhood area and that only some of the area was an appropriate area to be so designated, could be circumvented by the simple expedient of another body capable of being designated as a neighbourhood forum making a further application in respect of the excluded area, and then the repetition of that process as often as necessary in order to eventually secure the designation of the whole of the originally specified area. For the reasons set out above, I do not accept Mr. Stinchcombe’s submission that we are driven to reach such an improbable conclusion. If such a repeat application was made by an organisation or body which passed the capability threshold in section 61G(2)(a) in respect of an area which the local planning authority had previously considered was not an appropriate area to be designated as a neighbourhood area, the local planning authority would be entitled to refuse the application for neighbourhood forum designation under section 61F(5), and that would dispose of the repeat application. It does not follow that the local planning authority would necessarily refuse a repeat application for designation. Circumstances might have changed so as to justify a fresh application in respect of the excluded area. Whatever the precise extent of the power conferred by section 61F(5), it is sufficiently broad to enable local planning authorities to refuse repeat applications of the kind envisaged by Mr. Stinchcombe, which would in other contexts be described as an abuse of process. The submission that it was Parliament’s intention that the whole of England and Wales should, wherever it is the wish of the local community, be covered by a patchwork of neighbourhood areas, conflicts with the express terms of section 61G whether one is considering an application by a neighbourhood forum or a Parish Council: see paragraph 8 (above).

The remaining Grounds of Appeal

19. In his other Grounds of Appeal Mr. Stinchcombe submitted that Supperstone J had erred in concluding that, when exercising the discretion conferred by subsection 61G(5), the Respondent was entitled to have regard to the “policy and factual matrix” that existed at the time of its decision, so as to exclude the two strategic sites from the designated neighbourhood area for reasons which all related to their strategic nature. He submitted that the matters relied upon by the Respondent were irrelevant considerations, and/or that the Respondent’s decision frustrated the purpose of the 2011 Act. Although he did not concede that these other grounds of appeal were dependent upon the Court accepting his approach to the interpretation of subsection 61G(5), it is difficult to see why the factors considered by the Respondent when deciding to exclude the two strategic sites from the designated neighbourhood area (see paragraph 28 of the judgment) were irrelevant considerations or why the Respondent’s decision frustrated the purpose of the 2011 Act, if the discretion conferred by the subsection is a discretion to decide whether a given area should or should

not be designated as a neighbourhood area, and is not confined to a discretion to decide within which neighbourhood area that area should be included.

20. If the discretion is not so confined, any decision by the local planning authority as to appropriateness must take into account the factual and policy matrix that exists in each individual case at the time that the decision is made. As I have mentioned, the Appellants do not challenge the Judge's account of the factual and policy matrix. It is unnecessary to repeat the detail. The first four reasons given by the Respondent for excluding the two strategic sites from the specified area (it was common ground that the fifth reason did not take the matter any further) are all interlinked. In summary, it was not simply that RAF Daws Hill and the Sports Centre sites were strategic sites that would have larger than local impacts upon larger "communities of interest" requiring any referendum to take place over a much wider area than the specified area, possibly extending to the whole of the District Council's area; it was that the planning process in respect of these two strategic sites was already well advanced by September 2012. Outline planning permission had been granted for the Sports Centre site and a revised outline application for that site was under consideration, and a planning application pursuant to a highly prescriptive Development Brief for the Daws Hill site, which had been approved in draft for consultation in June 2012, was anticipated that Autumn.
21. The DHRA's application for designation of a neighbourhood area had explained why it sought the inclusion of the two strategic sites within the designated specified area. That explanation included the following paragraphs:

"The suggested high-density residential development of RAF Daws Hill and the proposed inclusion of 36,000 sqm of employment generating floorspace other supporting development and a hotel in the Sports Centre redevelopment we believe will adversely affect the quality of life for existing residents. The Daws Hill Neighbourhood Plan (NP) is being developed to help deliver the local community's ambitions and needs for the plan period 2012-2026 in accordance with the Localism Act 2011 and 2012 to allow them to exercise influence over decision that will 'make a big difference' to their lives within the neighbourhood area.

The existing residential area is boxed-in by the M40, Handy Cross Sports Centre, Marlow Hill, Wycombe Abbey School grounds and RAF Daws Hill, and is therefore directly affected by the two development sites at Handy Cross and RAF Daws Hill. Any large-scale development within the neighbourhood area will have a profound impact on the existing residents due to increased traffic within the area, increased traffic flow through the area and the consequent increase in noise pollution, air pollution and disruption; environmental issues; the impact of increased commercial and retail facilities in a predominantly residential area; the changed character of the dramatically increased residential area and home numbers in a designated Area of Outstanding Natural Beauty (AONB) because of the suggested higher density developments; the impact on local schools, health and welfare resources; the impact of the

delivery of services: water, telephone/broadband, electricity and gas supplies; and the impact of the developments on security of the schools, and the character of the gateway to High Wycombe (Handy Cross onto Marlow Hill).”

22. Given that the primary purpose of the DHRA was to influence the scale of development on the two strategic sites through the neighbourhood development plan process, the Respondent was entitled to conclude that any neighbourhood development plan would be overtaken by events. Depending on the complexity of the issues to be resolved in the neighbourhood development plan (and there is no dispute that the two strategic sites raised very complex issues), and assuming a positive outcome at both the independent examination and the referendum stages, it would take between 12 and 21 months before a neighbourhood development plan could be approved. In these circumstances the Respondent was entitled to conclude that in this particular case false expectations would be raised and time and resources would be wasted. In my judgment, this particular combination of factors could not sensibly be described as an irrelevant consideration for the purpose of the exercise of the designation power in section 61G(5).

Character of the area

23. Before the judge, Mr. Stinchcombe submitted that the Respondent had failed to take into account the character of the area by excluding the two strategic sites which were part of a single area (paragraph 35 judgment). His submission that the concept of the character of a neighbourhood area which is to be found in sub-paragraph (a)(iii) of subsection 61F(7) must “translate through to section 61G from section 61F” (ibid) was not accepted by the judge (see paragraph 36 of the judgment). While I would accept that the reference to the “character of [the] area” in subsection 61F(7)(a)(iii) does not “transfer” or “translate through” to subsection 61G(5), I do not accept that this leads to the conclusion that the character of the area is an irrelevant consideration for the purpose of the designation power in the latter subsection. The character of an area proposed for designation as a neighbourhood area is bound to be a relevant consideration when the local planning authority is deciding whether its designation as a neighbourhood area is appropriate. If, which is by no means clear, the judge reached a contrary conclusion on this issue, I would respectfully disagree with him on that point.
24. However, the point is of no assistance to the Appellants. Their submission that the Council failed to have regard to the character of the area when deciding to exclude the two strategic areas from the designated neighbourhood area is wholly unrealistic. It is true that the words “character of the area” do not appear in either the officers’ report or the formal reasons given for the Council’s decision, but on a fair reading of both of those documents it is clear that, unsurprisingly, both officers and members were very well aware of the character of the various parts of the specified area proposed by the DHRA, and in particular they were familiar with the character of the two strategic sites. A revised planning application for the Sports Centre site had been received, and the meeting of the Council’s Cabinet on 10th September 2012 which considered the DHRA’s application for designation was also considering changes to the Daws Hill Development Brief following public consultation. The fact that the two sites were strategic sites was a reflection of their location and size and their “brownfield” character, but they were excluded from the designated neighbourhood area because they were two strategic sites where the planning process was very well advanced, and not because they were, in some way unrelated to their strategic characteristics, “out of character” with the remainder of the neighbourhood area.

Conclusion

25. I would dismiss this appeal.

Lord Justice Briggs:

26. I agree.

The Master of the Rolls:

27. I also agree.

Annex

61FAuthorisation to act in relation to neighbourhood areas

(1)For the purposes of a neighbourhood development order, a parish council are authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the council.

(2)If that neighbourhood area also includes the whole or any part of the area of another parish council, the parish council is authorised for those purposes to act in relation to that neighbourhood area only if the other parish council have given their consent.

(3)For the purposes of a neighbourhood development order, an organisation or body is authorised to act in relation to a neighbourhood area if it is designated by a local planning authority as a neighbourhood forum for that area.

(4)An organisation or body may be designated for a neighbourhood area only if that area does not consist of or include the whole or any part of the area of a parish council.

(5)A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions—

(a)it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),

(b)its membership is open to—

(i)individuals who live in the neighbourhood area concerned,

(ii)individuals who work there (whether for businesses carried on there or otherwise), and

(iii)individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(c)its membership includes a minimum of 21 individuals each of whom—

(i)lives in the neighbourhood area concerned,

(ii)works there (whether for a business carried on there or otherwise), or

(iii)is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(d)it has a written constitution, and

(e)such other conditions as may be prescribed.

(6)A local planning authority may also designate an organisation or body as a neighbourhood forum if they are satisfied that the organisation or body meets prescribed conditions.

(7)A local planning authority—

(a)must, in determining under subsection (5) whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the desirability of designating an organisation or body—

(i)which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),

(ii)whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and

(iii) whose purpose reflects (in general terms) the character of that area,

(b) may designate only one organisation or body as a neighbourhood forum for each neighbourhood area,

(c) may designate an organisation or body as a neighbourhood forum only if the organisation or body has made an application to be designated, and

(d) must give reasons to an organisation or body applying to be designated as a neighbourhood forum where the authority refuse the application.

(8) A designation—

(a) ceases to have effect at the end of the period of 5 years beginning with the day on which it is made but without affecting the validity of any proposal for a neighbourhood development order made before the end of that period, and

(b) in the case of the designation of an unincorporated association, is not to be affected merely because of a change in the membership of the association.

(9) A local planning authority may withdraw an organisation or body's designation as a neighbourhood forum if they consider that the organisation or body is no longer meeting—

(a) the conditions by reference to which it was designated, or

(b) any other criteria to which the authority were required to have regard in making the designation;

and, where an organisation or body's designation is withdrawn, the authority must give reasons to the organisation or body.

