

# Public Document Pack

## **EAST HERTFORDSHIRE DISTRICT COUNCIL**

NOTICE IS HEREBY GIVEN that a meeting of East Hertfordshire District Council will be held in the Council Chamber, Wallfields, Hertford on Wednesday 23rd October, 2019 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Dated this 15 October 2019

Alison Stuart  
Head of Legal and  
Democratic Services

*Note: Prayers will be said before the meeting commences. Those Members who do not wish to participate will be invited to enter the Chamber at their conclusion*

### **AGENDA**

1. Chairman's Announcements

*To receive any announcements.*

2. Apologies for Absence

*To receive any Members' apologies for absence.*

3. Minutes (Pages 9 - 48)

*To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 24 July 2019 and the extraordinary Council meeting held on 3 September 2019.*

4. Declarations of Interest

*To receive any Members' declarations of interest.*

5. Appointment of Interim Monitoring Officer (Pages 49 - 54)

6. Petitions

*To receive any petitions.*

7. Public Questions

*To receive any public questions.*

8. Members' questions (Pages 55 - 56)

*To receive any Members' questions.*

9. Executive Report - 3 September 2019 (Pages 57 - 114)

*To receive a report from the Leader of the Council and to consider recommendations on the matters below:*

(A) North of Hertford (Sacombe Road, Bengoe) (HERT4)  
Masterplanning Framework

(B) North of Sawbridgeworth (SAWB4) Masterplanning Framework

10. Executive Report - 8 October 2019 (Pages 115 - 344)

*To receive a report from the Leader of the Council and to consider recommendations on the matters below:*



- (A) Affordable Housing Supplementary Planning Document (SPD) - draft for public consultation
- (B) North and East Ware (WARE2) Masterplanning Framework
- (C) Statement of Community Involvement - final for adoption
- (D) Retail Frontages, Design and Signage Supplementary Planning Document - final for adoption
- (E) Anstey Conservation Area Character Appraisal
- (F) Council Tax Support Scheme

11. Licensing Report (Pages 345 - 364)

*To receive a report from the Chairman of the Licensing Committee and to consider recommendations on the matters below:*

- (A) Revised Taxi Licensing Suitability Policy

12. Hertford Theatre Growth and Legacy Scheme (Pages 365 - 382)

13. Review of Polling Districts and Places (Pages 383 - 422)

14. Political Balance - Substitute Member Appointments (Pages 423 - 434)

15. Development Management Committee: Minutes - 17 July, 14 August and 11 September 2019 (Pages 435 - 472)

*Chairman: Councillor T Page*

16. Performance, Audit and Governance Oversight Committee: Minutes - 21 May, and 31 July (Pages 473 - 494)

*Chairman: Councillor M Pope*

17. Overview and Scrutiny Committee: Minutes - 11 June 2019 (Pages 495 - 504)

*Chairman: Councillor J Wyllie*

18. Licensing Committee: Minutes - 19 March and 21 August 2019 (Pages 505 - 518)

*Chairman: Councillor D Andrews*

19. Human Resources Committee: Minutes - 3 July 2019 (Pages 519 - 530)

*Chairman: Councillor R Bolton*

20. Motions on Notice (Pages 531 - 532)

*To receive Motions on Notice.*

## **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.)

### **Public Attendance**

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If you think a meeting you plan to attend could be very busy, you can check if the extra space will be available by emailing [democraticservices@eastherts.gov.uk](mailto:democraticservices@eastherts.gov.uk) or calling the Council on 01279 655261 and asking to speak to Democratic Services.

### **Audio/Visual Recording of meetings**

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MINUTES OF A MEETING OF THE  
COUNCIL HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 24 JULY 2019, AT 7.00 PM

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PRESENT:

Councillor J Kaye (Chairman).  
Councillors A Alder, D Andrews, T Beckett,  
S Bell, R Buckmaster, R Bolton, P Boylan,  
M Brady, E Buckmaster, S Bull, J Burmicz,  
L Corpe, K Crofton, G Cutting, B Deering,  
I Devonshire, H Drake, J Dumont,  
R Fernando, J Frecknall, M Goldspink,  
J Goodeve, A Hall, L Haysey, A Huggins,  
J Jones, I Kemp, G McAndrew, M McMullen,  
S Newton, T Page, M Pope, J Ranger,  
C Redfern, S Reed, P Ruffles, S Rutland-  
Barsby, D Snowdon, M Stevenson, T Stowe,  
N Symonds, A Ward-Booth, G Williamson,  
C Wilson and J Wyllie.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Lorraine Blackburn	- Democratic Services Officer
Claire Carter	- Service Manager, Community Wellbeing and Partnerships
Emily Coulter	- Graduate Management Trainee
Rebecca Dobson	- Democratic Services Manager

Steven Dupoy	- Leisure and Environment Services Manager
James Ellis	- Deputy Monitoring Officer (North Herts)
Kathrine Foy	- Social Enablement Officer
Jonathan Geall	- Head of Housing and Health
Geoff Hayden	- Corporate Property Service Manager
Jess Khanom	- Head of Operations
Mekhola Ray	- Community Projects Team Manager
Helen Standen	- Deputy Chief Executive
Alison Street	- Finance Business Partner
Robert Winterton	- Financial Services Manager

## 81 PRESENTATION BY CITIZENS ADVICE EAST HERTS

A presentation was given by Laura Hyde, Chief Executive of Citizens Advice East Herts (CAEH), on the work of this independent local charity. Laura Hyde said CAEH often worked with clients who were in most need, with complex problems. She gave an example case study to illustrate the ways in which CAEH could



assist people. She invited Members to drop in to any of the charity's branches to learn more, and to visit the website to view more detailed information, including a short film.

The Chairman thanked Laura Hyde on behalf of the Council, for what had been a very interesting presentation.

## 82 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all those present to the meeting.

The Chairman said amongst those present were some whom he was delighted to have the opportunity to congratulate regarding their professional achievements. These were Claire Carter (Service Manager – Community Wellbeing and Partnerships), Simon Barfoot (Healthy Lifestyles Programmes Officer), Mekhola Ray (Community Wellbeing Programme Officer) and Kathrine Foy (Social Prescribing Officer).

The Chairman said Kathrine Foy and the social prescribing team had recently received the Dr Joan Crawley award for Public Health Excellence, and that Mekhola Ray was one of the six county winners. He congratulated them all, and presented Kathrine Foy with her trophy.

The Chairman gave an account of his recent civic activities. Amongst other events, he had attended a civic service hosted by Hertford Town Council; he had

met the High Sheriff of Hertfordshire, and had attended with her a “mini Police” presentation at St Michael’s primary school in Bishop’s Stortford, which had involved the children learning about the risks of drugs.

The Chairman said he had earlier attended Parliament Square in Hertford which had been “yarn bombed” by the Secret Society of Hertford Crafters. The Chairman encouraged Members to visit the amazing display, which would raise funds for one of his charities, CHIPS (Children’s Integrated Play Schemes). He had also been on a tour of the Isabel Hospice, his other charity, which had been very interesting.

The Chairman referred to visits he had made to various other organisations recently, including the University of Hertford and the Simon Balle School. He asked Members to make a note of forthcoming events, including a celebration of diverse communities drop-in event at the Rhodes Centre on the afternoon of 15 September, and a civic dinner to which he would be inviting all Members, on Saturday 23 November.

83     APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Crystall, A Curtis, D Hollebon and C Rowley.

84     MINUTES – 15 MAY 2019

It was moved by Councillor T Beckett and seconded by Councillor L Haysey that the Minutes of the meeting

held on 15 May 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 15 May 2019 be confirmed as a correct record and signed by the Chairman.

The Chairman said he would take a further matter relating to the consideration of the Council Minutes as business arising from the Minutes.

The Democratic Services Manager submitted a report on a change of political groups which had been notified to the Council. In accordance with legislation, a review of political balance was now required and allocations of committee seats in light of this change must be agreed by the Council. By taking this report as a late item, confirmation of the number of seats each Group would be allocated on the Council's Committees could be decided in a timely way, as otherwise the matter would not be dealt with until the October meeting.

The allocation of seats on Committees reflecting the formation of the Green and Labour groups had been calculated in the report, for approval. The item later in the agenda regarding establishing a new Committee, the Financial Sustainability Committee, would be taken into account provided Members accepted the recommendation for that item and set up the new committee (Minute 91 refers).

It was moved by Councillor L Haysey and seconded by Councillor T Beckett that the recommendations, as detailed, be approved. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED - that (A) the review of political balance of the Council be noted; and

(B) the allocation of seats on the Council's committees be confirmed as set out below:

No. of Members:

Con	LD	G	Lab
40	6	2	2

Proportion of Council:

80%	12%	4%	4%
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Seats on each Committee:

Overview and Scrutiny

10	2	1	1
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Performance, Audit and Governance Oversight

6	1	0	0
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Development Management

9	1	1	1
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Licensing

9	2	1	0
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Human

Resources	6	1	0	0
Chief Officer Recruitment	4	1	0	0
Revenues & Benefits Joint	3	0	0	0
CCTV Joint	3	0	0	0
If the later item on the (at Minute 91) is carried:				
Financial Sustainability	8	1	0	1
Total no of seats allocated across Each Group:	58	9	3	3

## 85 PUBLIC QUESTIONS

Shane Manning asked the Executive Member for Environmental Sustainability “what steps are being taken to ensure air pollution at the Hockerill Junction Air Quality Management Area continues to improve?”.

Councillor G McAndrew thanked Shane Manning for advance warning of his question. He said the Council had an air quality action plan, which covered Hockerill junction and it was working towards improvements. Recent measures included provision of an electric

vehicle car club in Bishop's Stortford, for public use, along with the installation of further public electric charging provision. The Council was also working with taxi drivers to trial electric vehicles, and would be hosting an electric vehicle event later this year in Bishop's Stortford.

Councillor McAndrew said the Council continued to work with developers to ensure new developments were more sustainable. New developments were being encouraged to adopt the "LTP4" modal shift, away from car use to walking and cycling.

Councillor McAndrew said through the Stansted Airport Consultative Committee the Council was working with Manchester Airports Group (M.A.G.) on sustainable modes of travel.

East Herts were currently exploring the potential of Bishop's Stortford becoming a sustainable travel town, as well as many other initiatives, including "Shaping Stortford" and joint working with HCC Road Safety Team on walking to school initiatives.

Councillor McAndrew said Hertford County Council intended to conduct an Automatic Number Plate Recognition (ANPR) Survey at Hockerill junction, to obtain robust data on typical vehicle movements through the junction. Running this data through a model would enable understanding of the impact of different scenarios on traffic queues.

Councillor McAndrew added that soon the access through the goods yard would be open, which would

allow assessment of the impact that this measure would have on the congestion around the area junction. The future M11 Junction 7A would also affect the traffic at the junction, but the opening of the new motorway junction was some way off.

Finally, Councillor McAndrew said he was investigating the possibility of an ambitious cycle route from Stansted Airport to Bishop's Stortford, Sawbridgeworth, Harlow Mill, Harlow and Roydon towards Rye House as a first leg of a far bigger scheme. Far more was being worked on, but he hoped the response gave a flavour of what the Council was doing.

Mr Manning thanked Councillor McAndrew for his response.

## 86 PETITIONS

The Chairman said that since publication of the agenda two petitions had been received, from the Aston and Surrounding Villages Climate Change Group, and from the Bishop's Stortford Climate Change Group. As the organisers for one of the petitions were present, he invited them to speak.

Anne Forbes, MBE and Jill Goldsmith presented the petition on behalf of Bishop's Stortford Climate Group. The petition supported the motion on notice submitted by Councillor Bell and called on the Council to: "declare a climate emergency and

- Commits to ensuring all new developments

achieve net zero carbon with immediate effect.

- Improves air quality by investing in infrastructure that will radically reduce car usage in town centres and air pollution hot-spots and improves access to electric vehicle charging across the district.
- Increases residents' access to renewables, for example by helping people to purchase solar PV through a group-buy initiative such as Solartogether.

The Chairman thanked Anne Forbes and Jill Goldsmith. He said their petition, and that submitted by the Aston Climate Change group, would be received by Councillor G McAndrew. He invited Councillor McAndrew to reply.

Councillor McAndrew declared a non-pecuniary interest in that he was a county councillor and had in that capacity given money from his HCC Locality Fund to the Bishop's Stortford Climate Change group, which was a non-political group, to support them in national and local community awareness activities and in running their website.

He received the petitions and said it was refreshing to see a large number of young people present to observe the Council's proceedings.

## 87 MOTION ON NOTICE

Councillor S Bell submitted the following motion on notice:



*“Man-made climate change is the biggest threat that humanity faces. In 2018 the Intergovernmental Panel on Climate Change (IPCC) report stated that we have just 12 years to act on climate change if global temperatures rises are to be kept within the recommended 1.5 degrees celsius.*

*All governments whether national, regional or local have a duty to limit the negative impacts of climate change and need to commit to aggressive reduction targets and carbon neutrality as quickly as possible.*

*East Herts District Council has a pivotal role to play in tackling climate change and enabling sustainable living.*

*We recognise the importance of tackling climate change both in the terms of reducing greenhouse gas emissions to minimise future global climate change and planning for the unavoidable local impacts of climate change.*

*Therefore, East Herts District Council will :-*

- 1) Join with other Councils in recognising and declaring a Climate Emergency,*
- 2) Pledge to do everything within the Council's power to support the whole of East Herts District to become carbon neutral by 2030,*
- 3) Develop an ambitious sustainability strategy for reducing the Council's own emissions, with an objective that the Council becomes carbon neutral by 2030,*
- 4) Include in all planning regulations and the Local Plan measures to cut carbon emissions and reduce the impact on the environment,*
- 5) Call on National Government for more powers and resources to make this pledge possible, and ask the*

*Council's Leader to write to the Secretary of state for Environment, Food and Rural Affairs to this effect,*

- 6) Continue to work with partners across the District, County and Region to deliver this new goal, through all relevant strategies and plans,*
- 7) Take account of climate impacts within existing decision-making processes,*
- 8) Set up an Environmental and Climate Emergency Forum, in line with the recommendation D16 from the Task and Finish Group which was approved by this Council on 5<sup>th</sup> March, 2019,*
- 9) Reconvene the Climate Change task and finish Group, and require it to monitor progress on delivering the pledge, and to report back to the Council every 6 months,*
- 10) Dedicate enough staff and budget to achieve these aims, including the most appropriate training for members and officers to promote carbon neutral policies and to achieve these aims."*

Councillor Bell spoke in support of the motion. Regarding the amendment proposed by Councillor G McAndrew, she questioned why the amendment omitted the word "emergency", when numerous other councils including the government and Hertfordshire County Council (HCC) had declared a climate emergency. She said her proposals gave a framework for practical measures to be taken by the Council in view of the global imperative to stop emissions of greenhouse gases. She urged the Council to support the motion.

Councillor J Frecknall seconded the motion. He said Government had declared a climate emergency, and all levels of government should take action. Using Cllr

McAndrew's work from the task and finish group last year, the Council was in a position to become a leading local authority in future-proofing communities. This was an emergency and the Council must act accordingly.

Councillor G McAndrew proposed an amendment to the motion as follows:

"that Man-made climate change is the biggest threat that humanity faces. In 2018 the Intergovernmental Panel on Climate Change (IPCC) report stated that we have just 12 years to act on climate change if global temperatures rises are to be kept within the recommended 1.5 degrees celsius.

All governments whether national, regional or local have a duty to limit the negative impacts of climate change and need to commit to aggressive reduction targets and carbon neutrality as quickly as possible. East Herts District Council has a pivotal role to play in tackling climate change and enabling sustainable living.

We recognise the importance of tackling climate change both in the terms of reducing greenhouse gas emissions to minimise future global climate change and planning for the unavoidable local impacts of climate change.

Therefore, East Herts District Council will: -

- 1) Join with other Councils in recognising and declaring formally the necessity to do everything within the authority's power to reduce its impact on the climate and moreover do everything we can in supporting the whole of East Herts District to become carbon neutral by 2030,
- 2) Develop an ambitious sustainability strategy for reducing the Council's own emissions, with an objective that the Council becomes carbon neutral by 2030,
- 3) Work with national and regional partners to ensure that where at all possible we support climate friendly planning and building control regulations and seek where possible to include the very best measures into the Local Plan to minimise any negative impact on the environment,
- 4) Call on National Government for more powers and resources to make this pledge possible, and ask the Council's Leader to write to the Secretary of state for Environment, Food and Rural Affairs to this effect,
- 5) Continue to work with partners across the District, County and Region to deliver this new goal, through all relevant strategies and plans,
- 6) Take account of climate impacts within existing decision-making processes,
- 7) Set up an Environmental and Climate Forum,

in line with the recommendations from the Task and Finish Group which were approved by this Council on 5<sup>th</sup> March, 2019,

8) The Environmental Forum to monitor progress regularly, and to report back,

9) Commit to making available the appropriate training to members and officers to promote carbon neutral policies in order to achieve these aims."

Councillor McAndrew detailed the work already being done and the need to consider mitigation and adaptation. He said East Herts had a significant role to play in maximising its contribution to the reduction of greenhouse gas emissions, both in reducing its own carbon footprint, and in promoting and facilitating wider behaviour changes via leadership and policy changes. He moved the amendment.

Councillor D Andrews seconded the amendment.

Councillor M Goldspink said she opposed the amendment. The changes proposed undermined the purpose of the motion, by removing the word "emergency". She said it was important that the language was strong and determined, and she detailed her objections to the proposed changes. She urged councillors to reject the amendments and support the original motion.

Councillor B Deering said he supported the amendment. In 2018/19 the task and finish group had

produced a report, demonstrating that this Council had been addressing climate change issues, which should be acknowledged.

Councillor L Corpe said he opposed the amendment. The changes robbed the motion of its powers to give authority to act and to dedicate the necessary resources and staff. In his view, no adequate reasons had been stated for removing the reference to an emergency. He questioned why if numerous councils including HCC and the government could declare an emergency, this Council found it impossible to do the same.

Councillor D Snowdon said he supported the amendment. Amongst other actions, the Council was instituting environmentally friendly measures such as new waste collection lorries and electric vehicle charging points.

Councillor J Dumont said residents had urged him to ensure the Council acted on climate change. He did not understand the reason why the Council should not debate a motion including the word “emergency”, when action was needed to stop an emergency.

Councillor E Buckmaster said he had last week spoken at HCC, but actions spoke louder than words, and the amended motion stated what had been and would be done. It was not letting the Council off the hook, as the Council was doing more than required by legislation in place-shaping, via master planning to achieve change. The amendment went further than the original motion.

Councillor M Stevenson agreed actions spoke louder than words, and said she was surprised no reference had been made to aspects such as ensuring insect populations did not decline.

Councillor C Wilson spoke against the amendment, referring to the air quality in the District, particularly at Hockerill junction, the monitoring of which was the Council's responsibility. He acknowledged this Council had been addressing air quality in the area but there were still breaches. Passing the original motion would concentrate minds. The Council should require cycle and public transport provision from all new development, for instance in the Harlow and Gilston Garden Town (HGGT) proposals, for accessing the Hospital in Harlow.

Councillor A Ward-Booth detailed actions the Council had taken for reducing emissions and contributing energy to the National Grid, such as at Hertford Theatre. The Council was committed to electric vehicle use and had required charging points in schools and at taxi ranks. The motion would not have compelled the Council to do so. The Local Plan and the supporting plan documents were the route to produce results, not grandstanding.

Councillor T Beckett said the main amendment issue was with planning. Members needed to work with Officers to strengthen environmental aspects of developments. The amendment watered down the intention and would set a precedent that the Council would act only if possible.

Councillor Haysey said all needed to take personal responsibility for sustainability. She did not agree that the original motion would have accomplished more than the amendment in imposing requirements on developers. With regard to HGGT she would ensure building for communities included sustainable transport. The Herts Infrastructure Planning Partnership met regularly to look at cross-Hertfordshire sustainability and as chairman of the Partnership she aimed to ensure a common approach. She had visited the Building Research Establishment Environmental Assessment Method (BREEAM) faculty in Watford in order to produce a Supplementary Planning Document (SPD) to examine sustainable aspects of planning. The Council also needed to lobby Government, as indicated in the original motion, to ask for further powers. Developers were listening, and knew the Council's aims.

Councillor D Andrews referred to the definition of "emergency", which included "sudden and unexpected"; he preferred wording such as "crisis". There was a great deal of work the Council did already. This Council could commit resources and take steps within its power. He had seconded the amendment and he commended it to the Council.

Councillor J Frecknall spoke in objection to the amendment and said if this was a crisis then why not use that word?

Councillor Bell as the proposer of the motion responded to the debate on the amendment. She referred to Councillor Ward-Booth's statement that the



Council had reduced emissions but she believed that figure fell short of the targets, in which case it should invest more funds. She had proposed the Council should do everything in its power in the District, and she opposed the amendment.

Councillor McAndrew said he had sought from the minority Groups their ideal demands to be included in an SPD for developments and all Members should work together to achieve these aims.

The Chairman read out the amendment to the motion, as detailed above.

At the request of five Members, as per paragraph 18.5.1 of the Council's Constitution, a recorded vote was taken, the result being:

#### FOR

Councillors Alder, Andrews, Bolton, Boylan, E Buckmaster, R Buckmaster, Bull, Burmicz, Crofton, Cutting, Deering, Devonshire, Drake, Fernando, Goodeve, Hall, Haysey, Huggins, Jones, Kemp, McAndrew, McMullen, Newton, Page, Pope, Ranger, Reed, Ruffles, Rutland-Barsby, Snowdon, Stevenson, Stowe, Symonds, Ward-Booth, Williamson and Wyllie.

#### AGAINST

Councillors Beckett, Bell, Brady, Corpe, Dumont, Frecknall, Goldspink, Redfern and Wilson.

## ABSTENTIONS

Councillor Kaye.

For: 36

Against: 9

Abstentions: 1

The amendment was therefore CARRIED and became the substantive motion.

The substantive motion being put to the meeting, and a vote taken, the substantive motion was declared CARRIED.

RESOLVED – that Man-made climate change is the biggest threat that humanity faces. In 2018 the Intergovernmental Panel on Climate Change (IPCC) report stated that we have just 12 years to act on climate change if global temperatures rises are to be kept within the recommended 1.5 degrees celsius.

All governments whether national, regional or local have a duty to limit the negative impacts of climate change and need to commit to aggressive reduction targets and carbon neutrality as quickly as possible. East Herts District Council has a pivotal role to play in tackling climate change and enabling sustainable living.

We recognise the importance of

tackling climate change both in the terms of reducing greenhouse gas emissions to minimise future global climate change and planning for the unavoidable local impacts of climate change.

Therefore, East Herts District Council will: -

- 1) Join with other Councils in recognising and declaring formally the necessity to do everything within the authority's power to reduce its impact on the climate and moreover do everything we can in supporting the whole of East Herts District to become carbon neutral by 2030,
- 2) Develop an ambitious sustainability strategy for reducing the Council's own emissions, with an objective that the Council becomes carbon neutral by 2030,
- 3) Work with national and regional partners to ensure that where at all possible we support climate friendly planning and building control regulations and seek where possible to include the very best measures into the Local Plan to minimise any negative impact on the environment,
- 4) Call on National Government for more powers and resources to make this pledge possible, and ask the Council's Leader to write to the Secretary of state for Environment, Food and Rural Affairs to this effect,
- 5) Continue to work with partners across the

District, County and Region to deliver this new goal, through all relevant strategies and plans,

6) Take account of climate impacts within existing decision-making processes,

7) Set up an Environmental and Climate Forum, in line with the recommendations from the Task and Finish Group which were approved by this Council on 5<sup>th</sup> March, 2019,

8) The Environmental Forum to monitor progress regularly, and to report back,

9) Commit to making available the appropriate training to members and officers to promote carbon neutral policies in order to achieve these aims.

## 88 MEMBERS' QUESTIONS

Councillor L Corpe asked the Executive Member for Environmental Sustainability the following question:

“Noting the recent successes of ‘Wildflower Verges’ in increasing biodiversity in roadside verges, while reducing maintenance costs, and noting the motion on this topic considered by Hertfordshire County Council (HCC) on 16 July 2019, how will the Portfolio Holder work with HCC to identify suitable locations in East Herts and implement the scheme here?”

Councillor G McAndrew thanked Councillor Corpe for advance notice of the question. He said he shared his

wish that 'Wildflower Verges' be planted to increase biodiversity in roadside verges, while reducing maintenance costs across the District.

Councillor McAndrew described in detail the scheme considered by HCC. The verges were a mix of annuals, with a long flowering season achieved by using a successional approach.

He said HCC had referred the question of wildflower verges to the appropriate Cabinet panel, and he would be happy to speak with Councillor Corpe further on the work being progressed.

Councillor McAndrew described the maintenance of meadowland and parks managed by East Herts. Meadowland, such as the chalk banks in Southern Country Park, Bishop's Stortford, was managed with "cut and collect" maintenance. Extensive areas of parkland were grazed, such as in Pishiobury Park in Sawbridgeworth; the Red, White and Blue area in Bishop's Stortford and at Hartham Common in Hertford. Councillor McAndrew said he hoped the Council could implement grazing at an area of land in Kecksys, Sawbridgeworth but it had not yet been possible to secure this arrangement. In the meantime, the Council would arrange a cut and collect there later in the year.

Councillor McAndrew said the Council was holding back grass cutting on some of its verges where it found significant wildflowers and was working with the County Council through its connection with Countryside Management Services to find

opportunities in all its parks to manage them sensitively. The Council ensured that wide areas of grassland around the circumference of many of its parks and open spaces were cut less frequently than the main grass areas. It was necessary to cut many of the parks more frequently to facilitate participation in leisure activities such as ballgames.

In conclusion, Councillor McAndrew said the Council was working in partnership with Countryside Management Services and Highways on their verges but that as East Herts did not own any Highway verges, questions regarding those verges needed to be directed to Highways.

Councillor Corpe confirmed he did not intend to ask a further question, and thanked Councillor McAndrew for his reply.

Councillor H Drake asked the Executive Member for Planning and Growth the following question:

“What steps are being taken to ensure the continued provision of the successful Launchpad scheme, which has so far helped over 134 businesses in Bishop’s Stortford, once Charringtons House is demolished as part of the Old River Lane redevelopment?”

Councillor J Goodeve thanked Councillor Drake for the advance notice of her question. She confirmed that as at the end of June, the total number of users of the Launchpad business innovation facility was 140. Currently there were 29 paying members. Since piloting the scheme, the Council had continued to fund

the facility in order to meet demand. The level of business users now meant the Council was breaking even on income/expenditure. Launchpad clearly proved there was a need for flexible working space in Bishop's Stortford. The Council wished to continue supporting the scheme.

Councillor Goodeve said officers were considering how a Launchpad facility could continue to be provided in or around the Bishop's Stortford area, in view of the Old River Lane plans. Options being considered were Northgate End car park, which would include office space within the site, accessible on the ground floor. Whilst no planning application had yet been made to the Old River Lane site, another option could be significant amounts of commercial space, above retail units.

As the plans progress officers would continue to work on finding a suitable site in one of these two locations. It was helpful that Launchpad was now self-financing, as the Council would not be subsidising what would be prime commercial space when developments were completed.

Councillor Drake thanked Councillor Goodeve for her response, and confirmed she did not wish to ask a further question.

## 89 EXECUTIVE REPORT

The Leader, Councillor L Haysey, submitted a report from the Executive, and made the following comments

on behalf of the Executive.

She welcomed members of the public present. She commented on the earlier presentation given by Citizens Advice East Herts, as this charity carried out excellent work in the District, and it was important that Members were aware of its services. In addition to the congratulations given by the Chairman to officers of the Housing and Health team, she drew to Members' attention the fact that Su Tarran, the Head of Revenues and Benefits Shared Service, had completed 35 years at this Council. She asked that the Council's congratulations be recorded for the extraordinary service Su Tarran had given, and continued to give, to the District's residents.

Councillor Haysey welcomed Richard Cassidy to his first Council meeting as the Chief Executive.

Councillor Haysey summarised main points of the report and explained the reasons for the recommendations in the report of the Executive's meeting of 4 June 2019, regarding the Harlow and Gilston Garden Town Guidance Infrastructure Delivery Plan Strategic Viability Assessment and "How To" Guide.

It was moved by Councillor L Haysey and seconded by Councillor G Williamson that the recommendations, as detailed, be approved.

Councillor C Wilson asked a question regarding the proportion of affordable housing tenure mix, described at page 257 of the document pack, and



regarding a reference at page 33 of improved ability of the sites to bear developer contributions arising from reduced levels of affordable housing. He said it was disappointing that the levels were so low, and expressed his concern that not enough emphasis was being given the aim to help the areas North of Gilston to have sustainable travel. The plan would impose an additional drain on the London-Stansted corridor. Furthermore, it seemed there was no mention of sustainable transport to the Hospital, but only to the motorway.

Councillor J Dumont said as a new Member he had been made aware of the facts of the National Planning Policy Framework and Local Plan, but it was nevertheless important that Members be aware of the concerns of residents in relation to the Gilston plans.

Councillor Haysey responded that paragraph 10.53 on page 333 of the report related to viability of developments, which tended to be flexible, so that a balance was achieved across different areas. In respect of proportions of affordable dwellings, the policies tended to change rapidly, and would be kept under review. Regarding sustainable transport to the Hospital, this aspect was being considered as a whole. The first bridge into Harlow would become a sustainable travel bridge. Currently discussions were taking place to site the Hospital on the new M11 7A junction, but it was not yet known where it would ultimately be sited. She recognised concerns of residents, but as Councillor Wilson had acknowledged, the development was in the Local Plan. She encouraged Members to talk to their Ward residents

where they had concerns.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the Harlow and Gilston Garden Town Infrastructure Delivery Plan, Strategic Viability Assessment and “How To” Guide for Planning Obligations, Land Value Capture and Development Viability be agreed as material considerations for Development Management purposes; and

(B) the Leader be delegated authority to make minor consequential changes necessitated by the publication of the National Planning Guidance.

HARLOW AND GILSTON GARDEN TOWN GUIDANCE  
INFRASTRUCTURE DELIVERY PLAN STRATEGIC VIABILITY  
ASSESSMENT AND "HOW TO" GUIDE

Please refer to Minute 89 above for the proposal, seconding and debate of this resolution.

RESOLVED - that: (A) the Harlow and Gilston Garden Town Infrastructure Delivery Plan, Strategic Viability Assessment and “How To” Guide for Planning Obligations, Land Value Capture and Development Viability be agreed as material considerations for Development Management purposes; and

(B) the Leader be delegated authority to make

minor consequential changes necessitated by the publication of the National Planning Guidance.

90 HOUSING DELIVERY TEST ACTION PLAN

Councillor J Goodeve submitted a report on the publication of an action plan setting out how the Council intended to improve housing delivery. She said currently the measures proposed were small scale, so consequently it would take time to improve the numbers. She moved and Councillor L Haysey seconded, a motion that the recommendations as detailed in the report submitted, be approved.

Councillor M Goldspink said she supported the recommendation. The report highlighted how difficult it was for the Council to provide social housing across the District. It was distressing that there were 2,000 families on the waiting list.

After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED - that the Housing Delivery Test Action Plan, as set out in the report at Essential Reference Paper B, be agreed and published on the Council's website.

91 ESTABLISHMENT OF FINANCIAL SUSTAINABILITY COMMITTEE

Councillor G Williamson submitted a report proposing the membership and terms of reference for a new

Financial Sustainability Committee. He said the Council had set up a Financial Sustainability Group, which at its March meeting, was established as a Board, and that the Council had agreed a capital sum of £3m to invest in commercial income-generating activity. As the Board was effectively a Committee of the Council, the approval of the Council was now sought to constitute this Board as a politically balanced Committee and to provide for the capital sum to be allocated to it. He referred to the earlier approval of a change in political groups (Minute 84 refers), and noted the membership of the new Committee would include a Member of either the Labour or the Green Groups.

Councillor G Williamson moved, and Councillor D Andrews seconded, a motion that the recommendations as detailed in the report submitted be approved.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) a Financial Sustainability Committee be established as a committee of the Council with ten Members to reflect the Council's political proportionality according to the political balance regulations;

(B) the proposed terms of reference for the Committee as set out in the report at Essential Reference Paper C be approved;

(C) the Head of Legal and Democratic Services

be authorised to amend the Constitution to incorporate the Financial Sustainability Committee; and

(D) that authority to allocate resources for financial sustainability from the budget approved for this purpose by Council at its meeting of 5 March 2019 be delegated to the Financial Sustainability Committee.

## 92 LEISURE CENTRE CAPITAL DEVELOPMENTS

Councillor E Buckmaster submitted a report seeking approval for additional funding for the completion of the leisure centre projects. He explained the reasons for the request were that inflation had risen more than the forecast; additional works had been identified following more detailed surveys and there was an opportunity to enhance sustainable energy features. Without additional funding some elements would need to be omitted. The project would in time generate money, and this was a “once in a lifetime” opportunity to provide first-class leisure facilities for the community to a high standard.

Councillor Buckmaster moved, and Councillor G Williamson seconded a motion that the recommendations as detailed in the report submitted be approved. Councillor Williamson said as a fellow member of the Leisure Project Board and as the Executive Member for Financial Sustainability he was keen to support the additional investment.

Councillor T Beckett commended the project, and said

that it was right to agree the additional spend. However, if at the outset a concept design had been encouraged, these additional costs could have been minimised. He acknowledged that future projects would be taking that aspect into account. He said it should also be noted the Bishop's Stortford Climate Group felt there had been a missed opportunity at the Grange Paddocks site to supply the District with energy.

Councillor K Crofton said this was a fantastic scheme. He asked how scrutiny of the finances would ensure that no further unforeseen increases in budget would be required. Would such scrutiny be carried out by the Financial Sustainability Committee?

Councillor M Brady asked whether the cycle hub could be incorporated into the project and questioned from which budget the proposed pavilion would be funded.

Councillor J Jones said the Task and Finish Group had taken a stringent approach to the costings, so it was of concern to see an increase in funding being sought. He questioned whether the temporary gym facilities were needed; whether this was the final figure and whether the figure covered three rather than two swimming pools.

Councillor S Bell said she thought it was important to provide temporary gym facilities for Hartham as without such provision there was a risk that for a three month closure, some customers would not return.

Councillor Buckmaster responded to Members'

queries. He agreed with Councillor Bell that mitigation of potential loss of customers was important via provision of temporary facilities as it cost more to win new customers than to retain existing ones.

Responding to Councillor Beckett, he agreed, the Task and Finish Group had looked at options, but there were lessons that could be learned from any projects. Responding to Councillor Jones, he considered there would be no further unforeseen costs, but in any event there was still a 5% margin available if necessary. The largest element of the funding related to the construction sector being more vibrant than expected. In terms of the cycle hub, he felt the needs of Mudlarks were different, and their needs would not be met by offering the cycle hub as their café. The proposed leisure centre café was an important part of the offer, and it would be accessible to park and leisure centre customers, to ensure all had a first-class provision. He confirmed the amount was for the entire project, so did include all three pools (although no additional funding was being requested for the Leventhorpe Pool refurbishment).

Councillor I Devonshire said 5% contingency was not a huge amount of leeway, given the fact that unforeseen circumstances tended only to become apparent once groundworks started.

Councillor Buckmaster replied this was the final funding request, he acknowledged the point made, but some elements could be less than expected and the project needed to be taken forward with a view to achieving best value with the professional advice of the consultants.

Councillor Pope, as Chairman of the Performance, Audit and Governance Oversight Committee, said this project could be monitored by that Committee. Councillors Williamson and Buckmaster agreed with that approach.

Councillor Beckett commented that whilst a large part of the costs would relate to the roof for Hartham, in his view, there was likely to be further financial leeway on the environmental CHP system at Grange Paddocks.

After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) additional funding of £1.558m is agreed for the completion of the Hartham Leisure Centre refurbishment, to be funded from a combination of future s.106 receipts, new homes bonus, borrowing and/or any other opportunities identified;

(B) additional funding of £1.024m is agreed for the completion of the new Grange Paddocks Leisure Centre, to be funded from a combination of future s.106 receipts, new homes bonus, borrowing and/or any other opportunities identified;

(C) authority be delegated to the Head of Strategic Finance and Property and the Head of Planning and Building Control to identify and agree the specific funding referred to in recommendations (A) and (B); and



(D) additional funding of up to £1m is agreed to provide extra sustainable energy features at Hartham and Grange Paddocks leisure centres, to be funded from a combination of future s.106 receipts, new homes bonus, borrowing and/or any other opportunities identified, with the decision on the specific features delegated to the Head of Strategic Finance and Property.

93      DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 22  
MAY 2019 AND 19 JUNE 2019

RESOLVED – that the Minutes of the meetings of the Development Management Committee, held on 22 May and 19 June 2019, be received.

The meeting closed at 9.12 pm

Chairman .....

Date .....

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MINUTES OF A MEETING OF THE  
COUNCIL HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 3 SEPTEMBER 2019, AT 8.00 PM

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PRESENT:

Councillor J Kaye (Chairman).  
Councillors T Beckett, S Bell, R Buckmaster,  
R Bolton, P Boylan, M Brady, E Buckmaster,  
A Alder, S Bull, L Corpe, B Crystall,  
G Cutting, B Deering, H Drake, J Dumont,  
J Frecknall, M Goldspink, J Goodeve,  
L Haysey, D Hollebon, A Huggins, J Jones,  
G McAndrew, M McMullen, S Newton,  
T Page, M Pope, J Ranger, C Redfern,  
S Reed, P Ruffles, S Rutland-Barsby,  
D Snowden, T Stowe, N Symonds, A Ward-  
Booth, G Williamson and J Wyllie.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Rebecca Dobson	- Democratic Services Manager
Alison Stuart	- Head of Legal and Democratic Services
Peter Mannings	- Democratic Services Officer

134     CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all those present. He reminded Members of forthcoming events, in particular the diversity in East Herts event at the Rhodes Centre in Bishop's Stortford on Sunday 15 September. The Chairman said he was also planning a civic dinner on 23 November to which all Members were invited. He had arranged for a lecture to be given at this event by David Olusoga, the well-known historian, so the evening promised to be extremely interesting.

The Chairman said that, as part of his role, he had been asked for improvements to the facilities where Members collected their post, which had been implemented.

135     APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Andrews, K Crofton, A Curtis, I Devonshire, T Hall, I Kemp, M Stevenson and C Wilson.

136     STANDON PARISH NEIGHBOURHOOD DEVELOPMENT PLAN - ADOPTION

The Leader submitted a report on the Standon Neighbourhood Development Plan, following the Referendum of 25 July 2019.

She thanked Members for attending this extraordinary Council meeting which was necessary due to the tight timetable required by law for the outcome of the

Referendum to be implemented. The Standon Neighbourhood Development Plan was another example of the phenomenal work of the community. The Neighbourhood Development Plan would come under the District Plan, so would align with the policies adopted by the Council. Once approved, the Plan would become a material document in determining planning applications. Councillor Haysey paid tribute to the organisers.

Councillor L Haysey moved, and Councillor J Goodeve seconded, a motion that the recommendations now detailed be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED. Council approved the recommendations, as now detailed.

RESOLVED - that the Standon Parish Neighbourhood Development Plan, as detailed at Essential Reference Paper 'B' to the report, be formally 'made' and incorporated as part of the Development Plan.

The meeting closed at 8.05 pm

Chairman .....

Date .....

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EAST HERTS COUNCIL

COUNCIL- 23 OCTOBER 2019

REPORT BY THE CHIEF EXECUTIVE

REPORT TITLE: APPOINTMENT OF INTERIM MONITORING OFFICER

WARD(S) AFFECTED:

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## **Purpose/Summary of Report**

- In accordance with s5 of the Local Government and Housing Act 1989, Alison Stuart to be confirmed as the Council's Interim Monitoring Officer until a permanent appointment is made.

<b><u>RECOMMENDATIONS FOR COUNCIL: That:</u></b>	
<b>(A)</b>	<b>Agree to the appointment of Alison Stuart as the Council's interim Monitoring Officer</b>

### 1.0 Background

1.1 Under s5 of the Local Government & Housing Act 1989 (as amended) the Council has a duty to appoint a Monitoring Officer.

### 2.0 Report

2.1 On 14 November 2019, Alison Stuart, the Council's Head of Legal and Democratic Services and Monitoring Officer will be leaving the employ of East Herts Council to take up a position as Head of Legal at the London Borough of Barking and Dagenham.

- 2.2 The Head of Legal and Democratic Services and Monitoring officer post is presently being advertised with interviews scheduled for the end of October.
- 2.2 Under the legislation, neither the Head of Paid Service nor the Chief Finance Officer can hold the position of Monitoring Officer. There is no statutory requirement for the position to be held by a legally qualified officer.
- 2.3 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and our arrangements for effective governance. These duties include maintaining the Constitution, ensuring that no decision or omission of the Council is likely to give rise to illegality or maladministration and promoting high standards of conduct. A full list of the Monitoring Officer's responsibilities and delegated powers is included within the Council's Constitution.
- 2.4 Agreement has been reached with the London Borough of Barking and Dagenham for Alison Stuart to continue to provide a Monitoring Officer role to East Herts Council. This arrangement is sought to provide consistency and resilience to the Council in the intervening period until a permanent appointment is made.
- 2.5 Chapter 10, paragraph 10.1 (g) of the Constitution provides that the appointment of the Monitoring Officer and Chief Financial Officer (s151 officer) are to be carried out by the Chief Executive and ratified by Council.
- 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 George Cutting – Executive Member for Corporate Services  
[george.cutting@eastherts.gov.uk](mailto:george.cutting@eastherts.gov.uk)

Contact Officer: Alison Stuart, Head of Legal and Democratic Services  
Contact Tel No 01279 502170  
[alison.stuart@eastherts.gov.uk](mailto:alison.stuart@eastherts.gov.uk)

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**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	The Leader and Deputy Leader have been consulted on this report
Legal:	Under s5 of the Local Government and Housing Act 1989 a local authority must appoint a Monitoring Officer. Section 113 (2) Local Government Act 1972, enables an authority to appoint /second an officer from another authority as an officer of the authority being appointed and thereby satisfy the requirement under s 5 Local Government and Housing Act 1989 that an authority appoint "one of its staff" to be Monitoring Officer. The General power of competence under the Localism Act 2011 allows a local authority to do anything that individuals may do unless there are restrictions applied by other statute. This power can be used by a local authority to provide back office functions to other bodies.
Financial:	This specific arrangement will be less costly than the approved salary budget for a full time Monitoring Officer However, should a suitable candidate not be appointed to the Head of Legal and Democratic Services post in the short term, other interim solutions may need to be found which could impact on the current agreed budget.
Human Resource:	None other than those contained within the report

Risk Management:	The Council is not permitted to act unlawfully by not having a Monitoring Officer in post.
Health and wellbeing – issues and impacts:	N/A
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	An equal fair and transparent process will be undertaken in the recruitment of a permanent appointment
Environmental Sustainability	N/A

COUNCIL - 23 OCTOBER 2019

## MEMBERS' QUESTIONS

### **Question 1**

Councillor N Symonds to ask the Executive Member for Planning and Growth:

With all the new developments going up in East Herts are we sticking to 40% social housing and not deviating from it regardless of pressure from the developers who often wriggle and squirm not to fulfil that percentage?

### **Question 2**

Councillor D Hollebon to ask the Executive Member for Wellbeing:

How he intends to build on the successes of the Community & Wellbeing Forum?

### **Question 3**

Councillor A Huggins to ask the Executive Member for Neighbourhoods:

What steps has the Council made to implement the Armed Forces Covenant and how are the effects of these actions being monitored?

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EAST HERTS COUNCIL

COUNCIL – 23 OCTOBER 2019

REPORT BY LEADER OF THE COUNCIL

EXECUTIVE REPORT – 3 SEPTEMBER 2019

WARD(S) AFFECTED: All

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## **Purpose/Summary of Report**

- This report details the recommendations made by the Executive at its meeting held on 3 September 2019. A separate report on this agenda relates to the Executive meeting held on 8 October 2019.

### **1.0 Background**

1.1 Since the last Council meeting, the Executive has considered and supported a number of recommendations on the following items:

- North of Hertford (Sacombe Road, Bengoe) (HERT4) Masterplanning Framework
- North of Sawbridgeworth (SAWB4) Masterplanning Framework

The full reports can be viewed at: [Executive Agenda 3 September 2019](#).

### **2.0 Agenda Item 9(A) – North of Hertford (Sacombe Road, Bengoe)(HERT4) Masterplanning Framework**

2.1 The Executive considered and supported a number of recommendations on the North of Hertford (Sacombe Road, Bengoe) (HERT4) Masterplanning Framework, which would assist the development management process.

<b><u>RECOMMENDATIONS FOR COUNCIL: that</u></b>	
<b>(A)</b>	<b>The North of Hertford (Sacombe Road, Bengoe) Masterplanning Framework for the first phase of the strategic allocation known as HERT4 North of Hertford, as detailed at Essential Reference Paper 'B' to this report, be agreed as a material consideration for development management purposes.</b>

3.0 **Agenda Item 9(B) – North of Sawbridgeworth (SAWB4) Masterplanning Framework**

3.1 The Executive considered and supported a recommendation on the Masterplanning Framework for Land North of Sawbridgeworth, which would assist the development management process.

<b><u>RECOMMENDATIONS FOR COUNCIL: that</u></b>	
<b>(A)</b>	<b>the land to the North of Sawbridgeworth Masterplanning Framework for the strategic allocation known as SAWB4, as detailed at Essential Reference Paper 'C' to this report, be agreed as a material consideration for Development Management purposes.</b>

4.0 **Executive Decisions**

8.1 Other matters determined by the Executive are detailed in the Minutes of the meeting included for information at **Essential Reference Paper 'A'** to this report.