(10) A proposal for a neighbourhood development order by a parish council or neighbourhood forum may not be made at any time in relation to a neighbourhood area if there is at that time another proposal by the council or forum in relation to that area that is outstanding.

(11) Each local planning authority must make such arrangements as they consider appropriate for making people aware as to the times when organisations or bodies could make applications to be designated as neighbourhood forums for neighbourhood areas.

(12) Regulations—

(a) may make provision in connection with proposals made by qualifying bodies for neighbourhood development orders, and

(b) may make provision in connection with designations (or withdrawals of designations) of organisations or bodies as neighbourhood forums (including provision of a kind mentioned in section 61G(11)(a) to (g)).

(13) The regulations may in particular make provision—

(a) as to the consequences of the creation of a new parish council, or a change in the area of a parish council, on any proposal made for a neighbourhood development order,

(b) as to the consequences of the dissolution of a neighbourhood forum on any proposal for a neighbourhood development order made by it,

(c) suspending the operation of any duty of a local planning authority under paragraph 6 or 7 of Schedule 4B in cases where they are considering the withdrawal of the designation of an organisation or body as a neighbourhood forum,

(d) for determining when a proposal for a neighbourhood development order is to be regarded as outstanding, and

(e)requiring a local planning authority to have regard (in addition, where relevant, to the matters set out in subsection (7)(a)) to prescribed matters in determining whether to designate an organisation or body as a neighbourhood forum.

61G Meaning of “neighbourhood area”

(1)A “neighbourhood area” means an area within the area of a local planning authority in England which has been designated by the authority as a neighbourhood area; but that power to designate is exercisable only where—

(a)a relevant body has applied to the authority for an area specified in the application to be designated by the authority as a neighbourhood area, and

(b)the authority are determining the application (but see subsection (5)).

(2)A “relevant body” means—

(a)a parish council, or

(b)an organisation or body which is, or is capable of being, designated as a neighbourhood forum (on the assumption that, for this purpose, the specified area is designated as a neighbourhood area).

(3)The specified area—

(a)in the case of an application by a parish council, must be one that consists of or includes the whole or any part of the area of the council, and

(b)in the case of an application by an organisation or body, must not be one that consists of or includes the whole or any part of the area of a parish council.

(4)In determining an application the authority must have regard to—

(a)the desirability of designating the whole of the area of a parish council as a neighbourhood area, and

(b)the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas.

(5)If—

(a)a valid application is made to the authority,

(b)some or all of the specified area has not been designated as a neighbourhood area, and

(c)the authority refuse the application because they consider that the specified area is not an appropriate area to be designated as a neighbourhood area,

the authority must exercise their power of designation so as to secure that some or all of the specified area forms part of one or more areas designated (or to be designated) as neighbourhood areas.

(6)The authority may, in determining any application, modify designations already made; but if a modification relates to any extent to the area of a parish council, the modification may be made only with the council’s consent.

(7)The areas designated as neighbourhood areas must not overlap with each other.

(8)A local planning authority must publish a map setting out the areas that are for the time being designated as neighbourhood areas.

(9)If the authority refuse an application, they must give reasons to the applicant for refusing the application.

(10)In this section “specified”, in relation to an application, means specified in the application.

(11) Regulations may make provision in connection with the designation of areas as neighbourhood areas; and the regulations may in particular make provision—

(a) as to the procedure to be followed in relation to designations,

(b) as to the giving of notice and publicity in connection with designations,

(c) as to consultation with and participation by the public in relation to designations,

(d) as to the making and consideration of representations about designations (including the time by which representations must be made),

(e) as to the form and content of applications for designations,

(f) requiring an application for a designation to be determined by a prescribed date,

(g) entitling or requiring a local planning authority in prescribed circumstances to decline to consider an application for a designation, and

(h) about the modification of designations (including provision about the consequences of modification on proposals for neighbourhood development orders, or on neighbourhood development orders, that have already been made).



N A B A R R O

East Hertfordshire District Council

Council Offices
Wallfields
Pegs Lane
Hertford
SG13 8EQ

17 December 2015

Our ref: GB/CTB/L1990/00055/Panshanger
Your ref:

Dear Sirs

OBJECTION by Tarmac to application by Hertingfordbury Parish Council to designate a Neighbourhood Area on grounds of conflict with the emerging Local Plans and with Tarmac's interests at Panshanger Park

We represent Tarmac whose land interests are included in the proposed Neighbourhood Area, and as such is an interested person for the purposes of the relevant legislation.

As a preliminary issue, we note that the Hertingfordbury Parish Council is the applicant for the area designation. In the absence of any information as to the basis for the identification of the Neighbourhood Area or the principles upon which a Neighbourhood Plan is being promoted, Tarmac reserves the right to make further representations as to the vires of the Parish Council's application.

We would also note that Panshanger Park and Birchall relate to an area that is much greater than the Parish of Hertingfordbury – we would suggest that the majority of the community that uses Panshanger Park lives outside the Parish of Hertingfordbury for example in Hertford and Welwyn Garden City. These communities would have no influence in helping to frame the Hertingfordbury Neighbourhood Plan and just as importantly (and undemocratically) would have no vote in respect of any future neighbourhood plan referendum.

In addition, notwithstanding the large extent of Tarmac's interests in the proposed Neighbourhood Area, Hertingfordbury Parish Council has made no attempt to discuss the proposed Neighbourhood Area with Tarmac. The proposed Neighbourhood Area as currently put forward is likely to impinge on Tarmac's existing operations and restoration proposals at Panshanger Park and frustrate and undermine the proper forward planning processes of East Hertfordshire District Council.

In common with other recent proposals for Neighbourhood Area designation elsewhere, we consider that the proposed boundaries of this particular Neighbourhood Area are misconceived, and in conflict with strategic cross boundary planning priorities.

T +44 (0)114 279 4000 F +44 (0)114 278 6123
1 South Quay Victoria Quays Sheffield S2 5SY www.nabarro.com DX 712550 Sheffield 20

Nabarro LLP Solicitors
Registered office: 125 London Wall, London, United Kingdom EC2Y 5AL

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L1990/00055/83151208 v.3



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We would note, in particular, the decision in the High Court in *R. (on the application of Daws Hill Neighbourhood Forum) v Wycombe DC* [2014] EWCA Civ 228 (copy attached) when it was established that where a Parish Council is the relevant body making the application for designation of the area, the local planning authority must have regard to the desirability of designating the whole of the Parish Council's area as a Neighbourhood Area and made clear that:

"it is not required to designate the whole, and may exclude part, of the Parish Council's area, thus ensuring that it will not be included in any neighbourhood area".

In the same case, Lord Justice Sullivan said that in addressing the question of appropriateness of the inclusion of land in a Neighbourhood Area in accordance with the requirements of Section 61G of the Town and Country Planning Act 1990:

"any decision by the local planning authority as to appropriateness must take into account the factual and policy matrix that exists in each individual case at the time that the decision is made".

In this case the proposed Neighbourhood Area encompasses the whole of the administrative area of Hertingfordbury Parish Council (except apparently the village of Hertingfordbury itself) including that part of Panshanger Park as is in East Hertfordshire District.

We would note in particular that:

- No justification has been given, other than the administrative parish boundary, as to why the proposed area is considered to be appropriate as an area for the Neighbourhood Plan. The composition and morphology of the 'de facto' land area with its built forms, land uses, connectivity and character within the Parish Boundary is clearly different and actually segmented / divided by the A414. For example:
 - Land to the south comprises small fragmented settlements with a rural agricultural character and with land and land uses connected by a small scale community road network and potentially comprising many landowners.
 - In contrast, land to the north comprising predominantly of two main land blocks ie Panshanger Park and Birchall, with a limited number of land uses and landowners. Both land blocks being previously, currently or potentially subject to land uses related to minerals development and / or landfilling. The land blocks to the north have also been, and will be covered in the future, by specific planning and legal applications and obligations. The NP should address only land to the south of the A414 (which is still a large geographical area).
- Panshanger Park is already the subject of a detailed planning permission and s.52 agreement that governs the development and future restoration of this area.
- Panshanger Park has also been the subject of Vision discussions that have been in train for over 2 years now in terms of expanding the scope of the Park over and above the basic requirements of the original S.52 Agreement.
- The Vision discussions have involved a process of bringing the various stakeholders (EHDC, HCC, HMWT and others) on board with the concept of enabling works on site to fund



N A B A R R O

To: East Herts Council
Date: 17 December 2015
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enhanced infrastructure and a full restoration of the Orangery formal gardens etc. This process is now well advanced and an application could be made within the next 18 months.

- Given that the process for adopting a neighbourhood development plan could take as long as 21 months, it is likely that detailed planning proposals for Panshanger Park will have been submitted and, potentially determined, within that timescale.
- In the event of conflict between the proposed neighbourhood plan and the local plans, which we strongly suspect would arise, this would lead to considerable time and resources being wasted by all parties.

These are all material considerations which the local authority should take into account when considering whether Panshanger Park should be included in the Neighbourhood Area to be designated.

In our submission, insofar as a Neighbourhood Area is designated at all, that part of the proposed Neighbourhood Area encompassed by Panshanger Park should be excluded from it – as shown shaded blue on the attached plan.

Separate representations are being made in connection with Tarmac's interest in the Birchall Garden Suburb proposals.

Please acknowledge safe receipt of this letter.

Yours faithfully



NABARRO LLP

PA/1285/sf

14 January 2016

Ms Isabelle Haddow
East Herts District Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

Dear Ms Haddow

Hertingfordbury Neighbourhood Plan

I am instructed by Mr Anthony Downs of Gascoyne Cecil Estates who are major landowners within the proposed Hertingfordbury Neighbourhood Plan Area.

I confirm that the Estate are supportive of the principle of a Neighbourhood Plan for Hertingfordbury Parish and which includes the villages of Cole Green and Birch Green. In particular, the Estate are in general terms supportive of 'bottom-up' planning with emphasis on consultation, dialogue and discussion with local people in the planning of their areas.

You may be aware that the Estate have held a number of local Charrette's within Welwyn Hatfield in recent years with full involvement and engagement with the local communities. The Charette's which are open consultation and discussion events have been held in respect of Hertfordshire, Old Hatfield (redevelopment of Salisbury Square) and Mill Green (between Welwyn Garden City and Hatfield).

You may be aware from discussion with your Policy Team colleagues (Claire Sime/Jenny Pierce) that in May 2014, we produced a promotional brochure, entitled The Greens, Hertford as part of your emerging East Herts Local Plan. I am enclosing a copy of this brochure (if you have not already seen it), and which you will see that we put forward and proposed a limited degree of residential infill development within the settlements of Birch Green and Cole Green within Hertingfordbury Parish.

We will welcome further discussion with officers on these proposals in consultation with Hertingfordbury Parish, as both the East Herts Local Plan and Hertingfordbury Neighbourhood Plan come to fruition.

I refer to representations you have already received from Nabarro LLP Solicitors on behalf of Lafarge Tarmac who have raised an objection to the proposed Hertingfordbury Neighbourhood Plan area. (Nabarro LLP letter to you of 16 December 2015). The Estate wish to point out that land proposed by Nabarro on behalf of Tarmac to be removed from the Neighbourhood Plan area includes land within the ownership of Gascoyne Cecil Estates. In this regard, the Estate are happy for their land to be included within the Neighbourhood Plan area and would not wish for it to be excluded. I am enclosing a plan showing the Estate's ownership in Cole Green/Birch Green within Hertingfordbury Parish for your reference.



You will be aware from previous discussions with Jenny Pierce and Claire Sime from your Policy Team that the Estate have withdrawn their land from your draft Strategic Broad Location for Growth East of Welwyn Garden City (EWEL1) (in June 2015).

Gascoyne Cecil Estates have confirmed categorically that there is no Memorandum of Agreement between the Estate and Lafarge Tarmac (nor has there ever been such a document) and the Estate continue to hold serious reservations about the present Lafarge Tarmac proposals. These concerns stem firstly from the impact of the development upon the setting of heritage assets (both Hatfield and Panshanger Park), adverse landscape impact, Lafarge's failure to address concerns raised in respect of the proposed strategic green corridor as well as wider issues including wildlife/ecology and capacity of the A414 to take additional traffic from this development.

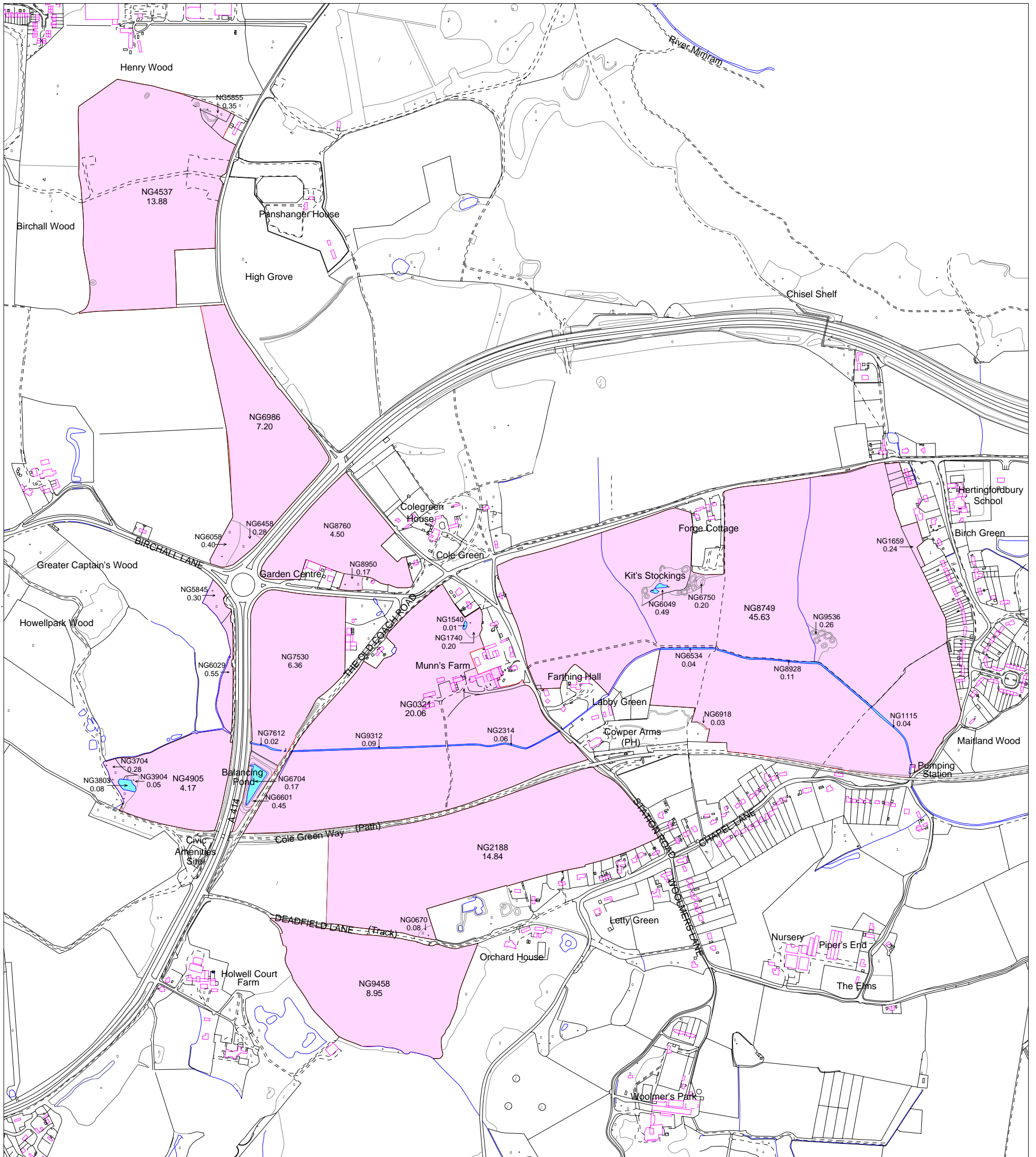
I confirm that the Estate and its advisers will be keen to further discuss the draft Hertingfordbury Neighbourhood Plan as it progresses through the plan-making process and in this regard, support the Parish in their efforts.


No doubt you will take these matters fully into consideration on the proposals for the Parish to be designated as a Neighbourhood Area.

Please contact me if there are any immediate points arising from this letter.

Yours sincerely


Encs: The Greens Promotional Brochure
Gascoyne Cecil Estates Land Ownership Map




GASCOYNE CECIL
 ESTATES

Hatfield Park Estate Office, Hatfield House,
 Hatfield, Hertfordshire, AL9 5NF
 Tel: 01707 287000 Fax: 01707 275719

Hatfield Estate: Munns Farm

SCALE: 1:9000	DATE: 28/06/2007	
MAP FILE REFERENCE: Munns Farm pink.mpd		
<small>Produced by Pear Technology Services Ltd www.peartechnology.co.uk info@peartechnology.co.uk Based on Ordnance Survey 1:2500 Land-Line data with the permission of the Controller of HMSO © Crown Copyright</small>		

The Greens, Hertford

Birch Green, Cole Green & Letty Green

Draft East Hertfordshire
District Plan Preferred
Options Consultation
Representations on
behalf of the Gascoyne
Cecil Estates

These representations have been prepared by JB Planning Associates (JBPA) on behalf of the Gascoyne Cecil Estates (the Estate) in relation to the Preferred Options Consultation on the emerging East Hertfordshire District Plan (the draft District Plan).

The representations support the identification of Birch Green, Cole Green and Letty Green as Group 2 Villages but recommend some amendments to the draft Plan to ensure that sufficient scope is retained to allow the villages to remain sustainable and vibrant communities.

Historical Context

The Gascoyne Cecil Estates

The Estate has been at the heart of local communities for more than four hundred years, and continues to flourish in spite of the challenges that the passage of time has brought. To quote from the Gascoyne Cecil Estates prospectus:

“Estates cannot stand still; nothing is more certain than terminal decline if preservation of the past outweighs the needs of the present and future. The Estates are managed on behalf of the Marquess of Salisbury by Gascoyne Cecil Estates.

While the challenges evolve, the ethos behind the Estates’ approach to management remains constant:

- To enhance our environment and secure the long-term prosperity both of the Estates and their extended communities.
- To preserve the best of what we already hold, improving this with new homes, high-quality public spaces and thriving businesses – all of which will provide employment and support to local communities for years to come.

Development will always be a contentious matter – change will always give rise to fears for what the future might hold. The Estates believe that change is not only inevitable but in many cases is desirable. However it must take place in partnership with local communities and the Estates have worked hard in recent years to engage with communities and key stakeholder partners. We strongly believe that local communities should have their say in how towns and villages might evolve.