The full agendas for the Executive meeting can be viewed at:  
[Executive Agenda](#)

Contact Member: Councillor L Haysey, Leader of the Council  
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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 3 SEPTEMBER 2019, AT 7.00 PM

PRESENT: Councillor L Haysey - Leader  
Councillors P Boylan, E Buckmaster,  
G Cutting, J Goodeve, G McAndrew,  
S Rutland-Barsby and G Williamson

ALSO PRESENT:

Councillors A Alder, R Bolton, S Bull, L  
Corpe, M Goldspink, T Page, M Pope and A  
Ward-Booth.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Isabel Brittain	- Head of Strategic Finance and Property
Rebecca Dobson	- Democratic Services Manager
Steve Dupoy	- Leisure and Environment Service Manager
Ian Sharratt	- Leisure and Parks Development Manager
Alison Stuart	- Head of Legal and Democratic Services

123 LEADER'S ANNOUNCEMENTS

The Leader welcomed Members and Officers to the meeting and reminded everyone that the meeting was being webcast.

The Leader summarised the ongoing work of the Overview and Scrutiny Task and Finish Group. A survey was being conducted to seek residents' views on parking and details were on the website. Councillor J Wyllie, as Chairman of the Overview and Scrutiny Committee, confirmed that this work was progressing and would be reported to the Committee in due course.

124 MINUTES – 4 JUNE 2019

Councillor L Haysey moved, and Councillor S Rutland-Barsby seconded, a motion to approve the Minutes of the meeting held on 4 June 2019 as a correct record. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the Executive meeting held on 4 June 2019 be approved as a correct record and signed by the Leader.

125 DECLARATIONS OF INTEREST

In respect of Minute 126 – Grounds Maintenance Contract, Councillor E Buckmaster declared an interest in relation to the contract for verges maintenance with Hertfordshire County Council, in that he was the HCC Deputy Executive Member for Highways and the Environment.

126 GROUND'S MAINTENANCE CONTRACT AWARD

The Executive Member for Environmental Sustainability submitted a report to agree the award of

the grounds maintenance contract for a term of eight years from 1 January 2020, with the ability to extend for another five years. The report also asked Members to note that the award could be made within existing budgetary resources. He referred Members to a minor correction in the report, at paragraph 2.1, which stated that the weighting criteria which had been applied to the tender evaluation had been 40% price, 60% quality. The weighting which had been applied was in fact vice versa, that is, 60% price and 40% quality. The table shown in the report at paragraph 2.8.1 reflected the correct weighting.

The Executive Member for Environmental Sustainability referred to the main features of the report, including an electronic contract management system; tracking devices for vehicles which would also increase fuel efficiency and minimise air pollution; a web-link to enable customers to find out information such as when the next grass cutting was due and a commitment to an ongoing reduction in complaints. He referred to savings which would be made over the eight year term of the contract, as set out in the report. He moved the recommendations.

The Executive Member for Wellbeing said he welcomed the package of measures, which were important in keeping the District in shape and which encouraged residents' wellbeing during challenging financial times. He thanked Officers for their work on this report. He congratulated Officers on the parks events held during the Summer and on the regular achievement of "green flag" ratings for Southern and the Ridgeway.

Councillor M Goldspink asked, in respect of the pest

control service, whether the concessionary rate available to vulnerable people was available to all residents.

The Executive Member for Environmental Sustainability said the pest control policy had been decided last year, and that it had been agreed to supply a service only to vulnerable people; others would use private contractors.

Councillor M Pope asked whether there was a cost associated with pest control.

The Head of Strategic Finance and Property and Interim Head of Operations said the contract included a price for use of the pest control service, as an option if the Council wished to take up that opportunity.

Councillor M Pope congratulated Officers on their work on this contract. He asked about the role played by the specialist consultants.

The Leisure and Environment Service Manager said the contractor's involvement in the procurement process had been useful. He confirmed there were costs associated with the consultant's involvement.

Councillor G McAndrew moved, and Councillor E Buckmaster seconded, a motion that the recommendations now detailed be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED. The Executive approved the recommendations now detailed.

RESOLVED – that ( A) Executive approve the

award of the grounds maintenance contract to 'Tenderer F' as the most economically advantageous bid following a full EU competitive process with negotiation in accordance with the Public Contract Regulations 2015 (PCR 2015);

(B) that the provisional item; 'maintenance of highways agency areas', be included in the contract to offer a service to Hertfordshire County Council under a separate agency agreement, with full cost reimbursement;

(C) that the provisional item; 'pest control' be included in the contract;

(D) that delegated authority be given to the Chief Executive in consultation with the Head of Strategic Finance and Property and Head of Legal and Democratic Services to enter into a contract with the recommended Tenderer and make any minor amendment to the contract, that should be required.

127     DRAFT OPEN SPACE, SPORT AND RECREATION  
SUPPLEMENTARY PLANNING DOCUMENT

The Leader submitted a report on the draft Open Space, Sport and Recreation Supplementary Planning Document (SPD). She said the Council took open spaces, sport and leisure seriously. The documents set out the requirements and funding expected of developers. The document would be published for consultation, and then adopted by the Council.

The Executive Member for Wellbeing said this was a

welcome part of the policies of the District Plan and would be important in the discussions with developers and stakeholders in the Masterplanning of strategic sites. He said it was vital that the developments should include infrastructure to keep residents well. He trusted there would be a wide response to the consultation.

Councillor J Wyllie referred to the purpose of the SPD, which included the objective of retaining access to open spaces. He asked how this aim might be affected for example in Thorley, where developers, rather than the Council, owned land, and where small parcels of land were sold. The Leader said she was not aware of the particular circumstances in Thorley, but if it was not appropriate for such land to be sold if they were in the Green Belt, then Article 4 provisions could be used. She asked that Councillor J Wyllie send her details of the pieces of land to enable Officers to provide further advice.

Councillor M Goldspink referred to recommendation "B" which stated that a strategic environmental assessment was not required, as it was unlikely to have significant environmental effects. She sought clarification on what these might be, and what the definition of "significant" was.

The Leader said this was a strategic document which would be used by developers. If strategic environmental assessment was needed for each site, then that provision would apply.

Councillor T Page, as Chairman of the Development Management Committee, said he welcomed the



document which created transparency for provision of sports infrastructure, supported health and wellbeing, and sat neatly with Masterplanning. He said that it would help the Committee in deciding aspects of applications. The aims included reference to “retaining and improving access for all to open space, sport and recreation facilities so as to support increased participation in sport and leisure, particularly amongst groups and individuals with greatest social disadvantage”. Councillor T Page said such facilities should be provided for all residents. He felt a cost-effective way of helping the groups referred to could be by improving access to such services, rather than simply the provision of such services. He also considered it was important to balance the demographic factors so that provision of this important infrastructure did not impact on affordable housing.

The Leader said the report did not refer to provision of special facilities for people who were disadvantaged, but meant provision of access to them. She agreed there was an ageing population, but that the facilities could be easily adapted for older people.

The Executive Member for Wellbeing said that Masterplanning took this kind of factor into account, as Members understood their local communities and could ensure these factors were included in the consideration of development. The Steering Group would enable the Council to get this process right.

Councillor L Haysey moved, and Councillor G Williamson seconded, a motion that the recommendations now detailed be approved. After

being put to the meeting and a vote taken, the motion was declared CARRIED. The Executive approved the recommendations now detailed.

RESOLVED – that (A) the draft Open Space, Sport and Recreation Supplementary Planning Document (SPD), as set out in Essential Reference Paper 'B', be agreed and published for a six-week period of public consultation; and

(B) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it be determined that a Strategic Environmental Assessment of the emerging Open Space, Sport and Recreation SPD is not required as it is unlikely to have significant environmental effects.

128 NORTH OF HERTFORD (SACOMBE ROAD, BENGE0)(HERT4)  
MASTERPLANNING FRAMEWORK

The Leader submitted a report to enable Executive Members to consider the Masterplanning Framework for the HERT4 North of Hertford (Sacombe Road, Bengoe) site. She said this was another fine example of the work of the Masterplanning Steering Group. This site was unusual as it was for 50 houses, the other part of the site which would have been for 100 houses having been subject to a gravel extraction planning application which was refused. Whilst those other houses were not coming forward, this could not be guaranteed.

The Executive Member for Planning and Growth said it was good to see so many local and residents' groups

engage with the Masterplanning process, which had worked well.

Councillor T Page queried the meaning of the reference to the Masterplanning process requiring all “significant” development proposals to prepare a Masterplan.

The Leader said the District Plan required that even quite a small number of houses which could have a significant impact on ecology or heritage would need to go through the Masterplanning process. Whilst some of the sites in Hertford were not strategic sites, they were still required to go through the Masterplanning process. In answer to a further question from Councillor T Page, Councillor L Haysey said it would be for the Leader to take a decision to put a site through the Masterplanning process. Councillor Goodeve said it was a decision based on the cumulative impact of these sites so that the County Council was aware of forthcoming development.

Councillor L Haysey moved and Councillor S Rutland-Barsby seconded, a motion that the recommendations now detailed be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED. The Executive approved the recommendations now detailed.

RESOLVED – that the North of Hertford (Sacombe Road, Bengoe) Masterplanning Framework for the first phase of the strategic allocation known as HERT4 North of Hertford, as detailed at Essential Reference Paper 'B' to the report, be agreed as a material consideration for

Development Management Purposes.

129     NORTH OF SAWBRIDGEWORTH (SAWB4)  
         MASTERPLANNING FRAMEWORK

The Leader submitted a report to enable Executive Members to consider the Masterplanning Framework for the SAWB4 site, Land to the North of Sawbridgeworth.

The Leader invited the Executive Member for Wellbeing to introduce the report as he had chaired the meetings of Shaping Sawbridgeworth.

The Executive Member for Wellbeing said this was the third of the strategic sites in Sawbridgeworth, all of which had been considered as a whole. The Masterplan considered the entire allocated site although Countryside owned only part of it. The Executive Member explained that this would be the basis on which to move forward and to assess detailed planning applications, and he noted Masterplanning Steering Groups would continue to exist to monitor the developments.

Councillor L Haysey moved, and Councillor E Buckmaster seconded, a motion that the recommendations now detailed be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED. The Executive approved the recommendations now detailed.

RESOLVED – that the land to the North of Sawbridgeworth Masterplanning Framework for

the strategic allocation known as SAWB4, as detailed at Essential Reference Paper 'B' to the report, be agreed as a material consideration for Development Management purposes.

130     STANDON PARISH NEIGHBOURHOOD DEVELOPMENT  
PLAN – ADOPTION

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The Leader submitted a report on the adoption of the Standon Neighbourhood Development Plan. The District was fortunate in having a number of parishes which had taken up the neighbourhood planning process, and she felt that it was well worth the time and effort put in, to enable the policies chosen by local communities to become material planning documents. She paid tribute to a volunteer who had contributed significantly to the process, who had died before the neighbourhood plan could be adopted.

Councillor L Haysey moved and Councillor P Boylan seconded, a motion that the recommendations now detailed be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED. The Executive approved the recommendations now detailed.

RESOLVED – that the Standon Parish Neighbourhood Development Plan, as detailed in Essential Reference Paper 'B' to the report, be formally 'made' and used as part of the Development Plan.

131 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

Councillor J Wyllie submitted a verbal report on the work of the Overview and Scrutiny Committee. The Committee was running a task and finish group on the parking within the District. The group had taken evidence from the Bishop's Stortford Business Improvement District, and with Hertford retailers and Hertford Town Council. The survey currently being conducted would contribute to the review of the task and finish group.

The Executive received the report.

RESOLVED – that the report be received.

132 UPDATE FROM PERFORMANCE, AUDIT AND GOVERNANCE OVERSIGHT COMMITTEE

Councillor M Pope submitted a verbal report on the work of the Performance, Audit and Governance Oversight Committee.

He said the Committee had looked at the Council's performance indicators and how it would look at these in detail during its next meetings. The programme would address the areas of Section 106, economic development, public health and communications.

The Executive received the report.

RESOLVED – that the report be received.

The meeting closed at 7.35 pm

Chairman .....

Date .....

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# Sacombe Road Bengo Masterplanning Framework (August 2019)





## Contents

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8. Opportunities & Constraints
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# Introduction

## Introduction

This Masterplan framework document has been prepared in response to East Herts Council’s commitment to ensure high quality design through a masterplanning process. The document builds on material previously submitted as part of this process. The masterplan document is submitted on behalf of Durkan in support of proposals for the residential development of a 1.68HA of land at Bengo Nurseries, Sacombe Road, Hertford, SG14 3HG.

The Masterplan Framework will form the basis of initial discussions with third party stake holders including the Parish Council and the Shaping Hertford Steering Group.

This Masterplan framework document is intended to demonstrate the core design principles forming the underpinning design concepts for a detailed planning application to deliver around 50 new dwellings to be submitted in Autumn 2019.

The details included within this document follow a thorough examination and comprehensive assessment of the site and the wider surroundings and demonstrate the thought processes leading to the a proposed design that includes:

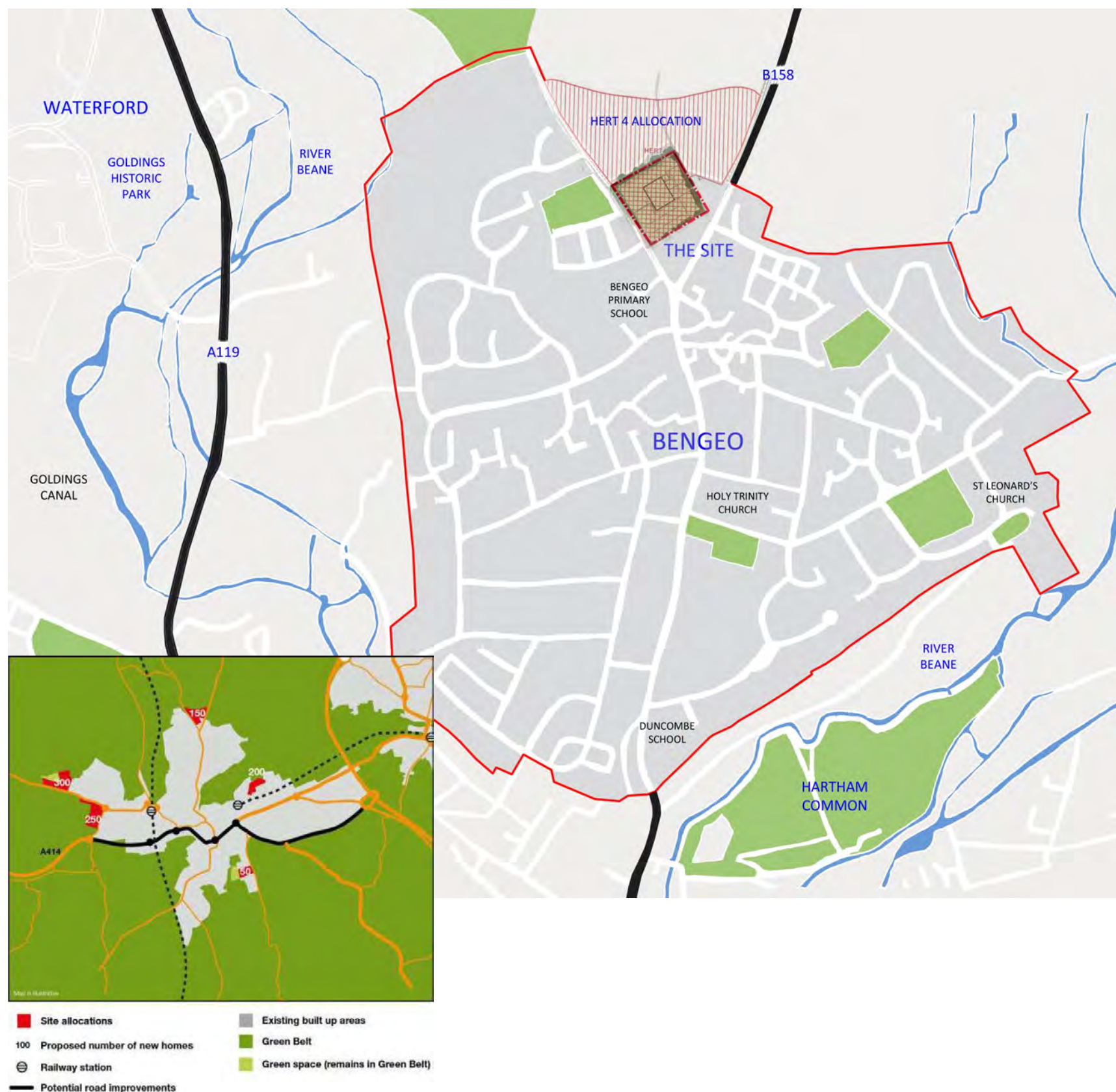
- A range and mix of around 50 dwellings including a 40% provision of affordable housing.
- The inclusion of integrated public open spaces incorporating children’s play facilities.
- Sustainable Drainage strategies.
- Pedestrian and cycle routes running through the development forming important off-site connections to the neighbouring LEAP to the west and byway to the east.
- The retention, strengthening and enhancement of existing landscaping features.
- New strategic landscaping and biodiversity enhancements.
- Consideration of existing school drop-off parking issues.
- A carefully considered road hierarchy incorporating shared surfaces.
- Safer by Design Principles.

## Our Vision

Our vision is to deliver a well-designed, high quality, verdant development combining attractive new dwellings within carefully balanced landscaped settings including the improvement and enhancement of the existing landscape and ecology to create a high quality new addition to the existing community. Key elements include:

- Traditional housing forms within a landscape led design approach.
- Dwellings that frame and overlook the main streets providing active frontages.
- Key buildings at strategic locations.
- Double aspect built forms that ‘turn the corner’.
- Pedestrian and cycle routes that link the development to key areas off-site enhancing connectivity to the wider community.
- Passive natural surveillance to streets, parking areas and open spaces.
- On plot parking where possible to reduce car dominance.
- An integrated road hierarchy to help define character areas.
- An integrated landscaping design to help define character areas.
- Subtle design variation to help define character areas.
- Retention and reinforcement of mature trees and hedgerows around the site perimeter.
- Policy compliant car and cycle parking standards.
- Refuse strategies contained within private areas.
- Policy compliant garage designs.
- A fabric first approach to energy conservation.
- SuDs strategies.
- Sustainable strategies including the provision of charging points for low and zero carbon vehicles and covered secure storage for cycles.
- Generous private gardens.
- Reduced density at the fringes of the development.
- Open space to the periphery of the development.

# Site Location & Planning Context



## Planning Context

The site is allocated for residential development in the submitted version of the East Hertfordshire District Plan under reference HERT4.

The site has historically been located within the Metropolitan Green Belt where highly restrictive planning policies apply. Following the adoption of the new District Plan (Oct 2018), this site has been removed from the Green Belt and will form the first phase of an allocation to provide around 150 dwellings. HERT4 sets out an expectation for the site to deliver around 50 new dwellings by 2022 with the wider allocation to deliver housing by 2027 (in the event that the extraction of minerals occurs on the neighbouring site). This aligns with strategic policies DPS2, DPS3 and HERT1.

The allocation establishes the principle of residential development for the site in line with the Council's aspirations.

Key policy HERT4 requires a masterplan to be collaboratively prepared involving a range of key stakeholders. This document has evolved through a process of pre-application engagement with East Herts Council and statutory and non statutory consultees and includes a public exhibition and presentations to the Shaping Hertford Steering Group.

Policy HERT4 sets out a series of requirements expected from the delivery of a development. These include a 40% allocation of affordable housing, an appropriate mix of housing, the delivery of green infrastructure, vehicular access from Sacombe Road, off-site mitigation measures and wider pedestrian and cycle connectivity, all of which are included within these proposals.

The proposals must also be considered in relation to any future adjoining development.

As the overall allocation site would be delivered in two phases, it is important to plan the site to reflect its existing countryside boundaries, but also to allow for successful integration as and when a second phase may be brought forward at a later date.

In line with HCC LTP4 Policy 1 sustainable travel methods will be at the heart of the development through:

- The promotion of sustainable patterns of movement.
- The provision of cycle routes and linkages.
- Linkages and enhancements to local bus services.
- Prioritising pedestrian and cycle use over car use.
- Measures to encourage modal switching.



# Site Analysis - Location & Site in Context



## Location of the Site

The site, measuring 1.68 Ha, is located in the Bengeo area of Hertford on the northern edge of the town. The site contains a large glass house building associated with its use as a Garden Centre. The site is served by an existing vehicular access from Sacombe Road, along the western boundary.

The site is located to the east of a recently constructed housing development for 97No dwellings, accessed from Sacombe Road. Along the southern boundary, the site is adjoined by an allotment field with the existing built-form of Hertford located beyond. The eastern boundary is partly adjoined by an existing residential dwelling with agricultural fields extending to the north and north-east. The site is easily accessible to services and facilities with direct footpath links along both Sacombe Road and Wadesmill Road.

## The Site in Context

There are a range of local amenities, services and shops available within Bengeo which are within walking distance of the site, including a Post Office and a Cooperative Food Store.

The site is also located approximately 1.5km from the centre of Hertford and its associated shops and facilities including doctor’s surgeries, supermarkets and leisure facilities.

Bengeo Primary School is located approximately 0.1km to the south-west of the site. Furthermore, Duncombe School, an independent school is located approximately 1km south of the site, providing school places between 2 and 11 years of age.

A bus service (bus route 33) currently runs via Bengeo Street / The Avenue and Cowper Crescent located an approximate 3-minute walk to the south of the site, with services running at least every 30 minutes into the centre of Hertford. Hertford also benefits from two railway stations, providing regular direct links into London.



## Site Analysis - Ecology & Built Heritage



### Ecology

An initial ecology appraisal has been undertaken which sets out the site has limited ecological significance due to the previous land use and extent of hard surfacing and buildings.

There are no ecology constraints which will impact on the proposed building layout.

There is an opportunity to incorporate high quality landscaping, planting up existing hedgerows, protecting high quality trees and maximising the benefits of the SuDs features to create new habitats and improve biodiversity across the site.

This approach aligns with Policies NE3 and NE4.

### Tree Survey

A tree survey has been completed for the site to determine the constraints and the impact on the development proposals in relation shading, tree route protection areas and tree category to BS5837. High quality trees will be retained and incorporated into a high-quality landscape scheme. The proposed development will seek to promote new tree planting where appropriate.

### Built Heritage Statement

A Statement has been prepared by CgMs which establishes that the site forms a neutral part of the setting of the Hertford Conservation Area, which is the only built heritage asset that has the potential to be affected by the development of the site.

Whilst the proposed development of the Site would result in a change within the setting of the Conservation Area, the design of the proposed development responds to the scale, massing and appearance of the existing built development to the west of the site. This ensures that the Site remains a neutral element of the Conservation Area's setting and its significance will not be harmed.

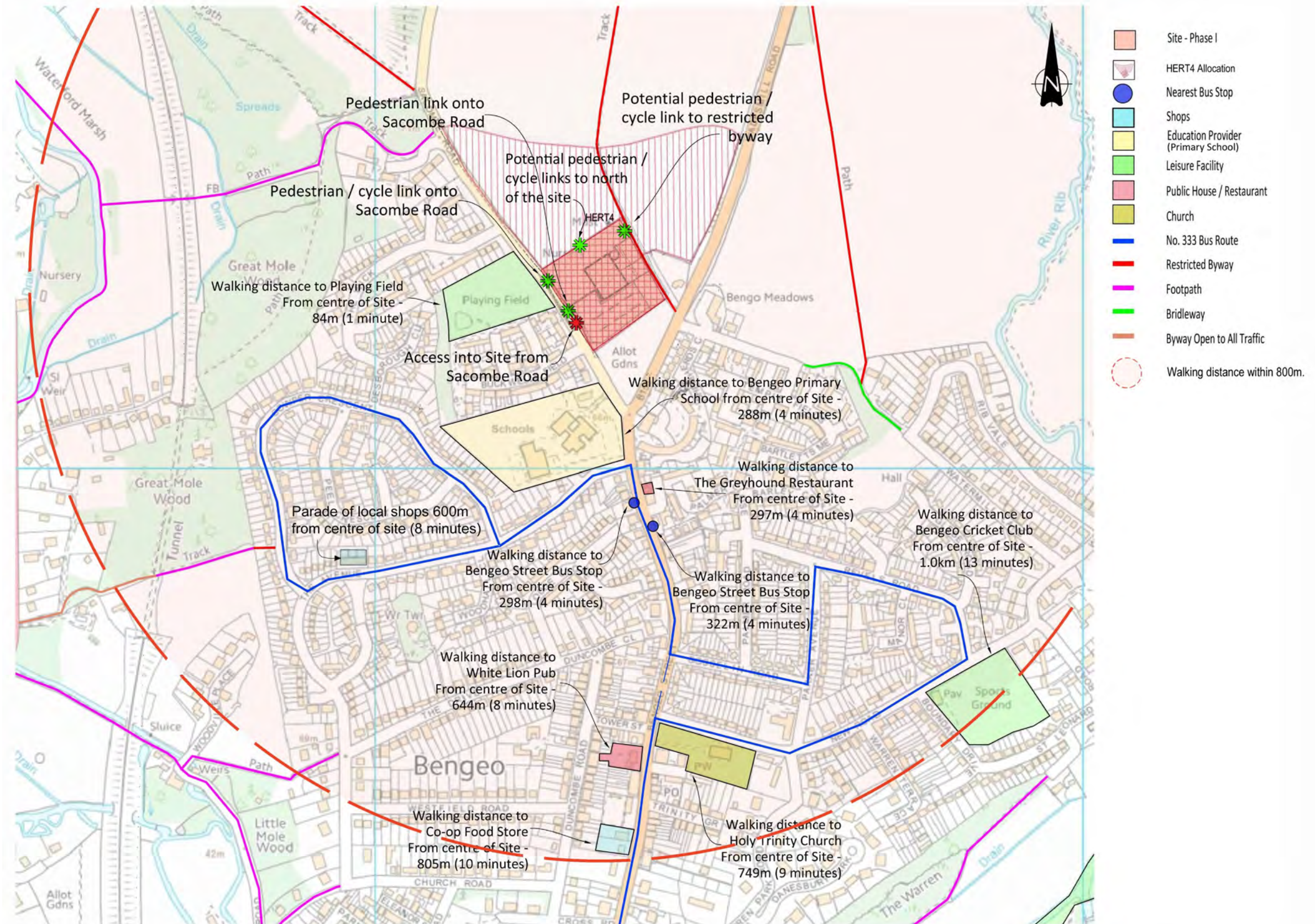


Topography





## Existing Movement & Connections





# Local Character

## Local Context

The Hertford Conservation Area Appraisal (Adopted 2017) recognises the distinctive character of different areas. The development site is adjacent to Identity Area 2- North West Quadrant which includes the allotments to the south. The built form of the immediate locality is a mixture of historic terraced housing with additional later semi-detached and detached housing. There is a grouping of historic buildings along the linear route of Bengoe Street which is interspersed with modern housing and commercial premises reflecting the expansion of Hertford.

The pattern of development within Identity Area 2 creates views that are generally contained by the built form. Longer views are along highways where the interplay between building scale, materials and building line set backs from the carriageway complemented by mature trees and planting define the verdant character of the street scene.

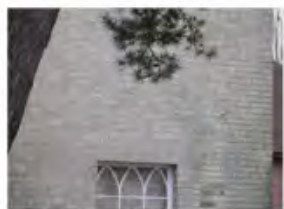
There are a number of notable residences built in the 19th and early 20th century which are located within this area of Bengoe including Bengoe House and the Grade II listed Warren Park.



Red Brick with burnt headers:  
Flemish bond



London stocks: Flemish bond



White brick: Flemish bond



Weatherboarding



Pargetting



Stucco



Plain tiles



Pantiles (mainly in north and east  
Herts)

### Image Location

- 1. Bengoe Street
- 2. Westfield Road
- 3. Duncombe Road
- 4. Fanshawe Street
- 5. Fanshawe Street
- 6. The Drive
- 7. New Road
- 8. Bengoe Mews
- 9. Warren Street



1.



2.



3.



4.



5.



6.



7.



8.



9.

From Understanding Hertfordshire's Character by HCC.



# Opportunities & Constraints





# Landscaping Framework



## Design Principles

### Primary Elements of the Emerging Design

The underpinning design principles reflect the thought process undertaken to achieve a development with a clear sense of identity and of place that can successfully integrate into the existing community.

1. Gateway into the development - Focal buildings set within an attractive landscaped setting will frame the primary entrance.
2. A coherent movement strategy that promotes sustainable principles.
3. Internal Routes:
  - Primary Street - A verdant avenue combining dwellings set back from the carriageway with footpaths adjacent to tree lined grass verges. The primary street leads to the eastern green fringe.
  - Secondary streets - Form connections from the primary street to the lanes serving the fringes of the development.
  - Tertiary Streets - Designed as Lanes serving less dense dwellings at the fringes of the development.
  - Combined cycle/footway links connecting important features outside of the development including identifying and providing the space for future links to any potential development. Awkward footpath arrangements that lead nowhere will be avoided.
3. Landscape and Ecology - The primary street will be designed as a verdant thoroughfare linking the main access to interconnecting public spaces. The north-south fringe will include public amenity greens and will integrate play spaces, SuDs and new planting strategies to enhance and strengthen the existing landscaping features providing increased ecological benefits. The fringes of the development will combine existing tree and hedge planting with new tree, hedge and shrub planting to create a 'leafy green' character offsetting new low density detached housing.
4. Public Open Spaces - Open spaces will be designed to interconnect with the verdant primary route and development fringes. The open spaces will be versatile spaces where children can play safely overlooked by housing to create a secure environment where they can interact with their natural surroundings.
5. Layout - Dwellings will be designed to overlook roads, footpaths and public open spaces providing natural surveillance and active frontages to all public areas in the best practice of secure by design philosophy. The built form will include focal buildings in key locations and buildings designed to 'turn the corner'. Density will be low at the fringes of the development and increase towards the centre along the primary and secondary routes. A key aim will be to avoid a development dominated by cars by ensuring that parking can be accommodated on plot or within off-road parking courts.
6. Building Heights - The maximum height of buildings will be 2.5 storeys with buildings along the eastern boundary and south-east corner no higher than 2 storeys.
7. Frontages - Respond to their respective character areas. The emphasis will be on subtle variation to ensure that the development as a whole maintains a cohesive identity.

# Design Principles - Character Areas

## Character Areas

Two character areas will play an important role within the design with areas defined by landscaped settings and by nuances in architectural expression.

Character areas will be designed as a series of subtle variations blending into one another creating a natural architectural flow throughout the development.

CA1 - The development edge will be softer in approach and will include detached dwellings framing and overlooking open spaces to the north and east and defining the character adjacent to Sacombe Road.

CA2 - The central area will be defined with strong, formal active frontages set within 'green' streets. There will be a focal point to provide a 'sense of arrival'.

## Open Space

Existing trees and hedgerows will be retained and reinforced around the site perimeter. Dwellings will be set back from all external boundaries behind amenity greenspace and existing and reinforced trees and hedges providing an attractive leafy outlook along lanes.

A carefully considered tree and planting strategy will be integral to the main east/west thoroughfare creating a verdant street through the development forming green links to and from character areas and public open spaces.

The internal street network will be privately managed and designed to adoptable standards.







# Sustainable Drainage Systems (SuDs)

## Sustainable Drainage Systems

The new development will explore and incorporate a variety of sustainable drainage systems to mitigate the potential threat of flooding and as part of a comprehensive landscaping strategy to enhance the sustainability of the site and will seek to promote water efficiency through innovative design.

The proposed SuDs strategy for the site is to have a combined hard and soft approach with the potential inclusion of swales, soakaways, permeable surfaces and below ground storage.

The site does not benefit from being located in the vicinity or close by to an accessible ditch to which surface water could discharge. The on-site infiltration testing demonstrated that the site could however benefit from the use of infiltration with a below-ground system, soakaways and use of porous driveways.

Underground storage areas will be located within open spaces and parking areas and in those areas identified by favourable infiltration testing results.

The combined hard/soft approach will mitigate the impact of surface water discharge from the development to decrease any risk of flooding.

The development will connect (subject to agreement with Thames Water) to the existing foul sewer and drainage network beneath Sacombe Road. Other utilities including gas, electricity and communications are available locally for connection with minimal disruption and a small substation may be required within the development.

Thames Water have confirmed that a private foul pump station will be required. To minimise impact the station will be designed below ground with a small service kiosk above ground concealed within a landscaped setting.

## Maintenance & Management

The proposed public open spaces, roads and footpaths will be maintained & managed by an independent management company and adhere to a site wide maintenance & management plan.

The purpose will be to set out the long term aims and objectives for all stakeholders involved and how components will be developed & maintained through timed operations in perpetuity.

These items will include all publicly assessable open space, SuDs & drainage features, lighting & boundary features, foul pump station and parking management for communal & visitors spaces. The site will be handed over to a resident led management company following practical completion of the site





# Landscape Strategy - Landscape



## Landscape

The development layout will seek to conserve the site's existing perimeter hedges and trees. These landscape features will be reinforced by high quality landscaping and the introduction of new hedgerow and tree planting in and around the built form (Policy DES3). This strategy of proposed vegetation will assist in enhancing existing landscape features and help assimilate the new development into the wider landscape.

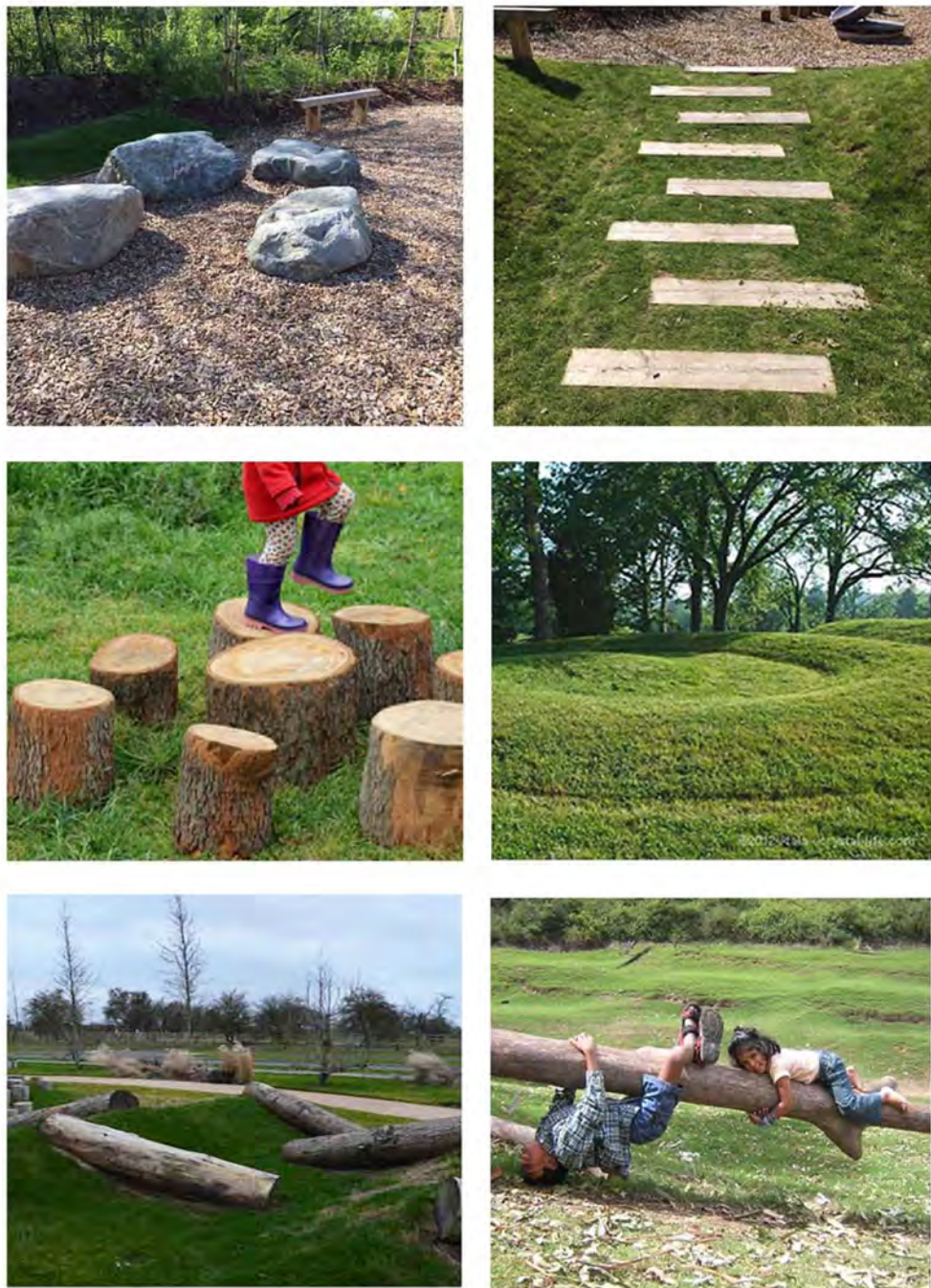
The landscape proposals include the following:

- Native tree and shrub planting to provide a buffer around the edge of the site, forming a transitional area between the development proposals and existing vegetation.
- A natural greenspace which forms the setting to a high quality, existing hornbeam tree, to ensure a suitable development off-set and ensure the soft landscaping feature is prominent within the public realm, forming a focal point within the development.
- All areas of greenspace will be well overlooked by properties to ensure that they are attractive and safe to use.
- The design of the publicly accessible open space will provide the following benefits:
  - Encourage biodiversity
  - Landscape and sustainability benefits;
  - Create amenity value
  - Enhance existing hedges and trees with additional landscape elements to provide a mix of habitats.

Views of the site are localised due to topography, built form and vegetation. There are a number of short and medium distance views of the site from the countryside to the north and across the existing allotments and enclosing hedging from the southern approach continuing east along Wadesmill Road. Due consideration will be given to design, scale, form, layout and landscaping which will minimise the visual impact of the development (Policy DES2).



# Landscape Strategy - Images



Childrens play combined with landscaping

Strategic landscape proposals will be designed to improve the local environment and create spaces for relaxation, support wildlife and generate additional sensory experiences for residents and visitors.



Wildflower and SuDs areas

Boundary native tree and shrub planting



Street and feature trees and planting



## Design Aspirations - Illustrative Images

### Summary

A new development to benefit the Bengo community to include:

- The delivery of around 50 new high quality dwellings within a landscaped setting.
- An attractive high quality development with a strong sense of identity.
- Well defined streets and spaces.
- An improved network of cycle and footpath links in and around the site.
- The reinforcement and enhancement of the existing natural environment.
- A landscape led approach through the provision of a high quality landscape framework.
- The inclusion of character areas.
- The delivery of open market and affordable housing to meet local needs.
- Fully accessible dwellings built to the highest standards.
- An integrated network of public open spaces.
- A comprehensive SuDs strategy.
- Children's play areas within the landscaped setting.
- Policy compliant car parking and cycle storage.
- A highly legible road, cycle and footway network incorporating shared surfaces.
- Design and construction methods developed from Building Futures Sustainable Design Toolkit.
- Any solar panel designs are to be fully integrated into the roof.
- High speed broadband through FTTP provision subject to existing infrastructure.



Traditional housing designs with high quality materials along a verdant street



Well proportioned detached housing in a semi-rural setting



Housing along a lane with materials complementing surroundings



Detached housing overlooking beautiful green spaces



Simple but effective features and detailing



Organic children's play areas



Traditional palette of materials

Essential Reference Paper "C"

# LAND TO THE NORTH OF **SAWBRIDGEWORTH**

MASTERPLAN FRAMEWORK  
AUGUST 2019



**COUNTRYSIDE**  
Places People Love

**BARTON  
WILLMORE**



# SAWBRIDGEWORTH NORTH VISION

AUGUST 2019

Our vision is to create a place that offers inhabitants a sense of ‘belonging’, a place they can be proud of and feel part of a community.

We will deliver a sustainable community serving the needs of all ages, that is integrated in a well-considered way into the existing facilities of Sawbridgeworth and the natural assets surrounding it.

The characteristics of the existing local community, the unique history of Sawbridgeworth and its rural hinterland provide the context upon which the character of Sawbridgeworth North will take influence, providing continuity with the key design traits and historic rural patterns of development found locally.

The Vision is founded on the following key objectives:

1. Deliver a landscape-led development with a memorable sequence of attractive spaces integrating significant retained trees and other natural assets.
2. Provide new housing at the right scale and of the right type to meet a wide range of community needs. The Sawbridgeworth North development will provide around 200 new homes of which it is anticipated that 40% will be in the form of affordable units, subject to future Detailed or Reserved Matters applications.
3. Create an accessible and connected new neighbourhood where families can choose more sustainable ways to get to key facilities including schools, shops, the leisure centre and employment facilities.
4. Provide attractive pedestrian and cycle routes utilising green corridor routes and public spaces to provide improved connections to the countryside, to the north and to the riverside.
5. Protect and enhance existing wildlife and natural features of the site as well as making it resilient through sustainable drainage measures.
6. Promote healthy lifestyles through sustainable transport measures, high quality placemaking, access to green space, designed with the community in mind.
7. Create a new, attractive, landscaped northern edge to the settlement.







# COUNTRYSIDE

Places People Love

## ABOUT COUNTRYSIDE PROPERTIES

**Countryside is a leading UK home builder specialising in place making and urban regeneration.**

We believe place making is more than geography. It is both a practice and a philosophy. A place to us is as much about the feeling people experience in our homes, as it is the physical buildings. We recognise that choosing a place to live is just as much an emotional decision as a financial one.

- We fulfil people’s need for a sense of belonging and being ‘at home’ with where they live
- We provide a common vision for the future of the community
- We bring a renewed sense of identity to the surrounding area
- Our legacy comes from the positive experiences our places make possible
- We deliver enduring value for all

### Design and Place Making Excellence

All our developments and homes carry a signature style and character, designed to work for the way people live today, with materials that reflect our commitment to quality. Our exacting standards and

sustainable credentials combine to create places that will stand the test of time. In recognition we have received more than 350 awards for design and sustainability excellence since 2000 and we hold more Housing Design Awards than any other home builder. Indeed we are the only home builder to receive the RIBA Stirling Prize for a housing development.

### Generating Value

Our success in housebuilding, creating residential developments and major new communities that generate value and benefit local communities has given us a reputation that sets us apart. We are also highly experienced in working in partnership with local authorities to regenerate public sector land.

We are adept at working collaboratively with landowners, public agencies and major commercial organisations to create places people love that deliver a premium for our partners.





## Site Description

The site is one of three sites in Sawbridgeworth allocated for residential development in the adopted Local Plan. This site, known as SAWB4 lies to the north of Sawbridgeworth and currently has a mix of land uses including agricultural land, a small holding, agricultural buildings and includes Northfield House which is proposed to be demolished as part of the proposals.

The site is well served by footpaths, and has extensive post-war residential development to the south, Cambridge Road to the west, and Kecksy's Farm and the River Stort to the east with the railway line further beyond, and a small settlement to the north along with open countryside.

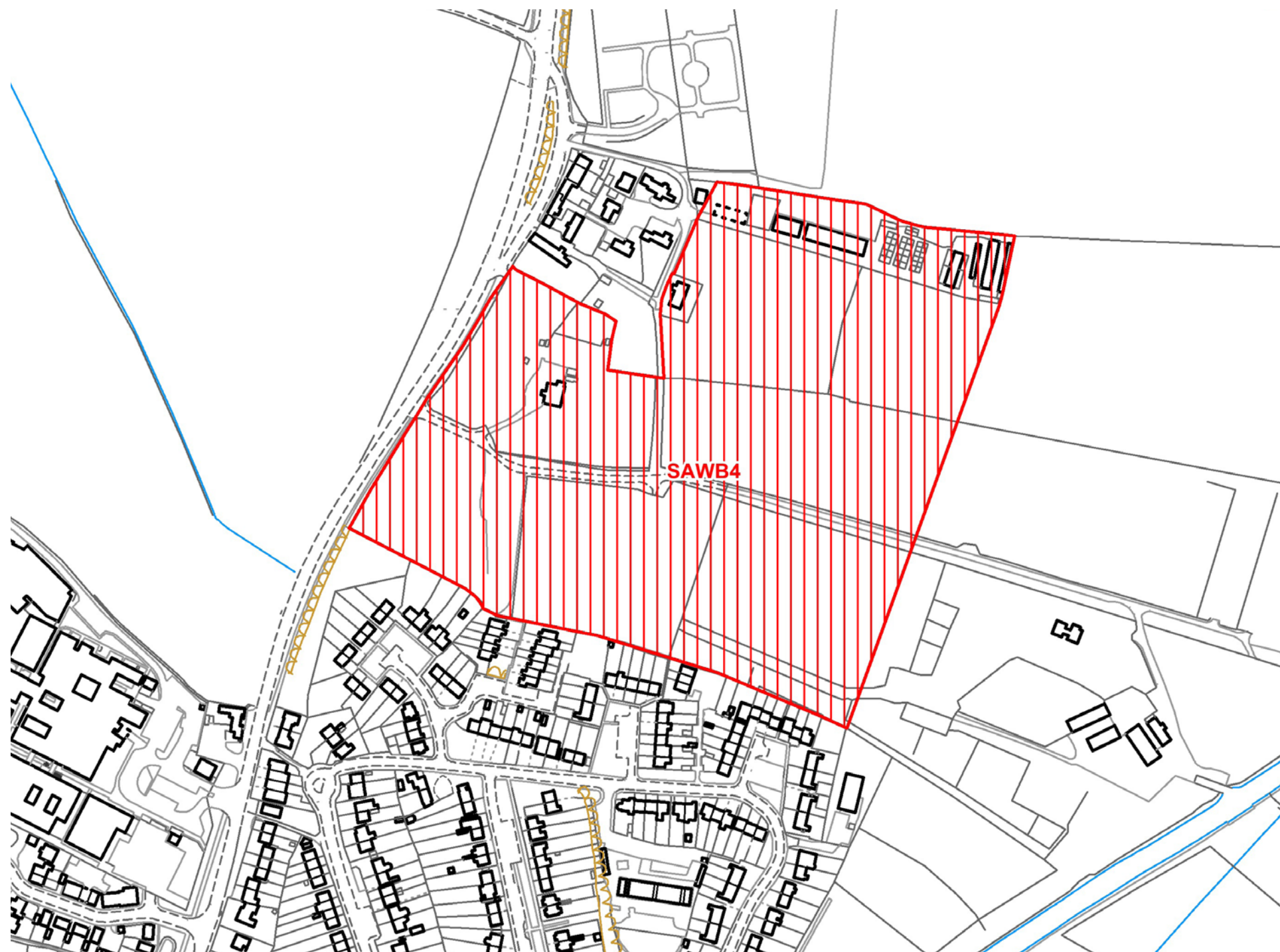
### Policy SAWB4 Land to the North of Sawbridgeworth

Land to the north of Sawbridgeworth is allocated as a residential development site, to accommodate around 200 homes by 2027.

The development is expected to address the following provisions and issues:

- Endeavour to meet the prevailing planning policy to deliver both private and affordable housing
- Necessary utilities, including integrated communications to facilitate home working, and upgrades to the localised sewerage network;

- Sustainable drainage and provision for flood mitigation;
- Access arrangements and local highways mitigation measures;
- Sustainable transport measures including the encouragement of walking and cycling, in particular to the town centre and railway station, and enhanced passenger transport services;
- Quality local green infrastructure throughout the site including opportunities for preserving and enhancing on-site assets, maximising opportunities to link into existing assets and enhancing biodiversity;
- New public amenity space;
- Landscaping and planting, both within the site and peripheral, to complement development, as appropriate;
- Provision of an appropriate structural landscape belt and public open space along the eastern boundary of the site to provide a soft edge to the development and define the new Green Belt boundary;
- Issues of self build to be considered at planning stage, policy commitment to deliver 2 on site,
- The delivery of necessary on-site and appropriate off-site infrastructure;
- Other policy provisions of the District Plan and relevant matters, as appropriate





Bus Routes

The main bus service consists of bus routes 508, 509 and 510 linking Sawbridgeworth to Harlow Town Centre and Stanstead Airport Coach Station via Bishop's Stortford along the London/ Cambridge Road. There is an additional bus route 347 running from Harlow to Hatfield Oak, and a range of single trip additional services operating in the school term only.

In order to integrate the site with the existing public transport network, we propose a new bus stop on Cambridge Road connecting the site with local amenities.

Trainline

Sawbridgeworth Station dates back to 1842, and was modernised and extended in 2011 to accommodate 12-coach trains. Trains from Sawbridgeworth serve London Liverpool Street and Cambridge.

Sawbobus

Sawbridgeworth Town Council launched Sawbobus in November 2009 to replace the axed SW1, 2 & 3 services. This vital community service has proved popular with the town's residents and in 2015 provided over 22,000 passenger journeys.

The Town Council set up this service and receives grants from East Herts District Council, some councils in Essex and some commercial sponsors which help fund the service.

Cycling

National Route 11 of the National Cycle Network will connect Harlow in Essex with Wigginhall St Germans (south of King's Lynn) in Norfolk via Cambridge and Ely. Harlow to Stanstead Mountfitchet and Waterbeach to Wicken are still under development, along with a link to Saffron Walden.

Site Connections

There is a good network of pedestrian footpaths including PROW's connecting the site from north to south, and there is the opportunity to allow for additional pedestrian and cycle links to the southern boundary of the site, linking in to the existing road network and in the southeast corner of the site the opportunity to enable a new pedestrian route connecting to the River Stort and beyond.

There is an opportunity to create a strong pedestrian and cycle route connection from Cambridge Road through the site and either down to the River, or alternatively into the existing residential area to the south.

On Site Network

The primary route runs along the line of the existing unmetalled track from Cambridge Road eastwards towards the river.

Secondary roads spur off of this primary route to the north and south generally aligned to the contours of the site, with

wide areas given over to significant street trees and planting.

At the site boundaries units can be accessed from private drives and shared spaces, creating a varied built form edge to the perimeter of the site where it meets the countryside.

Key:

THE SITE

SAWBOBUS ROUTE

508/509/510 BUS ROUTE

347 BUS ROUTE

TRAIN LINE

BUS STOPS

PROPOSED BUS STOP

TRAIN STATION

SITE ENTRANCE FEATURE

SERVICES: SHOPS, PUBS AND CAFES

EDUCATION

COMMUNITY HALL, LIBRARY, SPORTS, LEISURE

PEDESTRIAN & CYCLE CONNECTIONS TO SCHOOL AND TOWN CENTRE/RAILWAY

MAIN SPINE ROAD: CONNECTING CAMBRIDGE RD. TO KECKSY'S FARM AND RIVER SORT

SECONDARY ROUTES

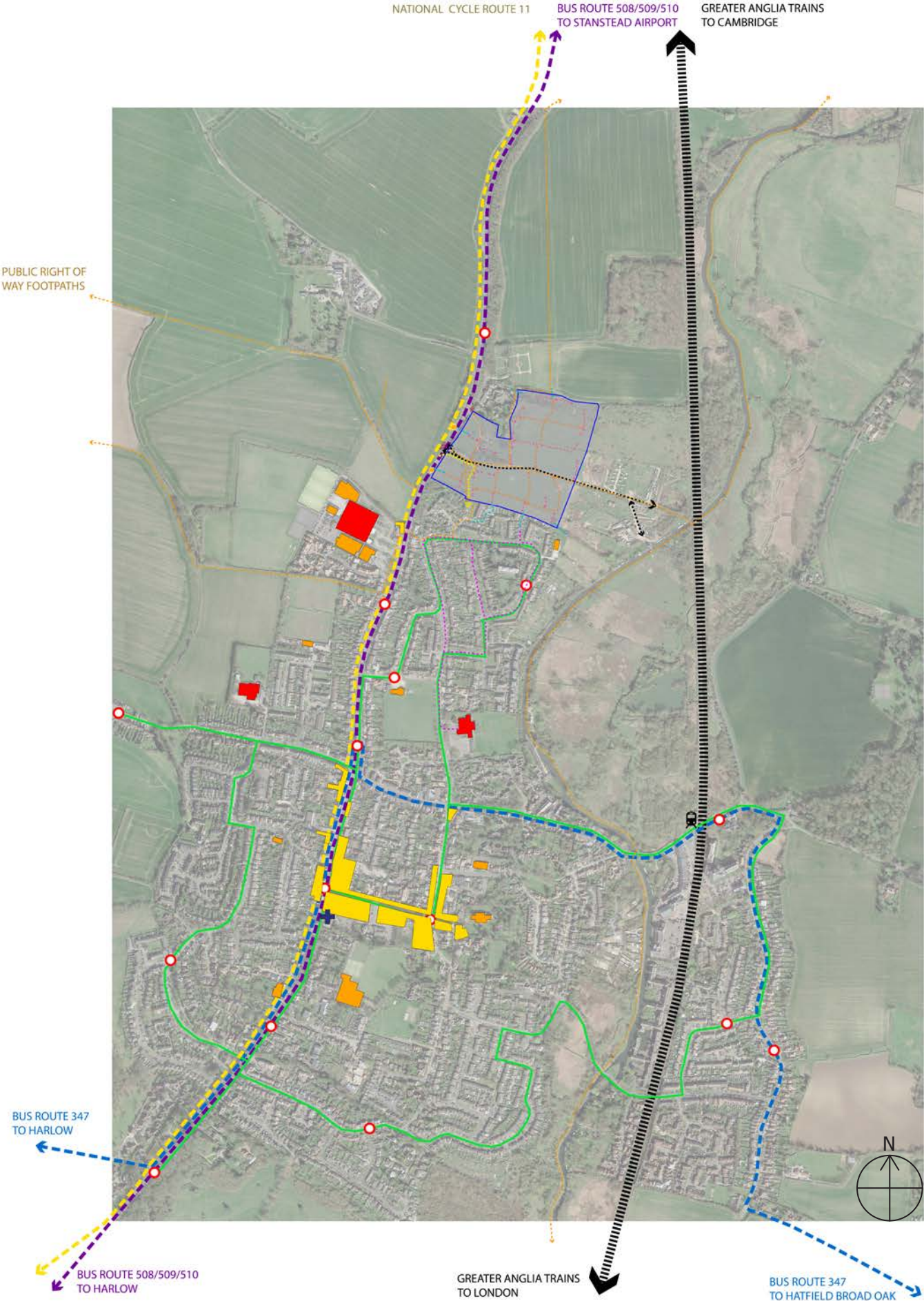
TERTIARY/PRIVATE DRIVE STREET

PUBLIC RIGHT OF WAY FOOTPATHS 4, 5 AND 6 AND PEDESTRIAN / CYCLE ROUTE TO RIVER AND ALONG RIVERBANK

POTENTIAL NEW PEDESTRIAN AND CYCLE CONNECTIONS AT SITE BOUNDARIES

EXISTING NATIONAL CYCLE ROUTE - 11 AND EXTENSION OF CYCLE ROUTE INTO SITE

CONSTRUCTION ACCESS





### Street Character

01 Cambridge Road looking South on approach into Town. Development screened with landscape to left of view. The Bull forming notional gateway to Town.



02 Cambridge Road heading south. Positive frontage onto Cambridge Road



03 Station Road heading up towards town centre. Marker building aiding legibility along route.



04 The Square. Key central space in the Town centre.



05 Bell Street looking towards London Road. Historic town centre medieval structure. Mix of wide and narrow fronted properties, varied roof form.



06 Sayesbury Road - Victorian era residential development on long north south street layout



07 The Crest. Post war development of homes set against rising topography. Locally referenced colour palette helps integrate modern houses into town character.



08 The Drive - private drive off of London Road serving several large family homes



### Residential Character

01 Large family house at corner of Station Road and the Forebury. Wide fronted 2 1/2 storey marker building example



02 Set back dwelling in historic core with typical decorative render pargeting. Adjacent the Market House



03 Large Victorian family home on Knight Street with strong positive features addressing street



04 Arts and Crafts early c20 houses on West Street utilising colours that are typical throughout town centre



05 Cottages on Cambridge Road showing a mixture of render and timber boarding



06 Post War stepped terraces with painted render in colours that match historic precedent



07 Post-war single storey terraced housing in northern part of town



08 Recent terraced development fronting onto Cambridge Road





A



B



C



D



E



F



Site View:







### Working With Landscape Structure

Land falls away to the east towards the river valley.

Development and open space concept to respond to topography by aligning generally in north south direction along contour lines



### In-Between Town And Countryside

Site forms a mediation between northern edge of town and green belt countryside. There is an opportunity to respond to this by creating a place that blends town and countryside.



### Views Connecting To Wider Countryside

Working with the contours within the site and the landform beyond there is an opportunity to create strong visual links from the central space and route through the site out to the open countryside beyond, and for the views from the surroundings into the key space of the central open green space.

There is also the opportunity to respond in this way to the north, with primary and secondary routes all visually connecting to countryside beyond.



### Review Playspace Provision

The provision of playspace will be assessed in any future RM application for the requirement of LAPs, LEAPs and NEAPs. However, the Masterplan includes many areas of open space that would allow for different types and scale of play provision to be part of a detailed design.



**Houses With Outlook To Cambridge Road Edge And Green Beyond**

These houses all have frontage on to Cambridge Road and also, importantly to the wider countryside views rising gently in the fields beyond.



**Houses With Outlook To Existing Mature Trees, Village Meadow**

The mature trees that form the 'central open green space' and the public footpath through the site and out to the countryside create a natural, biodiverse and rich environment that gives a strong character and setting to the new homes that will address these spaces



**Houses With Outlook To North And East Green Belt**

These houses all have views and frontage to the green belt and wider countryside views to the east and north, particularly across the river valley.



**Houses With Views To North South Green Route**

The new green route running along the contour line north to south creates a wider naturalistic street scape with positive frontages for new homes along this route.



## Opportunities and Constraints

The principal existing access to the Site is an east-west oriented unmetalled track extending from Cambridge Road to the boat yard on the River Stort. The majority of the Site, primarily the central and south-eastern areas, comprise fenced paddocks for livestock. The south-western area comprises a scrubby field, separated from the remainder of the Site by an overgrown hedgerow.






The north-western area of the Site comprises Northfield House, a large two-storey villa-type dwelling and its grounds. The northern field is mainly unmanaged pasture with a series of derelict and dilapidated agricultural metal sheds along the northern boundary.

Vegetation is primarily limited to the western and northern areas of the Site. An overgrown hedgerow comprising semi-mature trees extends alongside footpath 006 as it enters the south-western area of the Site. Further semi-mature tree planting, likely from overgrown hedgerows, forms the southern and eastern boundaries of Northfield house in the north-west of the Site.

A line of poplar trees extends east to west through the northern part of the Site, separating the area of dilapidated agricultural buildings from the remainder of the Site. A strong native hedgerow comprising mainly hawthorn extends along the western boundary with Cambridge Road and an overgrown scrubby hedgerow extends along the northern boundary.



### Key:

-  THE SITE
-  LISTED BUILDINGS
-  MAIN EXISTING ROAD & PROPOSED EAST/WEST SPINE ROUTE CONNECTING CAMBRIDGE RD. USERS TO KECKSY'S FARM AND RIVER SORT
-  PUBLIC RIGHT OF WAY FOOTPATHS 4, 5 AND 6 TO BE MAINTAINED AND INCORPORATED INTO FUTURE DEVELOPMENTS
-  EXISTING NATIONAL CYCLE ROUTE - 11
-  RETAIN, ENHANCE AND AUGMENT EXISTING PEDESTRIAN ACCESS
-  KEY VIEWS OUT OF SITE RETAINED AND ENHANCED BY FRAMING
-  PEDESTRIAN FOCUSED LINK TO CAMBRIDGE ROAD. NEW BUS STOP LOCATION
-  BLUE INFRASTRUCTURE/SUDS ROUTE
-  RETAIN, ENHANCE, AND REINFORCE EXISTING STRUCTURAL PLANTING
-  POTENTIAL GI LINKS WITH TREE PLANTING TO ASSIMILATE DEVELOPMENT AND SOFTEN VIEWS OF BUILT FORM
-  LANDSCAPE BUFFER TO SOUTH OF SITE TO SOFTEN BUILT FORM BETWEEN EXISTING DEVELOPMENTS
-  GROUPS OF NATIVE CANOPY TREES TO ANCHOR PROPOSED DEVELOPMENT
-  STRATEGIC OPEN SPACE
-  TOPOGRAPHY LINES
-  KEY DEVELOPMENT FRONTAGES
-  LANDMARKS/GATEWAYS
-  SITE ENTRANCE FEATURE
-  OFFSITE LANDSCAPE ENHANCEMENT



LANDSCAPE DESIGN PRINCIPLES

The concept is for a landscape led scheme, utilising the site's unique setting, topography and existing mature trees and established planting to best effect.

The vast majority of existing landscape features on site will be retained as part of these proposals as they give structure and form to the scheme and help to create the sense of place.

GATEWAY LANDSCAPE

The frontage to Cambridge Road is treated in two similar ways to establish to clear identity for the site as the beginning of Sawbridgeworth. The built form to the north and south of the site entrances address Cambridge road in a positive manner, with formal planting and street trees creating an attractive visually connected development which will be clearly identified as a part of Sawbridgeworth.

THE CENTRAL OPEN GREEN SPACE

Taking advantage of the mature trees retained on site, the heart of the scheme is conceived of as a central open green space, which connects along the PROW route to the south. This space will incorporate additional planting, landscape features and seating.

This space will also incorporate the cycle and pedestrian route connecting Cambridge Road, the PROW, and the route down to the River Stort.

SUSTAINABLE DRAINAGE

The SUDS features will form part of the natural systems and will lend character and interest as well as a connection in residents minds between the neighbourhood and the river valley. This SUDS network will be first evident at the central open green space, and will run intermittently alongside the spine road

down towards the river valley, to the larger SUDS pond in the Phase 2 area the eastern end of the site.

GREEN BELT BOUNDARY PLANTING

Structural planting is proposed to the eastern edge of the site where a 5m buffer strip outside of the site boundary but within the application boundary has been identified to create a softer edge to the development edge, particularly when the site is viewed from further away across the River Valley.

The northern boundary, both will form a new green belt boundary and as such will need to provide suitable screening. New native hedgerow and tree planting is proposed to this edge.

Additional structural planting is proposed to the southern boundary to protect the amenity of the existing residents.

MANAGEMENT AND MAINTENANCE

It is important that the public realm is managed to a high-quality over the long-term. Through the planning application and its s106 legal agreement it will secure the governance and maintenance arrangements. The likely strategy will be in keeping with the management strategies of Countryside's other sites in East Herts, the areas of landscaping, roads, SUDs and other features of the development unadopted by the Local Authorities will be managed by a management company that will be funded by an estate charge levied to new residents.

CONCLUSION

The integration of blue infrastructure with new green spaces and retained and enhanced existing green spaces, vegetation and mature trees ensure that the natural and sustainable systems within the site are a part of the ethos of

Key:

THE SITE

GREEN NETWORK AND OPEN SPACE

OFFSITE LANDSCAPE ENHANCEMENT

TOPOGRAPHY LINES

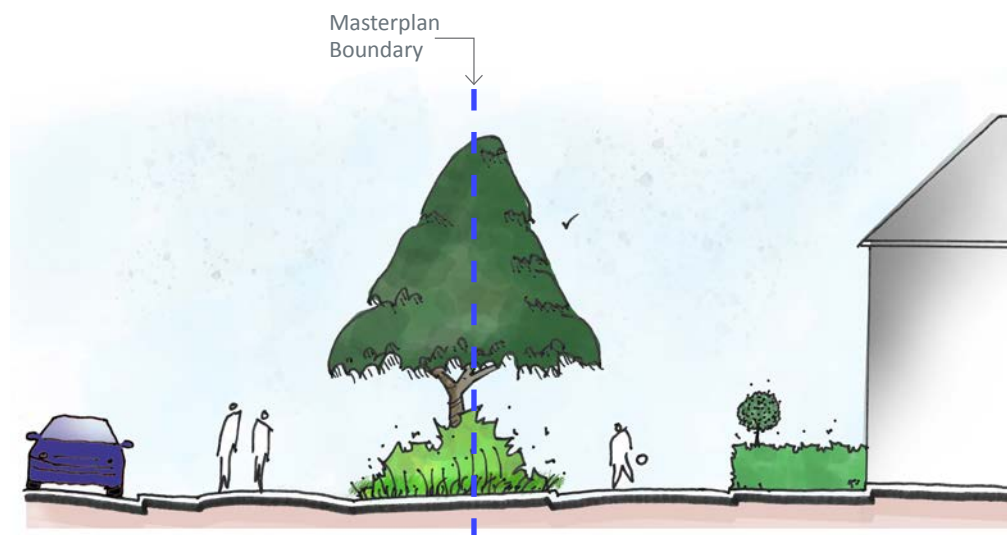
PROPOSED GREEN NETWORK

ATTENUATION POND

PROPOSED TREES

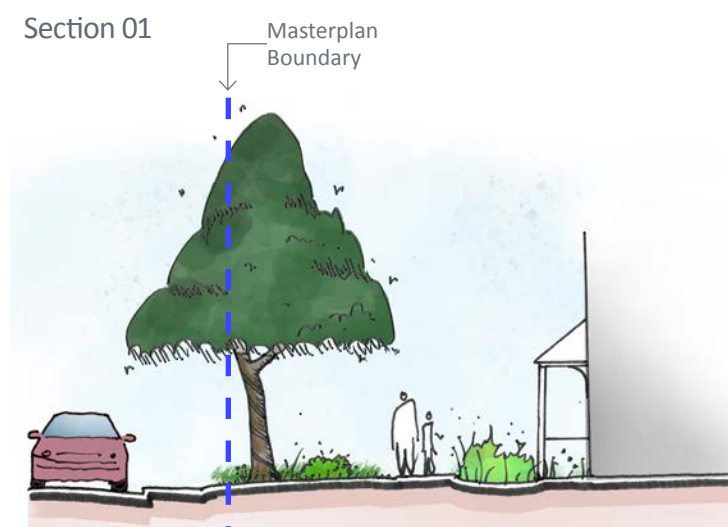






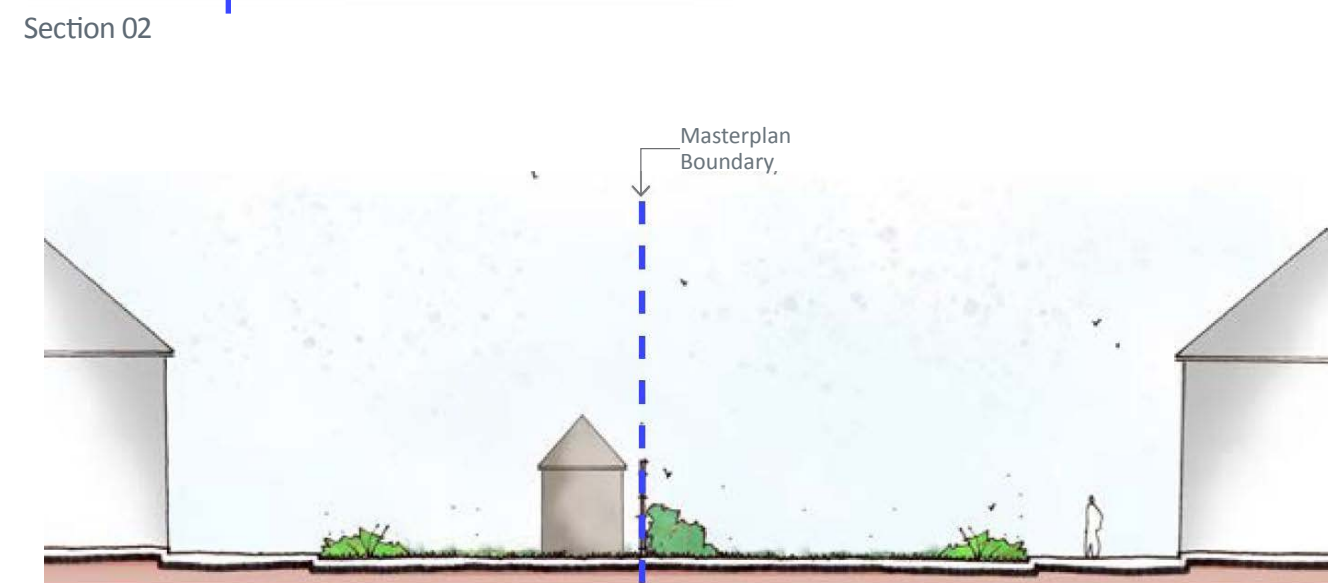
### CAMBRIDGE ROAD NORTH FRONTAGE

Provide formal frontage to Cambridge Road, where built form can be clearly seen to establish a statement as the beginning of Sawbridgeworth town. Provide positive frontages to new buildings to enhance views of new, locally characteristic, built form from the west.



### CAMBRIDGE ROAD SOUTH FRONTAGE

Provide semi-formal frontage to Cambridge Road, where built form can be seen, framed and softened by formal street trees. Provide positive frontages to new buildings to enhance views of new, locally characteristic, built form from the west.



Section 03

### SOUTHERN BOUNDARY

Where appropriate, 'seal in' rear gardens of existing adjacent houses with rear gardens of new houses to integrate the proposed development into the existing settlement pattern. Provide native, species rich hedgerow along parts of boundary where sealing in is not appropriate, for example in areas of public realm within the proposed development. Plant native canopy trees and street trees within public open space and parking areas along southern boundary to soften views of new built form from adjacent residential areas.

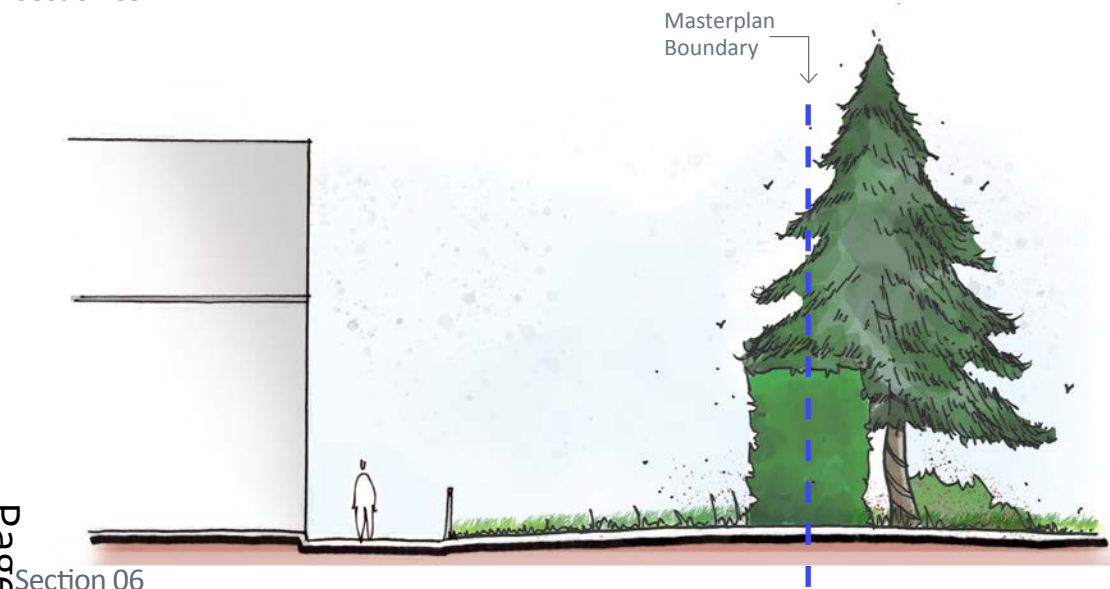




Section 04



Section 05



Section 06

**NORTHERN BOUNDARY**

Provide a native tree and understorey belt to screen views of the proposed development from the north and provide a strong and defensible new Green Belt boundary.

**NORTHERN RESIDENTIAL BOUNDARY**

Manage existing boundary planting to maintain visual containment and avoid impacts on listed building and fixed residential receptors. Where appropriate, reinforce existing boundary with native species hedgerow.

**EASTERN BOUNDARY**

Create a robust and defensible new Green Belt boundary, with a mixture of planting strategies. In the vicinity of the spine road, the boundary would be composed of native species rich hedgerow with occasional canopy trees allowing framed and filtered views out towards the eastern slopes of the River Stort valley. Further north and south along the eastern boundary, the boundary vegetation would be more substantial, comprising belts of native trees with woodland understorey planting informally distributed with SuDS features and open space.







## LAND USE

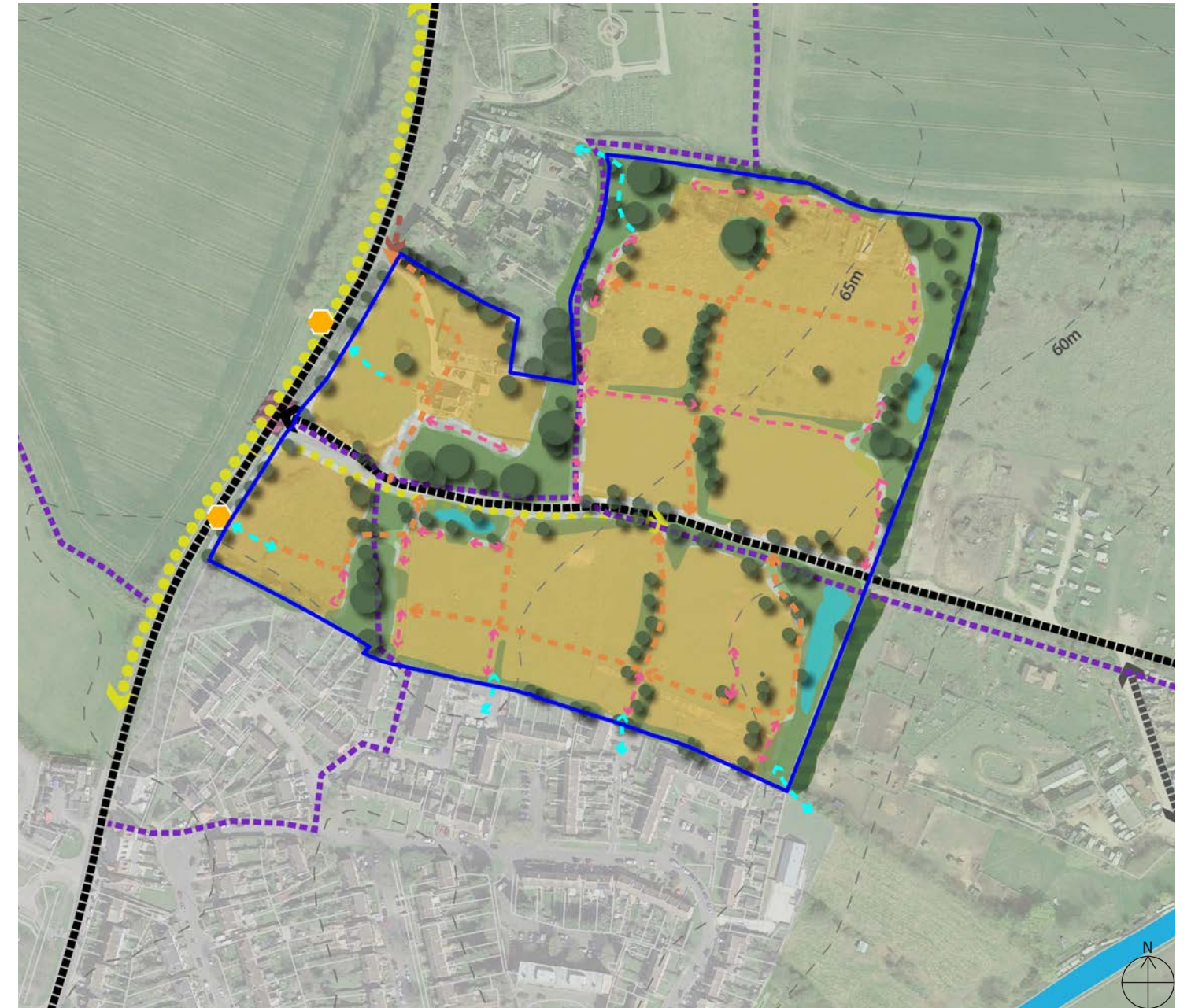
The site is allocated for residential development for around 200 homes in the East Herts District Plan.

The overall site area and its setting can provide high quality residential development set within the exceptional landscape and with distinctive green open spaces running through the development

and centred around the group of mature retained trees in the central open green space.

### Key:

-  THE SITE
-  DEVELOPABLE AREA
-  OPEN SPACE
-  NON-DEVELOPABLE AREA
-  OFFSITE LANDSCAPE ENHANCEMENT
-  ATTENUATION POND
-  PROPOSED TREES



## ROUTE STRUCTURE







The movement framework reinforces the concept of breaking up the whole development into bands of built form along contour lines, interspersed with significant areas of public realm planting and suitably scaled street trees.

Smaller routes reduce to serving clusters of houses at the edges of the site through

private drives to ensure the more sensitive green belt edges are varied and opportunities for houses to face directly onto the countryside are taken whenever possible.

-  EXISTING NATIONAL CYCLE ROUTE - 11 AND EXTENSION OF CYCLE ROUTE INTO SITE
-  CONSTRUCTION ACCESS

### Key:

-  THE SITE
-  MAIN SPINE ROAD, PROPOSED EAST/WEST SPINE ROUTE CONNECTING CAMBRIDGE RD. TO KECKSY'S FARM AND RIVER SORT THROUGH SITE
-  SECONDARY ROUTES FEEDING OFF THE SPINE ROAD
-  TERTIARY/PRIVATE DRIVE STREET
-  PUBLIC RIGHT OF WAY FOOTPATHS 4, 5 AND 6 TO BE MAINTAINED AND INCORPORATED INTO FUTURE DEVELOPMENTS AND PEDESTRIAN / CYCLE ROUTE TO RIVER AND ALONG RIVERBANK
-  POTENTIAL NEW PEDESTRIAN AND CYCLE CONNECTIONS AT SITE BOUNDARIES





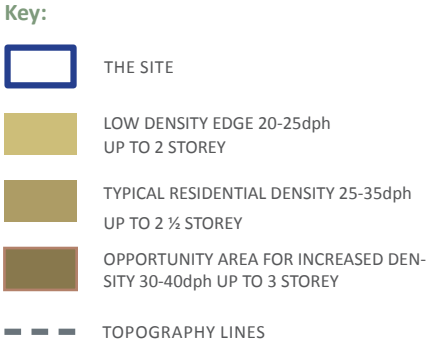
## SITE DENSITY AND BUILDING HEIGHTS

We are proposing three density ranges. The higher and more compact built form is arranged centrally around the central open green space and north of Sawbridgeworth.

The blocks of development around this area have a range of typical residential densities, enjoying excellent relationships

with the public open green space that is the heart of the scheme, facing on to Cambridge Road in an appropriately scaled and arranged format, and giving structure and enclosure to the main spine road.

Lowest densities are to the North and Northeast, as proposed development faces on to the green belt boundary here.

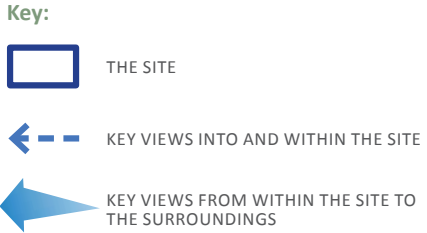


## MARKERS AND VIEWS

One of the key assets of the site is the group of mature trees that will form the central open green space. This space is visible past the site entrance from Cambridge Road, and is the linking space that connects with the longer views out of the site to the River Valley to the east.

At most locations in the masterplan views

out of the settlement to the countryside are possible, with the built form opening up at the edges of the site to exaggerate the effect of that visual connection. Within the site there are opportunities for key marker buildings to add legibility to the structure and setting of the neighbourhood as illustrated above.





## MASTERPLAN PRINCIPLES

Delivery of high quality dwellings within a landscape setting with a strong sense of place.

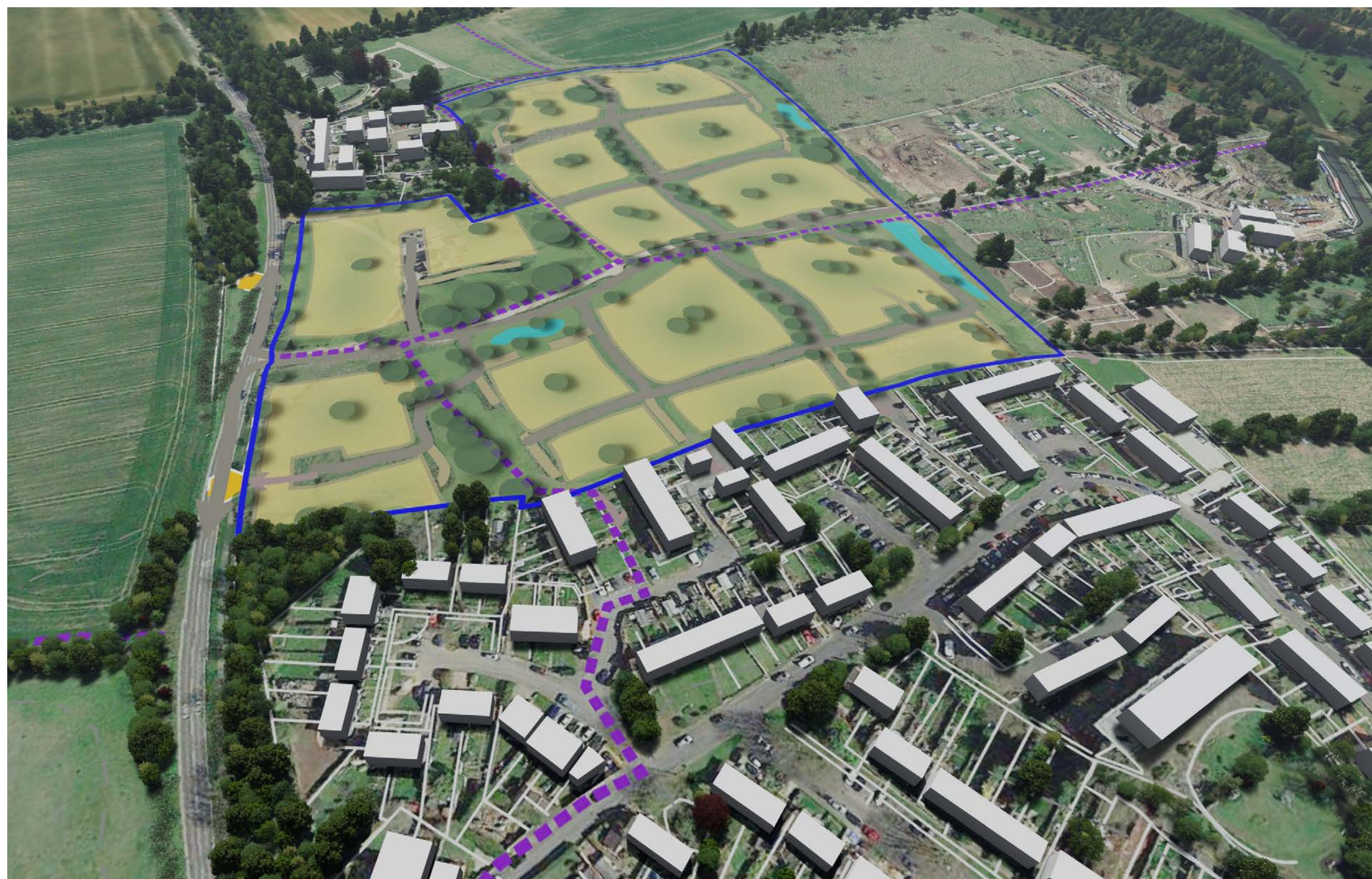
1. Positively address Cambridge Road in the area north of the site entrance.
2. Junction demarcated with entrance features and marker buildings creates new gateway to Sawbridgeworth.
3. Homes facing Cambridge Road to south of junction can address the road more positively with greater visual links and more explicit townscape character.
4. Retained vehicular access for limited number of homes and potential footpath link.
5. Arrival space set between marker buildings. Visual line through to central green open space from entrance.
6. Road layout runs through central green space as per The Square in Sawbridgeworth town centre.
7. Creation of multi-functional central open space to provide recreational value for the development as well as landscape and nature conservation benefits. Retain good specimen trees.
8. Play provision in green open space corresponding to each phase of development.
9. North/south routes generally follow contour lines and are wider with street planting to break up overall development from across the valley, and properties benefit from east-west garden orientation.
10. Open space adjacent to spine road to widen out connection between green belt and development and open up scheme to provide views out to countryside beyond River.
11. Softer edge to development with built form broken up with landscape and structural planting to maintain good views whilst reducing visual impact and creating a defensible green belt boundary.
12. Proposed bus stops on Cambridge Road in north and south direction with new pedestrian link and connections to bus stop.
13. Potential pedestrian and cycle links to wider paths and routes created and enhanced.

















COUNTRYSIDE PROPERTIES (UK) LTD  
NEW HOMES AND COMMUNITIES  
SAWBRIDGEWORTH – SAWB4  
SUSTAINABILITY  
12<sup>th</sup> AUGUST 2019

The following table is based on the headings identified by Hertfordshire Building Futures and from within current East Herts Local Plan. It to demonstrate how the proposed development of Sawbridgeworth (SAWB4) is to be delivered in a sustainable way.