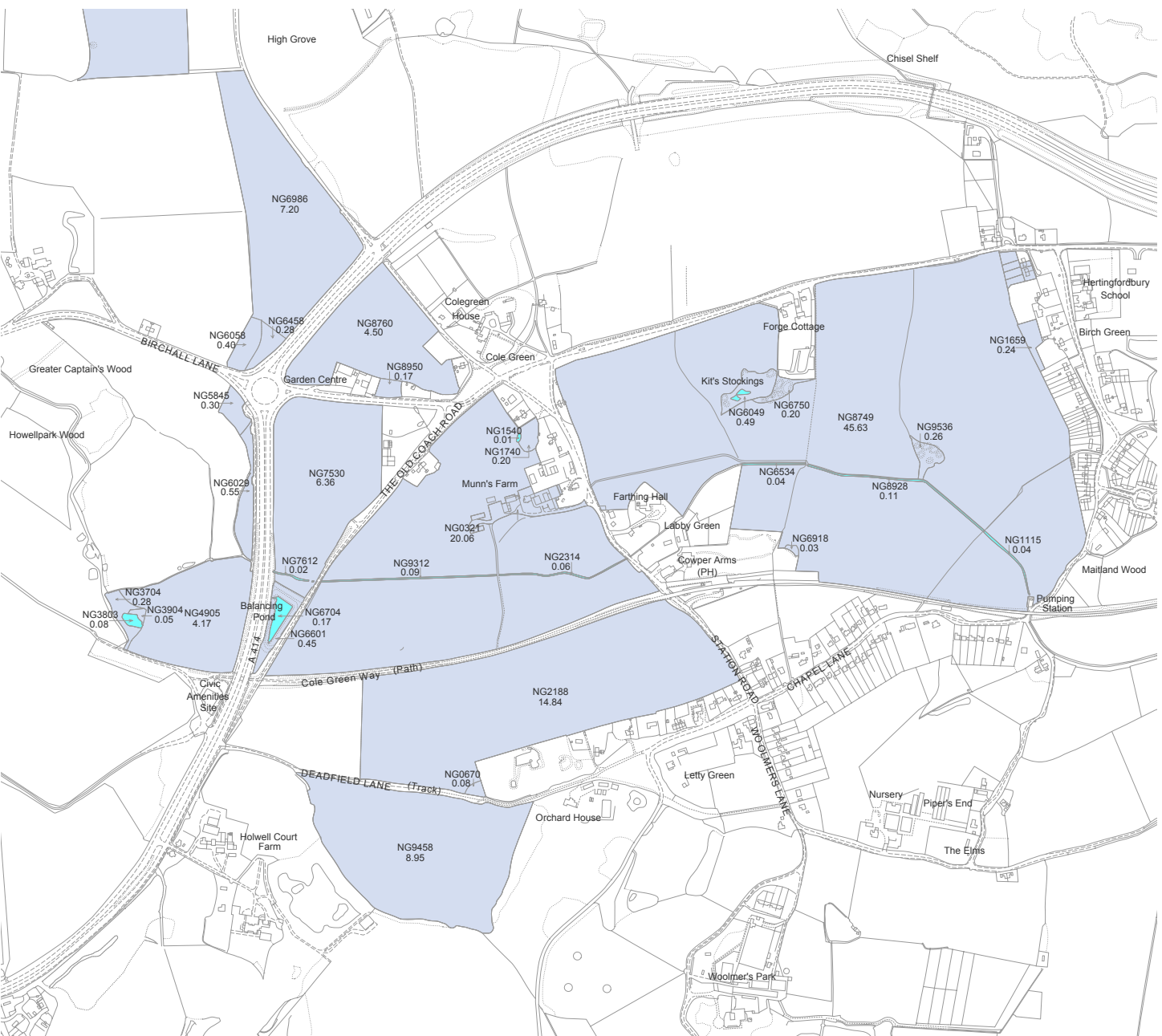
Release of farm land for development will always be a difficult decision. We believe, however, that where such development is necessary it is important to engage and lobby for the best possible standard of development. Thus, we will ensure that the Estates remain at the heart of any debate on future expansion of towns and villages and that development built on Estates land creates places of which people can be proud and which provide sustainable communities for many generations to come.

New development does not have to be bad. Careful planning and design can overcome many of the shortcomings of more typical housing developments. We believe that well-designed urban extensions can be a vital driver of prosperity and in turn assist in the regeneration of other parts of our existing towns and villages.

Adopting a longer term vision and having a desire to remain at the heart of our communities means we will listen to people’s aspirations and concerns and strive to achieve the best possible results that build upon our own history.”



Gascoyne Cecil Estates land ownership surrounding the Three Villages



Strategic Context

East Hertfordshire District Plan

Housing Need

The draft District Plan states that the “evidence indicates” a need for 15,000 new homes between 2011 and 2031 – an average of 750 new homes a year (draft Policy DPS1). We understand that this figure is a rounding of the Government’s 2011 (as published in April 2013) population projection for the District of 14,716 new households (an increase from the 2008 population projection of 13,224 new households).

However, the housing requirement projections¹ set out in the Council’s latest Strategic Housing Market Assessment (SHMA) of March 2013 suggest a need for between 16,900 and 18,600 new homes; notably these figures are based on the lower 2008 population projections as opposed to the higher 2011 projections.



In justifying the proposed use of the 15,000 new homes figure, the Council has stated² that there is “no justifiable reason for not relying on such official projections as a basis for informing planning for housing and related policy work”; however to do so would be contrary to the NPPF (para. 159), which requires that the need and demand for housing is also taken into account.

Thus the true need for housing within the District could be up to 3,600 new homes higher than is being planned for by the Council.

New Homes	
SHMA	16,800–18,600
Draft Plan	15,000

1. Excluding the Net Nil-Migration household projection figure (xref NPPG).

2. East Herts Council District Planning Executive Panel 25 July 2013 Report by Executive Member for Strategic Planning and Transport, Population and Household Projections: Update Report, Paragraph 2.20.

Housing Land Supply

The Council estimates that during the first 5 years of the plan period (2011–2016), only 2,654 new homes will have been built instead of the 3,750 required (5×750) – a shortfall of 1,096 homes; the Council has not provided any calculation to support the 2,654 figure. Indeed, the Council's latest (February 2014) Annual Monitoring Report (AMR) predicts that only 2,341 homes will be delivered between 2011 and 2016; if so, then the shortfall will be 1,409 rather than 1,096 as stated in the draft Plan.

The National Planning Policy Framework (NPPF) requires (para. 47) that local planning authorities should “identify and update annually a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing” – in this case sufficient land for 3,750 homes.

The National Planning Policy Guidance (NPPG) supports (para. 35) the approach whereby a shortfall in housing supply is made up in the short-term, usually over the course of the next 5 years. Despite this, the Council is proposing that the shortfall be made up over the course of the remaining 15 years of the plan period (i.e. 2016–2031), the only apparent justification being that “it is not realistic” to expect the proposed sites to contribute to reducing the shortfall in the first 5 years (in fact the Council is referring to the second 5 years of the plan period (2016–2021), or effectively the first half of the plan period (2011–2021)). The Council therefore proposes that the shortfall of 1,096 homes (assuming that this is the shortfall rather than 1,409 homes mentioned above) be made up at a rate of 73.1 homes ($1,096 / 15$) per year over the remaining 15 years of the plan period rather than an average of 219.2 homes ($1,096 / 5$) per year if this same shortfall is to be made up within the first 5 years. If this approach were to be confirmed, then assuming that 823 homes ($750 + 73$) per year are delivered between 2016 and 2021, the mid-point of the

plan period would be reached with almost a whole years’ worth of housing (731 homes) having not been delivered.

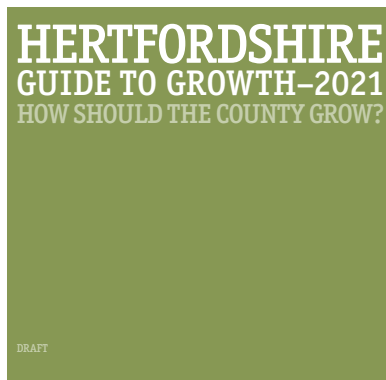
The NPPF also requires an “additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land” – in this case an additional 188 homes ($3,750 \times 5\%$). (The Council erroneously (para. 3.3.6) applies this 5% buffer to the 5 year requirement **plus** the shortfall suggested by it rather than just to the 5 year requirement.)

The Council thus proposes that the District Plan provide for a total of 4,321 homes during the period 2016–2021, whereas the figure should be 5,034 homes ($3,750 + 188 + 1,096$) or 5,347 ($3,750 + 188 + 1,409$). Indeed, if the overall need for housing is as suggested by the Council's SHMA, then assuming the additional requirement is distributed over the remainder of the plan period (2016–2031), the requirement for the period 2016–2021 could be as high as 6,547. The draft District Plan proposes delivery of just 4,423 new homes.

In short, the draft District Plan does not appear to provide for sufficient housing to be delivered either during the remainder of the plan period, or during the next 5 years.

Village Housing

Notably, the District Plan Development Strategy (draft Policy DPS2) references (at part VII) development coming forward from within Group 1 villages (draft Policy VILL1) but fails to reference any development coming forward within Group 2 villages as provided for within the draft Plan (draft Policy VILL2) despite the Plan making clear (para. 3.3.10) that the windfall allowance (of which development within Group 2 villages would form part) is one of the ways in which the Council proposes that its' 15,000 home target (part 1 of Policy DPS2) will be met.



Policy Context

East Hertfordshire District Plan

General Principles

The inclusion of the three villages as within Group 2 is welcomed – previously all three villages were categorised as Group 3, which prevented any new housing (except rural exception site affordable housing) or employment or social / community facilities from being developed and thereby threatened to undermine the villages’ sustainability and vitality.

Group 2 villages are described in Section 6 of the Strategy Supporting Document as being “generally smaller villages with some services and facilities but often without a primary school [where] infill development may be appropriate ... to support existing facilities and services”. In this context, in relation to the three villages, the Council concluded that “some limited infill development ... would not be inappropriate and could assist with meeting local needs”.

We generally concur with the assessment of the three villages as contained within the Council’s ‘Strategy Supporting Document’ (insert ref) (Sieve 1: Areas 26, 30 and 43 – sections 4.9.5, 4.5.9 and 4.5.22) but would highlight a few points on which we differ:

- Whilst the Council states that Birch Green and Cole Green do not have good access to bus or rail services, both are served by bus route 388 between Hertford and Welwyn Garden City, which provides a connection to railway and bus stations within both towns; Letty Green is served on a less frequent basis by bus route 380 (as is Birch Green).
- Whilst the Council states that Birch Green suffers from limited employment opportunities due to the lack of access to the main road (taken as being the A414), there are a number of existing employers operating within the village (refer to page 14 of these representations) providing a range of existing employment opportunities, this despite a constraint over the previous decade on new employment development.