Air	
Minimise Dust and Other emissions during construction activities	Future applications will be accompanied by a Construction Environmental Management Plan (CEMP) that outlines the measures to be taken to minimise dust and other emissions from the site.
Design out known pollutants eg composite timber products/Synthetic floor finishes	The development will, where appropriate, seek to reduce the use of materials that may contain known pollutants eg Low/no VoC paints and materials that may produce off gasses.
Manage atmospheric pollution during building operation eg NoX emissions	A fabric first approach will be adopted including high levels of insulation and airtightness in order to minimise energy consumption. The residual energy demand will be met by way of Low NoX, condensing and combination gas boilers.
Climate Change Adaptation	
Overheating	Individual homes will be designed to be dual aspect in nature and to permit through ventilation. All homes will also have opening windows and the careful placement of landscaping elements such as trees will provide opportunities for shade from the summer sun.
Precipitation and flooding	A combination of SUDS features will be used throughout the development in order to minimise the potential of flooding from a 1:100 year storm +40% climate change factor. SUDS features proposed for the site could include permeable paving, swales, ponds and other surface water features.
Pressure on Water resources	Low and reduced water demand fittings such as taps, showers and water consuming appliances will be provided to individual homes helping to reduce water demand from the development.
Ground Conditions	Extensive new landscaping which will predominately be native in species and will provide significant ground cover in order to prevent changes to ground conditions.
Electric charging points	Electric charging points to be considered.
Design	
External Targets eg Building for Life 12, BREEAM, Home Vision and Design Concept	A Building for Life 12 assessment will be included with any future Reserved Matters or Detailed Countryside Properties has a 60 year track record of delivering sustainable new communities. SAWB4 will be a major new community located in Sawbridgeworth that will provide a range of different types of housing set around and amongst new areas of high-quality open space.
Alternative options	The alternative option is to leave the site as it currently stands as residential and agricultural land.
Walkable neighbourhoods	The development forms part of the planned expansion of Sawbridgeworth. Walking and cycling networks will be proposed between each of SAWBs 1-4, Sawbridgeworth Town Centre and the railway station where a number of pedestrian and cycle routes either already exist or are proposed as part of the planned developments in the area.
Mixed Use and Tenure	The development will comprise around 200 new homes of which it is proposed 40% will be affordable housing with an 84/16 rented/intermediate split.
Adequate Space	Homes at the development will be designed to offer appropriate living space according to the number of bedrooms. Garages will be designed to meet East Herts District Council guidance. All homes will have access to some form of private/semi private external amenity space such as gardens, shared gardens, roof terraces or balconies.
Traditional and locally sourced materials	The design intention is for the development to reflect the local Sawbridgeworth vernacular through the use of a range of different materials including coloured bricks, render and weatherboarding on elevations, plain tiles, pantiles and slate effect materials on roofs
Energy and Climate Change	
Reducing demand and Energy Efficiency	A fabric first approach will be adopted including high levels of insulation and airtightness in order to minimise energy consumption. Windows will be sized appropriately in order to provide good levels of daylighting helping to further reduce energy consumption. Where appropriate landscaping and land form features will be used to provide shelter to buildings from colder prevailing winds.
Renewable and Low Carbon Energy solutions	As may be necessary and in accordance with planning policies in place at the time of individual phase reserved matters approvals, renewable energy features such as Solar Hot Water and Photovoltaics may be incorporated into the design of the development.
Passive Design inc Natural Ventilation and daylighting, solar gain and overheating	Individual homes will be designed to be dual aspect in nature and to permit through ventilation. All homes will also have opening windows and the careful placement of landscaping elements such as trees will provide opportunities for shade from the summer sun.
Landscape and Biodiversity	
Site status e.g Conservation areas, Tree Preservation orders	The Site chiefly comprises open, agricultural land adjoining the existing developed edge of Sawbridgeworth to the south and Cambridge Road (A1184) to the west. The eastern and

	northern boundaries are more loosely defined by a combination of existing gardens and open, mixed agricultural land.
Protecting existing landscapes and habitats	The site is currently formed by an agricultural field and residential use. There are several identified wildlife habitats on site for bats, birds and reptiles and these will be retained as far as possible through future Reserved Matters or Detailed applications. Where this is not possible an appropriate mitigation strategy will be put in place. Existing hedges and trees around the development will be protected during construction works by appropriate temporary fencing.
Creating of new habitats and landscapes (habitats, landforms, multifunctional landscape)	Within the development there are plans to create new open spaces in accordance with East Herts planning policy. These open spaces provide the opportunities for the introduction of major new planting and will act as wildlife corridors running through the development. Where appropriate log piles, bat and bird boxes and hedgehog highways may be introduced throughout the development.
Enhancing habitats and landscapes (local character and natural play)	New landscaping will be designed to support the objectives of the Hertfordshire Biodiversity Action Plan as far as they apply to the context of the development. Buffer planting will be provided to enhance the quality of hedgerows and boundary planting around the proposed development.  Opportunities for the provision of natural play including elements such as logs, natural colours and places to sit in, under, lean against and provide shelter and shade and different levels, nooks and crannies will be considered at detailed design stage.
Management and Legacy	In keeping with the management of Countryside's other sites in East Herts, Countryside would look to appoint The Land Trust, (or a company of similar reputation) a charitable body to undertake the management and maintenance of landscaping, non-adoptable roads and other features at the development.
Adapting to Climate Change	The new open spaces being provided within the development provide opportunities for carbon sinks to be created.  New trees and planting within the development will also provide the opportunities to act as wind breaks against colder winds and will provide some shading opportunities for the new buildings and users of the development.  The potential use of swales within select areas will provide opportunities for additional planned floodwater storage.
Land	
Making best use of land	The development seeks to deliver around 200 new homes. The site is already allocated for residential development and the provision of homes helps to meet local housing need while reducing reliance on greenbelt and other sites.
Materials	
Efficient use of materials	Buildings will be designed to make efficient use of materials through designing to full brick sizes, plasterboard sizes etc. This helps to reduce waste from the construction process. In addition premade offsite components will be considered such as precast floors and roof trusses. These are made in a factory and help to reduce on site waste.
Reclaimed/Reused/Recycled Materials	Reclaimed/recycled bulk aggregates will be considered for use within the development as may be appropriate for areas such as pipe bedding, hard surface sub base construction under roads and parking areas as may be permitted under the relevant technical regulations.  Where appropriate materials that contain a recycled content such as slate effect roof coverings or aggregate replacement concrete will be specified.
Environmental Labelling (Green Guide)	Where appropriate all materials specified will be a 'C' grade or above. White goods and appliances provided will be selected on the basis of their performance with preference being given to 'A' or higher ratings.
Timber Certification	Countryside aim for 100% of directly procured timber to be certified to either FSC or PEFC Standards.
Low Embodied Energy Materials	As may be appropriate to the design of the buildings, low embodied energy materials will be selected, these may include lightweight blockwork for external and internal walls, timber studs and floor joists among other elements.
Local Materials	Where possible materials sourced from within the UK will be used for the construction of the development. Bulk aggregates and concrete, accounting for a significant volume of material by weight will all be sourced locally with typical supply locations being Thorley Wash Quarry located to the south of Bishops Stortford, Elsenham to the North East and Little Canfield to the East.
Natural Materials	Where appropriate natural materials such as brick and timber elements will be specified from natural sources.
Noise	
Building Design/Layout	The main source of noise in relation to the development is from traffic associated with Cambridge Road which borders the western and northern boundaries of the site. As far as possible buildings will be designed to be set far enough back from this noise source, or if not





	possible will feature enhanced glazing/ ventilation or dual aspect rooms allowing windows to be opened towards a quieter façade. A full noise report will be provided with any future Detailed or Reserved Matters applications.
Construction Phase	Noise associated with construction activities will be minimised in accordance with the requirements as set out in the CEMP which will be submitted with any future Detailed or Reserved Matters applications. Key principles to be adopted include locating noise generating machinery away from sensitive receptors and if unavoidable shrouding potentially noisy works in order to minimise nuisance.
Building Services	Building services noise associated with the residential development is likely to be minimal.
Safety	
Permeability of development	Permeability is a key aspect of the overall masterplan with new pedestrian and cycle routes being created throughout the development and vehicular transport being kept to the edges. Further pedestrian, cycle and vehicular links will be created from these key routes into the housing areas and these will be joined together accordingly to create a walkable neighbourhood. Distinctive buildings and landscape features will be provided in key locations to enable legibility throughout the development.
Parking	Vehicular Parking will generally be provided within garages which will be appropriately sized to provide cycle parking, driveways and small scale parking areas. Each of these will be located so that there is a good degree of natural surveillance.
Property security	In general homes will be overlooked by other homes so that a good degree of natural surveillance and security is available.
Street lighting and External Lighting	Street lighting will be provided to all key routes through the development and will accord with Hertfordshire Highways guidance. In parking areas, external lighting controlled by time sensors and where appropriate movement and motion detectors will be provided. All streetlighting and external lighting will be directed away from existing and proposed possible wildlife habitats.
Waste	
Design	Through the design process waste will be minimised through the following ways: <ul style="list-style-type: none"><li>• Optimisation of the design to component dimensions to reduce wastage</li><li>• Where appropriate the use of offsite premade components</li><li>• Use of materials which can be recovered and reused at the end of the buildings useful life.</li></ul>
Construction waste management	A Site Waste Management plan will be prepared in accordance with Wrap/Ciria Guidance. This will seek to minimise waste generated, divert waste from landfill and the reuse of materials as may be appropriate. Arisings from excavations may be reused on site to create landform features within the open space areas.
Operational waste management	Each home will be provided with waste provision in accordance with East Herts DC Guidance that is in place at the time
Water	
Minimising water consumption	Low and reduced water demand fittings such as taps, showers and water consuming appliances will be provided to individual homes helping to reduce water demand from the development.
Managing surface water drainage	A combination of SUDS features will be used throughout the development in order to minimise the potential of flooding from a 1:100 year storm +40% climate change factor. SUDS features proposed for the site could include permeable paving, swales, ponds and other surface water features.
Water Consumption	Commitment to complying with the policy requirement (WAT4) of 110 litres or less per day. Also the consideration of using grey water recycling.
Others	
Ongoing Community Engagement	Ongoing engagement with the local community will be continued throughout the construction process. This engagement is likely to include: <ul style="list-style-type: none"><li>• Opportunities for school and educational site visits</li><li>• Regular distribution of Development Newsletters</li><li>• Engagement with the local media publications</li><li>• Dedicated development website</li><li>• Supporting local community events</li></ul>
Considerate Contractors	The Development will be registered with the Considerate Constructors Scheme and regular monitoring of the performance against the schemes standards will be undertaken.
Sustainable Transport	Sustainable transport measures that will be included within the development include: <ul style="list-style-type: none"><li>• Encouragement of walking and cycling through the provision of a range of on and off road segregated cycle and walking routes with clear linkages into surrounding local amenities.</li><li>• The implementation of a Travel Plan and associated monitoring to encourage the use of alternative forms of travel.</li><li>• Provision of opportunities for Electric Car Charging facilities if required to mitigate air quality issues.</li></ul>

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EAST HERTS COUNCIL

COUNCIL – 23 OCTOBER 2019

REPORT BY LEADER OF THE COUNCIL

EXECUTIVE REPORT – 8 OCTOBER 2019

WARD(S) AFFECTED: All

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## **Purpose/Summary of Report**

- This report details the recommendations made by the Executive at its meeting held on 8 October 2019. A separate report on this agenda refers to the recommendations made by the Executive at its meeting held on 3 September 2019.

### **1.0 Background**

1.1 Since the last Council meeting, the Executive has considered and supported a number of recommendations on the following items:

- Affordable Housing Supplementary Planning Document (SPD) – draft for public consultation
- Land North and East of Ware (Ware2) Masterplanning Framework
- Statement of Community Involvement – final for adoption
- Retail Frontages, Design AND Signage SPD – final for adoption
- Anstey Conservation Area Character Appraisal
- Council Tax Support Scheme 2020-21

The full reports can be viewed at: [Executive agenda 8 October 2019](#).



2.0 **Agenda Item 10(A) - Affordable Housing Supplementary Planning Document (SPD) – draft for public consultation**

- 2.1 The Executive considered and supported a number of recommendations to agree that the Affordable Housing SPD, setting out the Council's expectations for the delivery of affordable housing, be published for consultation.

<b><u>RECOMMENDATIONS FOR COUNCIL: that</u></b>	
<b>(A)</b>	<b>In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the emerging Affordable Housing Supplementary Planning Document is not required, as it is unlikely to have significant environmental effects; and</b>
<b>(B)</b>	<b>The draft Affordable Housing Supplementary Planning Document, as set out in Essential Reference Paper 'B', be agreed and published for a period of public consultation.</b>

3.0 **Agenda Item 10(B) – Land North and East of Ware (Ware2) Masterplanning Framework**

- 3.1 The Executive considered and supported a recommendation on the Masterplanning Framework for Land North and East of Ware, which would assist the development management process.

<b><u>RECOMMENDATIONS FOR COUNCIL: that</u></b>	
<b>(A)</b>	<b>the Land North and East of Ware Masterplanning Framework for the strategic allocation known as WARE2, Land North and East of Ware, as detailed at Essential Reference Paper 'C', be agreed as a</b>

	<b>material consideration for Development Management purposes.</b>
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4.0 **Agenda Item 10(C) – Statement of Community Involvement – final for adoption**

- 4.1 The Executive considered and supported recommendations following the public consultation on the draft revised Statement of Community Involvement (SCI), to note the officer responses and proposed changes to the draft SCI.
- 4.2 The Executive supported revisions which had been suggested arising from the consultation. The amended East Herts Statement of Community Involvement is attached as **Essential Reference Paper ‘D’**.

<b><u>RECOMMENDATIONS FOR COUNCIL: that</u></b>	
<b>(A)</b>	<b>The responses of the consultation be noted and the officer responses and proposed changes to the draft revised Statement of Community Involvement be supported; and</b>
<b>(B)</b>	<b>The East Herts Statement of Community Involvement 2019, as detailed at Essential Reference Paper ‘D’, be approved for adoption.</b>

5.0 **Agenda Item 10(D) – Retail Frontages, Design and Signage SPD – final for adoption**

- 5.1 The Executive considered the results of the public consultation on the draft Retail Frontages, Design and Signage SPD, and supported recommendations on officer responses and proposed changes to the SPD.
- 5.2 The Executive supported revisions which had been suggested arising from the consultation. The amended Retail Frontage, Design and Signage SPD is attached as Essential Reference

Paper 'E'.

<b><u>RECOMMENDATIONS FOR COUNCIL:</u> that</b>	
<b>(A)</b>	<b>The responses of the consultation be noted, and the officer responses and proposed changes to the Retail Frontages, Design and Signage Supplementary Planning Document be supported;</b>
<b>(B)</b>	<b>The Retail Frontages, Design and Signage Supplementary Planning Document, as detailed at Essential Reference Paper 'E' to this report, be approved for adoption; and</b>
<b>(C)</b>	<b>In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the emerging Retail Frontages, Design and Signage SPD is not required as it is unlikely to have significant environmental effects.</b>

**6.0 Agenda Item 10(D) - Anstey Conservation Area Character Appraisal**

6.1 The Executive considered the results of the public consultation on the Anstey Conservation Area Appraisal and Management Plan and supported recommendations on officer responses and proposed changes.

6.2 The Executive supported a recommendation to adopt the Anstey Conservation Area Appraisal and Management Plan. The revised Anstey Conservation Area Appraisal and Management Plan is attached at Essential Reference Paper 'F', and accompanying plans (Historic Plan; Character Analysis Plan/Key; and Management Plan/Key) may be accessed in the full report pack on the [Executive Agenda](#).

<b><u>RECOMMENDATIONS FOR COUNCIL</u> that:</b>	
<b>(A)</b>	<b>the responses to the public consultation be noted</b>



	<b>and the Officer responses and proposed changes to the Anstey Conservation Area Appraisal and Management Plan be supported;</b>
<b>(B)</b>	<b>the Head of Planning and Building Control, in consultation with the Executive Member for Planning and Growth, be authorised to make any further minor and consequential changes to the document which may be necessary; and</b>
<b>(C)</b>	<b>the Anstey Conservation Area Appraisal and Management Plan be adopted.</b>

## 7.0 **Agenda Item 10(E) - Council Tax Support Scheme 2020-21**

7.1 The Executive considered and supported a recommendation on the current local Council Tax support scheme at East Herts.

<b><u>RECOMMENDATION FOR COUNCIL:</u> that</b>	
<b>(A)</b>	<b>There be no changes to the scheme design for East Herts Local Council Tax Support Scheme for 2020/21.</b>

## 8.0 **Executive Decisions**

8.1 Other matters determined by the Executive are detailed in the Minutes of the meeting included for information as **Essential Reference Paper 'A'**.

### Background Papers

The full agenda for the Executive meeting can be viewed at:  
[Executive Agenda](#)

Contact Member: Councillor L Haysey, Leader of the Council  
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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 8 OCTOBER 2019, AT 7.00 PM

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PRESENT: Councillor (Chairman/Leader)  
Councillors L Haysey, P Boylan,  
E Buckmaster, G Cutting, J Goodeve,  
G McAndrew and G Williamson.

ALSO PRESENT:

Councillors A Alder, D Andrews, M Brady,  
S Bull, K Crofton, A Curtis, H Drake,  
J Frecknall, M Goldspink, M McMullen,  
S Newton, T Page, S Reed, N Symonds,  
M Pope and P Ruffles.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Isabel Brittain	- Head of Strategic Finance and Property
Alison Stuart	- Head of Legal and Democratic Services
Steven Dupoy	- Leisure and Environment Services Manager
Rebecca Dobson	- Democratic Services Manager
Jess Khanom- Metaman	- Head of Operations



Su Tarran

- Head of Revenues  
and Benefits  
Shared Service

155     APOLOGIES

Apologies for absence were received from Councillor S Rutland-Barsby.

156     LEADER'S ANNOUNCEMENTS

The Leader reminded all present that the meeting was being webcast. She said the new website was now up and running and she commended Officers for this excellent achievement.

The Leader said a presentation for all Members would follow the meeting, regarding the Hertford Theatre expansion project.

157     MINUTES - 3 SEPTEMBER 2019

Councillor G Williamson proposed, and Councillor E Buckmaster seconded, a motion that the minutes of the meeting held on 3 September 2019 be approved as a correct record and signed by the Leader. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting of the Executive held on 3 September 2019 be approved as a correct record and signed by the Leader.

158     AFFORDABLE HOUSING SUPPLEMENTARY PLANNING  
DOCUMENT - DRAFT FOR CONSULTATION

The Executive Member for Planning and Growth submitted a report seeking Members' agreement that a Strategic Environmental Assessment (SEA) of the emerging Affordable Housing Supplementary Planning Document (SPD) was not required, and seeking Members' agreement to publish the draft Affordable Housing Supplementary Planning Document (SPD) for public consultation.

The Leader explained the SPD would be taken into account in assessing viability of development.

Councillor T Page commended Officers for the reports on the agenda. With regard to affordable housing he raised a question on the National Planning Policy Framework regarding sites which were not major developments, as the explanation in the report could benefit from clarification to give a definition of numbers.

Councillor J Goodeve said the consultation would enable comments in writing to be considered.

Councillor M Pope asked whether the "recycling subsidy" should the property no longer qualify as an affordable unit could be clarified.

Councillor L Haysey encouraged Councillor Pope to submit this comment in writing as a response to the consultation.

Councillor J Goodeve proposed, and Councillor L Haysey seconded, a motion to support the recommendations

detailed in the reports. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - to recommend to Council that (A) in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the emerging Affordable Housing Supplementary Planning Document (SPD) is not required as it is unlikely to have significant environmental effects; and

(B) The draft Affordable Housing Supplementary Planning Document (SPD), as set out in Essential Reference Paper 'B', be agreed and published for a period of public consultation.

#### 159 NORTH AND EAST WARE (WARE2) MASTERPLANNING FRAMEWORK

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The Leader submitted a report on the Masterplanning Framework for the Ware2 Land North and East of Ware site. She commended the significant engagement work of the promoters, Ptarmigan, which she would hold up as the exemplars.

Councillor J Frecknall commended the public engagement. He said there was an opportunity to become the pinnacle for sustainable development and that this high level of consultation had been shown to be possible, going forwards.

Councillor M Pope said it was imperative that



infrastructure be brought in at the earliest possible stage.

Councillor L Haysey proposed, and Councillor E Buckmaster seconded, a motion to support the recommendation detailed in the report. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - to recommend to Council that (A)  
The Land North and East of Ware  
Masterplanning Framework for the strategic  
allocation known as WARE2 Land North and East  
of Ware, as detailed at Essential Reference  
Paper 'B' to this report, be agreed as a material  
consideration for Development Management  
purposes.

160     STATEMENT OF COMMUNITY INVOLVEMENT - FINAL FOR  
ADOPTION

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The Leader submitted a report outlining the results of the public consultation on the draft revised Statement of Community Involvement (SCI) and seeking Members' agreement to adopt a revised document. She said the document was useful as it set out comments received and also provided a sound foundation for consultation with residents.

Councillor L Haysey proposed, and Councillor G Cutting seconded, a motion to support the recommendations detailed in the reports. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - to recommend to Council that (A) the responses of the consultation be noted and the officer responses and proposed changes to the draft revised Statement of Community Involvement be supported; and

(B) The East Herts Statement of Community Involvement 2019, as detailed at Essential Reference Paper 'B' to this report, be approved for adoption.

161 RETAIL FRONTAGES, DESIGN AND SIGNAGE  
SUPPLEMENTARY PLANNING DOCUMENT - FINAL FOR  
ADOPTION

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The Leader submitted a report on East Herts District Plan, in respect of the retail frontages, design and signage SPD.

Councillor J Goodeve said the report outlined the results of the public consultation on the draft Retail Frontages, Design & Signage Supplementary Planning Document (SPD) and sought Members' agreement to adopt a revised document. The report also confirmed that the three statutory consultees had no comment on the Strategic Environmental Assessment (SEA) Screening report, and therefore an SEA of the Retail Frontages, Design & Signage Supplementary Planning Document (SPD) was not required.

Councillor L Haysey said it was not possible to apply the policy retrospectively, unfortunately, but it would apply to future businesses.

Councillor Haysey proposed, and Councillor Goodeve

seconded a motion to support the recommendations detailed in the reports. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - to recommend to Council that (A) the responses of the consultation be noted and the officer responses and proposed changes to the Retail Frontages, Design & Signage Supplementary Planning Document (SPD) be supported;

(B) The Retail Frontages, Design & Signage Supplementary Planning Document (SPD), as detailed at Essential Reference Paper 'B' to this report, be approved for adoption; and

(C) In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the emerging Retail Frontages, Design & Signage Supplementary Planning Document (SPD) is not required as it is unlikely to have significant environmental effects.

## 162 ANSTEY CONSERVATION AREA CHARACTER APPRAISAL

Councillor J Goodeve submitted a report to enable Members to consider the Anstey Conservation Area Appraisal and Management Plan following public consultation. She said the document had been deferred from the meeting of 26 February 2019 in order to consider a petition. Following further engagement with the Parish



Council and other representatives, additional paragraphs had been included. Councillor Goodeve thanked all concerned, including the local District Ward Member, Councillor P Boylan.

Councillor Boylan thanked Councillors March and Pledger of Anstey Parish Council for taking the time to meet with him and with Officers to resolve the issues.

Councillor Haysey commended the work done, as such plans were very important for controlling the quality of development in conservation areas.

Councillor J Goodeve proposed, and Councillor P Boylan seconded, a motion to support the recommendations detailed in the reports. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - to recommend to Council that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Anstey Conservation Area Appraisal and Management Plan be supported;

(B) the Head of Planning and Building Control, in consultation with the Executive Member for Planning and Growth, be authorised to make any further minor and consequential changes to the document which may be necessary; and

(C) the Anstey Conservation Area Appraisal and Management Plan be adopted.

163 CONTRACT WAIVER - EAST HERTS COUNCIL -  
ARCHAEOLOGICAL DIG AT GRANGE PADDOCKS

Councillor E Buckmaster submitted a report for noting on a contract procedure exemption in respect of the leisure centre site at Grange Paddocks. He explained that due to time constraints due process had been conducted by obtaining five quotations and that there was a saving from procuring specialist services rather than being undertaken through the Pre-construction Service Agreement.

Councillor E Buckmaster proposed, and Councillor L Haysey seconded a motion to support the recommendation. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – to note the contract procedure exemption.

164 COUNCIL TAX SUPPORT SCHEME

Councillor G Williamson submitted a report to enable Members to consider the latest available information around the current local Council Tax Support Scheme at East Herts and whether any changes to the scheme should be considered for 2020/21. He explained that the report had been considered by the Performance, Audit and Governance Oversight Committee.

Councillor G Williamson proposed, and Councillor J Goodeve seconded, a motion to support the recommendations as detailed in the report. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - (A) To recommend to Council that there be no changes to the scheme design for East Herts local Council Tax Support scheme for 2020/21.

165 DISCRETIONARY BUSINESS RATES GRANT SCHEME

Councillor J Goodeve submitted a report updating the Executive on the discretionary rates business grant scheme that was introduced in April 2017 and seeking agreement to continue the scheme until the full funding was allocated.

Councillor J Goodeve explained the operation of the scheme.

Councillor L Haysey said the scheme encouraged new businesses in the areas, and had been refined to provide more clarity.

Councillor M Pope asked about the disparity between take up for the Council's scheme and the Government scheme.

Councillor L Haysey said the schemes were not identical, so comparison was not straightforward, but businesses should be encouraged to consider whether the scheme was of value to them.

Councillor J Goodeve proposed, and Councillor E Buckmaster seconded, a motion to support the recommendations detailed. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – (A) to approve



implementing the discretionary business rates' grant scheme using the same eligibility criteria as agreed in February 2017 but with following adjustments:

- Rateable value eligibility is between 12,000 – 51,000 to match the national retail rate relief scheme;
- Up to 50% of one year's business rate liability is available *after* all other discounts and exemptions are applied;
- National chains not eligible to apply;
- Scheme in place until the national retail relief scheme expires (31 March 2021) or the balance of £65,079.07 is allocated (whichever is soonest);

(B) that the balance of £65,079.07 comes from the £150,000 allocated from the New Homes Bonus Reserve by Executive in February 2017.

166 QUARTERLY HEALTHCHECK Q1 2019/20

Councillor G Williamson submitted a report on the quarterly budget monitoring for the quarter to 1 June 2019. He highlighted areas of the report, in particular the fact that the net revenue budget for 2019/20 was £10.268m as set out in table 1, as funded by Council Tax; the report also referred to the forecast expenditure at 30th June 2019, which predicted a year end underspend of £1k; the revised capital budget for 2019/20 was £77.940m, of which £61.258m was to be carried forward to future years. He gave further details as set out in the report, including performance analysis and customer feedback.

Councillor G Williamson proposed, and Councillor J Goodeve seconded, a motion to support the recommendations detailed in the reports. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the projected revenue budget forecast underspend of £1k in 2019/20 be noted;

(B) the capital budget for 2019/20 is £77.940m, of which £61.258m is to be carried forward to future years be noted; and

(C) the reported performance for the period April 2019 to June 2019 be noted.

167 UPDATE FROM PERFORMANCE, AUDIT AND GOVERNANCE  
SCRUTINY COMMITTEE

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Councillor M Pope submitted a report from the last meeting of the Performance, Audit and Governance Oversight Committee.

Councillor L Haysey commented on the useful discussion the Committee had on the section 106 work. She said monitoring section 106 funds and expenditure was extremely complex, and the Officer now responsible should be congratulated for her excellent work. Councillor M Pope supported this commendation.

Councillor A Curtis asked whether the Executive would reiterate its commitment to ensuring that the good work of monitoring section 106 monies continued, to ensure the Council was doing its best for residents in light of the District Plan implementation. Councillor L Haysey concurred.

Councillor G Williamson proposed, and Councillor G Cutting seconded, a motion to support the recommendation detailed. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – to note the report of the Chairman of the Committee.

168 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

Councillor H Drake submitted an interim report on recent work of the Overview and Scrutiny Committee Task and Finish Group on parking.



Councillor L Haysey said parking was very complex, and people had different needs.

Councillor A Curtis asked a question on whether in Great Amwell residents' needs at the station would be considered as part of the ongoing work. Councillor Drake confirmed that representations would be considered from all ward councillors.

Councillor G Cutting proposed, and Councillor P Boylan seconded, a motion to support the recommendation as detailed. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – to note the report of the Chairman of the Task and Finish Group on Parking.

169 LEISURE OPERATOR CONTRACT AWARD

Councillor E Buckmaster submitted a report to conclude the re-procurement of the leisure operating contract and agree the award for the operation of Hartham and Grange Paddocks leisure centres and Ward Freman pool & gym, for the period 1 January 2020 to 31 December 2034 (fifteen years), with the ability to extend for a further five years. The report also sought agreement of the award for the operation of Leventhorpe Pool & Gym and Fanshawe Pool & Gym for the period 1 January 2020 to 31 December 2024 (five years).

Councillor Buckmaster welcomed members of the Ware Swimming Club who were present. He said a milestone would be reached as the matter would go to the

Development Management Committee in November and December. The project would be financially sustainable. He highlighted the benefits of the contract for residents in terms of health and wellbeing, which would be in a financially sustainable way.

Councillor Buckmaster said it was important to note that the operation of Leventhorpe Pool and Gym and of Fanshaw Pool and Gym would be included in the contract for the period specified in the recommendations. The contract could not be announced until after the award had been made but would be able to be viewed once that award had taken place, via the Council's contracts register on its website. He thanked officers for their excellent work.

Councillor G Williamson agreed with what had been said, as this was an exciting project and through the provision of leisure services the Council would gain financially.

Councillor L Haysey commended the work which had been done on these major projects for the leisure centres.

Councillor A Curtis thanked all those involved and said he welcomed the news for Ware residents.

Councillor A Alder said she welcomed the recommendations in relation to Leventhorpe Swimming Pool.

Councillor E Buckmaster proposed, and Councillor G Williamson seconded, a motion to support the recommendations detailed in the reports. After being put to the meeting and a vote taken, the motion was declared

CARRIED.

RESOLVED – that (A) Executive approve that the leisure operating contract, for the operation of Hartham Leisure Centre, Grange Paddocks Leisure Centre and Ward Freman Pool be awarded to the recommended tenderer as the most economically advantageous bid; for the period 1 January 2020 to 31 December 2034 (with the ability to extend for an additional five years), following a full EU competitive dialogue process in accordance with the Public Contract Regulations 2015 (PCR 2015);

(B) Executive approve that the operation of Leventhorpe Pool & Gym and Fanshawe Pool & Gym for the period 1 January 2020 to 31 December 2024 is included in the contract;

(C) Executive approves delegation to the Chief Executive in consultation with the Head of Strategic Finance & Property and Head of Legal and Democratic Services to enter into a contract with the recommended Tenderer and make any minor amendments to clarify, specify and optimise the contract that should be required as part of the competitive dialogue.

The meeting closed at 7.42PM.

Chairman .....
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Date


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# East Herts: Affordable Housing SPD

**October 2019**



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 EastHertsDC

 easthertscouncil

[www.eastherts.gov.uk](http://www.eastherts.gov.uk)



01279 655261



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# 1. Introduction

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## **Background:**

- 1.1 The Council believes that everyone should be given the opportunity to access a decent home, which they can afford and is in a community where they want to live. A key objective of the East Herts District Plan seeks to ensure that new housing is accessible to, and meets the needs and aspirations of the District's communities.
- 1.2 The purpose of this Affordable Housing Supplementary Planning Document (SPD) is to aid the effective implementation of the Council's strategic housing objectives. In particular the affordable housing policies in the East Herts District Plan 2018 and also assisting developers in understanding the Council's approach and requirements with regards to viability.
- 1.3 The approach to affordable housing outlined in this document seeks to ensure the effective and consistent implementation of the policies relating to the provision of affordable housing in the East Herts District Plan. It also includes recognition of changes made to the National Planning Policy Framework (NPPF) in February 2019, as well as changes to the Planning Practice Guidance (PPG) with regards to viability.
- 1.4 This SPD provides further information and guidance on the specific District Plan policies contained in Chapter 14: Housing, and in particular those relating to affordable housing. The guidance in the SPD will assist applicants, developers and providers of affordable housing, to understand how the District Plan Policies will be implemented. Extracts of the relevant policies in the District Plan

are provided in Appendix A of this document, and the District Plan in its entirety can be found here: [www.eastherts.gov.uk/districtplan](http://www.eastherts.gov.uk/districtplan)

### **Legislative and Policy Context:**

- 1.5 This draft SPD will be a material consideration in the determination of planning applications when formally adopted by the Council and will also inform pre-application discussions on relevant developments. This document has been prepared in accordance with Regulations 8 & 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.6 This Supplementary Planning Document will replace the Affordable Housing and Lifetime Homes SPD 2008 when adopted.

### **What is affordable housing?**

- 1.7 The definition of affordable housing is set out in the NPPF 2019 as; housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers).
- 1.8 In order to be considered affordable, housing must meet the criteria above and also comply with one or more of the following definitions:

**Affordable housing for rent:** *meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes*

*provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).*

**Starter homes:** *is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.*

**Discounted market sales housing:** *is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.*

**Other affordable routes to home ownership:** *is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.*



- 1.9 The above presents the latest definition as at the time the SPD has been published. Should there be any subsequent update to the definition(s) set out in regulations, policy or guidance then it shall supersede what is set out above.

## **How is affordable housing provided?**

- 1.9 The planning system is central to delivering affordable housing across the UK and delivers the majority of affordable housing in East Herts. This is principally provided through requiring developers to include affordable housing within their open market housing development as a part of planning permission. This is what is known as a planning obligation or Section 106<sup>1</sup> agreement and these are legally enforceable obligations used to mitigate the impact of a development proposal.
- 1.10 The level of affordable housing required on development sites is set out in planning policies, namely within the East Herts District Plan 2018 and the NPPF (details on this are explained in Section 2). This also includes the type, size and tenure of affordable housing that is expected to be delivered as part of an open market development.
- 1.11 In some exceptional circumstances there are other routes and mechanisms to enable the delivery of affordable housing, either through off-site provision or through rural exception schemes.

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<sup>1</sup> Section 106 of the Town and Country Planning Act 1990 (as amended).

## Structure of Document

- 1.12 **Section 2** outlines the exact requirements expected of developers as set out in the District Plan and taking into consideration the changes to the NPPF.
- 1.13 **Section 3** sets out the various requirements and expectations when it comes to discussions at pre-application or submitting a full planning application. It also notes the expectations of design and the Council's approach to alternatives to on-site provision.
- 1.14 **Section 4** builds on the previous section by highlighting the Council's process for securing the provision of affordable homes through S106 agreements.
- 1.15 **Section 5** notes the Council's approach to viability which largely follows the updated PPG.

## 2. The Affordable Housing Requirement

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2.1 The specific requirement for affordable housing will be calculated in accordance with District Plan Policy HOU3 as well as any other material considerations, including the most-up-to-date Strategic Housing Market Assessment (SHMA), the National Planning Policy Framework (NPPF) and relevant Planning Practice Guidance (PPG). District Plan Policy HOU3 expects that relevant developments will provide the following proportion of affordable housing:

- a) up to 35% on sites proposing 10 or fewer gross additional dwellings and where the dwellings would have a combined gross floor space greater than 1,000 sq metres;*
- b) up to 35% on sites proposing 11 to 14 gross additional dwellings;*
- c) up to 40% on sites proposing 15 or more gross additional dwellings.*

2.2 In July 2018 and again in February 2019 the NPPF was revised, paragraph 63 notes that the provision of affordable housing should only be sought for residential developments that are classified as a *major development*. Major developments are subsequently defined in the NPPF glossary as: *development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more.*

2.3 Therefore it is unlikely that the Council will seek affordable housing contributions on sites with less than 10 dwellings unless the site is 0.5 hectares or more, or national policy is changed following the publication of this SPD.

- 2.4 The District Plan sets out that affordable housing will be sought on all sites that propose residential development that falls within the use class C3 (dwelling houses), including specialist accommodation such as; sheltered and extra care housing for older people where such schemes provide accommodation that is self-contained. The PPG has been updated to note that with reference to the application of the use class system to specialist housing it is for a local planning authority to consider into which use class a particular development may fall.
- 2.5 There will be cases where the percentage of affordable housing sought for a site does not give rise to an exact number of dwellings (e.g. 40% of 51 dwellings would be an affordable requirement of 20.4). In these cases the approach will be to round up or round down the number to give the final affordable housing figure. Any calculation that results in a requirement of 0.5 or above will be rounded up to the next whole unit, anything below 0.5 will be rounded down to the next whole unit.
- 2.6 On a site with significantly more affordable housing than required by Policy HOU3, the Council will ensure that the policy compliant level of affordable housing of 35% or 40% will be secured as affordable for first and subsequent occupiers of those homes, and that there are provisions for recycling subsidy should the property no longer be an affordable unit.
- 2.7 The phasing of a development or division of the site into separate parts will not result in reducing the proportion of affordable housing to be delivered. Where a site can clearly be identified, irrespective of ownership, the entire site will be used to determine whether the site meets the size criteria for affordable housing provision.



2.8 Inclusion of affordable housing on a development should also include provisions for:

1. housing to either remain at an affordable price for future eligible households and/ or;
2. any recycled grants to be spent on the provision of affordable housing within East Herts.

## 3. Planning Application Stage

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- 3.0 This section provides further details and guidance on areas such as affordable housing mix, type and design that are commonly addressed at the pre-application or planning application stage.

### Pre-Application Advice

- 3.1 Applicants are advised to seek pre-application planning advice to discuss all aspects of the planning proposal including the affordable housing requirement of the proposed scheme: <https://www.eastherts.gov.uk/preapplicationservice>
- 3.2 The purpose of pre-application planning advice in relation to affordable housing is to establish how affordable homes will be delivered, and to help provide all parties with greater certainty as the proposals move forward.
- 3.3 An Affordable Housing Statement (i.e. the proposed approach to meeting the affordable housing requirement and the housing mix) should be submitted with any pre-application materials to enable pre-application consideration and discussion. If possible, it should include the following:
- the intended quantum, type and tenure, size and number of persons per unit; and
  - the proportion of affordable housing to meet M4(3): Category 3 Wheelchair User Dwelling standards and the units specifically identified.
- 3.4 Pre-application discussions in relation to affordable housing will seek to address the following:

- consider the quantum, type, size and tenure of affordable housing to be provided;
- consider the location;
- identify/involve the (potential) Registered Provider/s and consider the arrangements for the provision of affordable housing prior to the submission of a planning application; and
- consider the Heads of Terms of the S106 Agreement that will be required to ensure the delivery of the affordable housing. A S106 agreement is necessary to secure the affordable housing requirements set out in the District Plan; the agreement must be completed before planning permission is issued

### **Housing Mix, Type and Tenure:**

3.5 All developments that provide Affordable Housing will be expected to do so in line with Policy HOU1 of the District Plan and take into account the Council's most up-to-date evidence of housing needs in accordance with Policy HOU3. The tenure mix will be negotiated by the Council on a site by site basis and the type and size of affordable units sought will accord with the most up to date evidence on housing need.

3.6 The SHMA is an objective analysis of the housing circumstances in the District. It provides an evidence base to support the Council's affordable housing requirement, however, the Council shall at all times seek to use the most up-to-date information available.

- 3.7 The most recent SHMA identifies a requirement that 84% of new affordable housing provision should be for affordable rent with the remaining 16% being for intermediate affordable housing tenures as summarised by table 14.2 in the East Herts District Plan and below.

<b>Affordable Rent</b>		<b>Number</b>
Flat	1 bedroom	660
	2+ bedroom	360
House	2 bedroom	930
	3 bedroom	970
	4+ bedroom	250
Subtotal		3,170
% of affordable housing		84%
<b>Intermediate Affordable Housing</b>		<b>Number</b>
Flat	1 bedroom	80
	2+ bedroom	70
House	2 bedroom	180
	3 bedroom	240
	4+ bedroom	40
Subtotal		610
% of affordable housing		16%

- 3.8 Paragraph 64 of the updated NPPF sets out that where major developments are providing housing at least 10% of the total dwellings are to be made available for affordable home ownership. As this figure is taken from the total dwellings across the site and not just the affordable proportion, the expectation to



provide affordable home ownership is greater than that set out in the SHMA (16% of 40% is less than 10% of 100%).

- 3.9 The Council will therefore accept an uplift in affordable home ownership tenures to accommodate the change in the NPPF up to the level of 25% of the affordable proportion. Regarding the overall mix, it is up to the applicant to provide sufficient evidence to demonstrate why any further deviation from the SHMA is appropriate for a specific site.
- 3.10 The Council's current preferred intermediate tenure is shared ownership. Where applicants wish to propose an alternative intermediate housing product they should submit evidence demonstrating why a particular product is more appropriate and we will consider this against the definitions set out in the NPPF and consider how the product proposed meets identified needs now and in the future.
- 3.11 The Council does have certain expectations for different affordable housing products in particular affordable housing for rent and shared ownership (see below):

### **Affordable Housing for Rent**

- 3.12 Where affordable rented housing is proposed the Council will require that rents, including service charges, are below or capped at the Local Housing Allowance rate (LHA) (or its equivalent). Currently, the District has 3 Local Housing Allowance rate areas in the District:
- Harlow and Stortford;
  - South East Herts, and

- Stevenage and North Herts

Local Housing Allowance is a flat rate allowance based on the size of the household and the area your property is located in. Providers will need to ensure that affordable rents do not exceed the LHA for the area in which the property is situated.

### **Shared Ownership**

- 3.13 For Shared Ownership housing the initial share sold must be between 25% -75 % of the total value. After purchasing the initial share owners have the option to staircase up to 100% ownership, unless the property is within a Designated Protected Area.
- 3.14 In the main, rural areas in the East Herts district are largely within Designated Protected Areas. Where development is in a Designated Protected Area, staircasing on shared ownership properties is restricted to 80% to retain the affordable element of the properties in perpetuity.
- 3.15 For reference, a full list of Designated Protected Areas can be found here:  
[http://www.legislation.gov.uk/ukxi/2009/2098/pdfs/ukxi\\_20092098\\_en.pdf](http://www.legislation.gov.uk/ukxi/2009/2098/pdfs/ukxi_20092098_en.pdf)

### **Design and Layout**

- 3.16 As with all forms of residential accommodation, the Council expects affordable housing to be built to a high standard of design and amenity. Affordable housing provided within developments should be integrated with the market housing and the design and appearance should be indistinguishable from those market units and built using the same materials, form and quality of design to

ensure that it makes a positive contribution to local character and distinctiveness. This also applies to provision of parking which should be no different to that of market units.

3.17 Plans submitted to the Council for planning consideration should clearly show the position of all affordable units within the development, except in those outline applications where only illustrative plans are submitted.

3.18 To achieve mixed, inclusive and sustainable communities and to supplement the supporting text in paragraphs 14.4.16 and 14.4.17 of the District Plan, affordable housing should;

- on all sites be distributed across the site rather than provided in one single parcel;
- on sites incorporating 30 or more residential units be provided in groups of no more than 15% of the total number of units being provided or 25 affordable units, whichever is the lesser.

3.19 To meet the needs of current and future household the requirement is for all new dwellings to meet the Building Regulation M4(2): Category 2 accessible and adaptable dwellings. This, alongside the Category 3 requirement (below), is based upon an identified need as the NPPF and PPG allows plan-making authorities to make such a requirement.

3.20 On sites proposing 11 or more gross additional dwellings, a proportion of affordable dwellings will be expected to meet the Building Regulations Requirement M4(3): Category 3 – Wheelchair User Dwellings. Such dwellings may be wheelchair adaptable or wheelchair accessible. The Council will

therefore negotiate the proportion of wheelchair adaptable/accessible dwellings on a site-by-site basis.

- 3.21 The most recent assessment of need for wheelchair user dwellings will inform negotiations. The SHMA identifies a need for 15% of affordable housing to meet wheelchair user requirements alongside the 10% of market housing.
- 3.22 The Council's preference is for wheelchair user dwellings to be adaptable to provide a wet room. Where there is a specific and clearly evidenced need, which is outside of that provided for by the wheelchair standard, the Council may have different requirements to meet that need. Such a requirement will be subject to viability considerations.
- 3.23 The Council will negotiate size, layout and design on a site by site basis but it should be noted that DES4 in the District Plan requires all new residential development to deliver internal rooms that are of an appropriate size and dimension. As the Council does not have any local space standards, developers could look to the Nationally Described Space Standards<sup>2</sup> for guidance as to what might be considered a satisfactory size and dimension.
- 3.24 All development including affordable housing should make efficient use of land and meet density requirements. See Policy HOU2 (Appendix A).
- 3.25 To ensure that the design, layout and size of affordable housing provides a dwelling that suits the need of the household its providing for and delivers the

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<sup>2</sup> <https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>



greatest opportunity for longevity within the unit; developers should consider the number of people a unit can accommodate. Where possible, the following criteria should be followed:

- 2 bed units should be suitable for 4 people
- 3 bed units suitable for 5 people
- 4 bed units suitable for 7 people
- 5+ bed units suitable for more than 7 people

3.26 Consideration should also be given in dwellings with more than one double bedroom, that the second and subsequent double bedrooms are suitable for two single beds. This should be demonstrated in the floorplans submitted as part of an application.

## **Provision of Affordable housing on an Alternative Site**

- 3.25 The Council expects that, in accordance with the District Plan Policy HOU3, the required affordable housing will be provided on site.
- 3.26 In exceptional circumstances, the Council may permit a proportion or the entire affordable housing requirement to be delivered on an alternative site within the District.
- 3.27 Applicants proposing off-site provision should provide justification, setting out why off site provision is necessary, as part of a planning application.
- 3.28 Where off-site provision is agreed by the Council, the amount of affordable housing to be delivered will be calculated using the following formula:
- a) 40% affordable housing requirement:  $40/60 \times M$
  - b) 35% affordable housing requirement:  $35/65 \times M$
- Where M = the number of open market units*
- 3.29 It is strongly recommended that pre-application advice is sought if an applicant considers that an off-site contribution is appropriate.

## **Commuted Sums in Lieu of Affordable Housing**

- 3.30 Commuted sums will only be considered where the Council is satisfied that there is justification for not providing affordable housing on-site or on an alternative site.

- 3.31 The Council will use the formula in paragraph 3.28 to calculate the amount of affordable housing subject to a commuted sum.
- 3.32 The Council will seek to secure financial contributions broadly equivalent to the cost of providing the affordable housing on-site via an agreed methodology with the Council.
- 3.33 It is strongly recommended that pre-application advice is sought if an applicant considers that a commuted sum is appropriate.
- 3.34 Commuted sums will be subject to indexation for the residential development. Indexing using BCIS mean averages for Hertfordshire will apply.
- 3.35 The applicant should notify the Council when the development commences or the trigger for payment/delivery has been reached. On receipt of the notification the Council will issue an invoice for the amount payable including any indexation.
- 3.36 The Council will monitor Building Control and other sources and will issue an invoice if the Applicant fails to advise the Council that the payment has been triggered.
- 3.37 Indexation applies until the date of the invoice, so in these circumstances the amount may be higher than if the applicant had advised the Council when the payment was triggered. Penalty interest is payable to all unpaid contributions and accrues from the date payment is triggered to the date of actual payment.

## **Provision of Land in Lieu of Affordable Housing**

- 3.38 The Council may accept or seek the provision of land in lieu of part or all of the affordable housing contribution.
- 3.39 If the proposal for alternative land is accepted by the Council, land should be serviced to its boundaries and be of a size that is of equivalent value to on-site provision and in an agreed location close to the original site.

## **Vacant Building Credit**

- 3.40 The NPPF provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floor space of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.
- 3.41 To qualify for vacant building credit a site must be a brownfield development and contain an existing building at the time the application is made and it is proposed to:
- a) demolish the building for redevelopment; or
  - b) bring the building back into use
- 3.42 Vacant Building Credit will apply where the building is wholly vacant and to be redeveloped completely and may result in a proportionate reduction in the



Affordable Housing Contribution. Vacant Building Credit does not apply where the building:

- a) has been abandoned in planning terms; or
- b) has been vacated for the sole purpose of redevelopment; or
- c) is covered by an extant or recently expired planning permission

3.43 The proportion of the vacant building floor space as part of the total new floor space should be used to calculate the proportion of the affordable housing required by the policy.

## 4. Securing Affordable Housing

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- 4.1 The Council will secure affordable housing requirements through entering into a legal agreement with the developer or landowner, or receive a Unilateral Undertaking under Section 106 of the Town and Country Planning Act (1990) (as amended) and in some cases, dependent on the scale or nature of development, via conditions.
- 4.2 The affordable housing clauses in the S106 agreement will include obligations relating to:
- the size, type, tenure, location, design and layout of the affordable housing;
  - the number of affordable dwellings to be delivered;
  - limitations on the occupation of the affordable housing;
  - nomination rights;
  - the phasing of [the delivery of] affordable housing in relation to market housing;
  - triggers relating to any review mechanism or commencement schedule;
  - indexation
  - the retention of the housing as affordable;
    - obligations relating to the affordable dwellings for first and subsequent residents;
    - requirements to replace the affordable dwellings and for subsidy recycling
    - continued use of affordable dwellings in perpetuity
    - review (clawback) provisions, where relevant.

- 4.3 The S106 Agreement will contain a clause(s) that trigger the delivery/payment of the contribution. This will usually be the commencement of development and will be set out in the obligations.
- 4.4 The Council expect that the S106 guideline(s) and guideline clauses which can be provided by the Council will be utilised.

### **Monitoring the Affordability of Homes in Perpetuity**

- 4.5 The benefits of affordable housing developed in the district should remain in place for future generations.
- 4.6 Regarding rented affordable homes, the Council believes this should be provided in line with the definition of 'affordable housing for rent' given in Annex 2 of the NPPF (or see pages 4-5 of this SPD).
- 4.7 With regard to affordable homes of all tenures, where it is proposed that the completed units are not to be transferred to a Registered Provider the Council will need to be satisfied that, provisions are in place to ensure that:
- the affordable housing will remain at an affordable price for future eligible households *or*;
  - the value of the subsidy or discounted price is recycled for alternative affordable housing provision. These provisions will usually take the form of restrictive covenants within any S106.
- 4.8 If, in any type of scheme, it is proposed that a Registered Provider is not to be involved in the management of affordable housing, the Council will usually

secure the provision of affordable housing for successive occupants through the use of planning obligations, restricting occupancy to households who cannot compete in the housing market.

## **Funding**

- 4.9 Affordable housing provided as part of planning agreements arising from market-led developments is unlikely to receive grant funding. It should therefore be assumed that affordable units required by the Council's District Plan will be delivered without grant funding.
- 4.10 If grant funding for affordable housing is available at the time of application and/or delivery from Homes England, the Council or another funding body, the criteria should be requested from the funding body by the applicant and the applicant must be able to demonstrate to the Council that the viability assessment is based on reasonable and realistic assumptions about subsidy.

## **Nomination rights**

- 4.11 The Council will normally seek 100% nomination rights for the initial lets of affordable rented housing and a minimum of 75% nomination rights for relets.
- 4.12 A Nomination Agreement should be entered into prior to occupation of the affordable rented dwellings and will be a requirement of the S106.



4.13 Shared ownership properties must be made available to eligible applicants. To be eligible the person must meet the Local Authority Shared Ownership Cascade<sup>3</sup> and be financially eligible through the Government's criteria and regulations.

## **Affordability**

4.14 Affordable housing is provided for eligible households whose needs are not met by the market and includes social rented, affordable rented and intermediate housing.

4.15 Affordable rents, including service charges, should be set no higher than current Local Housing Allowance (LHA) rates in the District and shall be secured as part of a S106 agreement.

4.16 The Broad Market Rental Areas (BMRA) for East Herts are

- Harlow and Stortford
- Stevenage and North Herts; and
- South East Herts

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<sup>3</sup> <https://www.eastherts.gov.uk/article/35169/Shared-Ownership-Local-Priorities-Cascade>

## 5. Viability

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- 5.0 The percentage of affordable housing that the Council will expect to secure from development schemes has been informed by development viability assessments which demonstrate that the policy requirements are viable for most locations across the District.
- 5.1 The Council recognises that in some cases there may be abnormal development costs which need to be considered. Negotiations to reduce obligations based on site specific viability considerations should only be necessary where the site circumstances suggest exceptional or abnormal costs that will make policy compliance unviable.
- 5.2 Where there is a proven need for affordable housing, but a developer is not able to provide the scale of provision or contribution expected, the onus will be on the developer to demonstrate why a site should not include provision in line with the Councils' targets.
- 5.4 If possible and where necessary, a viability statement should be provided and discussed at the pre-application stage.

### **What is the Council's Approach to Viability?**

- 5.5 In line with the Planning Practice Guidance, the East Herts District Plan provides up-to-date policies on the contributions expected from development. Therefore, proposals that comply with the District Plan will be assumed to be viable.

- 5.6 Should the applicant successfully demonstrate that a circumstance does justify the need for a viability assessment, then such a viability assessment must be submitted in line with the updated Planning Practice Guidance. This includes submitting assessments compliant with the standardised inputs and be prepared on the basis that it will be made publically available.
- 5.7 The Planning Practice Guidance sets out the key principles in understanding viability in both plan making and decision taking, a link to the relevant guidance can be found here: <https://www.gov.uk/guidance/viability>

# Appendix A

## Policy HOU1 Type and Mix of Housing

- I. On new housing developments of 5 or more gross additional dwellings, an appropriate mix of housing tenures, types and sizes will be expected in order to create mixed and balanced communities appropriate to local character and taking account of the latest Strategic Housing Market Assessment and any additional up-to-date evidence, including the latest East Herts Housing and Health Strategy; local demographic context and trends; local housing need and demand; and site issues and design considerations.
- II. Affordable Housing should be provided in accordance with Policy HOU3 (Affordable Housing).
- III. Where appropriate, provision of specialist housing will be encouraged for older people and vulnerable groups in accordance with Policy HOU6 (Specialist Housing for Older and Vulnerable People).
- IV. Provision of accessible and adaptable dwellings to meet the changing needs of occupants over their lifetime should be provided in accordance with Policy HOU7 (Accessible and Adaptable Homes).
- V. Self-Build Housing in accordance with Policy HOU8 (Self-Build and Custom Build Housing)
- VI. Where appropriate, provision of specialist accommodation will be expected for Gypsies and Travellers and Travelling Showpeople and Non-Nomadic Gypsies and Travellers and Travelling Showpeople, in accordance with Policies HOU9 (Gypsies and Travellers and Travelling Showpeople) and HOU10 (New Park Home Sites for Non-Nomadic Gypsies and Travellers and Travelling Showpeople).



## Policy HOU3 Affordable Housing

I. Affordable housing provision will be expected on all development sites that propose development that falls within Class C3 (Dwelling Houses) as follows:

(a) up to 35% on sites proposing 10 or fewer gross additional dwellings, where the dwellings would have a combined gross floor space greater than 1,000 square metres;

(b) up to 35% on sites proposing 11 to 14 gross additional dwellings;

(c) up to 40% on sites proposing 15 or more gross additional dwellings.

II. Affordable Housing provision will be expected to incorporate a mix of tenures taking account of the Council's most up to date evidence on housing need. The Council will negotiate the tenure mix to be provided on a site, having regard to the affordable housing products defined within the National Planning Policy Framework, through the planning application process.

III. Lower provision may be permitted if it is demonstrated that the 35% and 40%, as appropriate referred to in I (a), (b) and (c) above, cannot be achieved due to viability reasons or where it would prejudice the need to secure other infrastructure priorities.

Applicants seeking to justify a lower percentage level of affordable housing to that referred to in I (a), (b) and (c) above, will be required to provide a financial viability assessment as part of the planning application. Where agreement is not reached, external independent consultants, agreed by both the Council and applicant, will be appointed by the developer, to undertake further independent viability assessment. The applicant will be required to meet the costs of this independent assessment.

IV. Affordable Housing should normally be provided on site, apart from in exceptional circumstances when agreed with the Council. Applicants will be required to

provide justification as part of the planning application setting out the need for off-site provision or financial contributions in lieu to be made.

V. The affordable housing units should be integrated into the open market housing development using appropriate design methods, i.e. tenure blind, and ‘pepper-potted’ across the site in clusters appropriate to the size and scale of the development.

VI. To secure the benefits of affordable housing for first and subsequent occupiers affordable rented and intermediate housing will be retained as affordable by means of an appropriate legal agreement or condition with the Council, or the subsidy will be recycled for alternative affordable housing provision.

## **Policy HOU4 Rural Exception Affordable Housing Sites**

I. Proposals for rural exception affordable housing schemes, on sites that would not normally be acceptable for general housing development, may be permitted, subject to the following criteria:

(a) The exception site is adjacent to an existing built-up area boundary, or is well related to existing residential development and amenities located in, or adjacent to, a clearly identifiable village or settlement;

(b) The proposed development will contribute towards meeting an identified need for affordable housing within the parish; and

(c) The proposed development would be appropriate to the settlement and area in which it is proposed to be located in terms of scale, form and character.

II. The Council will base its assessment of identified housing need on the Housing Register and other available up-to-date housing needs assessments.

III. A small number of market homes may be permitted, at the Council’s discretion, where a viability assessment demonstrates that a cross subsidy is necessary to

make the scheme viable. Any market housing provided will be expected to meet identified local needs.

- IV. Where permission is granted this will be subject to planning obligations and will include safeguards that the scheme provides for the identified local affordable housing need and will continue to do so in perpetuity.

## **Policy HOU7 Accessible and Adaptable Homes**

- I. In order to ensure delivery of new homes that are readily accessible and adaptable to meet the changing needs of occupants, and to support independent living, the Council will require that:
- (a) all new residential development should meet the Building Regulations Requirement M4(2): Category 2 - Accessible and Adaptable Dwellings; and
  - (b) on sites proposing 11 or more gross additional dwellings, a proportion of dwellings will be expected to meet the Building Regulations Requirement M4(3): Category 3 - Wheelchair User Dwellings, where appropriate.
- II. Only where circumstances exist where it can be demonstrated by the applicant that it is not practically achievable or financially viable to deliver this policy, will new development be exempt from the requirement.

## **Policy HOU8 Self-Build and Custom Build Housing**

- I. To support prospective self-builders, on sites of more than 200 dwellings, developers will be expected to supply at least 1% of dwelling plots for sale to self-builders, having regard to the need identified on the Council's Self-Build and Custom Build Register.
- II. The Council will support locally proposed self-build projects identified within a neighbourhood Plan wherever possible.

- III. Planning permissions should include conditions requiring self-build developments to be completed within 3 years of a self-builder purchasing a plot.
- IV. Where plots have been made available and marketed appropriately for at least 12 months and have not sold out, the plot(s) may either remain on the open market as self-build or be built out by the developer.



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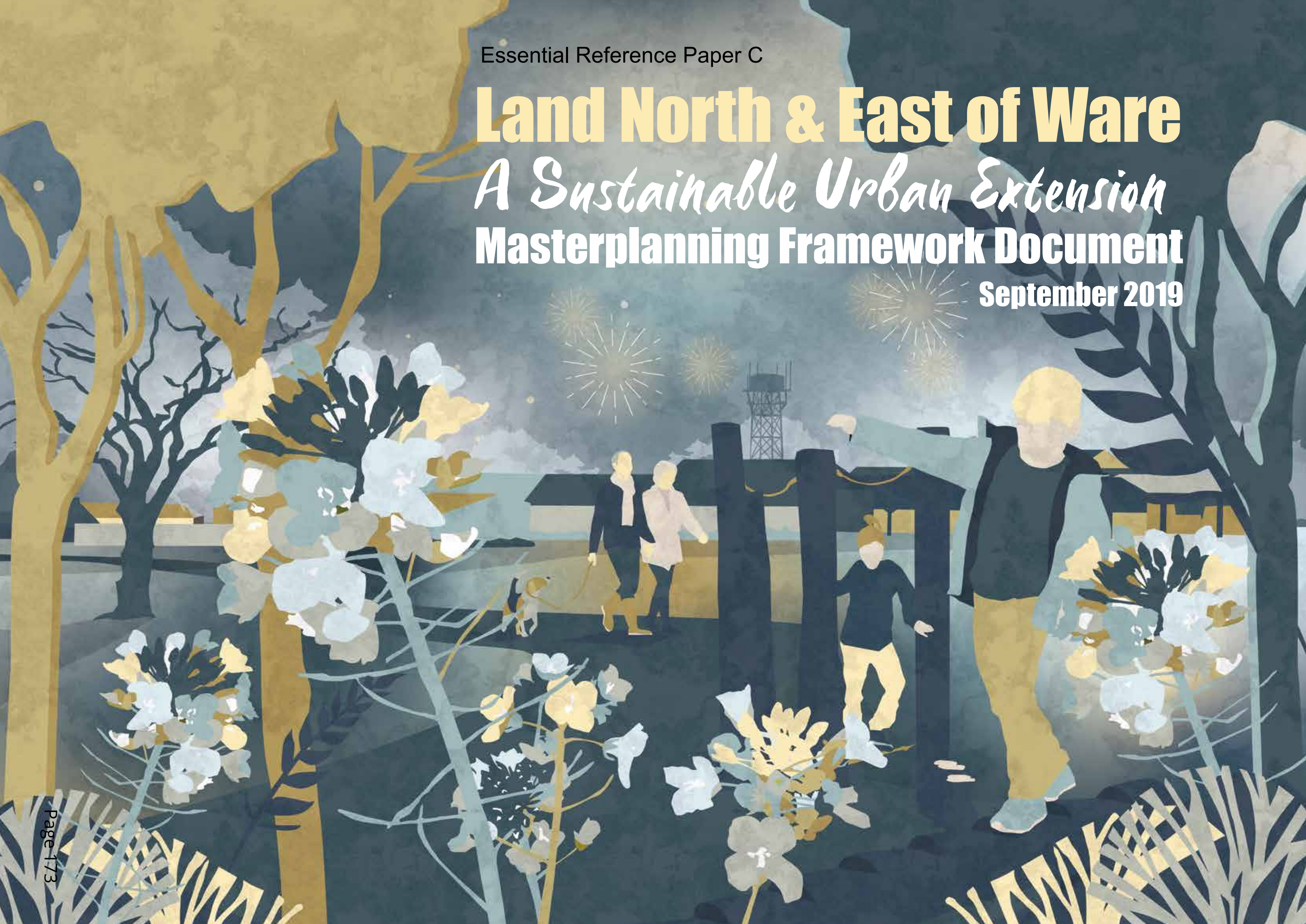


Essential Reference Paper C

# Land North & East of Ware

## *A Sustainable Urban Extension* Masterplanning Framework Document

September 2019





Executive Summary

This document forms the Masterplanning Framework for ‘Land North and East of Ware’, setting out how a comprehensively planned extension to Ware can be achieved, following its allocation in the East Herts District Plan in 2018.

This Masterplanning Framework Document (MFD) is produced in accordance with Policies WARE1 and WARE2. The purpose of the MFD is to provide a high level design framework that sets out principles for any future development within the land to the ‘North and East of Ware’.

The various proposed drawings and diagrams included in this document are at design concept stage and therefore do not provide precise representation of existing or proposed features at the land North and East of Ware. The Illustrative Layout Options illustrated in this document are indicative only at this stage of the design process. Further design evolution and detail will be provided as part of future planning applications.

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Planning Policy

**East Herts District Plan 2018**  
The East Herts District Plan (2018) identifies the site ‘North and East of Ware’ for a new mixed use development in policies WARE1 and WARE2. The District Plan allocates at least 1,000 new homes to the site by 2033 and identifies future potential for a further 500 homes, subject to suitable highway mitigation measures. The development of local retail and community uses is identified in addition to employment areas of around 3 hectares.

Other key policy requirements include Primary and Secondary School land provision, indoor and outdoor sports and Travelling Showpeople provision. Key infrastructure requirements include a link road between Widbury Hill and the A10/A1170 and the delivery of sustainable transport measures.

Policy WARE1 (II) identifies a development of 600sqm retail floorspace to be delivered primarily to the North and East of Ware and within the town centre.

Policy WARE1 (III) allocates 3ha of B1 (Office and Light Industry) employment floorspace to be delivered to the North and East of Ware.

In line with HCC LTP4 Policy 1 sustainable travel methods will be at the heart of the development through:

- The promotion of sustainable patterns of movement;
- The provision of cycle routes and linkages;
- Linkages and enhancements to local bus services;
- Prioritising pedestrian and cycle use over car use;
- Measures to encourage modal switching.



# 1. Introduction

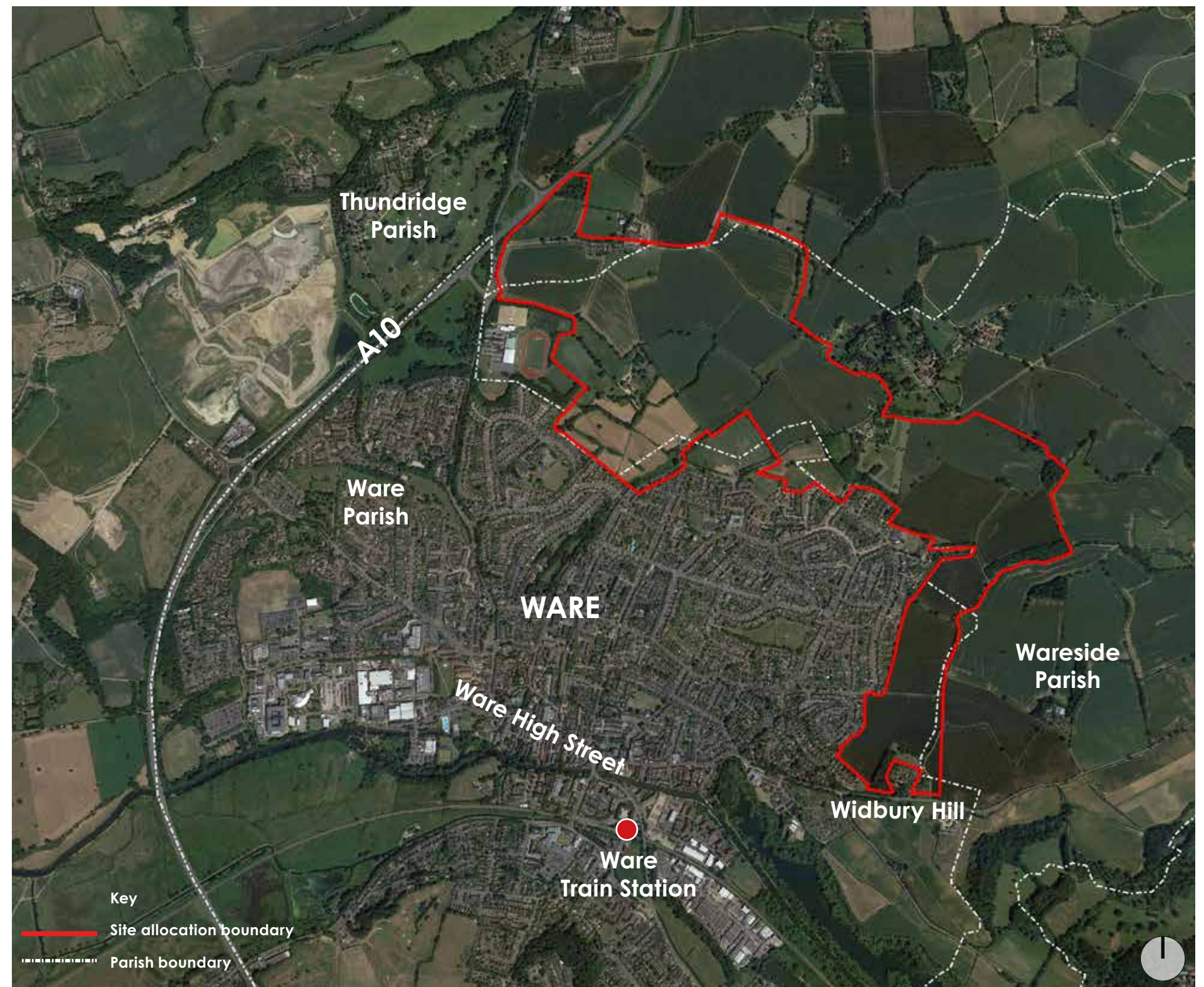
## The Planning Context

### Benefits for Ware

- A wide variety of housing types to meet the needs of the growing population
- A new neighbourhood centre including retail, healthcare and community facilities which complements existing town centre
- Helping to improve the vitality of the town centre
- A new secondary school serving the wider area
- New and expanded primary schools
- Beautiful landscaped parkland providing opportunities for equipped and natural play, and wildlife and biodiversity
- A variety of job opportunities
- Enhanced bus service across the development and town-wide



Reference: District Plan Image





# 1. Introduction

## The Vision

Our vision is to deliver a comprehensively planned extension for the town of Ware meeting the needs of a growing community, which provides:

- A new place sensitively shaped by the rich landscape fabric of the site, integrating woodland, trees and hedgerows into a green network connecting Ware and the countryside;
- A community comprising four distinct neighbourhoods, each with focal points at their heart. Hubs with a mix of shops, flexible employment spaces, schools, health and community centres establishing vibrant and thriving neighbourhoods;
- A connected place, knit into the town through a network of green corridors providing safe walking and cycling routes. An interconnected sequence of green gathering spaces for relaxation and recreation, with Cowfields retained as a central focal natural greenspace in Ware.







Land North and East of Ware has not been identified as a new Garden Village, but the design ethic embodied by those developments is one that underpins this Vision:

- innovation and imagination;
- marrying town and country;
- co-operation in design and place-making;
- character, distinctiveness and harmony;
- room to breathe.

(*'The Garden City Design Ethic' - Garden City Standards for the 21st Century, Guide 3: Design and Masterplanning*, published by the TCPA December 2017)

### Initial Concepts

- A series of residential neighbourhoods
- Local facilities within walking distance of homes that complement rather than compete with those in the town centre and adjacent neighbourhoods,
- Homes within close proximity to a bus route,
- Improved pedestrian and cycle connections between Ware town centre, Ware station and the wider countryside,
- A sensitive response to the existing development edge and heritage buildings,
- Key existing landscape assets retained and reinforced by new planting to create green corridors linking the town to the countryside and defining an edge to the town.

-  New neighbourhood
-  New neighbourhood hub
-  Footpath & cycle lane network providing connections to green belt & town
-  Access point
-  Green connections
-  Primary school extension



# 1. Introduction

## Framework Objectives

The vision is founded on three key themes:

- Landscape Links
- Connected to Town & Countryside
- Placemaking

Each theme has two objectives, these objectives have shaped the Masterplanning Framework and design decisions for a new community at Ware.

### Landscape Links



#### A landscape led approach

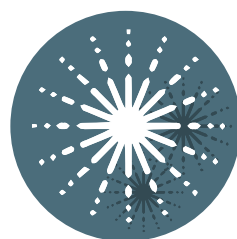
Reconnect and enhance the existing natural landscape features through a green network of woodland, trees, open spaces, rivers and brooks. A thriving living landscape, bio-diverse and ecologically rich.



#### Defining the Green Belt edge

Create a new Green Belt edge for Ware responding to its surroundings. Define a robust and recognisable interface to the countryside. Respect the setting of Fanhams Hall and frame views with new planting within the site.

### Connected To Town & Countryside



#### Celebrate the local community spaces

Retain Cowfields and provide links to Wodson Park Sports and Leisure Centre as focal destinations for community gathering and celebration. Spaces for existing and new communities to come together for year-round leisure, activity and outdoor enjoyment.



#### Connecting to the context

Retain and enhance existing footpaths and bridleways whilst also establishing a new well-connected network of streets, footpaths and cycleways to encourage sustainable and active transport, connecting the new neighbourhoods with Ware.

### Placemaking



#### A planned extension for Ware

Deliver a new sustainable community integrated with the existing settlement in Ware, exemplifying the Garden City Design Ethic. Provide new homes for everyone, of the right scale and type to meet the varying needs of the community. Establish a thriving place where people are proud to live.



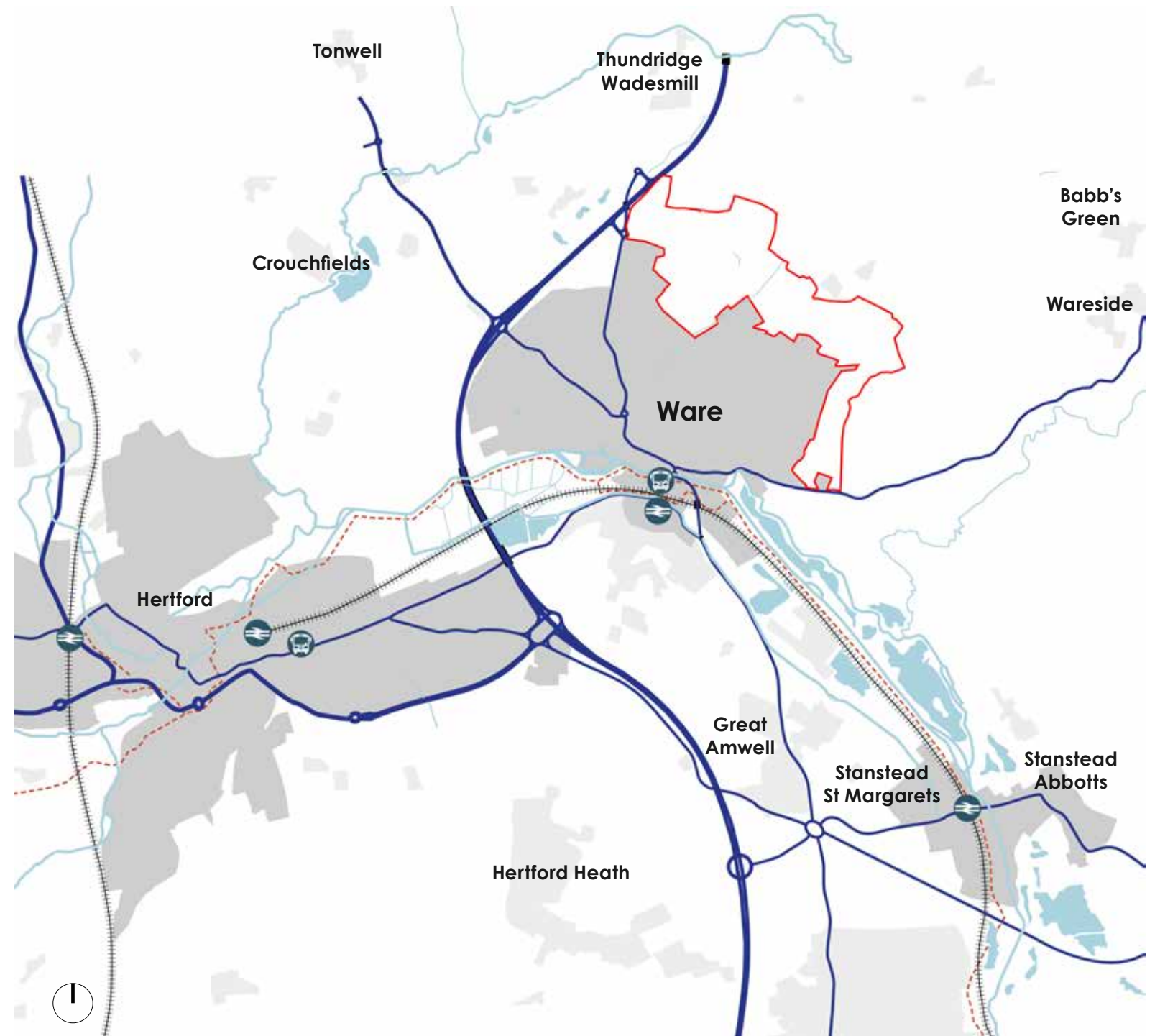
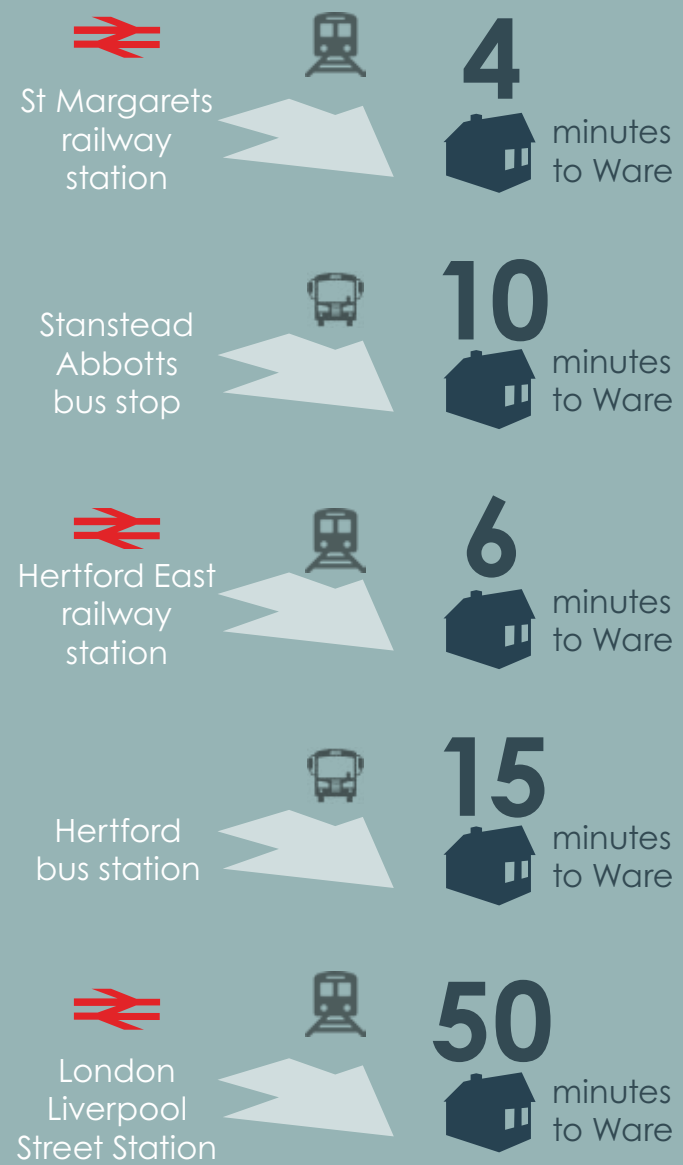
#### A vibrant & distinctive place

Create a distinct place whilst respecting and celebrating Ware's local heritage and character. Form a series of new neighbourhoods with community hubs at their heart, establishing community spirit and vibrancy from the outset.



## 2. Understanding Ware Local Context

The site benefits from strong transport connections within the East Herts region and beyond. Railway services provide direct routes to London (Liverpool St) and Hertford East. Located east of Hertford, the rural town of Ware is accessible by rail in 6 minutes and by bus in 15 minutes. Stanstead Abbots to the south can be accessed by rail or bus, it is a 4 minute train journey or 10 minute bus ride from Ware.



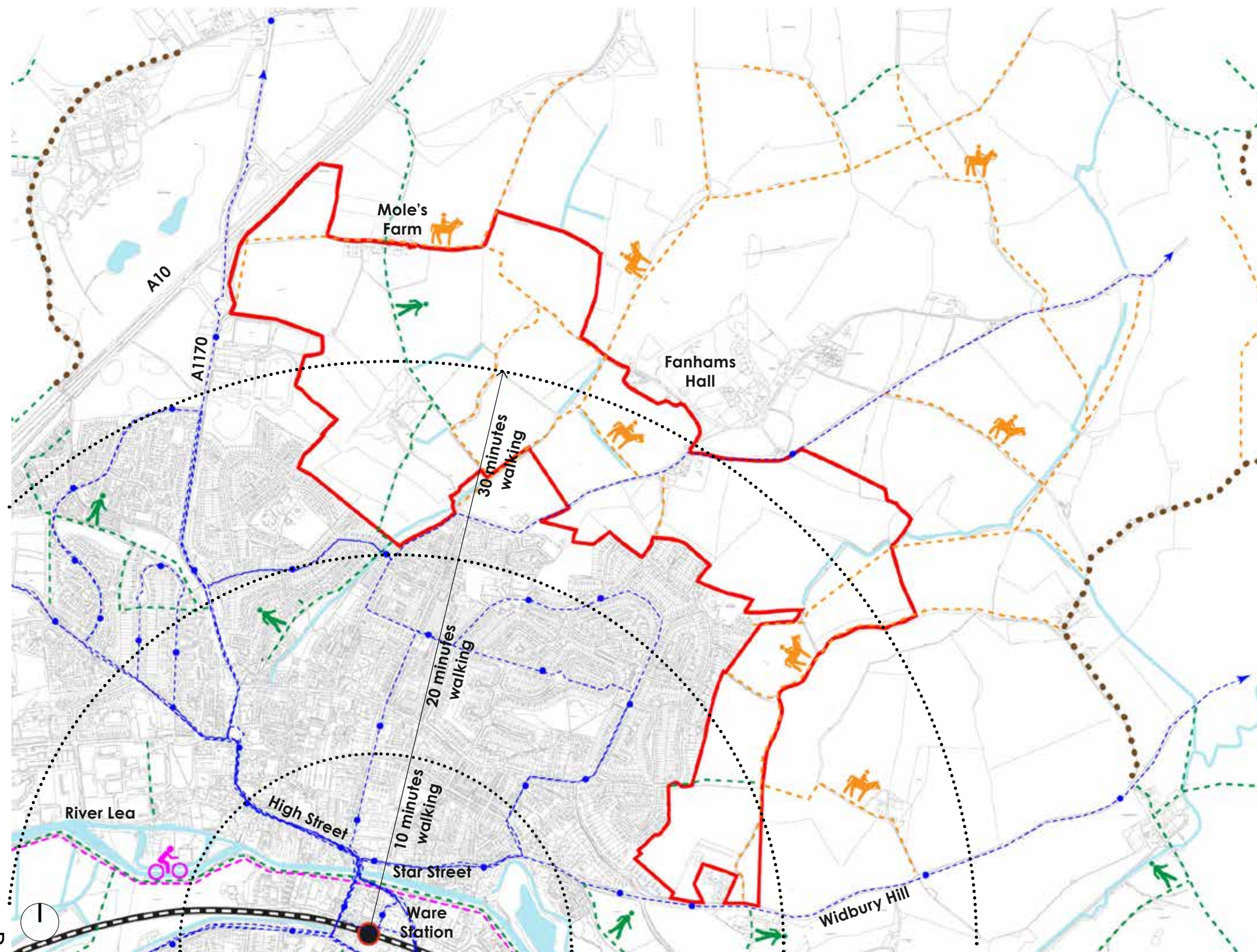


## 2. Understanding Ware Transport and Movement

A bus route network serves Ware providing transport connections to nearby towns including Hertford, Cheshunt, Harlow, Welwyn Garden City, Hatfield, St Albans, Stevenage and Waltham Cross.

The town of Ware has a permeable network of footpaths providing pedestrian routes to the town centre and railway station. A wider network of public rights of way and bridleways provide access to the countryside for walkers and horse riders.

A traffic free cycle route follows the south bank of the River Lea providing a safe and attractive leisure route between Ware and Hertford.



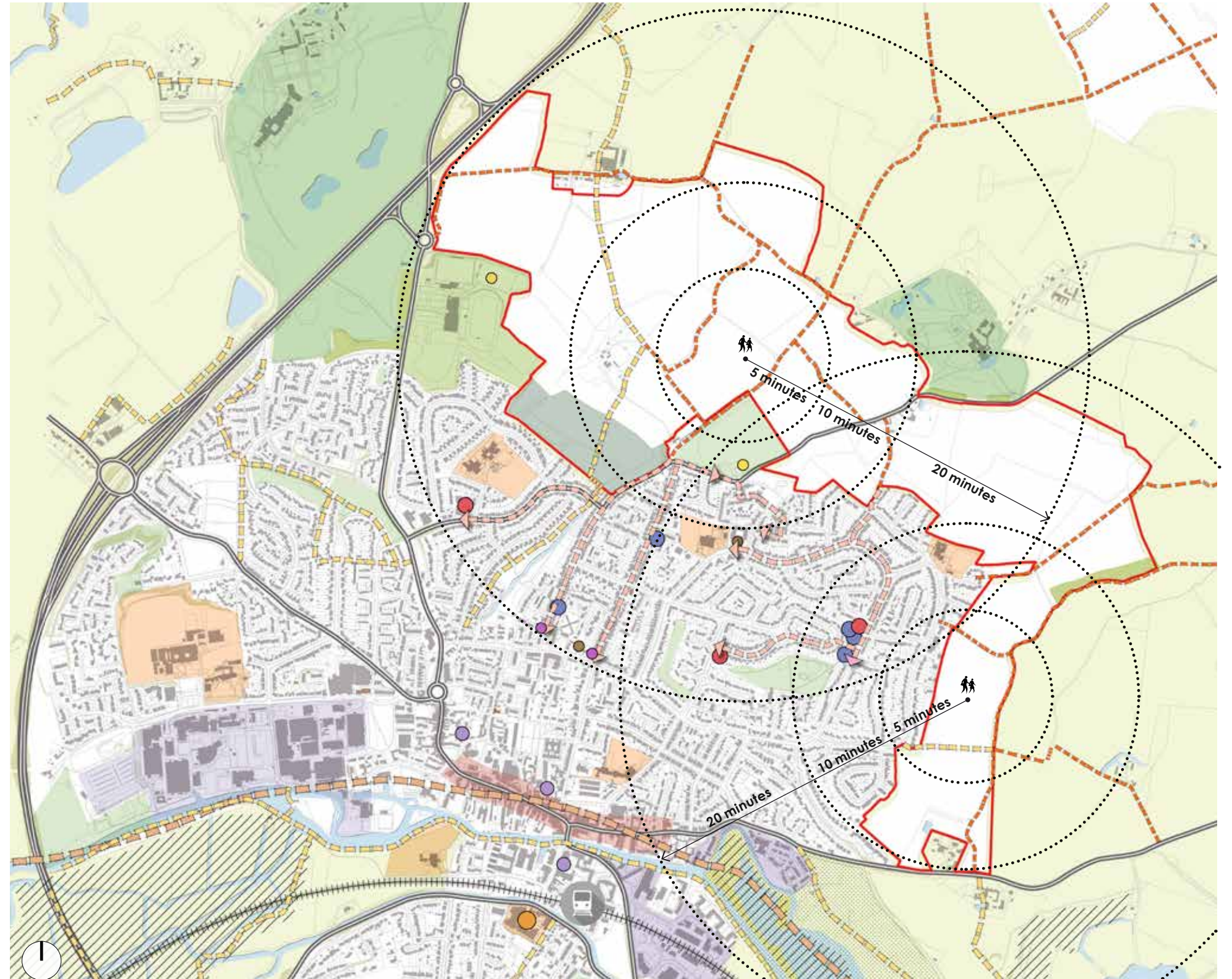
- Allocated site boundary
- - - Public right of way - footpath
- - - Public right of way - bridleway
- - - Traffic-free cycle routes
- . . . Other public access routes
- - - Bus routes
- Railway station
- Existing waterbodies



## 2. Understanding Ware

# Ware Analysis

The plan opposite illustrates the location of facilities and services close to the site. Within a 10 minute walk from the centre of the largest part of the site, there are Registered Gardens and permissive open access areas, schools, recreation facilities, and a football club. The Lee Valley Regional Park is within a 20 minute walk from the eastern part of the site.





## 2. Understanding Ware Local Character

### Ware



High Street



High Street



River Lea Gazebos



Waterside Inn

A character study has been undertaken to provide an understanding of the local character and context to ensure the proposals reflect the rich heritage of Ware and its surroundings.

The River Lea flows through the centre of Ware, accessible via footpaths and cycleways the river corridor provides a green and blue link through the town. The Lee Valley Regional Park stretches along the River Lea from Ware, to the River Thames in London. Footpaths, cycle routes and pathways run through the Park offering specialist leisure and recreational facilities within an area of biodiversity for the region.

Ware has many listed buildings including the remains of a 14th century friary. Some of the buildings along the High Street date back to the 14th century.

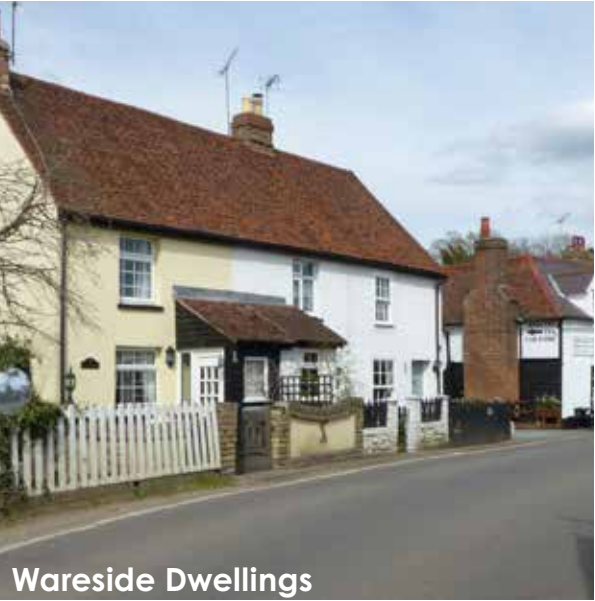
The Masterplanning Framework will reference the distinctive character of Ware, the hierarchy of routes and spaces, building types, scale and active frontages. Reflecting the local character will reinforce familiarity, define a 'sense of place' and integrate the new development into the local area.

### Thundridge



Ermine Street

### Wareside



Wareside Dwellings



Wareside Church



Tudor Square



## 2. Understanding Ware The Site

The site is located to the north and east of Ware covering an approximate area of 147 hectares. It lies within 3 parishes; Ware, Wareside and Thundridge and is predominantly agricultural land.

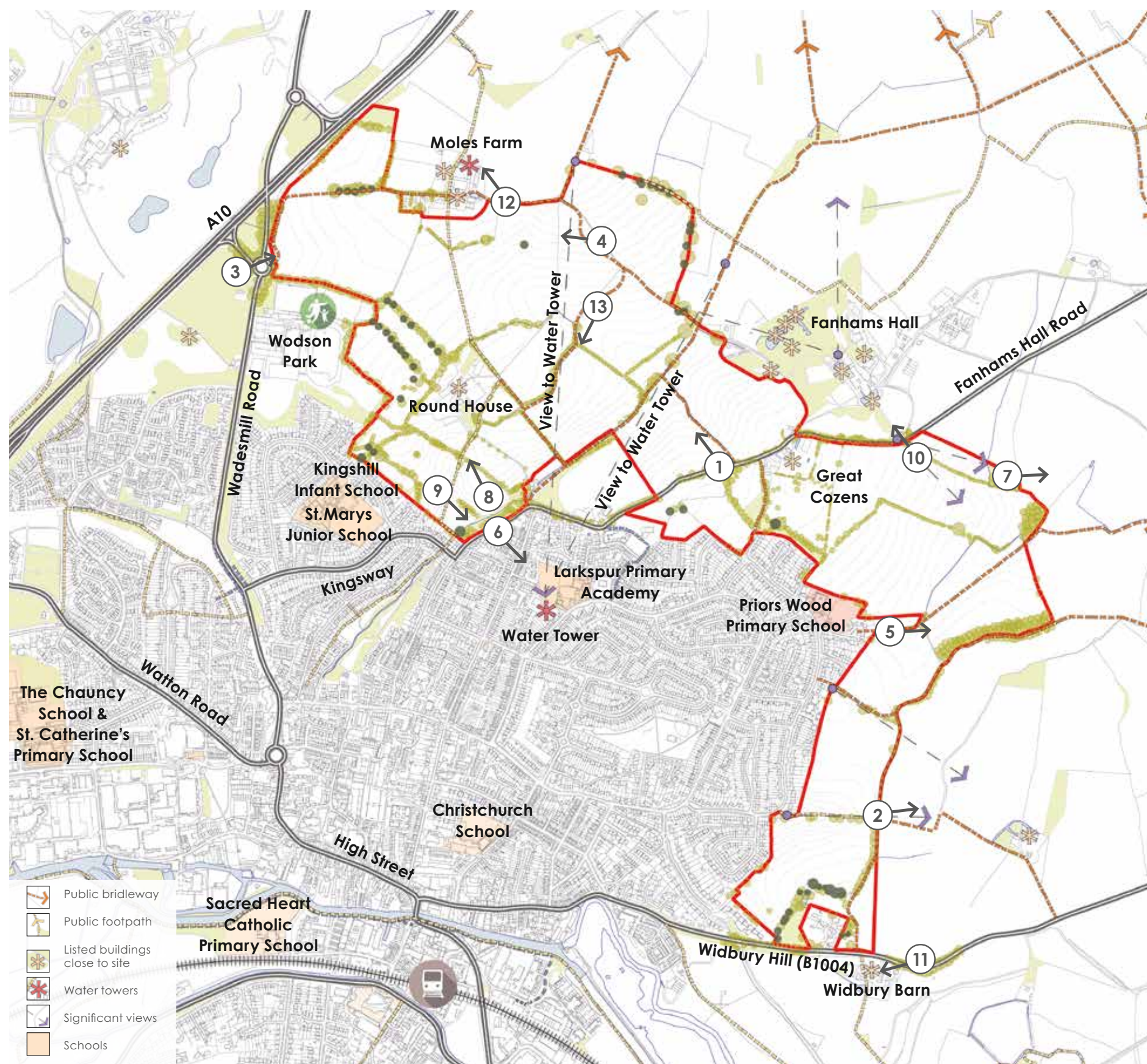
The site is bounded by the A10 to the west, Widbury Hill to the south and Fanhams Hall Road passes through the middle of the site. Residential properties and gardens about the southern edge of the site boundary.

The site comprises mainly agricultural land and The Bourne tributary flows north-south through the site.

A number of listed buildings, parks and garden lie within the vicinity of the site including Moles Farm, Fanhams Hall and Widbury Barn. The Round House and Great Cozens are listed properties situated within the site boundary.

An extensive network of public footpaths and bridleways provide connections from Ware through the site to the countryside, to the north and east.

Wodson Park Sports and Leisure Centre is located to the west of the site on Wadesmill Road.





### 3. Site Analysis

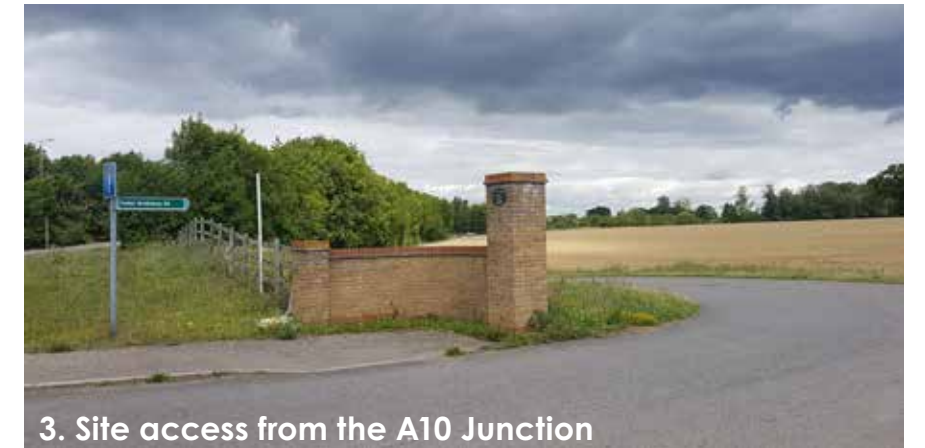
## Site Photographs



1. View to Moles Farm from Fanhams Hall Road



2. View to the east from the edge of the site



3. Site access from the A10 Junction



4. Mature tree



5. View to the eastern edge of the site



6. Adjacent properties overlooking Cowfields



7. View to the east of the site



8. Site ditch



9. The Bourne



12. View to Moles Farm Water Tower from footpath



10. Gatehouse to Fanhams Hall



11. Widbury Barns



13. Views across the south of the site



### 3. Site Analysis

## Site Constraints

The site has a network of woodland and tree belts providing a strong landscape character. A full tree survey has identified key trees which should be retained where possible within the Masterplanning Framework.