- Whilst the Council states that apart from the Cowper Arms Public House “there are no community facilities within Cole Green, nor the cluster of villages of which it is a part”, and makes a similar statement in relation to Letty Green without referencing the pub, across the three villages there are in fact 5 of the 11 types of facility identified by the Council as being ‘community facilities’ (Strategy Supporting Document para 3.18.4) – in addition to the pub there is a children’s playground, a nursery / pre-school, playing field (and accessible woodland) and the primary school, plus both Birch Green and Letty Green are served by the mobile library (libraries are not listed by the Council as a ‘community facility’).

We support the Council’s reasonable conclusion (Strategy Supporting Document para 4.9.39.5) that, despite a shortage of services and facilities within villages across the District, which might by some measures of sustainability lead one to conclude that that the villages are unsustainable locations for development, many villages are vibrant communities with a full and active social calendar supporting vital local and rural enterprises, the proximity of Cole Green Way and access to primary education and public transport leading to a conclusion that the Three Villages are more sustainable than they might at first appear to be.

We concur that the introduction of new development into can contribute to this by bringing new life to these established societies helping to sustain existing services and potentially generating custom for new facilities. Arguably, opportunities exist whereby one can strengthen provision of community facilities, employment or housing provision in a sympathetic and complimentary manner. It is recognised that sympathetic development requires a detailed approach to design and construction, and close cooperation with existing communities, points which are already advocated through Gascoyne Cecil Estates Design Codes (submitted alongside these representations).

We also support the Council’s recognition (Strategy Supporting Document para 4.9.39.8) that there are “instances where settlements have strong inter-relationships because of their close proximity, despite not being immediately adjacent to each other” and that the concept of clusters of villages that share services and/or facilities needs to be recognised.

Policy Context

East Hertfordshire District Plan

Infill Development

We support the principle, as set out within draft Policy VILL2, of allowing limited infill development, limited affordable housing for local community identified needs, and the provision of small-scale employment, leisure, recreation and community facilities within Group 2 villages where supported by the local community. Such an approach will ensure that the overall sustainability of these settlements can be improved and should also assist in meeting local needs for both market and affordable housing.



However, we object to the narrow definition of limited infill development (part II of draft Policy VILL2, and para. 10.2.5) that limits new housing development to five homes on any particular site. No specific justification has been provided as to why the Council considers that a development of more than five dwellings could not be considered as appropriate limited infilling. The NPPF does not define or provide guidance on what limited infilling in villages should be regarded as constituting, and thus national policy is deliberately vague, allowing interpretation by decision makers taking account of specific local circumstances.

On a recent planning appeal (APP/J1915/A/13/2205070) concerning a site within the District at Brickendon Green, an Inspector concluded that the question of what “limited infilling in villages” should mean “is a matter of planning judgement for the decision maker”. The Inspector in that case took a broad view of what limited infilling could constitute, and concluded that the underlying intention of restricting development in villages to limited infilling was to avoid harm to the character and appearance of the village.

We note that guidance within the 2007 Local Plan defines infill development as “the erection of up to five small dwellings”. However, it is important to recognise that the 2007 Local Plan Inspector noted in his assessment of the 2007 Local Plan that the definition was “for guidance only and therefore provides for flexibility”. Furthermore, the 2007 Local Plan Inspector found that the definition was necessary in order to provide more flexibility for infill development than a narrower definition which would construe infill development as relating solely to a small gap in an otherwise built frontage.

The definition within the 2007 Local Plan thus permitted larger development within Category 1 and 2 villages than would have been permitted by a narrower interpretation of infill development. Importantly, the 2007 Local Plan Inspector did not comment on the “up to five small dwellings” wording, or in any way suggest that a development of more than five dwellings could not be regarded as appropriate infill development.



In light of the comments of the 2007 Local Plan Inspector and the recent appeal decision at Brickendon Green, we consider it reasonable to conclude that infill development in excess of five dwellings could be considered as both limited and appropriate in certain contexts where it would not have an unduly harmful impact on the character and appearance of the village. For example, a particularly large or well enclosed site may conceivably be developed for more than five dwellings whilst not having a harmful impact on the character and appearance of the village.

Notably, given the need to boost significantly the supply of housing and meet housing needs, as required by the NPPF (para. 47), and the requirement to “optimise the potential of the site to accommodate development” (para. 58), it would appear illogical and contrary to national policy to limit infill development to five dwellings if a site was capable of accommodating six or more dwellings in an acceptable manner; such a limitation would also be contrary to draft District Plan Policy HOU2, which requires development to make efficient use of land. In short, we consider that it is unreasonable to restrict infill development to a maximum of five dwellings on any individual site, particularly given the shortfall in housing delivery to date and the lack of sufficient provision for housing in the draft District Plan in general.

Aside from the fact that a limit on the number of dwellings allowed on any particular site as limited infill development is both inappropriate and unjustified, it is also unnecessary. Collectively, the criteria in part III of draft Policy VILL2 requires development to be of a scale appropriate to the size of the village, relate well to the village in terms of location, layout and connectivity, and so on. Such requirements on their own should effectively ensure that any proposals for infill development will be of a limited scale and thus we consider it unnecessary to impose a maximum number of dwellings across the board, regardless of local circumstances.

Given the above, we consider that the limitation of infill development to no more than 5 new homes on any particular site within Group 2 villages is unjustified, inconsistent with the NPPF and thus unsound (NPPF para. 182).

Policy Context

East Hertfordshire District Plan

Village Boundaries

The draft District Plan proposes, for the first time (as compared to the 2007 Local Plan), that Group 2 villages be encompassed within a village boundary described in the Plan as the “built-up area” of the village. The draft Plan clarifies that the village boundaries have “generally been defined by the current outer extent of the built-up area of villages”. However, in most cases, these boundaries have been prepared with no apparent consistency and limited regard to the true extent of the village as detailed later in these representations.

In preparing the draft Plan the Council assessed various ‘areas of search’ and in doing so considered whether these areas had a ‘clear boundary’ (insert ref); however the areas of search were materially larger than the actual extent of the existing village and thus cannot be used as village boundaries.

In undertaking this assessment the Council considered the potential for each village to grow by up to 10% (at 30 dph) – in relation to the three villages the Council has thus considered the scope for an additional 9 new homes at Birch Green, 2 new homes at Cole Green and 8 new homes at Letty Green. However, the Council has not published any information on which potential sites it considered in this regard, or whether these were located within the village boundary as now proposed, or elsewhere.

As with the proposed definition of ‘limited infill development’, we consider that the proposed definition of village boundaries is inappropriate, unjustified and unnecessary. Collectively, the criteria in part III of Policy VILL2 requires development to be of a scale appropriate to the size of the village, relate well to the village in terms of location, layout and connectivity, and so on. Such requirements on their own should effectively ensure that any proposals for infill development will be on an appropriate site and thus we consider it unnecessary to seek to artificially define a village boundary, regardless of contextual circumstance.

On this basis, we have to question why the Council considers itself able to propose definitive village boundaries, when there is a distinct possibility (as yet unbeknownst to the Council due to its SLAA not yet having assessed sites around Group 2 villages) that the only sites that might come forward for development at villages might be, even only slightly, outside the boundaries and thus for this reason alone, would then have to be considered unacceptable even were they to otherwise satisfy the criteria of part III of draft Policy VILL2.

In short, there is currently a complete lack of justification for the village boundaries, not to mention a complete lack of evidence to support the proposed boundaries as defined.



Site Identification

In 2009 the Council undertook a ‘call-for-sites’ as part of preparing its’ Strategic Land Availability Assessment (SLAA).

At the time, the Council described the purpose of the SLAA (SLAA FAQ) as being to identify the development potential of sites across the District – in other words, how many houses could be built on a site – and to provide an assessment of when, if and how the site could be developed. The Council stated the SLAA would help it take policy decisions on how to best meet its housing requirement and how much development should go where.

In explaining the next steps, the Council stated that a technical assessment would be undertaken by the SLAA Partnership during summer/autumn 2011, which would set out when, if and how a site could be developed, with the SLAA then informing the District Plan. The Council explained that the SLAA would show that the option(s) chosen by the Council are feasible, that there is sufficient deliverable land in different areas, and would provide a list of sites from which the Council can select the most sustainable. The shortfall in housing delivery to date and the lack of sufficient provision for housing in the draft District Plan in general emphasises the need for a robust SLAA.

Despite this, and the October 2012 SLAA Technical Study (para. 2.5) noting that the SHLAA Practice Guidance (insert ref) is clear that “sites should not be excluded from the assessment because of existing planning policy designations”, the Council then comment that “approximately one third of the District is Metropolitan Green Belt and the remainder is designated as the Rural Area beyond the Green Belt” and that “as such, outside of the identified settlements, development is considered inappropriate in principle” (also para. 2.5). We consider that such a statement clearly demonstrates that the Council has predicated its SLAA by taking into account the existing planning policy designations that the same paragraph categorically states should not be taken into account.



In relation to ‘Stage 4: Determining which sites and areas will be surveyed’, the Council explains (para. 3.20) that the SLAA is being undertaken in rounds reflecting its approach whereby different parts of the District are assessed in different manners at different times, with the six main settlements and Group 1 villages (notably as defined in the 2007 Local Plan as opposed to as proposed in the draft District Plan) being assessed prior to the publication of the draft District Plan, with Group 2 and 3 villages and the remainder of the rural area then being assessed in Round 3 post the publication of the draft District Plan. The Council justifies this approach by explaining (‘importantly’) that in the main settlements and Group 1 villages, “the principle of development is established through the Local Plan Second Review 2007” and that “it is for this reason” that sites elsewhere including in Group 2 villages will be considered in Round 3.

In other words, these statements further confirm that the Council has predicated its SLAA by taking into account existing planning policy designations, even to the extent of assuming the categorisation of villages in the 2007 Local Plan rather than as proposed in the draft District Plan.

In short, the Council has not systematically reviewed any potential development sites outside the main settlements and Group 1 villages (as defined in the 2007 Local Plan), yet it appears to consider itself able to propose definitive boundaries around Group 2 villages within which all new homes should be delivered – this approach is clearly unjustified, inconsistent with the NPPF and thus unsound (NPPF para. 182).