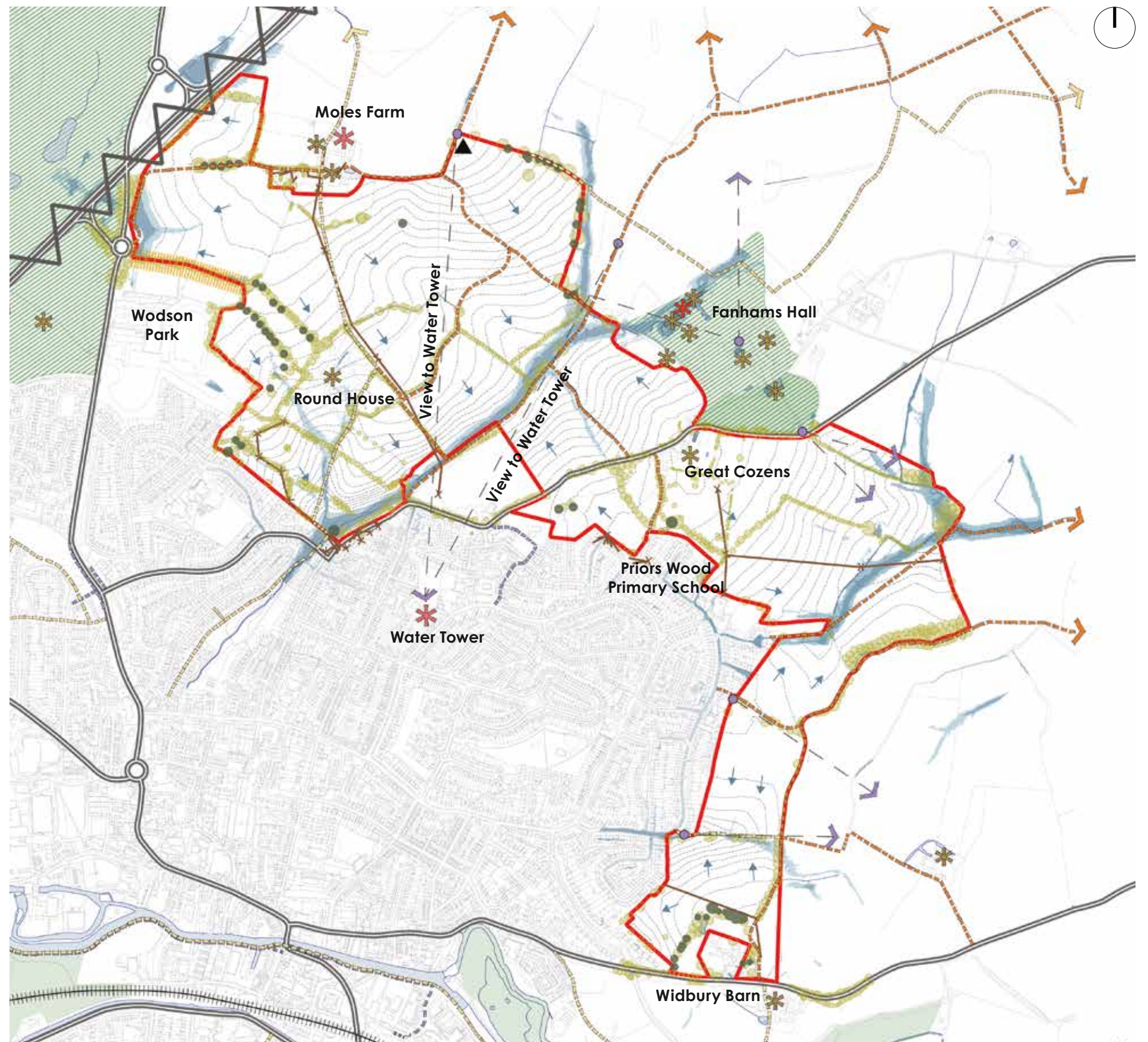
The western edge of the site is affected from road traffic noise from the A10.

Overhead power lines cross the site from Fanhams Hall Road to Moles Farm and cross east-west to the north of Priors Wood Primary School.

There are a number of listed buildings parks and gardens within the vicinity of the site. The Masterplanning Framework will respect the setting of these heritage assets and consider views to landmark features such as the Water Tower and the Gatehouse at Fanhams Hall.

As assessment of the flood risk considered the site to be at low risk from flooding as the majority of the land is located within Flood Zone 1. The plan opposite shows areas of surface water flooding which correlate to low spots in site topography and onsite watercourses.

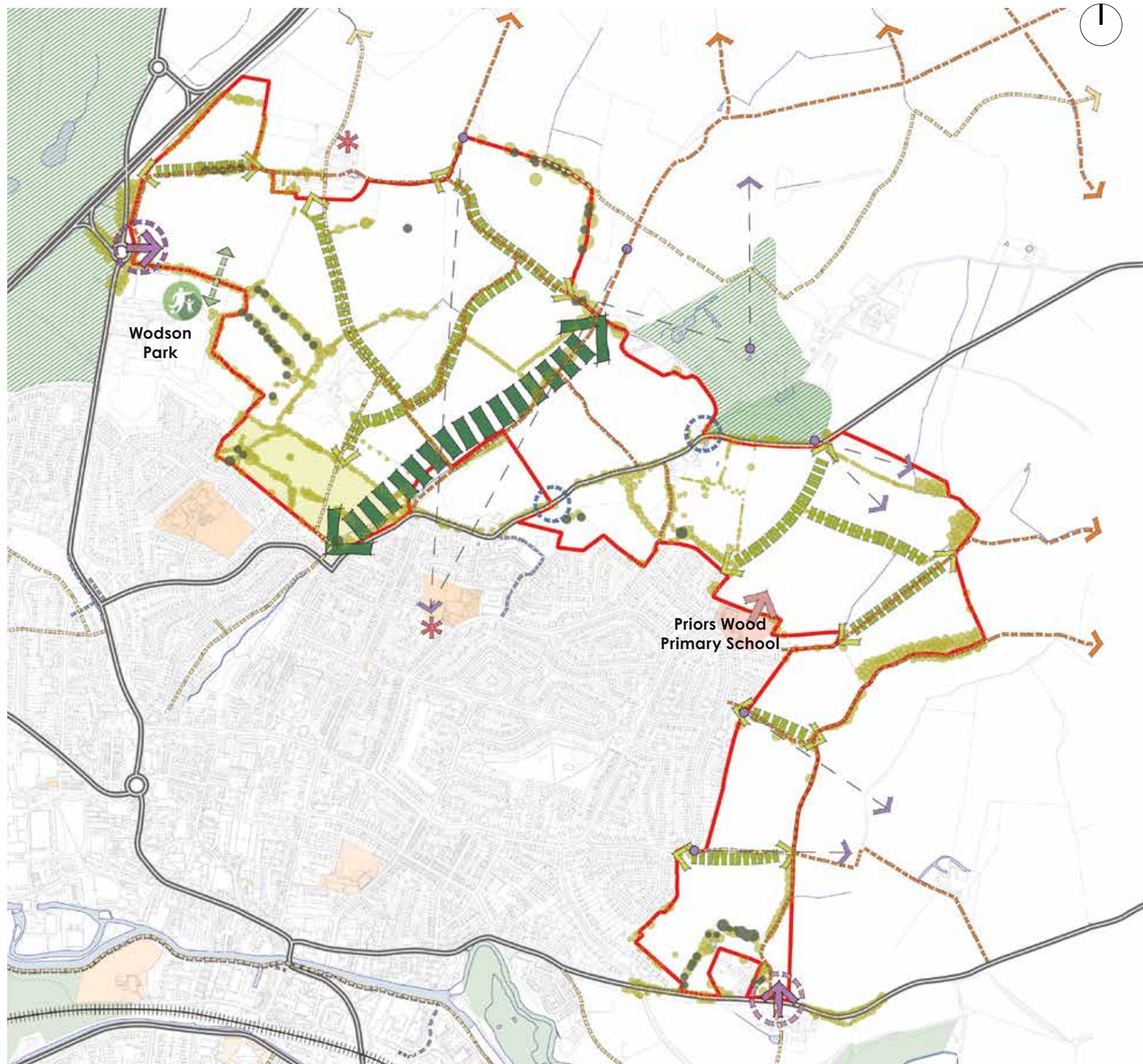
Congestion in the town centre is a key issue for local residents and the development should seek to not exacerbate this problem.





### 3. Site Analysis

# Site Opportunities



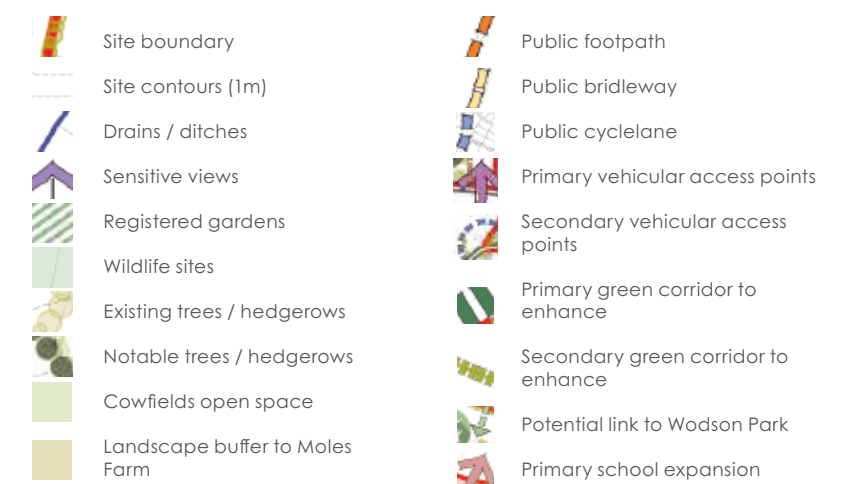
Key woodland and tree groups are to be retained and enhanced where possible within an interconnected green landscape network, through careful structuring of the Illustrative Layout Options.

Footpaths and bridleways will be incorporated within green corridors through the site, providing attractive walking and cycling links from Ware to the surrounding countryside and Green Belt.

The site will deliver a link road between Widbury Hill and the A10/A1170.

There is an opportunity to provide a pedestrian and cycle link to Wodson Park Sports & Leisure Centre and create community cohesion through shared use of facilities.

In addition, there is an opportunity to provide land for the expansion of Priors Wood Primary School adjacent to the site.





# 3. Site Analysis

## Technical Surveys

The following technical reports have been undertaken. Further survey information will inform subsequent planning applications.

### Ecology

A full suite of ecological surveys have been undertaken since 2014. Key habitat areas have been identified, such as, Local Wildlife Site, historic hedgerows and Traditional Orchard. A number of mitigation measures are required as part of the future development of the area.

### Landscape

A detailed Landscape & Visual appraisal found a variety of landmark features, such as Water Towers at Moles Farm and the Gatehouse at Fanhams Hall that are of particular interest. A notable and attractive character of the landscape is the many coverts in and around the Site. A defining north-south ridge effectively and visually divides the site.

### Topographic survey

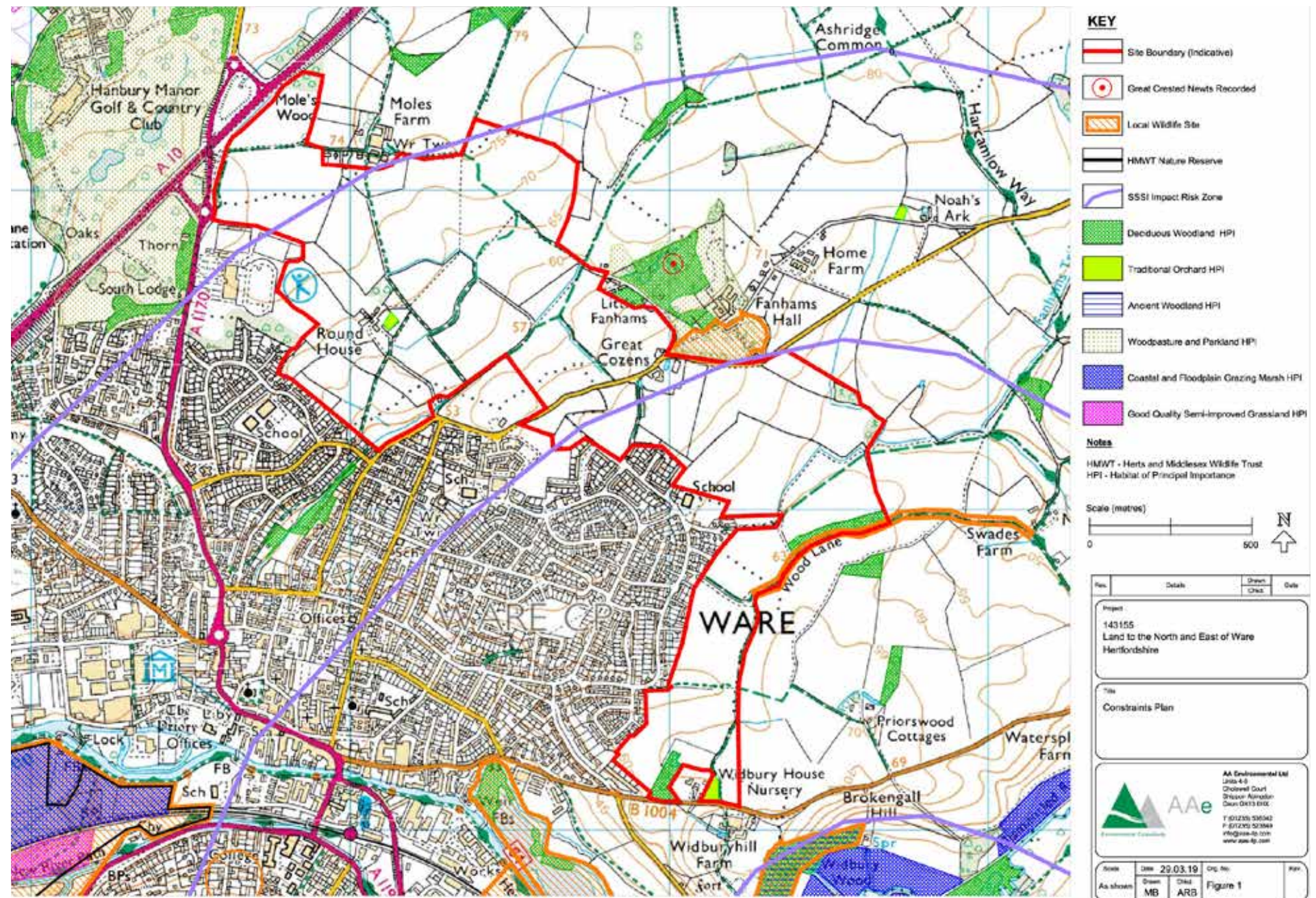
A topographical survey has been undertaken across the site to help aid detailed modelling and design for the various technical disciplines.

### Tree survey

A full tree survey has been carried out over the area of the allocated site identifying the various tree species, age and location. This data has assisted the development of the Illustrative Layout Options.

### Utilities

A utilities report highlighted that there is access to all strategic utilities within the vicinity of the site boundary. Further work is required to understand the capacity and the reinforcement upgrades necessary to serve the development. We are in regular contact with Thames Water as the foul drainage undertaker for this site. We have provided them with the anticipated delivery trajectory to ensure that the network has sufficient capacity to meet the demands of the development.

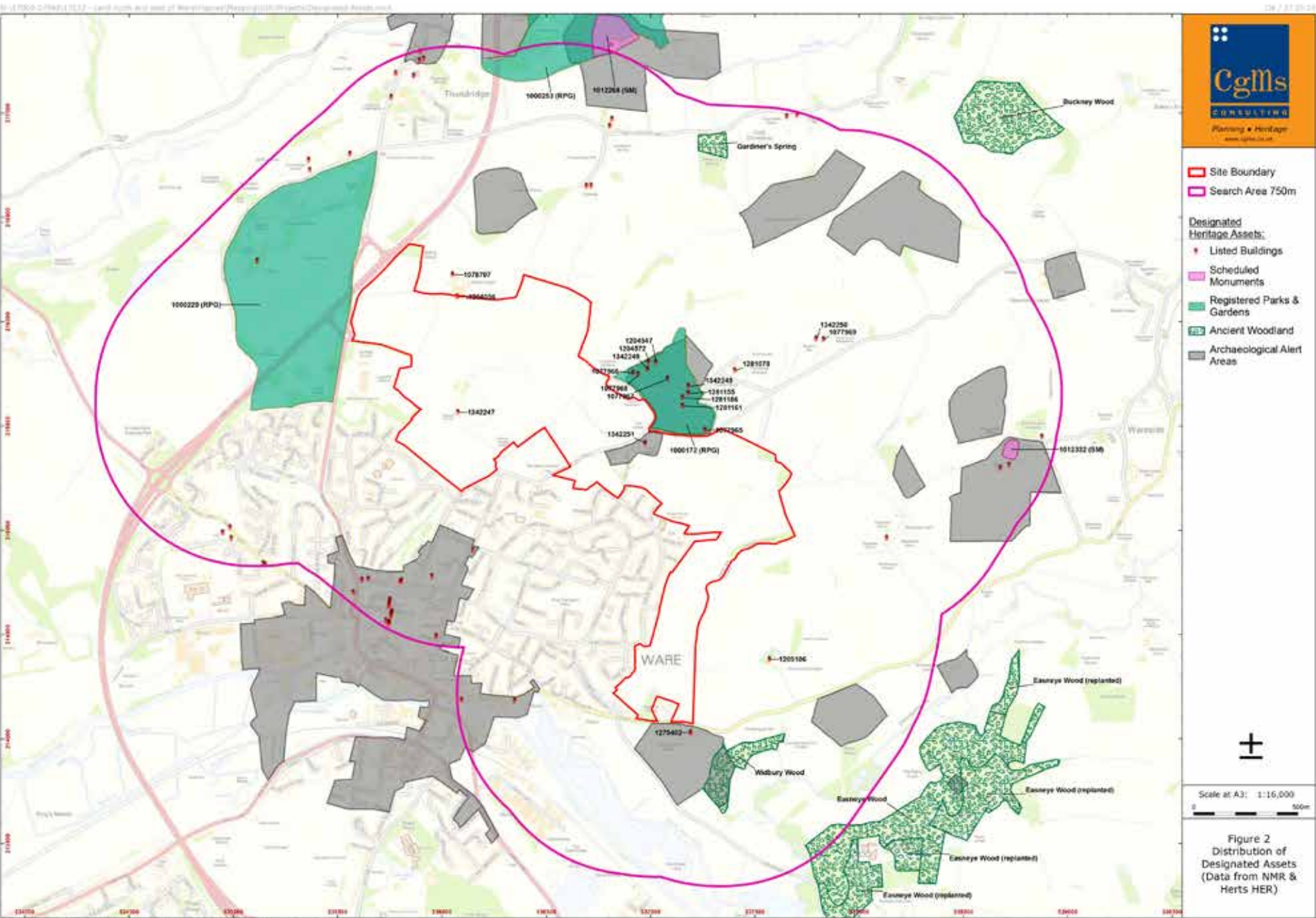


Ecological Survey Findings



# 3. Site Analysis

## Technical Surveys



Initial Archaeological and Heritage Survey Findings

### Phase 1 Geoenvironmental

Phase 1 geological and environmental assessment has been undertaken. This confirmed that the potential localised contamination risks across the site are considered to be 'low' and 'low to moderate'.

A full investigation into the mineral deposit will be undertaken and additional intrusive ground investigations to be completed.

### Initial Archaeological & Heritage

Phase 1 heritage constraints and built heritage assessments were undertaken. This assessment has identified a number of listed buildings including Fanhams Hall, its Registered Park and the Roundhouse to the north of the allocated site and the Registered Park and Garden at Hanbury Manor to the west. A geophysical survey has been undertaken to identify areas of interest with trial trenching to be carried out within key areas in the future.

### Flood Risk & Drainage Strategy

An assessment of the flood risk considered the site to be at low risk from flooding as the majority of the land is located within Flood Zone 1. Soil infiltration testing has been completed across the site, which has informed the Masterplanning Framework. Intrusive works involving drainage pits and bore holes were conducted to establish the site's drainage strategy.

### Strategic Highway Modelling

Extensive modelling and sensitivity analysis has been undertaken to indicate any capacity issues or improvements required. Areas where capacity issues have been identified have been subject to additional modelling exercises. Suitable transport measures will be implemented in and around the town centre. By achieving the right balance of land uses within the development site, there is significant scope to create an interconnected environment, which is explored later in this document.



## 4. The Engagement Process

The engagement process carried out to date has directly informed the emerging Masterplanning Framework for the site. Regular Steering Group Meetings began in February 2019, which have established a continued dialogue with local key stakeholders in the development of the emerging proposals.

The community engagement process involved a two day community planning workshop in May and a public consultation event over two days in July.

In addition, the team has met with local community groups and held workshops with local schools throughout the development of the MFD.

### Community Planning Workshops

Over 700 people took part in the Community Planning Workshops on the 17-18 May, which provided an opportunity for local people to share local knowledge and help shape the future plans for the area, through workshops, walkabouts and hands-on planning (HoP) groups.

Each day began with a discussion workshop. Local people were invited to share what they particularly liked and didn't like about the area; their dreams for the neighbourhood and what they thought would make this an even better place to live. This was followed by themed HoP workshops where local people worked with the architects to sketch out how their ideas could be incorporated into the proposals for the Land North and East of Ware. A representative of each group then fed back to the whole room on what they had discussed and the possible solutions they had come up with.

*“We discussed the strategy: what's necessary, how do we do it, how do we link everything up?”*



Community Planning Event



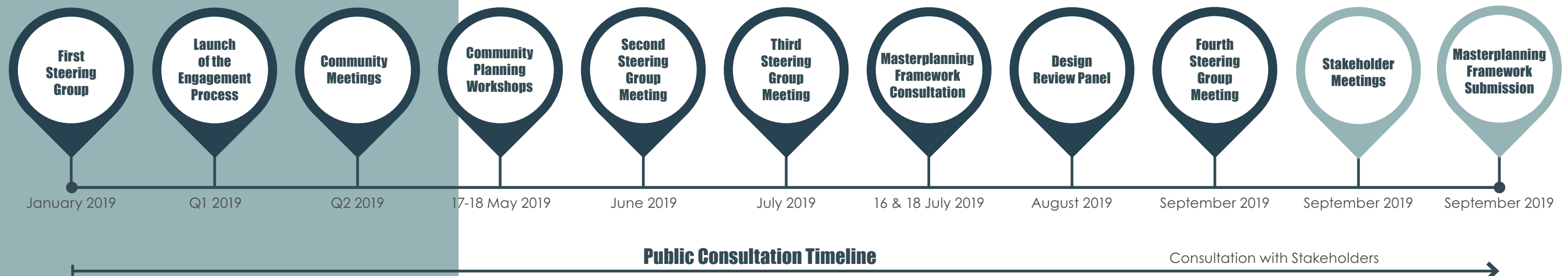
Community Planning Workshop



Hands on Planning Workshop



Hands on Planning Report Back





## 4. The Engagement Process

# Community Engagement



Local Community Walkabout



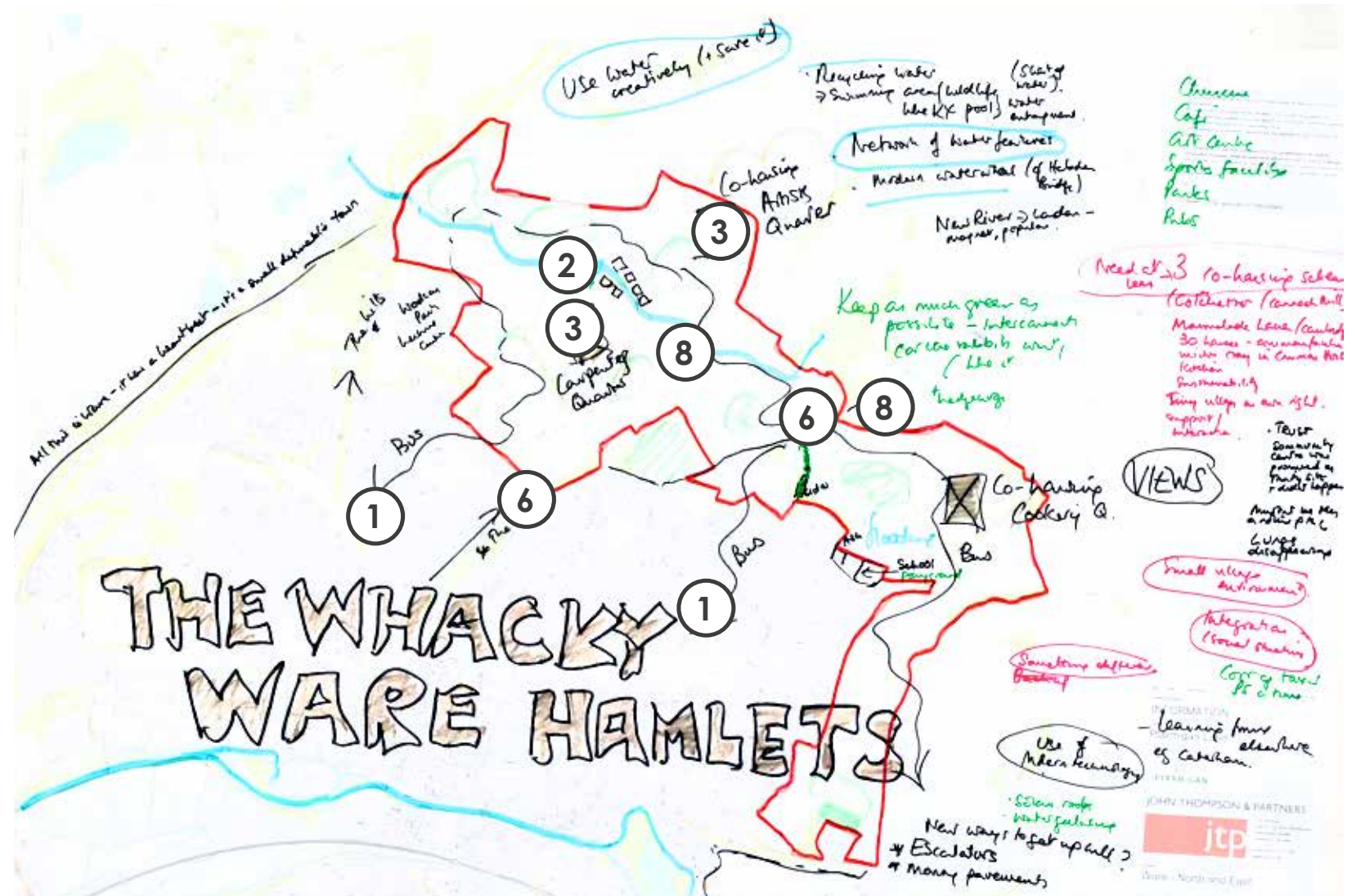
Team Site Visit



Chauncy School Workshop



Post-it Workshop



Example of Hands on Planning drawing from Community Planning Workshop

“ There has to be change...  
we know there have to be more houses...  
but you must keep the Cowfields community space. ”

- ① Bus links into town
- ② Use water creatively to mitigate flooding
- ③ Need at least three separate co-housing schemes throughout the development
- ④ A small village environment
- ⑤ Community trust to run the community facilities
- ⑥ Link footpaths to community assets around town
- ⑦ Make transport fun and move away from car use
- ⑧ A series of hamlets/villages interspersed with green space



## 4. The Engagement Process

# Community Engagement

### Community Planning Workshops Key Themes

After the Community Planning Workshops, the design team analysed and summarised the ideas people had, in order to start shaping the proposals. The following key themes are a summary of the various discussions and design workshops that have taken place to date.

#### Shaping The Best Possible Proposals

Although many local people resisted the principle of development, it is now generally accepted that it will happen and that community participation is important to shape the best possible proposals and to maximise the benefits for Ware. Many people attended the community planning event to ask questions, raise issues and co-design ideas for the future of the site.

#### Respecting Local Heritage

Ware began as an ancient settlement on the River Lea and has built up a rich physical and cultural heritage over the centuries, with a strong and active community. Those who live and work in Ware are passionate about the town and keen that new development should respect the town's local distinctiveness, its historic heart and their quality of life.

#### The Cowfields

The Cowfields is a natural, community space used for the annual Rotary Club fireworks display, dog walking, blackberry picking, hedgerow exploration, and as a place for children to sledge in winter (when there is snow). It was emphasised by all age groups that Cowfields is an important and well-used space that should be retained.

#### Neighbourhoods Set In Landscape

People feared the construction of a single, amorphous 'estate', which could impose a change of character on the area. Rather than an isolated 'estate', ideas emerged for a carefully designed framework of places and spaces to respond sensitively to the context of the rural edge location, including to adjacent properties, and integrate with the neighbouring communities and Ware as a whole. The new development should comprise distinct neighbourhoods set in the landscape, with mixed-use community hubs connected by sustainable green links.

#### Traffic, Parking & Getting Around

Traffic is both an existing and future concern as Ware's road network is often congested at peak times and made worse by on-street parking and unloading of deliveries. The new development will be planned to encourage sustainable and active transport and brings with it the potential for significantly improved bus, pedestrian and cycling provision, including to the town centre, the train station and Wodson Park Leisure Centre. The car will need to be accommodated and the routing and timing of the new link road will be important.

#### Open Space & Rights Of Way

Participants were worried that existing paths and rights of way may be blocked by the new development. Planning a network of green and blue open spaces and corridors will help maintain a 'rural' character for the new development and foster active lifestyles. A network of footpaths and cycleways should be designed to encourage sustainable movement and link the new neighbourhoods to rural tracks, local facilities and the rest of Ware.

#### Drainage

Participants reported problems with water run-off and ground water drainage in certain locations. Many ideas emerged of how to plan water infrastructure and management to create attractive and bio-diverse habitats. Through the masterplanning process possible on-site drainage solutions will be assessed.

#### Community Facilities & Employment

The provision of local, inter-generational community facilities (shops, healthcare, community, employment, village greens, etc) will help build community and minimise vehicle use. However, shops and businesses within the neighbourhoods should complement, not compete with, Ware's town centre uses. Other suggested provision included space for worship, community orchards, gardening and food production, outdoor gym, crafts centre and 'sheds for men'. It was felt that employment use could be distributed throughout the new neighbourhoods, rather than one single location, and that community infrastructure should be phased in tandem with housing.

#### Housing

Housing should be well designed, in keeping with the context and with sustainability built-in. A mix of style, size and tenure is important to build a balanced community. The provision of affordable housing is key, and the suggestion was made that the development offers the opportunity to think creatively about variety of residential provision, perhaps incorporating self-build, bungalows, co-communal housing, supported living for appropriate young people and even a dementia village.

#### Trust & Delivery

Some participants were sceptical about the community participation process and whether proposals that emerge will actually be delivered. Trust in the process is important and will need to be built over time, so that the community can see that engagement can genuinely help shape viable, contextual proposals that will be delivered. Exploring how this planning process can lock in quality and delivery is key.

#### Continued Community Engagement

Many participants appreciated the opportunity to be involved at the early stage in helping shape the Vision for Land North and East of Ware and are keen to stay involved and informed. The masterplanning process includes regular liaison with the broadly based Masterplanning Steering Group and the wider community.



## 4. The Engagement Process

# Community Engagement



Masterplanning Framework Consultation



Masterplanning Framework Consultation



Masterplanning Framework Consultation



Masterplanning Framework Consultation

### Masterplanning Framework Consultation

A consultation exhibition was held on the 16th and 18th July which provided an opportunity to report back to the local community on how the Key Themes from the Community Planning Workshops had been addressed in the evolving Masterplanning Framework. Over 950 people attended the two day event and over 200 comments and emails were received. Below is a summary of the comments received:

#### Principle of Development

- General support for new housing with additional community facilities

#### Getting Around

- Extra cars would have a negative impact on existing roads that are already at capacity
- Exit from proposed junction at Widbury Hill would be dangerous due to fast moving traffic along Widbury Hill
- Concern that link road will lead to more congestion
- New bus service should start early, end late, run on time and be integrated with the existing bus service to encourage use
- Concern there won't be enough space on streets for combined cycle/pedestrian routes
- Ensure adequate space for on street/private parking

#### Community Facilities

- Desire to see a range of new facilities that cater for the whole community

#### Drainage

- Identified flooding and drainage issues at Beacon Road and other locations

#### Green Space & Cowfields

- Ensure protection/relocation of existing trees/wildlife
- Support for the retention of Cowfields
- Cowfields should be left as natural as possible, lightly maintained and run by the community

#### Health

- Ware will need an increased GP provision

#### Impact

- Ensure minimal overlooking of existing homes on boundary
- Maintain a landscape buffer

#### Housing

- A desire to see a mixed tenure for all ages including affordable/ social for local people, provision of self-build plots

#### Phasing

- Infrastructure and services should be completed before/in parallel with first phase of new homes

#### Retail

- Retail should complement and not compete with Ware town centre
- New retail should be varied and meaningful including local independent grocery stores

#### Schools

- Schools should be located away from main roads to minimise exposure to pollution

### Consultation Shaping the MFD

The Key Themes have informed the Framework Objectives set out on page 3. Feedback from both the Community Planning Workshops and Masterplanning Framework Consultation have fed into the development of the Masterplanning Framework.

“ If it's done well it could be quite beneficial to the town. ”

# 5. The Masterplanning Framework

This section of the document illustrates how an understanding of the site and its opportunities has developed a series of structuring elements which will form the layers of the Masterplanning Framework. The structuring elements ensure the Illustrative Layout Options respond to and connect with the surrounding context, linking to Ware and the wider countryside. These elements establish design principles for a new community, a series of distinct neighbourhoods with vibrant centres structured by their landscape setting.

The section concludes with three Illustrative Layout Options, each underpinned by the structuring elements. These options show alternative possible locations for the secondary school site, which will serve the wider Hertford and Ware area.

The Illustrative Layout Options show three potential locations for the proposed secondary school. The suitability of each school site will be considered further as part of ongoing design development and will be informed by further site survey information.

Ongoing consultation with East Herts Council (EHC) and the education authority will determine the school size, appropriate location, phasing and delivery required.

The Masterplanning Framework Illustrative Layout Options provide flexibility to deliver the education requirements for the site as set out in policy whilst meeting the needs of EHC.

The first three structuring elements seek to recognise and respond to the existing key features of the site, the existing landscape features, local heritage assets and the Cowfields community greenspace.

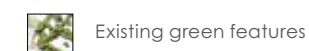
Elements four and five illustrate how the existing landscape features can be reinforced and enhanced to create a strong green and blue network.

The final two structuring elements illustrate the design principles for establishing a vibrant new place; four distinct neighbourhoods each with a mixed use centre connected by green corridors and a link road.



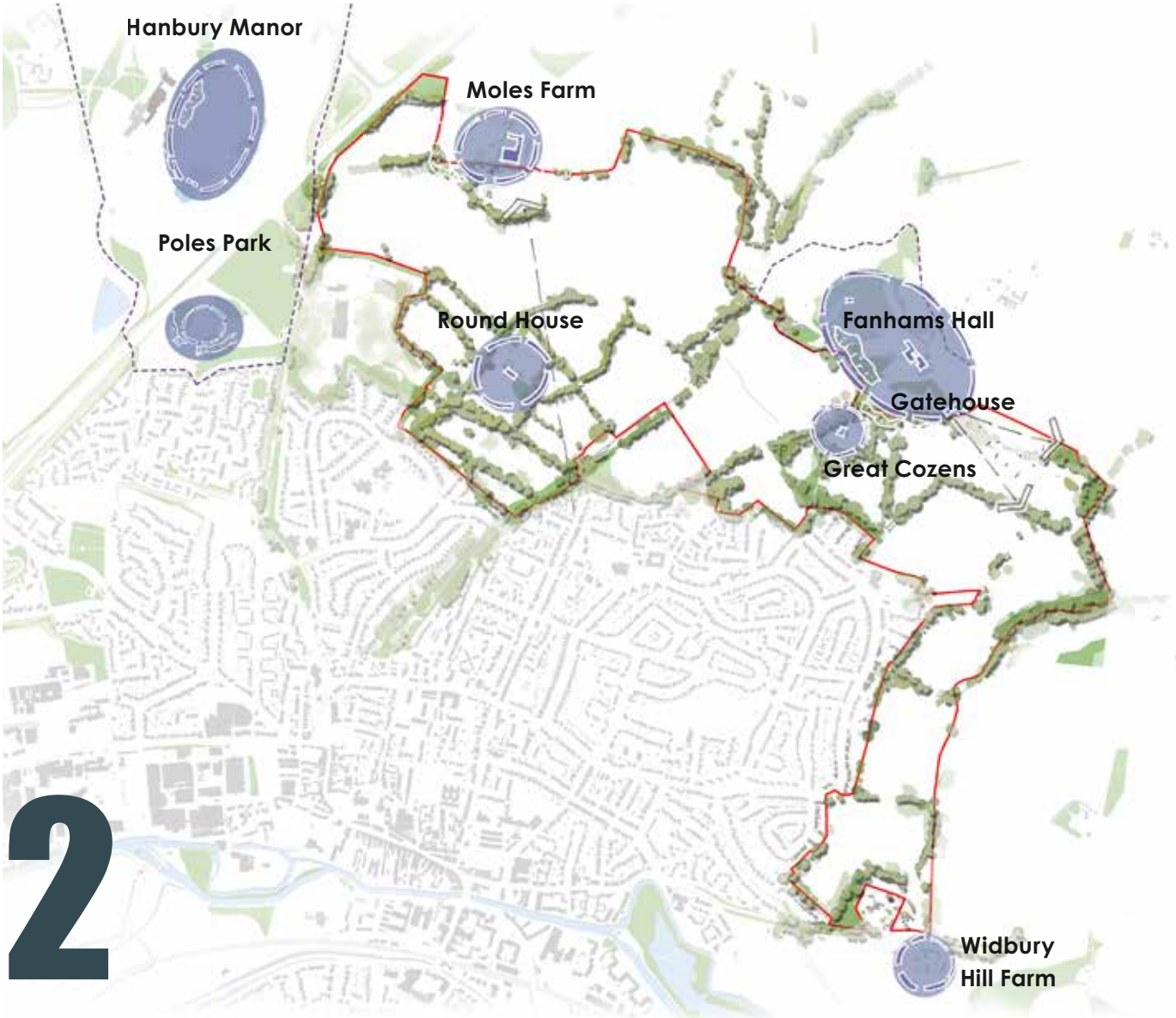
## Existing Landscape Features

Retain existing hedgerows, native woodlands and mature trees within the structure of the new community. There are a high number of veteran oak trees which will contribute to the landscape setting of the proposed neighbourhoods.



Existing green features





Respect Heritage Assets

Respect the setting of heritage assets and listed buildings within and surrounding the site. Protect the views and sightline from Fanhams Hall and the Gatehouse across the north-eastern edge of the site.



Celebrate Cowfields

Retain Cowfields as a natural greenspace central within Ware, accessible to existing and new residents. Celebrate Cowfields as a focal destination open space used for community gatherings, dog walking, leisure and recreation.





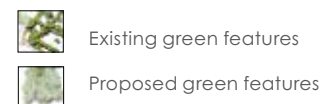
## 5. The Masterplanning Framework

# Structuring Elements



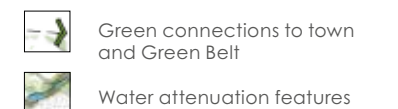
### Green Connections

Reinforce and enhance the existing north-south landscape features, connecting trees and woodlands to create links between Ware town centre and the countryside. Introduce east-west green links connecting to the north-south green corridors, creating a strong landscape framework.



### Blue Infrastructure

Retain The Bourne flowing through the central north-south green link. Incorporate the existing watercourse and ditch network into the landscape framework and introduce SuDs such as attenuation ponds and swales.







Street Character

Deliver a low speed link road from Widbury Hill to the A10 providing access to the new community and linking the four neighbourhoods. The street will change in character along its route, travelling through neighbourhoods, squares and greenspaces.

- Neighbourhood centre street
- Tree lined street
- Residential street
- Green Route
- Existing road network



Distinct Neighbourhoods with Community Hubs

Establish a mix of uses, including schools, employment and local facilities forming a community hub within each of the four neighbourhoods. Neighbourhood centres will have complimentary uses and be accessible to existing and new communities. Each neighbourhood with a distinct character and identity.

- Community hub
- Mixed use
- School
- Employment
- Travelling Showpeople
- Moles Farm neighbourhood
- Fanhams neighbourhood
- Priors Wood neighbourhood
- Widbury neighbourhood



## 5. The Masterplanning Framework

# Illustrative Layout Options

The Illustrative Layout Options show three potential locations for the proposed secondary school. The suitability of each school site will be considered further as part of ongoing design development and will be informed by further site survey information.

Ongoing consultation with East Herts Council (EHC) and the education authority will determine the school size, appropriate location, phasing and delivery required.




















The Masterplanning Framework Illustrative Layout Options provide flexibility to deliver the education requirements for the site as set out in policy whilst meeting the needs of EHC.

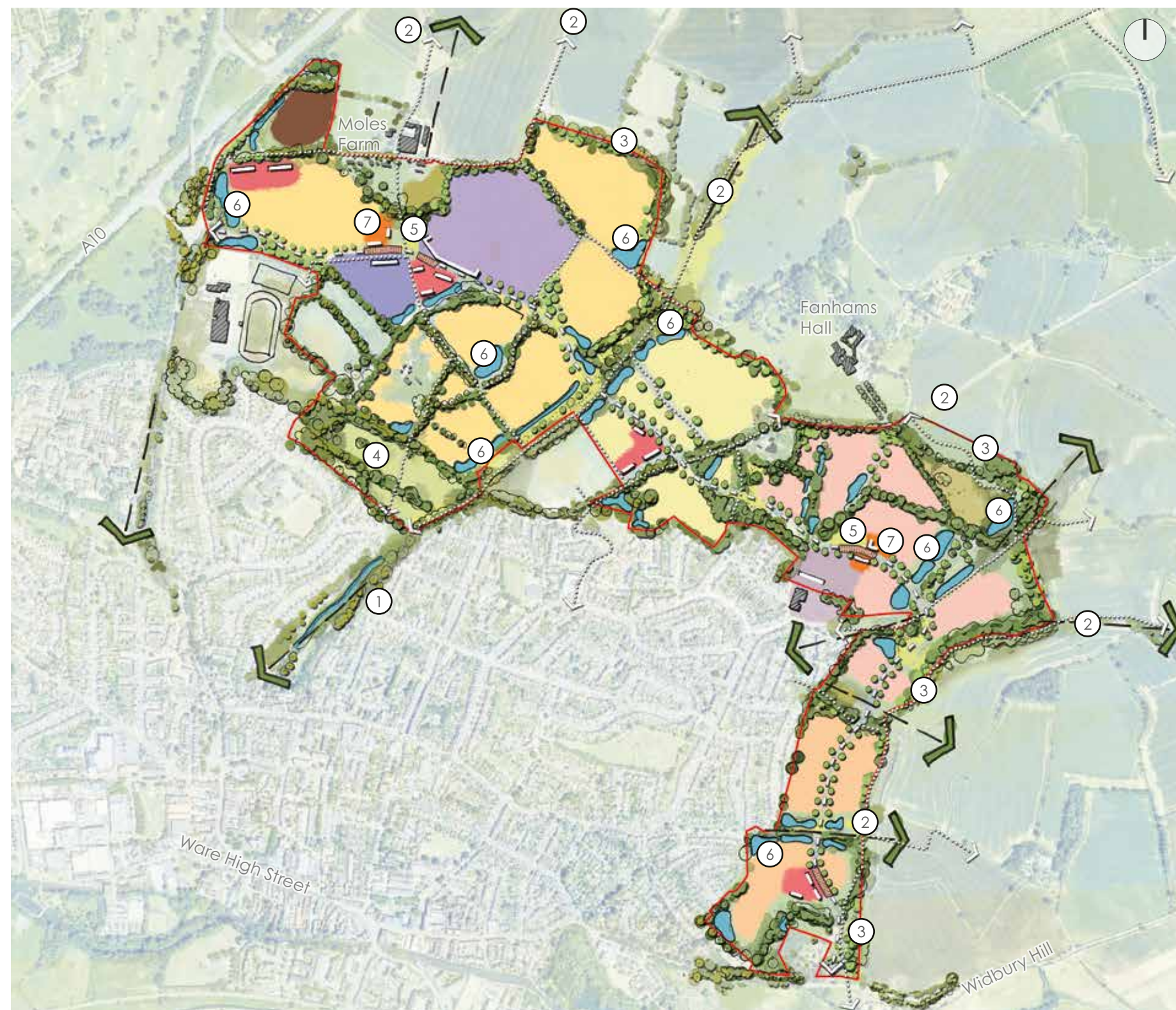
### Option 1

This Illustrative Layout comprises four neighbourhoods with community hubs. These include small flexible employment spaces, a mix of shops, health and a community centre.

A new primary school is proposed adjacent to the main hub to the north-west of the development, in addition to the Priors Wood primary school being extended. A new secondary school is located to the north of the site within walking distance of Wodson Park Sports and Leisure Centre to allow shared use of sports facilities. (There are three options for the location of the new secondary school. This plan shows option one.)

A Travelling Showpeople site is proposed close to the A10. Public footpaths are retained and enhanced, providing strong links into the town and the countryside. The Cowfields greenspace is retained, celebrating the community gathering space for the town. A new Green Belt edge is defined for Ware.

- |  |   |
|--|---|
|  Mixed use (including residential)    |  ① Connections to The Bourne                                       |
|  Employment                           |  ② Connections to the Green Belt                                   |
|  New primary school                   |  ③ New Green Belt edge   |
|  New secondary school                 |  ④ Retained Cowfields  |
|  Priors Wood Primary School expansion |  ⑤ Neighbourhood green   |
|  Travelling Showpeople                |  ⑥ Ponds and attenuation features                                  |
|  Moles Farm neighbourhood             |  ⑦ Neighbourhood hub   |
|  Fanhams neighbourhood                |  Indicative Corridor for Link Road including footpath and cycleway |
|  Priors Wood neighbourhood            |  Footpaths / Cycleway  |
|  Widbury neighbourhood                |   |









## 5. The Masterplanning Framework

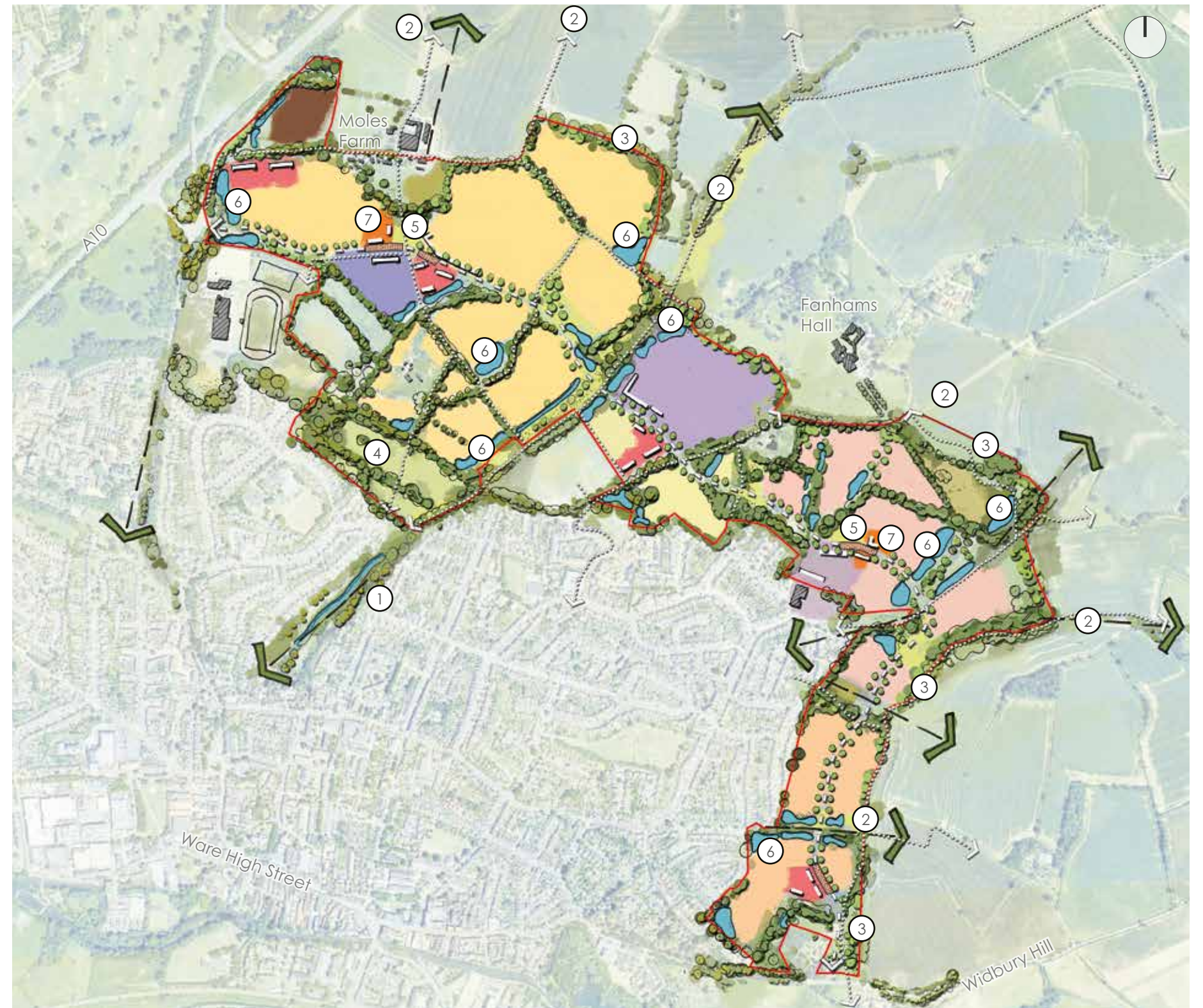
# Illustrative Layout Options

### Option 3

There are three options for the location of the new secondary school. This plan shows option three.

The only difference to the first option is that a new secondary school is located centrally within the Illustrative Layout. It serves to minimise walking distances for all residents and remains within walking distance of Wodson Park Sports and Leisure Centre to allow shared use of sports facilities.

- |   |   |
|---|---|
| <span style="display:inline-block; width:15px; height:10px; background-color:orange; border:1px solid black;"></span> Mixed use (including residential)       | ① Connections to The Bourne   |
| <span style="display:inline-block; width:15px; height:10px; background-color:red; border:1px solid black;"></span> Employment                                 | ② Connections to the Green Belt   |
| <span style="display:inline-block; width:15px; height:10px; background-color:blue; border:1px solid black;"></span> New primary school                        | ③ New Green Belt edge   |
| <span style="display:inline-block; width:15px; height:10px; background-color:purple; border:1px solid black;"></span> New secondary school                    | ④ Retained Cowfields  |
| <span style="display:inline-block; width:15px; height:10px; background-color:lightblue; border:1px solid black;"></span> Priors Wood Primary School expansion | ⑤ Neighbourhood green   |
| <span style="display:inline-block; width:15px; height:10px; background-color:brown; border:1px solid black;"></span> Travelling Showpeople                    | ⑥ Ponds and attenuation features  |
| <span style="display:inline-block; width:15px; height:10px; background-color:yellow; border:1px solid black;"></span> Moles Farm neighbourhood                | ⑦ Neighbourhood hub   |
| <span style="display:inline-block; width:15px; height:10px; background-color:lightyellow; border:1px solid black;"></span> Fanhams neighbourhood              | <span style="display:inline-block; width:15px; height:10px; border-top:1px dashed black; border-bottom:1px dashed black;"></span> Indicative Corridor for Link Road including footpath and cycleway |
| <span style="display:inline-block; width:15px; height:10px; background-color:lightcoral; border:1px solid black;"></span> Priors Wood neighbourhood           | <span style="display:inline-block; width:15px; height:10px; border-top:1px dotted black; border-bottom:1px dotted black;"></span> Footpaths / Cycleway  |
| <span style="display:inline-block; width:15px; height:10px; background-color:lightorange; border:1px solid black;"></span> Widbury neighbourhood              |   |









## 6. Framework Objectives

This section of the document illustrates how the Framework Objectives (set out on page 5) have been met in the development of the masterplan options.

Framework Objectives:

### Landscape Links

- A landscape led approach
- Defining the Green Belt edge

### Connected to Town and Countryside

- Celebrate the local community spaces
- Connecting to the context

### Placemaking

- A planned extension for Ware
- A vibrant & distinctive place



Landscape Framework



## 6. Framework Objectives

# Landscape Links



Artists Impression of The Bourne Green Link

### A Landscape Led Approach

The new neighbourhoods are set within a rich landscape network made up of a sequence of green spaces connected by green corridors.

Green corridors link north-south and east-west creating an interconnected living landscape of woodlands, trees, hedgerows and waterways where people can live close to nature. Three green corridors will incorporate a variety of sustainable drainage systems to mitigate the potential risk of flooding and through innovative design will seek to promote water efficiency as part of a comprehensive landscape strategy to enhance the sustainability of the site.

### Defining the Green Belt Edge

The new community is wrapped by a new Green Belt edge. This comprises a variety of different treatments responding to the surroundings.

Structure planting is proposed on the northern boundary, respecting the nearby listed buildings. Landscaping and planting, both within the site and peripheral, responds to the existing landscape and complements the development, as appropriate, providing a defined and recognisable boundary to the Green Belt.

“ Reconnect and enhance the natural landscape. ”





## 6. Framework Objectives

# Connected to Town & Countryside

### Celebrate the Local Community Spaces

#### Cowfields

Cowfields is retained as a natural community greenspace located where the new community meets the town of Ware. Highly valued by the local community Cowfields will be a space where new and old residents can enjoy the outdoors for gatherings, leisure and recreation.

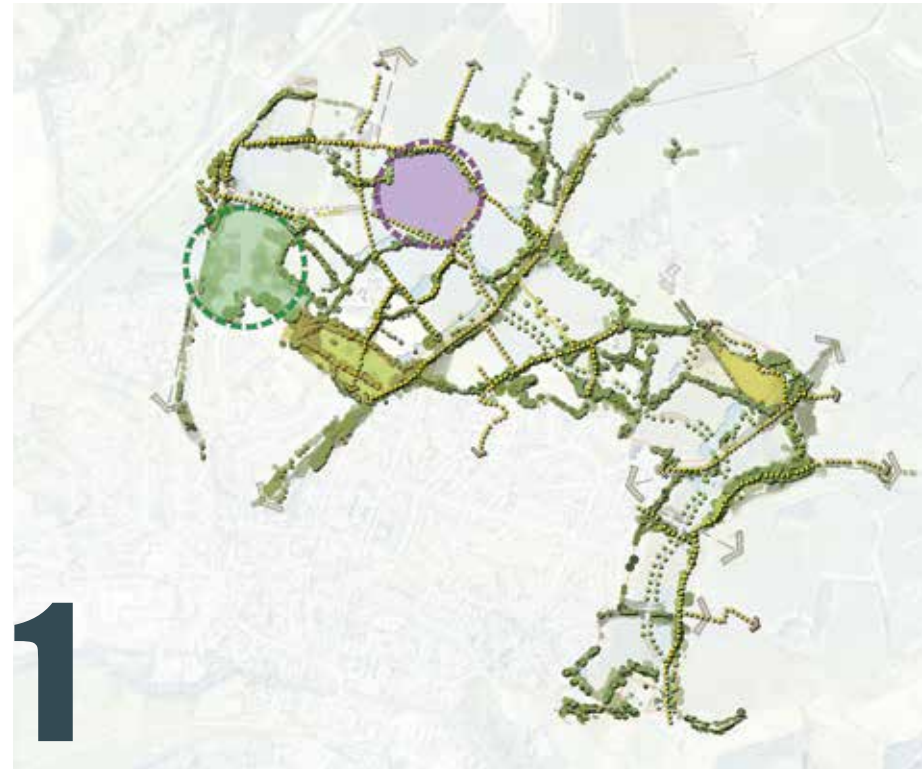
Situated on The Bourne corridor, Cowfields is one of a sequence of green spaces which lead from the town centre of Ware through the new community to the countryside.

#### Wodson Park Sports and Leisure Centre

Wodson Park Sports and Leisure Centre is a strong community asset located adjacent to the site. It includes indoor sports halls and fitness facilities and outdoor sports facilities including an athletics track, netball and tennis courts and 3G artificial turf football pitches.

The Masterplanning Framework provides footpath and cycle links to Wodson Park from the new neighbourhoods encouraging sustainable transport modes and healthy lifestyles.

All three illustrative layout options provide an opportunity for shared use of sports facilities between Wodson Park and the proposed secondary school. Access to additional sports provision for both existing and new residents will integrate the new development within Ware and encourage community cohesion.



1



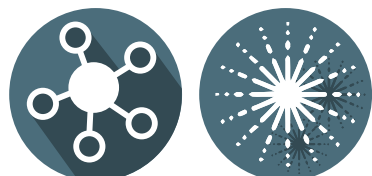
2



3

- New secondary school
- Wodson Park
- Cowfields
- Open space
- Footpaths / Cycleways

“ Retain Cowfields for community gathering and celebration. ”

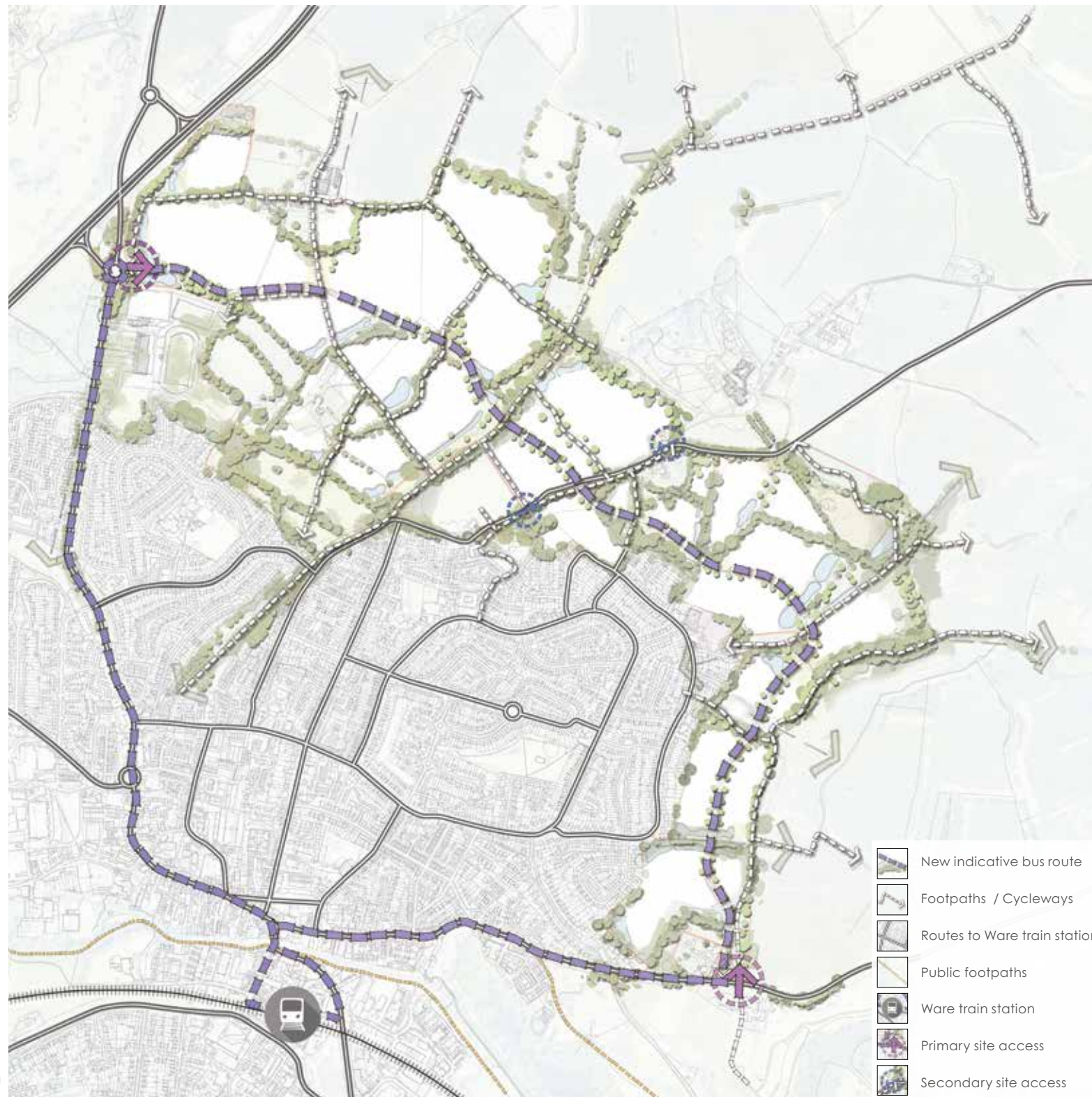


“ Provide links to Wodson Park as a focal destination. ”

”



## Connected to Town & Countryside



Movement Framework

### Connecting to the Context

#### Movement Strategy

A link road is proposed between Widbury Hill and the A10 to serve the new community and mitigate congestion elsewhere in the town. The alignment is indicative only at this stage of the design process. The exact route will be designed in detail as part of future planning applications, in accordance with the Hertfordshire Design Guide and Manual for Streets.

Design principles for the link road include designing for low vehicular speeds, providing bus priority and creating a high quality pedestrian and cycle environment, increasing opportunities for sustainable travel.

The link road will be designed to accommodate a bus route with all homes within walking distance of a bus stop. Bus stops will include real time bus information with buses timed to rail station departures encouraging modal shift and providing improved infrastructure and connections to Ware Railway Station and the town centre via a circular route running in both directions.

Comprehensive travel plans will be prepared as part of future planning applications, including travel plans for the new schools, residential dwellings and workplaces.

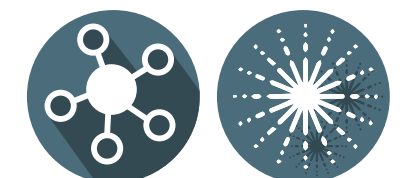
#### Walking & Cycling

The extensive network of existing public rights of way and bridleways are retained and the network is extended with new footpaths and cycleways through the site. New routes follow desire lines to neighbourhood centres, connect back to Ware and the Lee Valley Regional Park, encouraging sustainable movement.

The Masterplanning Framework will promote a permeable network of streets which consider the healthy streets indicators to facilitate behavioural change. Walking and cycling will be promoted through guided rides and walks, route signage and bicycle parking.

An electric bicycle scheme and electric vehicle charging points will be investigated further as part of the sustainable transport plans for the development.

“ A well-connected network of streets, footpaths & cycleways to encourage sustainable & active transport. ”





## 6. Framework Objectives

# Placemaking

### A planned Extension for Ware

Four new neighbourhoods are proposed each with a distinct character, providing a sense of ownership and belonging for the new residents. The new development will deliver a range and mix of dwellings including affordable housing to be planning policy compliant.

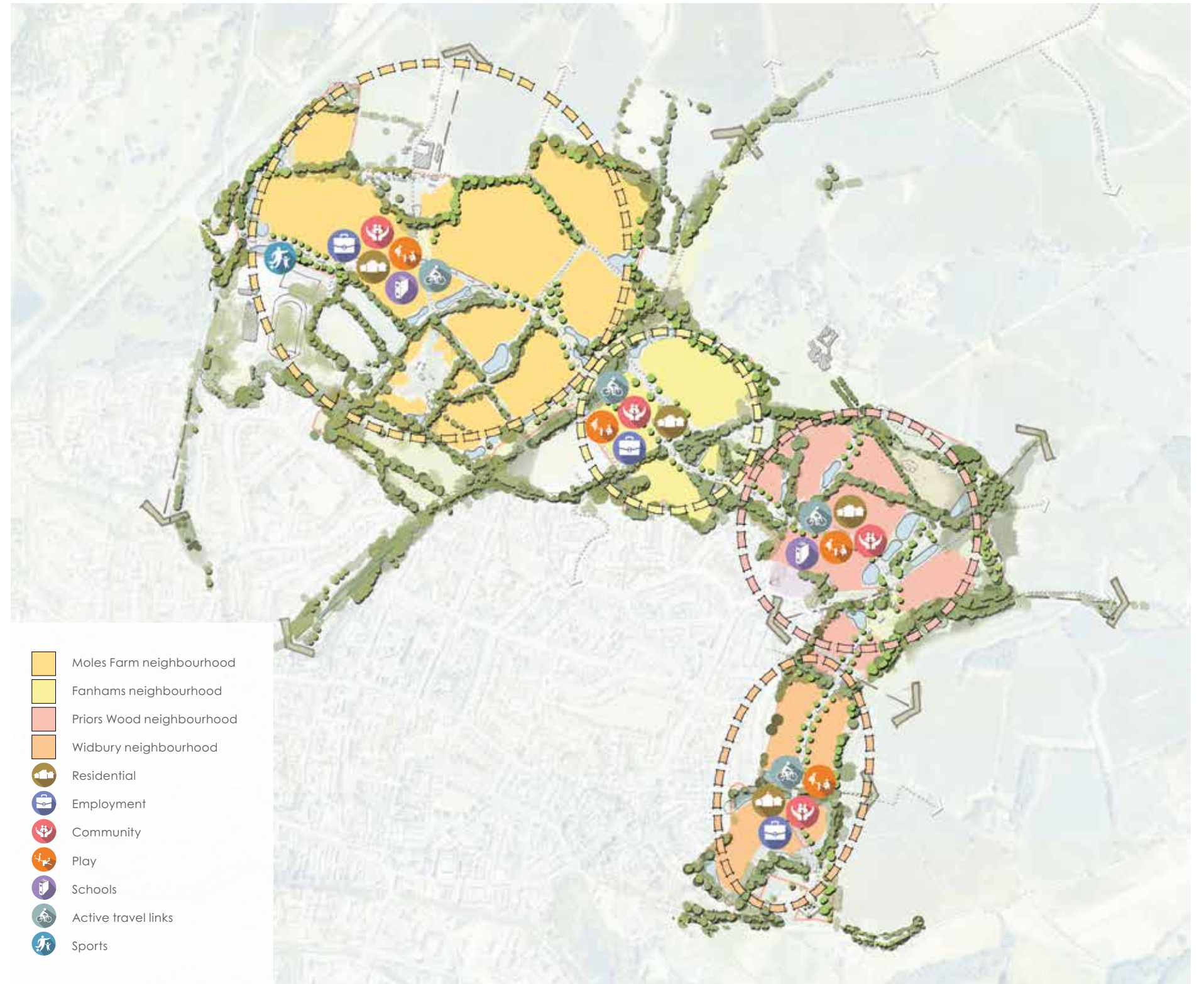
### Moles Farm Neighbourhood

Moles Farm neighbourhood is the gateway from the north via the A10. The community hub at the heart of the neighbourhood includes a mix of uses; education, employment, local shops and a doctor's surgery. The neighbourhood centre is arranged around a village green with children's and young people's play areas, existing footpaths connect back into the town centre passing through Cowfields on the way or northwards to the countryside.

### Fanhams Neighbourhood

Fanhams neighbourhood lies centrally within the new community, located either side of Fanhams Hall Road. Fanhams community hub is formed around a small scale employment area, referencing the character of the nearby Great Cozens farmstead buildings with regard to building form and character.

“New neighbourhoods with community hubs at their heart.”



Neighbourhood Framework



## 6. Framework Objectives

# Placemaking



### Priors Wood Neighbourhood

Priors Wood neighbourhood is formed around the extension to the existing Priors Wood Primary School on the northern edge of Ware.

The Priors Wood community hub fronts onto a green link between Ware and Fanhams Hall, including education and a community centre with indoor and outdoor sports provision.

### Widbury Hill Neighbourhood

Widbury Hill neighbourhood forms the gateway to the new community from the south-east. A small scale employment area lies at the entrance to the neighbourhood, a cluster of barn buildings will reflect the character of the Widbury Barns to the south of the site.

A green corridor through the centre of the neighbourhood, with play areas, attenuation ponds and an existing public right of way provides a landscaped link from Cozens Road on the edge of Ware to the open countryside.

### Character Areas

Each neighbourhood will comprise character areas which will be defined by the masterplanning context:

- the relationship with green corridors, woodland and the open space network,
- the density of the development including the mix and variation in house types,
- the activity and mix of uses including proximity to the neighbourhood centres.

Existing landscape character and features will help to shape the distinct character and function, and unique nature of each neighbourhood. These features will in turn define the distinct characters and the choice of materials.

Each character area will reflect the local character of Ware and its surroundings, referencing building style, architectural features and local materials reinforcing local distinctiveness, creating a 'sense of place' and identity for new residents. Further detail on the design of character areas will be provided in future planning applications.

*“ A thriving place where  
people are proud to live. ”*





## 7. Summary

Our vision is to deliver a comprehensively planned extension for the town of Ware meeting the needs of a growing community. The scheme seeks to promote sustainable practices throughout the design, construction and occupation of the site. The Land North and East of Ware provides:

- A new place sensitively shaped by the rich landscape fabric of the site, integrating woodland, trees and hedgerows into a green network connecting Ware and the countryside;
- A community comprising four distinct neighbourhoods, each with focal points at their heart. Hubs with a mix of shops, flexible employment spaces, schools, health and community centres establishing vibrant and thriving neighbourhoods;
- A connected place, knitted into the town through a network of green corridors providing safe walking and cycling routes. An interconnected sequence of green gathering spaces for relaxation and recreation, with Cowfields retained as a central focal natural greenspace in Ware.

Please note that the various proposed drawings and diagrams included in this document are at design concept stage and therefore do not provide precise representation of existing or proposed features at the land North and East of Ware.

### Scheme Benefits

The proposals will deliver a number of economic, social and community benefits for the new residents and community of Ware.

### Stewardship and Governance

- The delivery of the Land North and East of Ware includes a mechanism for:
- securing the long term stewardship, protection and maintenance of the parkland, open spaces, play areas and community assets;
  - managing the construction process to address potential impacts on existing and future communities;
  - encouraging a successful and active community, including an innovative approach to create the conditions for local resident participation in the design and stewardship of their new communities.

Landscape Links	Connected To Town & Countryside	Placemaking
<div><div></div><div><ol style="list-style-type: none"><li>1. The eventual delivery of around 1500 new high quality dwellings within a landscaped setting and with a strong sense of identity</li><li>2. The reinforcement and enhancement of the existing natural environment</li><li>3. A landscape led approach through the provision of a high quality landscape framework.</li><li>4. An integrated network of public open spaces.</li><li>5. A comprehensive SuDs strategy</li><li>6. Children's play areas within the landscaped setting</li></ol></div></div>	<div><div></div><div><ol style="list-style-type: none"><li>1. Well defined streets travelling through neighbourhoods, squares and greenspaces</li><li>2. An improved network of cycle and footpath links in and around the site</li><li>3. New bus service connecting the development to the town centre and train station which will run in both directions</li><li>4. Alternative modes of sustainable transport to be explored, which may include; car clubs, charging points and electric bikes</li><li>5. The retention of Cowfields as a natural community greenspace</li><li>6. Linkages to Wodson Park and shared use of sports facilities with proposed secondary school</li></ol></div></div>	<div><div></div><div><ol style="list-style-type: none"><li>1. The inclusion of different character areas throughout the site that reflect the features of the surrounding area</li><li>2. A new secondary school, a new primary school and land for the expansion of Priors Wood primary school</li><li>3. Neighbourhood centres including a vibrant mix of uses creating distinctive hubs</li><li>4. The delivery of affordable housing to be policy compliant and meet local needs</li><li>5. Buildings that frame and overlook the main streets and open spaces providing active frontages</li><li>6. Sustainable design and construction methods developed from the Building Futures Sustainable Design Toolkit</li><li>7. Opportunities for accommodating renewable energy will be explored</li><li>8. Smart Homes with fibre to the premises (FTTP) to be provided throughout the site</li><li>9. As per the requirement of Policy, the provision of a burial site on or close to the site will be explored.</li></ol></div></div>







ISSUED ON 17 SEPTEMBER 2019



Turley



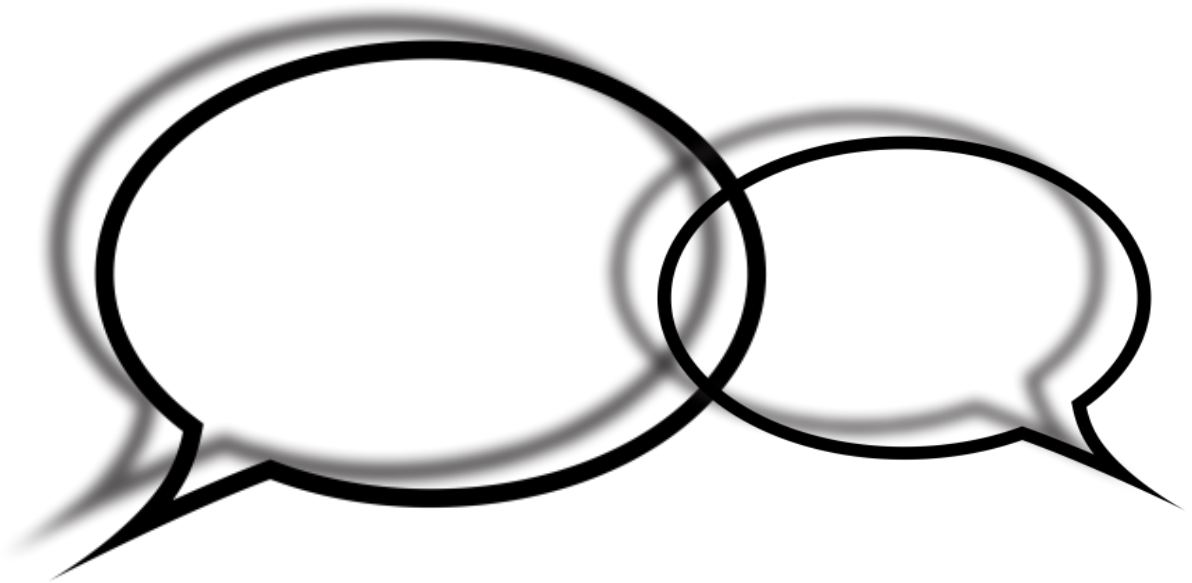
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# Statement of Community Involvement

October 2019



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## 1 Introduction

### What is the Statement of Community Involvement?

- 1.1** This Statement of Community Involvement (SCI) explains how East Herts District Council will involve the community in plan-making and in the consideration of planning applications. The planning system can be complex and the SCI aims to address uncertainty by setting out how the Council will engage with people at the various stages of the planning process.

#### The SCI sets out:

**WHEN** the community will be consulted on planning policy documents

**HOW** the Council will involve the community in the planning process, take into account views and provide feedback to those who engage

**WHAT** the Council involve the community on

**WHO** will be involved

### Why prepare an SCI?

- 1.2** Planning shapes the places where people live and work. Community engagement is fundamental to ensuring that stakeholders and the local community are involved with the planning system and have the opportunity to influence a wide range of planning decisions. The NPPF (2019) requires that local planning authorities engage early, proportionately and effectively.
- 1.3** The Council wants to involve all sectors of the community in the planning process and is committed to always either meeting or exceeding the minimum legal requirements for consultation set out in the Planning Regulations<sup>(1)</sup>. This approach is in accordance with East Herts District Council's Corporate Plan (2016-2020),<sup>(2)</sup> which has a priority to improve the wellbeing of communities by ensuring communities are engaged in local issues. As the Local Planning Authority (LPA), the Council has a legal duty to prepare an SCI in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (section 18).<sup>(3)</sup>

<sup>1</sup> Currently the Town and Country Planning (Local Planning) (England) Regulations 2012; the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017; The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended); Neighbourhood Planning (General) Regulations 2012; Neighbourhood Planning (General) (Amendment) Regulations 2015; The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017; The Town and Country Planning (General Permitted Development) (England) Order 1995.

<sup>2</sup> <https://www.eastherts.gov.uk/article/34767/Vision-Corporate-Priorities>

<sup>3</sup> As amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.



## Why revise the current SCI?

- 1.4** The Council's first SCI was published in 2008 and revised in 2013. Since then there have been changes to legislation and the District Plan has been adopted. There is now a statutory requirement to review the SCI every five years and also to include policies for giving advice or assistance on making and modifying neighbourhood development plans. Also, the Council's use of social media has increased over recent years and it is important that the SCI is updated to reflect this.

## Contacting us

### Planning policy

- 1.5** If you have any questions on the SCI or any other policy issues, please contact the planning policy team on 01279 655261 or via email to [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk). You can also contact us by post at East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.

### Development Management Service

- 1.6** If you have any questions about the planning application process, please contact the development management team on 01279 655261 or via email to [planning@eastherts.gov.uk](mailto:planning@eastherts.gov.uk). You can also contact us by post at East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.



## 2 Guiding Principles

### What are the guiding principles?

- 2.1** There are a number of principles that underpin the Council's approach to planning consultation, which reflect the aim to inform, consult and involve the community.
- 2.2** We will seek to ensure that:
- Consultation publications are clear and concise, making it obvious what is being proposed; how and when people can get involved; and with planning jargon used only where absolutely necessary;
  - It is easy for groups and individuals with little or no knowledge of the planning process to get involved;
  - Effective consultation is used as early as possible in the process;
  - Appropriate consultation methods are used in order to maximise opportunity for community involvement, including those who are hard to reach or seldom heard, while making sure that these processes are proportionate, i.e. cost and time effective;
  - We promote electronic methods of consultation, including email, website and social media, to make involvement easier, quicker and more cost effective;
  - We inform people how their consultation responses will be taken into account; how they can view the Council's response to issues they have raised; and also of opportunities to become further involved at any later stages;
  - Planning decisions are carried out in a transparent way;
  - Involvement will be open to all regardless of background and personal circumstance;
  - We involve representatives of a cross-section of stakeholders, ensuring that different needs and a view of different sections or groups of the community are considered;





- Written information (such as publications and leaflets) will be made available on request in accessible formats such as large print, Braille, audio, electronic format or translated into another language;
- All responses to consultations will be handled in accordance with the Council's Data Protection Policy and Guidelines, which are designed to ensure that the activities of the Council comply with the General Data Protection Regulation (2018) which came in to force on 25th May 2018.

**2.3** It is recognised that some parts of the community are less likely to get involved in some activities and may, as a result, be underrepresented in the consultation process. In East Herts our 'hard to reach' or 'seldom heard' groups may include young people, students, the elderly, ethnic minorities, Gypsies and Travellers, homeless people, single parent families, and people with disabilities. They may also include whole sections of the community living in the rural areas or more deprived areas of the district. We must also consider those who have difficulties accessing information and those with limited time to become further involved.

**2.4** Therefore, the way in which we consult is important to ensure that we try to encourage hard-to-reach groups to become fully involved in consultations from an early stage. These guiding principles set out the inclusive engagement methods that the Council will use (making use of current guidance and good practice) to encourage participation by people of all backgrounds. Examples of specific engagement we have used before include presentations at local schools to engage younger people and the use of summaries to make information more accessible.

**2.5** It is important to note that the Council reserves the right not to consider or include in its documentation any inappropriate comments submitted as a result of its consultations. These may include, but not be limited to:

- Discriminatory comments;
- Offensive or inflammatory remarks;
- Personal information - this will be redacted where needed.

**2.6** The SCI aims to ensure that all consultation is carried out in a professional, cost effective and coordinated way. The central role of elected council members as representatives of their community is unaffected by the SCI; councillors are important as representatives of the Council and the local community. Their knowledge of, and role within, the community can be used to great advantage and should be regarded as central to the determination and implementation of both consultations and policy decisions.



## 3 Planning Policy Documents

7

### Introduction

**3.1** This section outlines when, how and who the Council will consult when plan making. The planning policy framework for East Herts is set out in two types of document:

- **Development Plan Documents (DPDs)** - The Local Plan, together with the Minerals and Waste Local Plans for Hertfordshire and any adopted Neighbourhood Plans form the Development Plan for East Herts. These documents (as set out in Figure 1) are the basis upon which planning applications will be decided, unless there are material planning considerations that indicate otherwise. They are subject to various stages of community involvement and examination by an independent Inspector.
- **Supplementary Planning Documents (SPDs)** – These provide guidance to supplement the policies and proposals in the District Plan. They are not part of the development plan, but are a material consideration in planning decisions. SPDs cover a range of issues including topic based advice and site development briefs. They are subject to consultation but not to examination.

# Statement of Community Involvement 2019



Figure 1: Overview of planning policy documents



**3.2** Both development plan documents and SPDs must accord with national planning policy, be supported by technical evidence and informed by the views of residents, businesses and stakeholders, as appropriate.

**3.3** East Herts Council is responsible for producing the Local Plan, which sets out how the District will develop over the next 15 years. The most recent Local Plan, the East Herts District Plan was adopted in October 2018. It contains strategic policies and site allocations alongside detailed policies for determining planning applications. Minerals and Waste Local Plans are





produced by Hertfordshire County Council so East Herts Council is a statutory consultee but not directly involved in their production. The County Council has produced its own SCI for matters which it is responsible for.

**3.4** Neighbourhood Plans are led by Parish and Town Councils or Neighbourhood Forums. However, East Herts Council has a legal responsibility to advise or assist in the preparation of Neighbourhood Plans. Consideration of this role and the consultation involved is set out in section 4 of this SCI.

**3.5** Alongside the Development Plan and SPDs the Council also produces a number of other supporting documents:

- Statement of Community Involvement
- Local Development Scheme - A timetable setting out when documents will be produced
- Authority Monitoring Report - An annual report setting out the Council's progress against targets and policies

## Who will we consult?

**3.6** The Council wants to know the opinions of the people who live, work and visit East Herts. We are required to consult a wide range of statutory organisations and stakeholders during the process of preparing our planning policies. However the Council is also committed to involving as many local people, groups and organisations as possible in the preparation of the Local Plan and SPDs.

## Specific and General bodies

**3.7** We are legally required to consult a range of specific and general consultees when preparing planning policy documents. These are groups with particular knowledge in certain areas or those that represent specific interest groups. The regulations allow councils to select 'such of' the Specific and General Consultation Bodies that may have an interest and/or the 'local planning authority consider appropriate' to the consultation document being prepared.

**3.8** These consultation bodies are defined in appendix A but include:

- Hertfordshire County Council
- Adjoining local authorities
- Parish or town councils within or adjoining East Herts
- Organisations that represent business interests in East Herts
- Organisations that represent the interests of specific parts of the community
- Infrastructure providers
- National agencies or bodies



## Other consultees

**3.9** Legally the Council must also notify and consult such residents or other persons carrying out business as they consider appropriate. This includes those that have asked to be consulted. The Council recognises that the views of the wider community are important and consults a range of groups and individuals as relevant to the scope and subject of the planning document. These may include the following:

- Residents' Associations
- Social, economic and environmental organisations
- Developers, agents and landowners

**3.10** The Council maintains a database of people and organisations and will consult them where relevant. Individuals, groups and organisations who want to be involved in future planning policy consultations can be added to the database. They can register on the Council's consultation portal <http://consult.eastherts.gov.uk/portal> or contact the Planning Policy Team. Consultees on the database will also be emailed copies of the District Planning Bulletin as new editions are published.

**3.11** The purpose of holding your personal information is to assist in preparing Development Plan Documents and other supporting documents such as SPDs.

## Duty to Cooperate

**3.12** In accordance with the Localism Act 2011, East Herts Council has a 'duty to cooperate' with neighbouring authorities and various public bodies on strategic matters that cross administrative boundaries. These bodies are engaged throughout the plan preparation process and play a key role in delivering local aspirations. Cooperation is vital to ensure planning policies are effective. Duty to Co-operate bodies are listed in appendix A and include:

- Hertfordshire County Council
- Adjoining District/Borough Councils
- The Environment Agency
- Historic England
- Civil Aviation Authority
- Homes England
- Clinical Commissioning Group
- National Health Service
- Office of Rail Regulation
- Highways England



- Hertfordshire Local Nature Partnership
- Hertfordshire Local Enterprise Partnership

## When will we consult?

- 3.13** The Council will undertake consultation at various stages in the plan preparation process. The main opportunities for community involvement are set out in tables 1 and 2. These are in accordance with the Town and County Planning (Local Planning) England) Regulations 2012 as amended<sup>(4)</sup>. As a minimum, we will ensure we comply with the planning regulations but consult more widely where it is relevant and appropriate to do so.

**Table 1: Stages in the preparation of the Local Plan**

Stage	Consultation opportunities
Preparation and evidence gathering	Early consultation with relevant stakeholders may be used to inform research and evidence gathering.
<b>Regulation 18</b> - Public participation in preparation of the plan	Key opportunity to engage the community in the emerging Local Plan  Minimum 6 week consultation
<b>Regulation 19 &amp; 20</b> - Publication and consultation on Submission Local Plan	After taking into account representations (comments) and considering the previous draft, the Council will publish the 'submission' version of the Local Plan. This is essentially the final draft of the Local Plan.  Minimum 6 week consultation.  At this stage representations must relate to the soundness of the plan prior to submission to the government.
<b>Regulation 22</b> - Submission to the Government	The Local Plan will then be submitted to the government for examination.



# Statement of Community Involvement 2019



12

Stage	Consultation opportunities
	A summary of all the consultation, the main issues raised and how these were taken into account will be submitted alongside the Plan.
<b>Regulations 23 to 25</b> - Examination	An independent Inspector will be appointed to examine the Local Plan.  Relevant consultees and those who made a representation at the submission consultation stage (Reg 20) will be notified of the Examination.
<b>Regulation 26</b> - Adopt	Following the Examination the Inspector will publish a report which assesses the 'soundness' of the planning document. If considered to be significant 'material changes' the Inspector can advise a further round of public consultation.  East Herts Council will incorporate the Inspector's recommendations and then formally adopt the Local Plan.

**3.14** Supplementary Planning Documents do not have to go through the formal examination process, but consultation with stakeholders and the wider community is still a vital part of the preparation process. The scope of consultation and decision on who will be consulted will reflect the nature of the SPD.

**Table 2: Stages in the preparation of the Supplementary Planning Documents**

Stage	Consultation opportunities
Preparation and evidence gathering	Depending on the content and scope of the SPD early consultation with relevant stakeholders may be used to inform research and evidence gathering.
<b>Regulations 12 &amp; 13</b> - Public participation in preparation of the plan	Key opportunity to engage the community in the emerging SPD.  Minimum 4 weeks of consultation.



## Regulation 14 - Adoption

After taking into account representations, the Council will formally adopt the SPD.

## How will we consult?

**3.15** The Council can use a variety of methods to engage and consult with the community as and where appropriate. The scope of the planning document and the availability of resources will influence how the Council consult. The list below is not definitive, but it includes the statutory requirements and sets out some of the effective and practical methods we will consider throughout the plan making process:

- Notify relevant consultees in writing (including email) when a document is published for consultation. Encourage the use of email where possible to reduce costs.
- Email updates from the Planning Policy database about consultation and other relevant planning matters. This could include the planning newsletter 'Planning Bulletin'.
- Ensure planning policy consultations are publicised and available to view on the council's website [www.eastherts.gov.uk](http://www.eastherts.gov.uk). People can comment on documents online using the consultation portal during consultation periods.
- Make sure paper copies of consultation documents are available on display at specific locations across the District.
- As appropriate, use different media types to inform residents, local groups and organisations about planning consultations as well as publicising the methods of responding to a consultation. Methods could include social media, local newspapers, Link magazine, the planning bulletin, posters, leaflets, exhibitions.
- Increase use of social media (such as Twitter, Facebook and Instagram), in accordance with corporate guidelines, as an important tool for publicising consultation and involving the wider community in planning discussions.
- Where appropriate, hold stakeholder meetings and workshops to inform evidence gathering and the plan development.
- Where appropriate, organise or support other consultation events, such as community based planning meetings. These events will be at accessible times and locations.
- Appropriate feedback from councillors will be sought by taking the documents to relevant committee meetings.

## How should people respond to consultations?

**3.16** Comments can be made as follows:



- using the Council's online consultation portal <http://consult.eastherts.gov.uk>
- by email [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk)
- by post to East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

**3.17** It is easy to register and respond via the online consultation portal and all the consultation documents and sections can be easily viewed and downloaded in pdf format. You can then submit comments against the relevant part of the document. The portal is particularly useful for managing a high volume of consultation responses efficiently. The Council can provide help on how to use it if required.

## How will we respond to comments?

**3.18** The Council will take account of all comments received within the consultation period. Once comments are received we will:

- Send confirmation that comments have been received;
- Publish all comments received as soon as feasible;
- Comments received in hard copy format will be made available online in an appropriate format where practicable (either scanned or typed up), or if not practicable, the original documents will be available for viewing at the Council offices upon request;
- Petitions will be addressed in accordance with council policy. Details about the process are set out on the website: [www.eastherts.gov.uk/petitions](http://www.eastherts.gov.uk/petitions);
- Standard responses will be considered collectively;
- We will respond to comments or a summary of the main issues raised by the comments, explaining how these have been considered. This process will be reported to either the District Planning Executive Panel or Executive and subsequently recommendations will be agreed by Full Council.





- At the required stages we will produce a consultation statement setting out who was consulted, the main issues raised and how those issues have been addressed.
- We will inform all those people who have requested to be notified of the adoption of future development plan documents and SPD's, when they have been adopted, including details of where and when they can be inspected.



## 4 Neighbourhood Planning

### Introduction

**4.1** Neighbourhood planning in East Herts is led by parish and town councils or designated Neighbourhood Forums. However, East Herts District Council has a legal responsibility to advise or assist in the preparation of Neighbourhood Plans. The main aspects of Neighbourhood Planning are:

- Neighbourhood Development Plans - a local framework for guiding the future development, regeneration and conservation of an area;
- Neighbourhood Development Orders - a way for Town and Parish Councils or designated Neighbourhood Forums to grant planning permission for certain kinds of development within a specified area;
- Community Right to Build Orders - a special kind of Neighbourhood Development Order, which grant planning permission for certain development schemes.

**4.2** A Neighbourhood Development Plan has to follow a similar process to that carried out by the Council for a Local Plan, including public consultation and an examination process. However, there is an additional step of a local referendum whereby if more than half the vote is in favour, the plan must then be adopted by the Council. Once brought into legal force, a Neighbourhood Plan will form part of the statutory Development Plan and decisions on whether or not to grant planning permission in the Neighbourhood Area will need to be made in accordance with it, unless material considerations indicate otherwise.

**4.3** There are currently five adopted Neighbourhood Plans in East Herts and one non-adopted Plan that has reached statutory stage. Details about the production of all Neighbourhood Plans is set out on the Council's Neighbourhood Planning webpage, which is updated regularly: <https://www.eastherts.gov.uk/neighbourhoodplanning>

### When and how are we involved in plan consultation?

**4.4** The process for preparing Neighbourhood Plans and Orders is set out in the Regulations.<sup>(5)</sup> We have published our own guidance on Neighbourhood Planning which is available on the Council's website and outlines the key stages of the preparation process and how the Council will work with groups to prepare Neighbourhood Plans. The Locality Neighbourhood Plans Roadmap Guide also provides additional advice and is available on its



website. A summary of the plan preparation process and how we guide and assist the neighbourhood planning process is set out in table 3. Where the Council consults on the NP, the guiding principles outlined in section 2 will be applied.