Local Context

The Three Villages

Sustainable Communities

As noted by the Council, many villages are vibrant communities with a full and active social calendar supporting vital local and rural enterprises – the Three Villages of Birch Green, Cole Green and Letty Green are no exception.

The introduction of new development into villages brings new life to these established communities helping to sustain existing services and generating custom for new or enhanced facilities such as the existing bus service (388) between Hatfield and Welwyn Garden City.

Also as noted by the Council, there are instances where settlements – such as the Three Villages – have strong inter-relationships because of their close proximity, such ‘clusters’ of villages sharing services and/or facilities.

Services and Facilities

Existing services, facilities, employment opportunities, and so on within the Three Villages include:

Birch Green

- Served by bus routes 380 and 388 (with bus shelters)
- Immediate access to an extensive network of public rights of way including the Cole Green Way footpath and Sustrans route, via which access will be available to the proposed Panshanger Country Park
- Hertingfordbury Cowper C of E Primary School
- Served by mobile library
- Children’s playground (equipped)
- Playing field (football) (informal)
- Maitland wood (public access)
- Rochfords wholesale plant nursery
- New England plant nursery
- Antiques shop
- Bed & breakfast
- Post box
- Phone box
- Parish Council notice board.












Cole Green

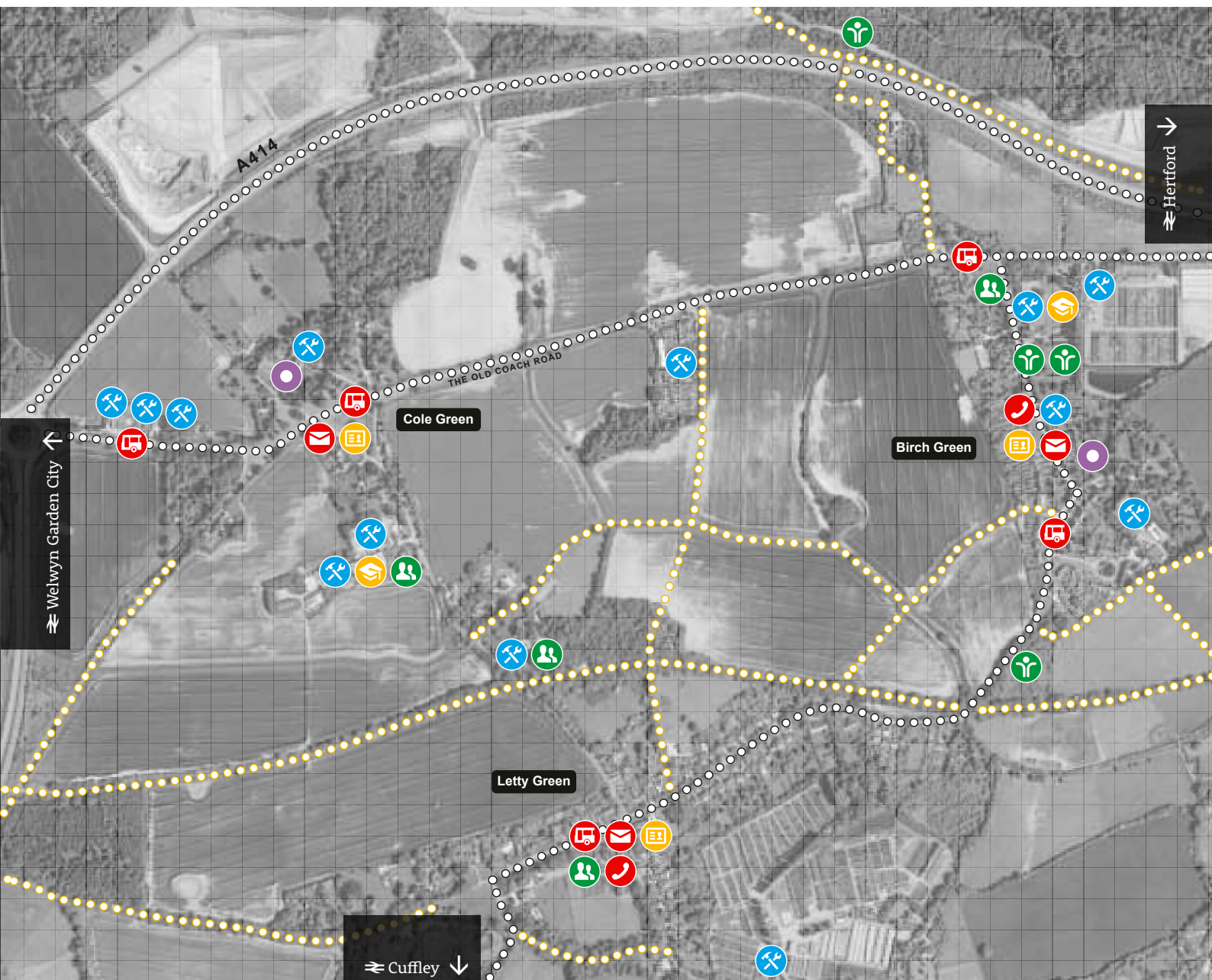
- Served by bus route 388
- Immediate access to an extensive network of public rights of way including the Cole Green Way footpath and Sustrans route
- Munns Farm children’s day nursery
- Cowper Arms public house and restaurant
- Various industrial and related companies at Cole Green Works
- Motor salvage works
- Stables
- Cattery
- Garden and pet centre
- Aquatic shop
- Post box
- Parish Council notice board.

Letty Green

- Served by bus route 380
- Immediate access to an extensive network of public rights of way including the Cole Green Way footpath and Sustrans route
- Served by mobile library
- Rochfords wholesale plant nursery
- Post box
- Phone box
- Parish Council notice board.

Services and Facilities in the Three Villages

-  Employment premises
-  Education premises
-  Community facility
-  Recreation facility
-  Post Box
-  Phone Box
-  Notice Board
-  Bus stop
-  Other
-  Public Right of Way
-  Public transport route



Local Context

Birch Green

Village Boundary

The draft District Plan explains that the proposed village boundaries have “generally been defined by the current outer extent of the built-up area of villages”.

Notwithstanding our view that there is a complete lack of justification for the village boundaries, not to mention a complete lack of evidence to support the proposed boundaries as defined, we have considered where the boundary should be drawn if the Council, and ultimately an Inspector, conclude that boundaries are necessary / appropriate.

Boundary Issues

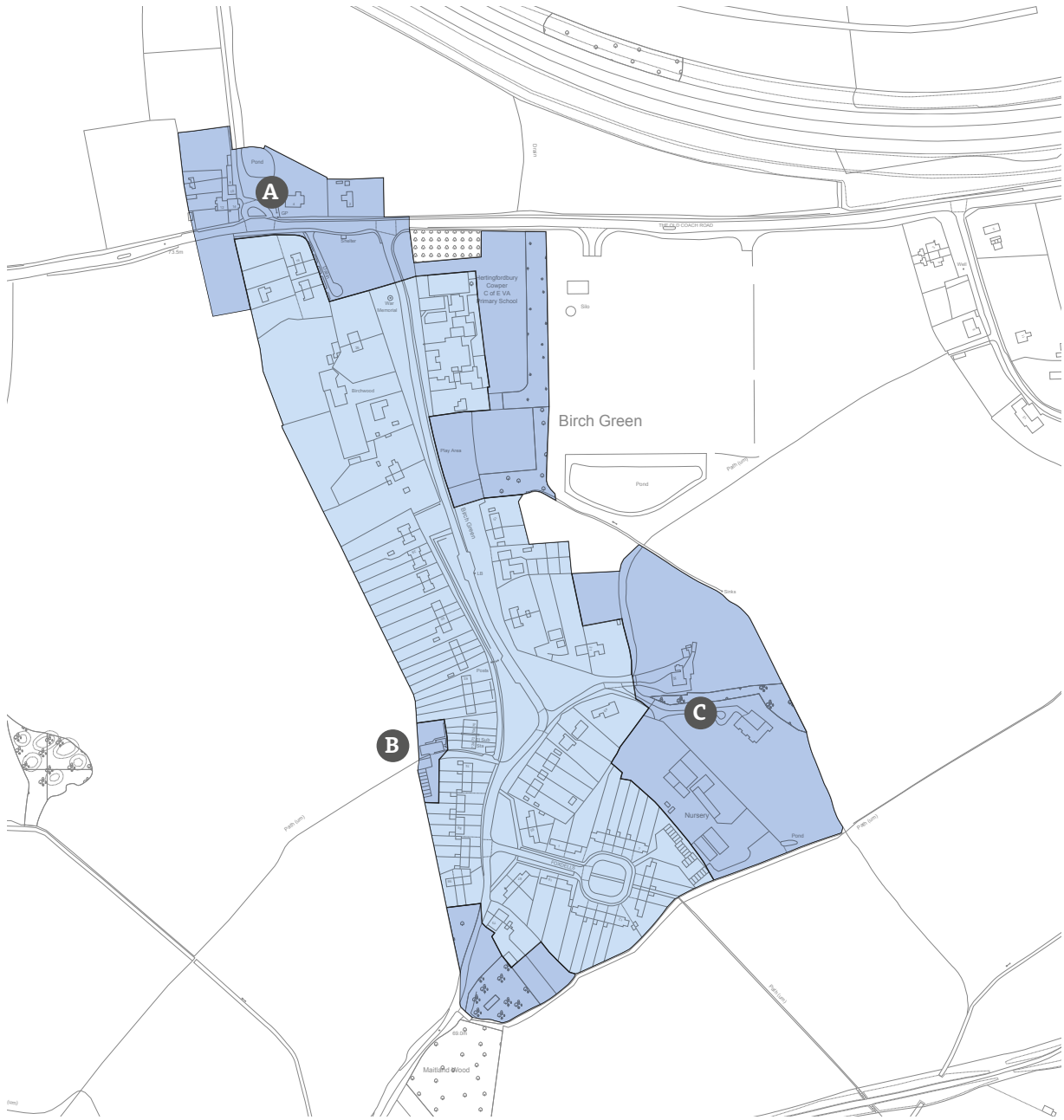
- A** The proposed village boundary around Birch Green includes the majority of the core of the village but inexplicably excludes the pocket of housing on the northern side of the The Old Coach Road.
- B** It also excludes from the village boundary, for no apparent reason, a small area of car parking on the western boundary that is associated with adjacent housing.

- C** The two largest homes on the eastern edge of the village are excluded from the village boundary in their entirety, as are the lower halves of four residential gardens, this suggesting that there are some thresholds relating to residential plot size that have been applied in the drawing of the proposed boundary although other, larger plots are included in their entirety (no such thresholds / criteria have been explained within the draft District Plan or any of the supporting / technical studies).

The Council is proposing that limited infill / windfall development can come forward within the village in order to ensure that the housing target requirement is met, yet the Council has no evidence as to whether this is possible within the village boundary as proposed thus we suggest that some clearly deliverable sites are considered to assist with the current shortfall in housing land supply.



Village boundary as proposed in the draft District Plan and recommended amendments (shown in the darker blue)



Local Context

Cole Green

Village Boundary

Again, notwithstanding our view that there is a complete lack of justification for the village boundaries, not to mention a complete lack of evidence to support the proposed boundaries as defined, we have considered where the boundary should be drawn if the Council, and ultimately an Inspector, conclude that boundaries are necessary / appropriate.

Boundary Issues

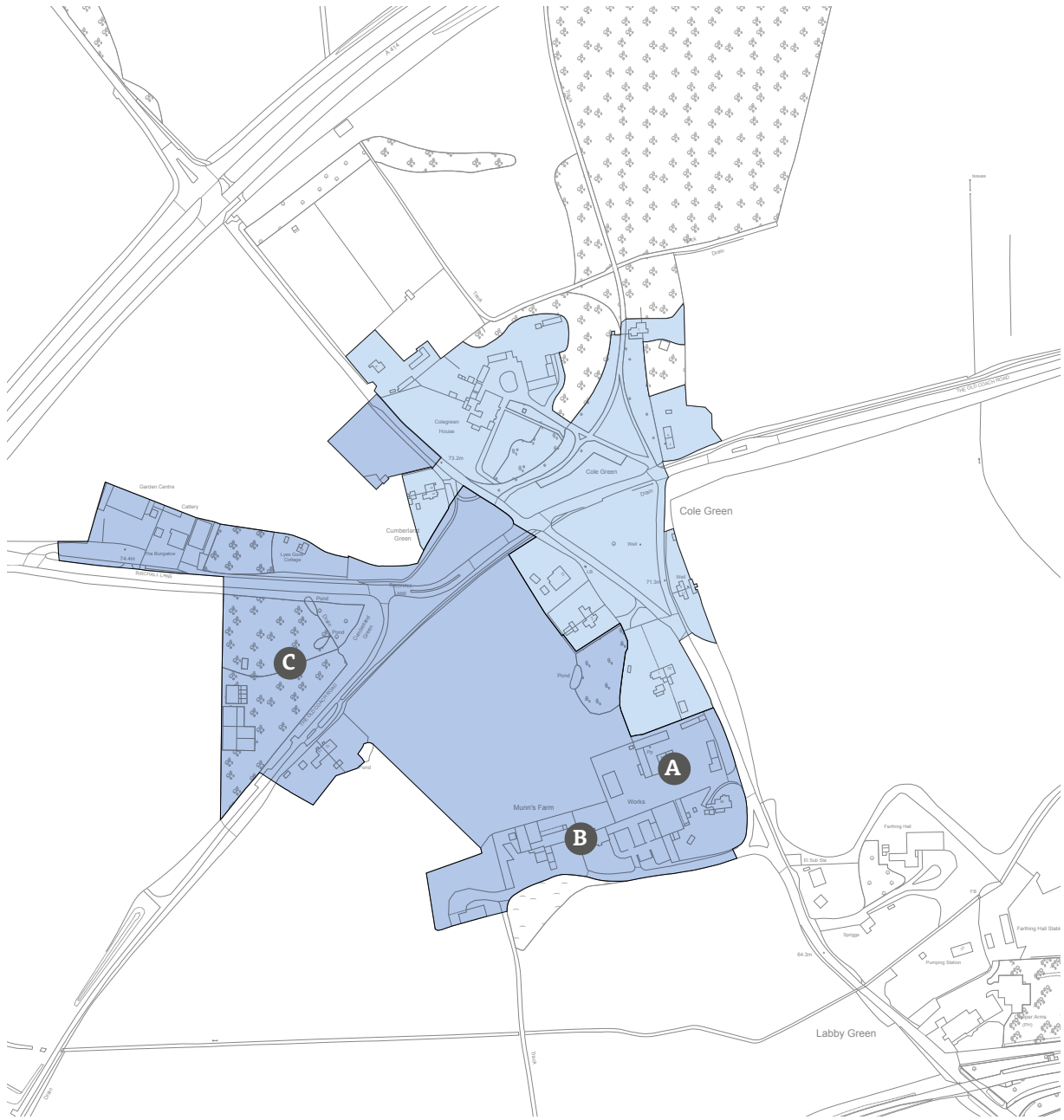
- A** Inexplicably, the proposed village boundary excludes the most built-up part of the village – the Cole Green Works.
- B** The proposed boundary also, again inexplicably, excludes all of Munns Farm – currently in use as a children’s day nursery.
- C** The boundary as proposed fails to include a number of dwellings and employment premises on the western side of the village.



The Council is proposing that limited infill / windfall development can come forward within the village in order to ensure that the housing target requirement is met, yet the Council has no evidence as to whether this is possible within the village boundary as proposed thus we suggest that some clearly deliverable sites are considered to assist with the current shortfall in housing land supply.



Village boundary as proposed in the draft District Plan and recommended amendments (shown in the darker blue)



Local Context

Letty Green

Village Boundary

As above, notwithstanding our view that there is a complete lack of justification for the village boundaries, not to mention a complete lack of evidence to support the proposed boundaries as defined, we have considered where the boundary should be drawn if the Council, and ultimately an Inspector, conclude that boundaries are necessary / appropriate.

The Council is proposing that limited infill / windfall development can come forward within the village in order to ensure that the housing target requirement is met, yet the Council has no evidence as to whether this is possible within the village boundary as proposed thus we suggest that some clearly deliverable sites are considered to assist with the current shortfall in housing land supply.

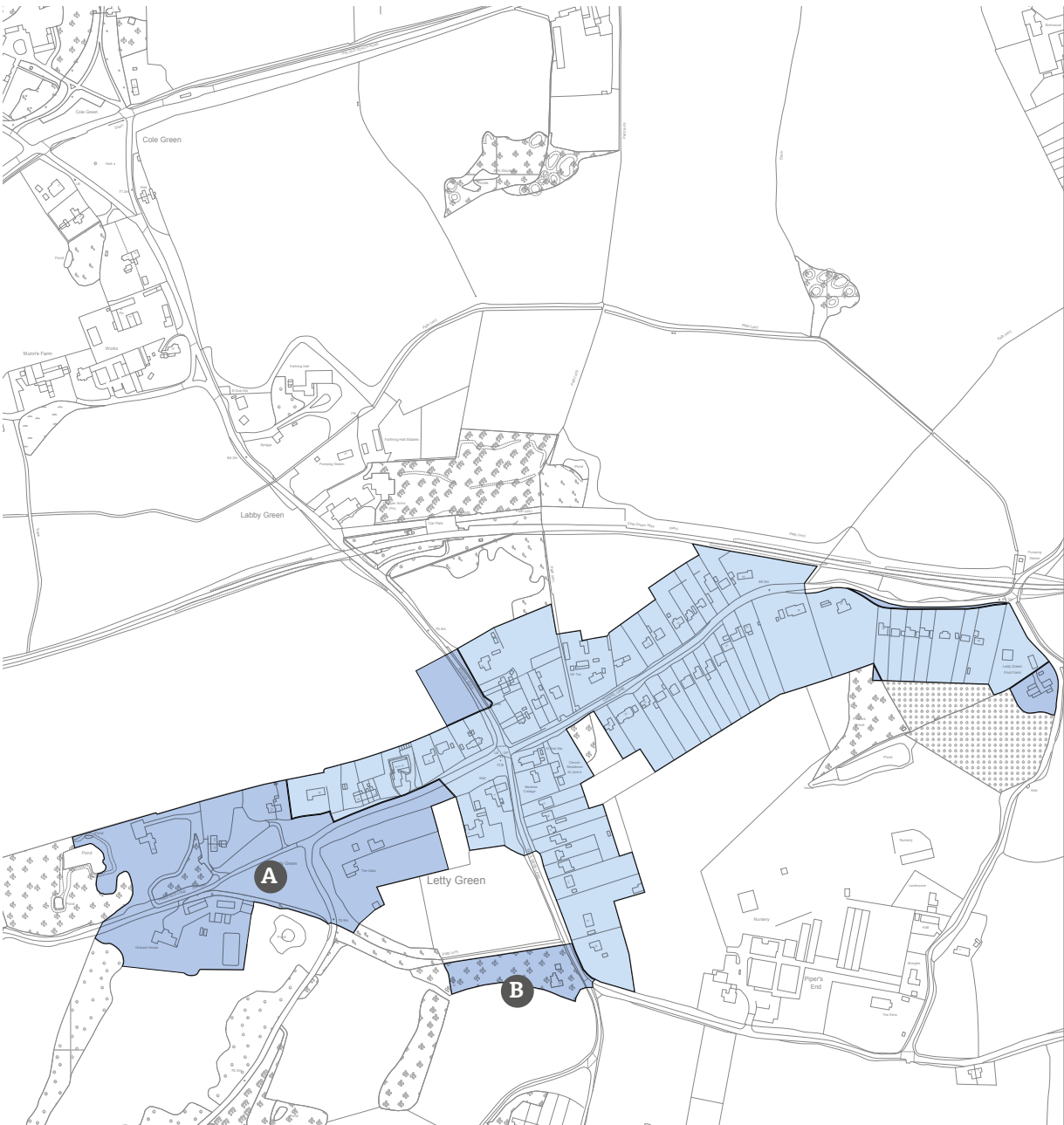


Boundary Issues

- A** The proposed village boundary stops short of the western end of the existing village.
- B** The proposed boundary includes existing homes along the eastern side of Woolmers Lane but excludes, for no apparent reason, one home on the western side of the Lane.




Village boundary as proposed in the draft District Plan and recommended amendments (shown in the darker blue)



Summary & Conclusion

Summary

- The true need for housing within the District could be up to 3,600 new homes higher than is being planned for by the Council.
- The draft District Plan does not provide for sufficient housing to be delivered either during the remainder of the plan period, or during the next 5 years.
- The inclusion of Birch Green, Cole Green and Letty Green as Group 2 villages is welcomed – previously all three villages were categorised as Group 3, which prevented any new housing (except rural exception site affordable housing) or employment or social / community facilities from being developed and thereby threatened to undermine the villages' sustainability and vitality.
- We support the Council's reasonable conclusion that, despite a shortage of services and facilities within villages across the District, which might by some measures of sustainability lead one to conclude that that the villages are unsustainable locations for development, many villages are vibrant communities with a full and active social calendar supporting vital local and rural enterprises, the proximity of Cole Green Way and access to primary education and public transport leading to a conclusion that the Three Villages are more sustainable than they might at first appear to be.
- We also support the Council's recognition that there are instances where settlements have strong inter-relationships because of their close proximity, despite not being immediately adjacent to each other and that the concept of clusters of villages that share services and/or facilities needs to be recognised.
- We support the principle, as set out within draft Policy VILL2, of allowing limited infill housing development, limited affordable housing for local community identified needs, and the provision of small-scale employment, leisure, recreation and community facilities within Group 2 villages where supported by the local community.
- The limitation of infill development to no more than 5 new homes on any particular site within Group 2 villages is unjustified, inconsistent with the NPPF and thus unsound.
- There is currently a complete lack of justification for the village boundaries, not to mention a complete lack of evidence to support the proposed boundaries as defined.
- The Council has not systematically reviewed any potential development sites outside the main settlements and Group 1 villages (as defined in the 2007 Local Plan), yet it appears to consider itself able to propose definitive boundaries around Group 2 villages within which all new homes should be delivered – this approach is clearly unjustified, inconsistent with the NPPF and thus unsound.



Conclusion

- In conclusion, we support the identification of Birch Green, Cole Green and Letty Green as Group 2 villages.
- However we consider it unnecessary to limit infill development to no more than 5 new homes on any site and thus object to this part of draft Policy VILL2.
- We also consider that it would be regrettable if unnecessary boundaries drawn around these villages with the intention of protecting them and their communities from unwelcome development, ultimately stifled them. For this reason, we also object to the proposed definition of boundaries around Group 2 villages



EAST HERTS COUNCIL

EXECUTIVE – 2 FEBRUARY 2016

REPORT BY EXECUTIVE MEMBER FOR FINANCE AND SUPPORT SERVICES

TRANSFER OF FREEHOLD INTEREST OF WASTE DISPOSAL SITE, WATERMILL INDUSTRIAL ESTATE, ASPENDEN ROAD, BUNTINGFORD

WARD(S) AFFECTED: BUNTINGFORD

Purpose/Summary of Report

- To seek formal approval to transfer the title deeds for the freehold interest of the Household Waste Site, Aspenden Road, Watermill Industrial Estate, Buntingford to Hertfordshire County Council.

<u>RECOMMENDATION FOR DECISION:</u> that	
(A)	the title for the freehold interest in the Household Waste Site at Watermill Industrial Estate be transferred to Hertfordshire County Council on the terms detailed in the report now submitted.

1.0 Background

1.1 Watermill Industrial Estate is situated on the south west side of Buntingford with access from Aspenden Road. The original purchasers of the land were the Guardians of the poor of the Buntingford Union Rural Sanitary Authority in the 19th Century. The land was used for sewage disposal and the construction of a sewage works. Thames Water became successors in title for the land used for sewage disposal while the former Braughing Rural District Council and then ultimately East Herts Council inherited the remaining land.

1.2 The Council owned various plots of land on the Estate most of which have been sold over the years. The Council has a small

ownership remaining and this includes title to part of the land that forms the household waste site which is managed and operated by the County Council. As the authority with responsibility for waste disposal the County Council have user rights to the land and as such have occupied the land for this use since 1974.

2.0 Report

2.1 The District Council holds the title deeds to part of the site because it was part of a larger area of land separate to the waste site. This land has now been disposed of so it is no longer appropriate for the Council to retain this title.

2.2 The County Council has established user rights as the waste disposal authority and there is therefore no lease arrangement in place and no rent paid to this Council.

2.3 This Council is prohibited from making alternative use of the land for any other purpose than a waste site under the General Statutory provision section 180 of the Local Government Act 1972.

2.4 It is recommended that East Herts Council transfers the title for the freehold interest in the land to Hertfordshire County Council with each party bearing its own costs.

3.0 Implications/Consultations

3.1 None

Background Papers

None

Contact Member: Councillor Geoffrey Williamson – Executive member for Finance and Support Services
geoffrey.williamson@eastherts.gov.uk

Contact Officer: Philip Gregory – Head of Strategic Finance
Contact Tel No 2050
philip.gregory@eastherts.gov.uk

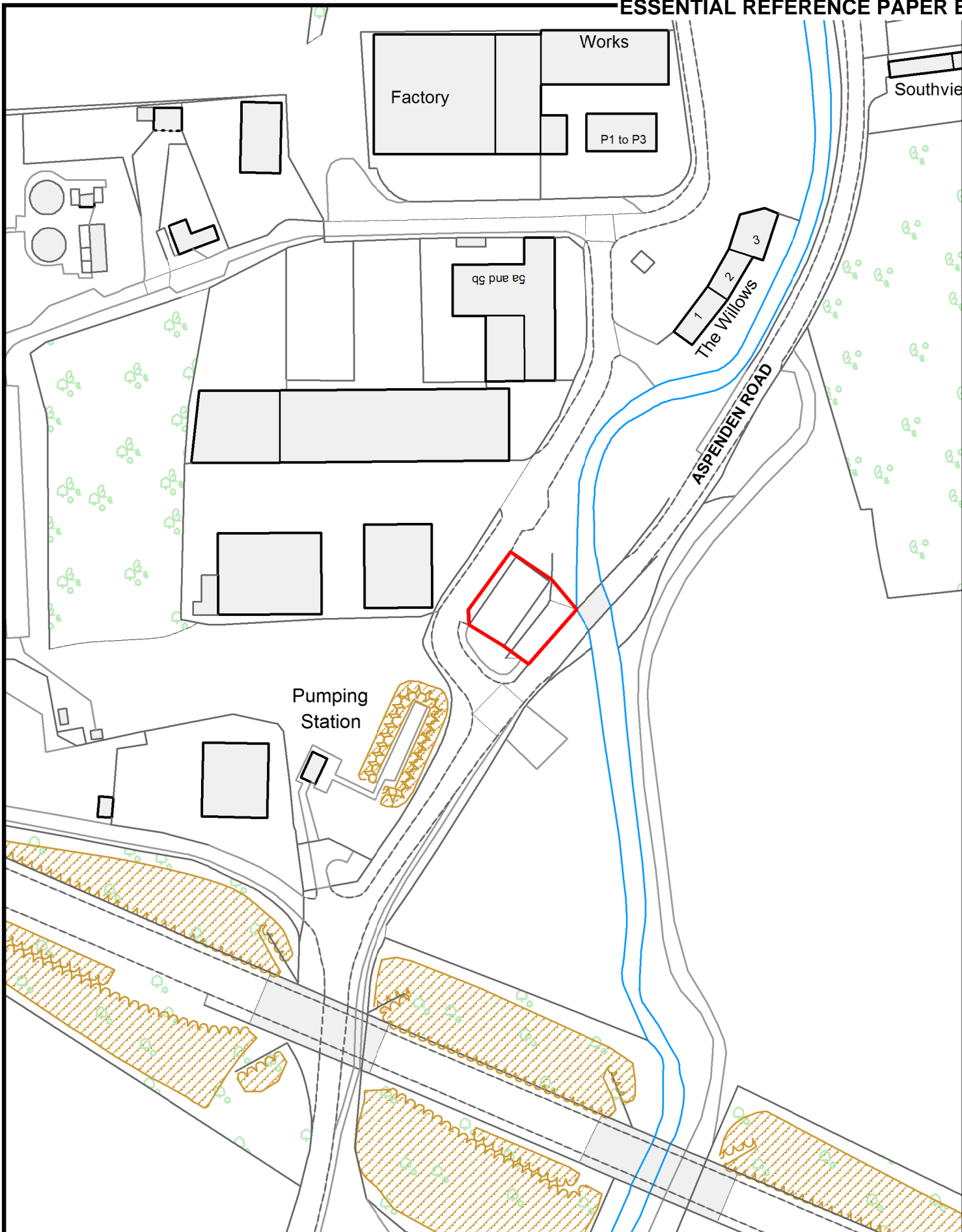
Report Author: Wendy Ellis – Estate Surveyor
Contact Tel No: 1659
wendy.ellis@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	<i>Prosperity – Improving the economic and social opportunities available to our communities</i> This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.
Consultation:	Consultation with Hertfordshire County Council.
Legal:	None
Financial:	<ul style="list-style-type: none">• The Council will no longer be liable for the maintenance costs of the land• Transfer only so no capital or revenue costs to the Council
Human Resource:	None
Risk Management:	None.
Health and wellbeing – issues and impacts:	None.

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East Herts Council
 Wallfields
 Pegs Lane
 Hertford
 SG13 8EQ
 Tel: 01279 655261

Address: Household Waste Site, Watermill Industrial Estate, Aspenden Road
 Buntingford, Herts
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