**Table 3: Stages in advising and assisting Neighbourhood Plan groups**

Stage	Consultation opportunities and who leads on the consultation
<b>Regulation 6 &amp; 9</b> - Receipt of a Neighbourhood Area Designation	<p>The Council will consult for a minimum of 6 weeks.</p> <p>We will publish the application on the website and inform local people in the relevant locality.</p>
<b>Regulations 7 &amp; 10</b> - Publishing designation of Neighbourhood Area/ Forum	<p>If the Council approves the application, we will publicise the decision on the website.</p> <p>If refusing, the Council will publish the reasons for the decision and details about where it can be viewed.</p>
<b>Regulation 14</b> - Publicity of a Neighbourhood Development Plan prior to submitting to the Council (Reg 14)	<p><b>Led by the Parish/ Town Council or Neighbourhood Forum.</b> The NF can determine how to consult at this stage but they must draw up a consultation statement, setting out who and how they have consulted for the next stage of the process.</p> <p>They will consult for a minimum of 6 weeks.</p> <p>Ensure that they consult the relevant consultation bodies and bring the plan to the attention of people who live, work or carry on business in the area to which the plan relates.</p> <p>Send to East Herts District Council. The Council will advise on the content of the Neighbourhood Plan and provide advice</p>





	on key assessments such as the Strategic Environmental Assessment (SEA) or other evidence.
<b>Regulation 16</b> - After Neighbourhood Plan is submitted to the Council.	If the Council agrees that the Neighbourhood Plan meets the legal requirements we will publicise the final version of the Plan for a minimum of 6 weeks.
Examination, referendum and adoption	<p>The Plan will be examined by an Inspector and a report issued.</p> <p>The results of the examination will be published. The Council will decide if the Plan should move forward to a referendum, publicise that decision and the reasons for it and then coordinate a referendum.</p> <p>Following a successful referendum the Council will adopt the NP and notify any person that has asked to be notified.</p>

## How does the Council make decisions at each stage?

- 4.5** The District Council, as noted in Table 3, needs to make a number of decisions to support a Neighbourhood Development Plan through the process. Table 4 below clearly sets out the different decision-making process behind each of the steps. The Non-key decision process is explained in the glossary.

**Table 4: Decision-making stages for Neighbourhood Plan process**

Stage	Decision-making Process/Body
Regulation 7 & 10	Executive Committee
Regulation 14 Comments	Non-key Decision
SEA	Non-key Decision
Consideration of Examiners report and decision to proceed to referendum	Non-key Decision
Making the Neighbourhood Plan	Full Council



## How do I respond to a Neighbourhood Plan consultation?

- 4.6** Whilst the first statutory (Regulation 14) consultation is run by the Parish Council or Neighbourhood Forum, the second (Regulation 16) is run by East Herts District Council and so is the initial consultation for the application for designation of a neighbourhood area. During these consultations, comments must be made in writing either in hard-copy form or digitally via email.
- 4.7** All comments submitted by email should be sent to: [planningpolicy@eastherts.gov.uk](mailto:planningpolicy@eastherts.gov.uk)
- 4.8** All comments sent by the post should be sent to: Planning Policy, East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ
- 4.9** At the Regulation 16 stage all representations made will be submitted to the examiner for their consideration.



## 5 Harlow and Gilston Garden Town

### Introduction

- 5.1** Harlow and Gilston was designated as a Garden Town in 2017 by the Ministry for Homes, Communities and Local Government. A significant amount of development is proposed in this area within East Herts, Epping Forest and Harlow Districts. The three local authorities, together with Hertfordshire and Essex County Councils are working together to deliver growth at the Garden Town which reflects local priorities. The individual Councils remain the decision-makers for both policy documents and planning applications within their local authority area, but the current governance and management arrangements have been set up to help ensure collaborative working:
- **Garden Town Board** – comprising members and officers from each of the five authorities, for discussion of joint matters. Board members can consider and endorse technical studies, policy guidance and other emerging work relating to the Garden Town and can make recommendations back to their separate authorities. The Garden Town Board is not a decision-making body and will typically not engage separately with stakeholders or the community. It is represented in that respect by those individual authorities who remain the decision-makers in terms of their respective functions and duties.
  - **Garden Town officer groups** – comprising officers from each of the five authorities and other stakeholders where appropriate as a forum for joint-working, including preparing and sharing technical studies, policy guidance and other emerging work relating to the Garden Town. Documents may subsequently be considered by the Member Board and then for adoption or approval by the individual authorities.
  - **Garden Town Quality Review Panel** – a design panel which can review any emerging work relating to the Garden Town, including development proposals from landowners / developers. The Panel provides an independent critique in relation to matters presented to it. Its recommendations and observations may then be considered by applicants or the local authorities.





- **Garden Town Developer Forum** – comprising landowners, developers and promoters active in the Garden Town, for discussion and engagement in relation to planning policies, guidance, evidence and the sharing of information in respect of masterplans and planning applications.
- **Gilston Area Steering Group** – comprising representatives of the local authorities, parish councils, neighbourhood plan groups and developers in the Gilston Area in accordance with the terms of engagement set up for the Steering Group. The group is a forum for discussion and for co-ordination of community engagement.

**5.2** However, given the cross-boundary implications of development at Gilston, the Council has agreed the following consultation principles with Harlow and Epping Forest Councils.

## Agreed consultation principles

**5.3** The following consultation principles should be taken into account when consulting on policy and other documents and planning applications relating to land and sites which form part of the Garden Town:

- We will consult statutory consultees, and as appropriate, engage as proactively as possible with relevant local stakeholders and the community in and around the Garden Town, including across district boundaries. The extent of consultation will reflect the scope of a proposal or document.
- We will consult on planning applications for at least the statutory period, but for a longer timescale when appropriate.
- Developer, business or community forums and engagement may be set up/undertaken to assist the joint working and delivery of the Garden Town.
- Masterplans, design coding and application proposals will be taken to the Garden Town Quality Review Panel for independent design advice and critique.
- Documents relating to the Garden Town may be endorsed by the Garden Town Board to indicate that they should be taken into account when shaping and informing planning proposals. However, they will need to be approved by the individual local authorities if they are to be considered material planning considerations in planning decision-making



## 6 Planning Applications

### Introduction

- 6.1** For many people, the submission of a planning application is the first experience of the planning system, either as an applicant submitting an application, or in relation to applications on a neighbouring or nearby site. While some development can be carried out as Permitted Development,<sup>(6)</sup> a significant amount of new development in East Herts will require planning permission.
- 6.2** There are a number of different types of planning application, with the type of application determined by the size, scale and nature of the proposed development. Whilst the process for consulting on all types of planning application is similar, there are some differences. As a minimum the relevant statutory requirements will always be met.
- 6.3** There are four key stages to the planning application process:
- **Pre-application-** before an application is submitted, a developer is encouraged to engage with the Council, stakeholders and the community about its proposals.
  - **Application-** a planning application is submitted to the Council.
  - **Decision-making-** a decision is made either by a planning committee or delegated officer.
  - **Appeals-** the application has a right to appeal if they disagree with the decision to refuse permission.
- 6.4** This section of the SCI therefore sets out the Council's approach to consulting and notifying statutory bodies and the wider community before and after planning applications are submitted.

### Who will we consult?

- 6.5** The Government sets out minimum requirements for consultation in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended).
- 6.6** The legislation identifies statutory consultees that the council must engage with. These include environmental organisations (such as Natural England, the Environment Agency and Historic England) and local services and infrastructure providers (including Highways Agency, Hertfordshire County

<sup>6</sup> Permission to carry out certain limited forms of development without the need to make an application to a local planning authority, as granted under the terms of the Town and Country Planning (General Permitted Development) Order 2015. The Planning Portal website is a useful resource for explaining when planning permission is required.



Council and utilities companies). The local community is also engaged as appropriate. The scale of consultation reflects the type and stage of the planning application.

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## How and when will we consult?

### Masterplan process

- 6.7** All significant development proposals in the district are required to prepare a masterplan because the Council is committed to delivering well designed growth. They should deal with a range of issues including landuse, infrastructure and design and once endorsed by the Council they are used as the basis by which planning applications on site will be determined.
- 6.8** Policy DES1 of The East Herts District Plan (2018) outlines the approach that will be taken to masterplanning. The significance of a development will be measured not only on its scale, but on the potential impact on the community and the local character of a place. Generally a threshold of fifty homes or more will apply, however in some cases a smaller scale of development may be considered to have a significant effect.
- 6.9** Masterplans must involve collaboration with East Herts District Council, other stakeholders and the local community, including town/ parish councils. Engagement from an early stage should inform the development of the master plan. Steering groups have been established for each town in the district to help inform the development of strategic sites allocated in the adopted District Plan. These often comprise of East Herts councillors, town and parish councillors, representatives of the local community and other interested groups, where appropriate. Membership of the steering groups will be determined on a site by site basis, depending on the local issues and circumstances. Wider public participation should also be undertaken as appropriate. An approach to masterplanning was agreed by Full Council in October 2017 and details are explained online: [www.eastherts.gov.uk/masterplans](http://www.eastherts.gov.uk/masterplans)

### Pre-application advice

- 6.10** Before submitting a planning application, we advise and encourage potential applicants to seek pre-application advice from the Council.<sup>(7)</sup> It is not a statutory requirement, but it allows for the identification of any issues, concerns and constraints at an early stage. This may help avoid delays or a refusal once a planning application has been submitted.<sup>(8)</sup>

<sup>7</sup> It should be noted that, in respect of the pre-application service, any advice given at this stage is not binding and there are no statutory requirements for pre-application discussions. Because of the resources involved in providing pre-application advice, in many cases it is necessary to charge a fee for this service

<sup>8</sup> It could also be helpful to have pre-app discussions with other relevant agencies including Hertfordshire County Council, Thames Water and the Environment Agency.





- 6.11** This service allows the Council to provide advice and guidance to potential applicants on development proposals prior to the submission of any application. Subsequently, in accordance with the advice provided, amendments can be made to proposals prior to the submission of a planning application. Free advice may be available depending on the application type. However, for other application types there is a charge due to resource implications. Details of the pre-application process is set out on website: <https://www.eastherts.gov.uk/preapplicationservice> A duty planner is also available at certain times to provide general planning advice.
- 6.12** The advice provided by case officers during the pre-application process is based on the professional judgement of the officer and is therefore informal and not binding on any subsequent formal decision made by the Council. If a scheme progresses to a formal submission it will be subject to consultation and any formal decision will take the results of that consultation into account.
- 6.13** The submission of a request for pre-application advice and the advice provided is generally treated as private and confidential. Therefore, the submitted information is not made available to the public via our online portal of applications, nor are any surrounding neighbours notified<sup>(9)</sup>. Therefore, the public are generally not provided with the opportunity to comment upon such enquiries.

## Pre-application consultation

- 6.14** We do not tend to consult statutory consultees on requests for pre-application advice. However, there may be instances where consultation with other teams within the Council is required to aid the advice provided, for example on proposals which relate to Listed Buildings or major development proposals.
- 6.15** Pre-app consultation is not legally required for most types of development. It is however strongly encouraged that applicants involve the community in formulating their proposals as early as possible, particularly if the site is particularly sensitive or would have a significant impact on local communities. This is advised to assist in addressing any issues that may arise from the community and may help to avoid unnecessary objections during the consideration of a planning application.
- 6.16** For large scale major developments, it is expected that the applicant carries out pre-application consultation which may involve:
- public meetings and exhibitions
  - Individual letters or leaflets
  - Engagement with parish/ town councils

<sup>9</sup> It should however be noted that in accordance with the requirements of the Freedom of Information Act, any pre-application advice given by the Council cannot always be considered to be confidential.



- Engagement with Design Review Panels
- Social media

## Application stage

- 6.17** Once an application has been submitted, East Herts District Council will always meet its statutory consultation requirements as a minimum. The formal consultation period will normally last for 21 days.
- 6.18** Formal consultation on planning applications will be undertaken in accordance with article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and regulations 5 and 5A of The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) or any amending orders, and any relevant consultation directions<sup>(10)</sup>. Table 5 sets out the consultation methods used by the Council.

**Table 5: Consultation methods used to publicise planning applications**

Type of application	Site notice	Site notice or neighbour notification letter/ email	Press notice in local paper	Parish Council notification	Website	Ward member notification
Major development		✓	✓	✓	✓	✓
Minor Development		✓		✓	✓	✓
Householder Applications		✓		✓	✓	✓
Applications subject to EIA which are accompanied by an Environmental Statement		✓	✓	✓	✓	✓
Applications that do not accord with the development plan	✓	✓	✓	✓	✓	✓

<sup>10</sup> The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) includes powers for the Secretary of State to direct local planning authorities that additional consultation must take place in specific circumstances. These are referred to as 'consultation directions'.



Listed Building applications and applications affecting the setting of a Listed Building		✓	✓	✓	✓	✓
Applications relating to an advertisement				✓	✓	✓

**6.19** All new applications can be viewed on the Council's website. People can also use pre-set searches to see weekly lists of planning applications received or determined.

**6.20** Where an application falls within a Conservation Area, a site notice may be required, the council will advise. Prior Notification applications will be publicised as set out in the relevant regulations, the council will advise. There is no statutory requirement to consult on the following types of applications:

- Certificates of Lawfulness of proposed use or development;
- Certificates of Lawfulness of existing use or development;
- Approval of details/ discharge of conditions;
- Non-material amendments.

**6.21** People can respond to applications online. Alternatively comments can be made by email or post.

## How will the Council deal with consultation responses?

**6.22** All comments received will be made publicly available online alongside the planning application documents. It is important to note that the Council reserves the right not to consider or include in its documentation any inappropriate comments submitted as a result of its consultations.

**6.23** The Council will take account of all responses received as a result of its consultations on planning applications where the issues raised are material planning considerations. These comments will be considered in the officer's report.

**6.24** All relevant planning issues raised within the consultation period will be taken into account in the Planning Officer's report to help inform the recommendation.





## Amendments to applications during the consideration of the application

- 6.25** Following the initial period of consultation, it may be that further additional consultation on changes submitted by an applicant prior to any decision being made, is considered necessary. In these cases it is up to the Council to decide whether further publicity and consultation is necessary, and the requirement to consult will be determined based on whether the proposed changes are significant and whether there were objections or concerns raised in the original consultation stage. Where it is decided that re-consultation is necessary, it is open to the Council to set the timeframe for responses which is likely to be for a period of 14 days or less.

## Decision stage

- 6.26** Once the consultation period has concluded, the Council will determine the planning application. It is therefore important to make comments before the statutory deadline for the end of the consultation period.
- 6.27** The Council typically deals with around 2,600 applications per year; most of these (over 90%) are determined by planning officers under delegated powers granted to them by the Committee.
- 6.28** The remaining applications are determined by the Development Management Committee. This Committee generally meets every four weeks and handles the larger and more complex applications, in accordance with the criteria set out in the Council's Constitution. If the application is to be considered by the Development Management Committee, we will inform anyone who responded to the consultation before the meeting takes place.
- 6.29** The Council allows supporters, objectors and town/parish council representatives to make a short oral statement to the Development Management Committee on any of the planning applications which are being considered by the Committee<sup>(11)</sup>
- 6.30** Development Management Committee meetings are webcast.

## After a decision is made

- 6.31** The Council will:
- Publish the decisions on all planning applications on its website.
  - Write back to respondents (by email if possible and by post where no email address is available) to inform them of the Council's decision

11 One person may be allowed to speak in support of an application, and one person to speak in objection to each application at the meeting. Each person or group of people opposing or supporting the proposal will be allowed up to three minutes (or five minutes for strategic sites allocated in the District Plan) to speak to the Committee. How to register to speak and the rules for these meetings are explained in greater detail on the Council's website <http://www.eastherts.gov.uk>



## Appeals

- 6.32** An applicant may appeal to the Planning Inspectorate against a refusal or contest any of the conditions imposed to the granting of permissions or the non-determination of an application. The council will inform all those people who responded to the consultation on the original planning application (although the rest of the appeal procedure will be handled by the Planning Inspectorate)<sup>(12)</sup>

## Enforcement

- 6.33** Planning Enforcement is concerned with works which have taken place in breach of normal planning controls. Where a breach of planning control is reported, an officer will investigate and assess the complaint, gather evidence and establish what, if any, the most appropriate course of action should be. Many investigations result in the submission of a planning application to try and regularise a breach. This means the community will be involved in the same way as any other planning application. If a breach cannot be regularised the council will consider formal enforcement action. Officers are delegated to make these decisions on behalf of councillors. The council will ensure that the complainant is informed of decisions made in relation to the case. Further details about the process are set out in the Planning Enforcement Plan.

12 Further information on the appeals process is available on the Planning Inspectorate website:  
<http://www.planning-inspectorate.gov.uk>



## 7 Appendix A - Specific and General Consultation Bodies

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### Specific and General Consultation Bodies

In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

Specific consultation bodies means:

- The Coal Authority;
- Environment Agency;
- Historic England
- Natural England;
- Network Rail Infrastructure Limited
- the Highways Agency
- Hertfordshire County Council
- Adjoining local authorities
- Parish and town councils within and adjoining East Herts
- Local policing body
- any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003;
- any person who owns or controls electronic communications apparatus situated in any part of the area of the local authority;
- any of the bodies from the following list who are exercising functions in any part of the area of the local authority:
  - Primary Care Trust (now known as Clinical Commissioning Group - CCG);
  - person to whom a licence has been granted under Section 7(2) of the Gas Act 1986;
  - person to whom a licence has been granted under section 6 (1) (b) or (c) of the Electricity Act 1989
  - sewage undertaker;
  - water undertaker;
  - Homes and Communities agency.

General consultation bodies means:

- voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
- bodies which represents the interests of different racial, ethnic or national groups in the local planning authority's area,





- bodies which represent the interests of different religious groups in the local planning authority's area,
- bodies which represent the interests of disabled persons in the local planning authority's area,
- bodies which represent the interests of persons carrying on business in the local planning authority's area,

## **Duty to Cooperate Bodies for East Herts**

In accordance with the Localism Act 2011 and Town and Country Planning (Local Planning) (England) Regulations 2012

- Neighbouring Authorities
- The Environment Agency
- Historic England
- Natural England
- The Civil Aviation Authority
- Homes and Communities Agency
- Each Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;
- Office of Rail Regulation
- Each Integrated Transport Authority
- Highway Authority
- Local Enterprise Partnerships
- Local Nature Partnerships



## 8 Appendix B - Glossary

- 8.1 Deposit or Inspection Point:** Locations across the district where consultation documents can be viewed.
- 8.2 Development Plan:** This includes adopted Local Plans, Mineral and Waste Plans and Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.
- 8.3 Development Plan Documents:** A generic term for the different plans that constitute the Development Plan.
- 8.4 Environmental Impact Assessment (EIA):** A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.
- 8.5 Local Development Scheme (LDS):** The Local Authority's timetable for the preparation of Development Documents.
- 8.6 Local Plan:** The District Plan which sets out the Council's planning framework for the district. It consists of a Written Statement and Policies Map.
- 8.7 Masterplan:** A plan that shows an overall development concept that includes urban design, landscaping, infrastructure, service provision, movement, present and future land-use and built form.
- 8.8 National Planning Policy Framework (NPPF):** Sets out the Government's planning policies for England and how these are expected to be applied.
- 8.9 Neighbourhood Plan:** A plan prepared by a Parish/ Town Council or Neighbourhood Forum for a particular neighbourhood area.
- 8.10 Non-key Decision:** Executive decisions taken by Executive Members and Officers on less significant matters, rather than using the relevant committee process.
- 8.11 Strategic Environment Assessment (SEA):** A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.
- 8.12 Supplementary Planning Documents (SPDs):** Documents which add further details to the policies of the Local Plan. These documents are not part of the development plan, but are material considerations in planning decisions.



## 8.13

Disclaimer- This glossary is neither a statement of law nor an interpretation of law, and its status is only as an introductory guide to planning issues and it should not therefore be used as a source for statutory definitions.



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# East Herts Retail Frontages: Design & Signage SPD

October 2019





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# 1 . Introduction



## 1 Introduction

### The Purpose of this Guidance

- 1.1** This Supplementary Planning Document (SPD) has been produced by East Herts District Council as a material consideration to be taken into account when determining planning applications or listed building consents for works to or for new shopfronts and advertisement consents for the display of signage. The advice advances the policy requirements set out in the National Planning Policy Framework (July 2018) and the relevant policies of the East Herts District Plan 2018.
- 1.2** The aim of this SPD is to provide guidance to applicants, agents, architects, retailer and independent traders on the requirements for high quality retail frontages, the replacement of existing and the installation of new shop fronts throughout the district, in order to raise the standard of design quality and to enhance the attractiveness and local distinctiveness of the District's shopping environments.
- 1.3** The Council attaches considerable importance to suitably-designed shopfronts, not only for the preservation of the character of individual buildings and retail areas, but also for the attractive overall appearance of shopping streets and the impact on their commercial success. This includes signage and lighting. It explains the strong role of shopfronts and associated signage in historic environments which are of particular relevance to the East Herts, given that the retail and commercial areas of the five main settlements fall within conservation areas, containing many listed buildings.
- 1.4** Where shopfronts of character do survive, particularly if they are of some age, every effort should be made to keep them. Modern and traditional styles are equally acceptable, subject to their design quality, materials and context.
- 1.5** The purpose of the SPD is not to suggest a rigid application of a set of rules but to provide guidance on designing, altering and improving retail frontages and in a number of cases, restoration or appropriately designed replacements. It also explains the expectations arising from planning policy for well-informed applications where planning permissions and listed building consents are required. It also seeks to ensure that any impact arising from changes to our retail frontages is positive and enhancing. It relates not only to retail units, but also to Banks, Building Societies, Estate Agents, Betting Offices, Public Houses, Restaurants and hot food outlets or, indeed, to any premises which have a window display and/or signage.



## 2 The Issue

- 2.1** As the prime retail and commercial areas of the main settlements are within conservation areas and contain a high percentage of listed buildings, the character and appearance of individual and groups of buildings and street scenes can be harmed by insensitive and inappropriate shopfront designs and signage. For example, an overly large plastic fascia may be inappropriate in terms of size and materials and may cover traditional architectural features. Also, standardised corporate 'house designs' of multiple 'chain' franchise retailers present a particular problem when they are applied insensitively to existing buildings, adopting a one-size fits all approach.
- 2.2** Whilst the desire for corporate identity and image is appreciated, in some cases standard designs will need to be modified in order to fit sympathetically with the period and architectural style of the building they are being applied to and where there are statutory heritage designations. It is important, therefore, that alterations, restoration and replacement are sympathetically carried out, especially in conservation areas and on listed buildings, in order to protect their special character.
- 2.3** Size, scale, elaborate or simple design and detailing, the use of correct materials and colour schemes are all important in making shopfronts an acceptable part of existing buildings and areas. With that, there is a strong relationship between the attractiveness of town centres and their economic competitiveness. Consistently well-maintained shopfronts therefore affect the prosperity of individual businesses. This guidance is intended to strengthen those links.
- 2.4** Due to the nature and characteristics of the settlements in East Herts, the extent to which there is an issue with shopfront design and signage varies. This is due to the size of the settlement but also the designations that exist. In East Herts the majority of the historic centres and their retail areas are within conservation areas, and contain a considerable number of listed buildings.

### The main settlements

- 2.5** The five main settlements experience issues to varying degrees. For instance:

#### Buntingford:

- 2.6** Buntingford's main shopping area starts where Station Road meets Market Hill, the location of the former cattle market. It continues northwards along the High Street. It retains an attractive environment which is largely due to

## 2 . The Issue



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the fact that it is within the conservation area and contains historic buildings ranging from the 15th to the 19th century, many of which are in commercial use.

- 2.7 Despite the historic sensitivity of the shopping street, modern shiny fascia signs, wall mounted signage, window decals and the considerable use of external lighting have made an appearance. A-boards are apparent as well as retail clutter spilling onto the pavement.
- 2.8 Sections of properties that once accommodated shops have returned to their original domestic use yet still retain the evidence of the former shop display window or shopfront.





Figure 1 – Formerly a house but adapted to provide a double fronted shop to the ground floor.



Figure 2 - A conversion to a commercial use considered to be less successful in terms of the treatment of the historical significance of the building.

### Sawbridgeworth:

**2.9** The main shopping area is contained within the medieval core of the settlement which is part of the conservation area. It starts at the junction of London Road and Bell Street, stretching eastwards to the Square, Bell Street, Church Street, and part of Knight Street. With a number of medieval properties still in existence, it is not uncommon for buildings to have retail uses to the ground floor with residential above or the ground floor being split. More modern developments have occurred to the west side of London Road with a parade of shops to the rear 1 – 7 Bell Street, utilising former burgrave plots. A Budgens Store is located to the east side of London Road.

Page 248 There are a limited number of national retailers present. Independent

## 2 . The Issue



retailers are more prevalent. Financial institutions are present but display their corporate identities in a more muted manner. Some former coaching inns have remained.

- 2.10** Shopfronts are typically of painted timber, small in scale, with generally modest fascias and signage, apart from in London Road, where there are some poor aluminium shopfronts and over-sized or garish signs. Some are 19th century or earlier, and a few are of very high quality, with sophisticated classical detailing.
- 2.11** However, there are the exceptions. Over time some fascias have been over-boarded with plastic, shiny signboards, including variants with an aluminium frame. Disproportionately long fascia signs and wall mounted signage is noticeable, particularly on buildings where there is no defined fascia area. Supermarkets tend to see their display windows obscured with window decals and there is an evidential preponderance for the use of bulky external lighting.



Figure 3 - A Medieval building with two different retail displays.



Picture Figure 4 – A blank frontage.

### Ware:

**2.12** The shopping environment in Ware is largely contained within the historic market area of the town and its medieval streets including the approach along Baldock Street, High Street, West Street, East Street, Bridge Street and Amwell End, all within the Ware Conservation Area. Many premises are listed and a number of buildings are identified as making a positive contribution to the Ware Conservation Area.

**2.13** In general there are a number of attractive shopfronts and signs that have sought to respect the buildings into which they have been inserted. As a larger retail environment compared to Buntingford and Sawbridgeworth, there are more issues with fascias and hanging signage, materials and colours, canopies, window decals and A-Boards. In some cases, little respect is paid to the characteristics of the building as a whole or the streetscene.



## 2 . The Issue



Figure 5 - A variety of architectural styles, some inappropriate shopfronts and blinds



Figure 6 – Turning the corner



Figure 7 - A late 19th/early 20th century shopfront with traditional elements.



Figure 8 – Some features lost and with an imbalance between signage and other treatments.

### Bishop's Stortford:

- 2.14** The shopping area of Bishop's Stortford is contained by the River Stort, Castle Gardens, Hadham Road to Station Road/Newtown Road. The historic core is centred on the junction of High Street, North Street, Bridge Street and Market Street/Market Square which coincides with the heart of the shopping environment which also continues along Potter Street and South Street. Some side lanes and 'walks' also accommodate retail premises with the main shopping mall, Jackson Square, is located between Potter Street, Bridge Street, Riverside and The Causeway. The majority of the shopping area falls within the Bishop's Stortford Conservation Area and contains many listed buildings and buildings that make a positive contribution to the character and appearance of the conservation area.
- 2.15** Due to the nature of the buildings, there is clear change between North Street, Potter Street and South Street. Buildings span from the medieval period to the late 19th/early 20th centuries, some retaining historic shopfronts and traditional features including signage. There is a greater percentage of national multiple stores with corporate identity signage in Bishop's Stortford than in other centres of the district. Some companies have adapted their signage to respect the host building whereas others have had little regard to the building or the street scene.
- 2.16** Regrettably, the area includes a number of reproduction frontages, poor quality fascia signs concealing historic features, projecting internally illuminated fascia boxes, garish colour schemes, overly large lettering, sign boards, banners, window decals and a clear over presence of A-boards. Trough lighting and inappropriately placed roller shutters are equally jarring.

## 2 . The Issue



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Figure 9 – a 15th century timber-framed house converted to retail use on the ground floor. The shopfront dates from the early 20th century and is of an appropriate design.



Figure 10 – A less than successful 1960's parade of shops on the corner of South Street & Station Road.

### Hertford:

- 2.17** This market town sees its main retail and commercial area along St. Andrew Street, Old Cross, Mill Bridge /The Wash, Parliament Square, Maidenhead Street, Bull Plain, Market Place, Bircherley Green, Railway Street, and Fore Street. This area is within the Hertford Conservation Area and contains a





high percentage of listed buildings with a number identified as making a positive contribution to the character and appearance of the conservation area.

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- 2.18** There are a number of surviving, good quality shopfronts and signs as well as an attractive variety of traditional materials and details. Equally, and within the central historic core, there are a number of poor quality shopfronts, fascias and advertisements that detract from, not only the buildings themselves, but the streetscene. In many cases fascia signs are placed below the 'integrated' fascia area; and therefore the frontage may have two fascias, one above the other. This is particularly noticeable in Maidenhead Street.
- 2.19** Others tend to be overly large obscuring architectural details; made of shiny materials. Some traditional shopfronts have seen the introduction of unacceptable window display areas, a poor choice of colours, even to the traditional wooden shopfronts.
- 2.20** There are many examples of buildings being subdivided into separate units with frontages that do not match. Swan neck, bulk head downlights, strip lighting, poorly added blinds (Dutch and roller), security cameras and alarm boxes add to the visual clutter on frontages.

## 2 . The Issue



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Figure 11 – Pizza Express signage adapted to fit.



Figure 12 – Discordant adjacent colours.



Figure 13 – The 15th century jettied, timber-framed building, St. Nicholas Hall or Verger's House accommodating retail.



Figure 14: Signage respecting the medieval buildings.



## 3 . Historical Background



### 3 Historical Background

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**3.1** Retail and commercial uses have been a defining element of our town centres. Just as towns have evolved over time so shops have changed in response to factors such as design, lighting, security, environmental health and fashion. Retail methods have also changed from service to self-service and shopping has progressed from a functional to a recreational activity. Both corporate organisations and individual traders endeavour to highlight their location and products in competition with rivals. Shopfronts remain an important feature in the street scene of the towns and villages and this is evident in East Herts where the main settlements have their origins in historic medieval market towns.

**3.2** Historically valued shopfronts saw their origins and influences emerge from the medieval period when the 'shop' was a market stall. There was then a move toward more permanent buildings where one or two rooms became shops with the upper floors used as living accommodation. The earliest shops were open fronted, typically having shutters that folded down to form the stall. This was supported by the infilling of the lower part of the opening, which is still known as the stallriser. A primary factor is the shopfront because it provides the welcome and frames the display of goods and services.



Figure 15 – An early 18th century shopfront inserted into a medieval building with simple detailing (Buntingford).

**3.3** It is only from the mid-18th century that shop fronts, as we know them, begin to survive in reasonable numbers. Their greater elaboration coincided with accelerating commercial activity connected with an increase in what we now call consumer goods – articles of luxury and fashion rather than necessity. The appearance of the shops in which such things were bought became increasingly important from the 1700s.



Figure 16 - Early 18th century frontage to a 16th - 17th century building. Generally retaining traditional details but with some modern signage and swan neck lighting.

- 3.4** The majority of 18th and 19th century shop fronts were designed on an individual basis, utilising a variety of architectural detailing and styles. As the importance of the shop in its own right was recognised, this led to the move toward increasingly large, purpose-built frontages.
- 3.5** The 1830s saw the introduction of larger windows as manufacturers were able to provide glass panes of varying sizes for the 'new' shop front types, far cheaper than ever before. This marked a move away from small-paned bow windows towards large-paned ones of varying types (although there was a brief return to small-paned windows with the 'Queen Anne revival in the late-19th century).

### 3 . Historical Background



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Figure 17 - Early 19th century frontage, double fronted with multi-paned oriel bays including slim glazing bars and traditional features.



Figure 18 - late 19th century Emporium with multi-paned display windows to first floor with altered 20th century timber shopfronts.





Figure 19 - Neo-classical revival building with defined fascia and architectural features.

- 3.6** The use of plate-glass windows led to a different scale in the design of shop fronts, with the stallriser at the base of the window virtually disappearing and the front being carried much higher up, thereby increasing natural internal light and display space, for instance, the aptly named 'Deco' building in Hertford which is contained within the ground floor of a 4-storey building of the neo-classical period, early 1900's.
- 3.7** Another often overlooked aspect of shopfront design is the use of shutters. These would have been a necessity, both for security and in order to prevent 'accidental' damage to the glazing and the contents of the shop which they protected.
- 3.8** Early shutters, comprising wooden panels on a framework, were normally put in place at the end of the working day. They would be slotted into position in a groove under the architrave, located on the sill with pins and held in place together by an iron strap. Fixings and metal plates with holes for the pins can still be found on old shopfronts. In some cases, the design of the front permitted the shutters to be housed externally, often hinged and folded back into boxes to the sides of the windows.
- 3.9** A further innovation in the early-to-mid-19th century was the introduction of roller blinds on springs. These served to shade the customer, protect goods and reduce reflections and glare in the windows. They could easily be fitted to the cornice and operated by a long boathook opening on metal stays fixed to the pilasters on either side.

## 3 . Historical Background



- 3.10** By the mid-19th century, only fresh food shops had open fronts. These persisted into the 20th century until the benefits of fresh air were overtaken by concerns for environmental health. Ventilation grilles or opening lights above the top transom/fanlight were then used instead.
- 3.11** Competition in the high street of the late-19th century produced a range of styles with Gothic, neo-Georgian and Art Nouveau influences. Stonework and terracotta surrounds became common. New materials also included decorative glazed tiling with terracotta insets. Recessed entrances increased the area of window displays and transom lights allowed for cast-iron ventilation grilles and coloured glass to hide gas-light fittings.
- 3.12** With the introduction of pattern-book designs, shopfronts became an integral part of new town centre buildings in the early 20th century. Structural elements could be made more elegant with the use of bronze and polished stone, while Art Deco styles of the 1930s introduced features, such as sunbursts and stepped fascias, with new materials, such as chrome and Vitrolite/Carrara (a pigmented structural glass), chrome metalwork and chrome lettering. From the 1950's onwards the trend was for further simplicity in shopfront design and more minimal styles of modern architecture that have made much of the structural system of shopfront redundant. This was at a time when 'float' glass became available in large sheets. Although creating larger areas for window displays these also brought with them the added concerns of safety and security, and led to the widespread installation of security shutters and grilles. It was not until the 1970's when new interpretations of classical designs became popular.
- 3.13** Today many of the shopping streets in East Herts are not only of local, but national and international importance and display some fine original shopfronts of historic and architectural significance. There is a rich variety of styles and types from those inserted in medieval timber-framed buildings to Victorian, Edwardian and late-19th / early-20th century buildings. Using its statutory powers as a planning authority and through providing advice, the council is committed to preserving the retail heritage of its shopping environment.



### 4 Legislation and Policy

#### Legislation – the need for Planning Permission

**4.1** A new or replacement shop front will always require Planning Permission. Alterations to an existing shop front that involve a material change in its appearance will also require Planning Permission. Typical examples are:

- The removal of a shop front in whole or in part.
- The replacement or alteration of architectural features such as window frames and doors, decorative cornices, corbel brackets or other mouldings.
- Altering the frontage line (i.e. installing or removing a bay window, closing or creating a recessed entrance).
- Enlarging or reducing the size of a shop window or changing its shape, form, proportions or materials.
- Removing or adding mullions, transoms or glazing bars.
- Moving the position of the entrance.
- Replacing the shop door(s) with one of a different design or in different materials.
- Enlarging or reducing the size, depth or bulk of the fascia.
- Installing reflective or obscure glass.
- Applying stone, artificial stone, timber, plastic or tile cladding to pilasters, stall risers etc.
- Removing or installing steps or a ramp.
- Boarding up a shop front.
- Adding a blind or roller shutter. Where a roller shutter previously existed, changing the colour of the fabric or adding lettering will result in the need for planning permission and possibly Advertisement Consent.

**4.2** Works of repair or minor 'like for like' replacement do not require Planning Permission. Redecoration does not require planning permission unless the property is covered by an Article 4 Direction.



## 4 . Legislation and Policy



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### Listed Building Consent

**4.3** A new or replacement shop front within or attached to a listed building and any alterations which affect its special architectural or historic interest will always require Listed Building Consent. For example, in addition to the items requiring Planning Permission mentioned above, the following works will require Listed Building Consent:

- The removal, addition or alteration of entrance floor tiles.
- The removal of an original blind and/or blind box.
- The installation of an extractor fan outlet.
- Painting any previously unpainted areas of the shop front.
- Repainting in a markedly different colour.
- Painting with a textured paint.
- Alterations to the interior.

### Advertisements

**4.4** Under the provisions of the Town and Country Planning (Advertisements) Regulations 2015, shop owners and retailers are able to display signage under 'deemed' consent or 'express' consent. However, where signs are erected under deemed consent provisions, harm can still arise. This includes the use of overly large fascias obscuring features and details, poor quality materials, garish designs, colours and overly large letters.

### Enforcement

**4.5** Where shop fronts that fail to comply with the advice in this SPD and are installed without the necessary permission, the Council will consider taking enforcement action to secure compliance with the design guidelines set out in this document. The Council does not embark on enforcement action lightly, but considers that the protection of the character of retail areas of the District and their vitality is important.

### National Planning Policy Framework 2019

**4.6** In addition to legislation, the government has set out guidance on a range of planning matters in the National Planning Policy Framework (NPPF) 2018. Central to this is the need to ensure the vitality of town centres. This is supported by expectations for good design but equally, the need to reinforce local distinctiveness and to safeguard heritage assets. Historic England's Advice Note 2: Making Changes to Heritage Assets (2016) provides further guidance regarding changes to frontages in conservation areas, or to listed buildings.



- 4.7** Section 7 'Ensuring the vitality of town centres' sets out the planning framework to safeguard and promote sustained vitality for town centres. Whilst no specific reference is made to the detail of shopfronts paragraph 85 states:

*"Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation".*

- 4.8** Section 12 'Achieving well-designed places', sets out the requirement for good design to be at the heart of planning policy and decision making, paragraph 124 states:

*"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."*

- 4.9** Section 16 'Conserving and enhancing the historic environment' places greater emphasis on proposals affecting or related to heritage assets. This is particularly important as the main five settlements fall within conservation areas and contain a high proportion of buildings that are listed or identified as making a positive contribution. Proposals for change will be required to take account of the special historic or architectural interest of conservation areas and listing buildings when submitting proposals for change.

- 4.10** This SPD sets out best practice design guidance and a set of principles that will act as supplementary guidance to the East Herts District Plan. The guidance will meet the requirement for well-informed design guidance contained in the NPPF (2019) and at the same time seek to maintain quality at the heart of the Districts town centres and promote vibrant retail environments.

### East Hertfordshire District Plan, 2018

- 4.11** The East Herts District Plan was adopted in October 2018. Chapter 7 addresses Retail and Town Centres issues and sets out that:

*"East Herts' town centres play a vital role in providing for the every-day needs of residents, providing not only a varied retail offer, but also for banking and administrative needs, leisure and social opportunities."*

- 4.12** All of the towns in the District are historic market towns. The town centres have an identified hierarchy with Bishop's Stortford identified as the principal town centre. Hertford is identified as a secondary town centre and all others

## 4 . Legislation and Policy



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are minor town centres. The policies (RTC1) identify town centre boundaries within which main town centre uses (as defined in the NPPF) will be supported in principle. Policies RTC2, 3 and 4 address primary shopping areas, and primary and secondary shopping frontages. The Plan also recognises that a range of facilities in local centres and villages support people's day-to-day retail and service needs whilst also helping to reduce the need to travel and promoting local employment. The Council recognises that a crucial aspect of the attractiveness of a town centre is its accessibility to all members of the community, whichever mode of travel they choose. Retail and leisure facilities should be accessible to all users and access for people with disabilities should be provided.

- 4.13** The District Council recognises the importance of retaining vitality within town centres, and the associated advantages of establishing and maintaining residential accommodation above retail units. These benefits include environmental sustainability, economic regeneration, security, and conservation of the District's heritage.
- 4.14** Chapter 17 sets out policies relating to design, policy DES4 covering a range of issues that all development proposals would be expected to address. Policies DES5 refers to crime and security matters. It sets out the requirement that measures to achieve those aims should not significantly compromise the provision of high quality design. With regard to advertisements and signs, policy DES6 specifies that these must respect the character and appearance of the environment.
- 4.15** Policies relating to heritage assets are set out in Chapter 21. Development proposals should preserve and, where appropriate, enhance the historic environment of the district. As indicated, the centres of all the historic retail areas in the district are designated as conservation areas. Policy HA4 indicates that, within these, development will be permitted where it preserves or enhances the special interest of the area.

Policy HA5 addresses Shopfronts in Conservation Areas specifically stating:

- I. Proposals for a new shopfront or commercial premise frontage or alterations to existing ones will be permitted where the proposed design follows historic shopfront design, is sympathetic to the scale, proportions, design details and materials of the structure or adjoining buildings and the character and appearance of the Conservation Area.*
- II. Shopfronts of architectural or historic interest shall be retained and repaired as necessary.*
- III. Security features should be designed in a sensitive manner which respects the overall character of the frontage and location, facilitates natural passive surveillance and maintains an attractive street scene. The use of architectural solutions combined with the use of an internal open lattice grill is preferred. Alarm boxes should be of a discreet*





*colour and size, located carefully in relation to the elevation of the building, whilst being obvious enough to deter an intruder.*

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**4.16** In its consideration of applications within Conservation Areas for express consent made under the Town and Country Planning (Control of Advertisement) Regulations 2015 (policy HA6), the Council will only accept advertisements where they:

- a. are either painted or individually lettered in a suitable material of a proportionate size and design in relation to the building or fascia upon which they are to be displayed;
- b. are preferably be non-illuminated or does not contribute to an escalation of shopfront lighting along the street scene. Where illumination is proposed it should be external illumination which is discreet in size and of a minimum level. Internal illumination of shop signage will not be permitted;
- c. are of a traditional fascia or hanging type; and
- d. are of a traditional and appropriate size to the architecture of the host building.

**4.17** Policy HA7 addresses the issues raised when proposals relate to a listed building. All other policies relevant to the development proposed should be considered when schemes are being formulated. The East Herts District Plan can be viewed, in full, on the Council's website: [www.eastherts.gov.uk](http://www.eastherts.gov.uk).

### Neighbourhood Plans

**4.18** In addition, where a Neighbourhood Plan is in formulation or has been finalised and agreed ('made') it may also have policies which relate to town centre and retail locations. These policies should also be taken into account.

### Pre-application contact

**4.19** The Council is able to offer the provision of advice and informal consideration of schemes being devised, before a formal application is submitted. This process will assist in ensuring that the correct permissions/consent are applied for and that all the issues have been taken into account at an early stage. The Council does have to charge for this service and its current charges, and how to request pre-application advice, are set out on the website; [www.eastherts.gov.uk](http://www.eastherts.gov.uk).

### Building Regulations

**4.20** Approval under the Building Regulations is required where a new shopfront is proposed, or where works involve a material change to the existing, structural alterations or changes to the means of escape. In East Herts,

## 4 . Legislation and Policy



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the Council's Building Control service is provided through Hertfordshire Building Control (HBC), who can be contacted at; [building.control@hertfordshirebc.co.uk](mailto:building.control@hertfordshirebc.co.uk)



### 5 What to take into Account

- 5.1** Most of the best new shopfronts are professionally designed by architects. It is important, though, that you choose an architect who has experience both of working on shopfronts and, where applicable, a knowledge of the requirements of working in a conservation area and on historic buildings. Before considering a full replacement, the existing shopfront should be evaluated to see which (if any) elements make a positive contribution to character and therefore merit retention. The following list of questions are often a good starting point when considering alterations to an existing shopfront and the premises.

#### Existing Shopfront:

- What is the character of the existing shopfront?
- What are the strongest features of the existing shopfront?
- Is the current shopfront listed or in a Conservation Area?
- Can the existing shopfront be repaired?
- Do the elements of the architectural surround, ie pilasters, corbels, cornice, frieze, stallriser, survive?
- What is the proposed use of the shop, and is the shopfront appropriate?

#### The rest of the Building:

- What are the qualities and proportions of the rest of the building?
- Is there a particular architectural style?
- What materials are used?
- How well does the existing shopfront fit with the rest of the building?

#### Street scene and local context:

- What is the rhythm of the street elevation in which the shopfront will be located?
- Is there a consistent pattern to the shopfronts of adjoining buildings?
- What are the materials and colours used in the local buildings?
- How would a new shopfront fit in positively with the street scene?

#### Local Planning Authority:

- What are the specific East Herts District Plan policies?
- Have you checked the guidance set out in this SPD?
- Are there any restrictions such as Areas of Special Advert Controls?

- 5.2** Once the existing shopfront has been appraised, it is important to assess the design approach to be taken. In all cases, where a traditional or historic shopfront exists, the council will encourage its retention. Many traditional shopfronts only need repair or re- establishment of the traditional architectural frame of the shopfront to give many future years of use.



## 5 . What to take into Account



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### Traditional Design

**5.3** A traditionally designed shopfront often has the entrance door set back from the pavement. It will normally consist of pilasters, with architectural details such as capital and plinth, a corbel or console bracket, and an entablature with cornice and frieze or fascia, which generally has a hand painted sign. The shop window will typically include two vertical mullions and a transom rail at door head level with clerestory or transom lights above. It will mostly be made of timber and sit within the traditional architectural framework around the opening. In some cases, a side door is included to serve the separate living accommodation to the upper floors.

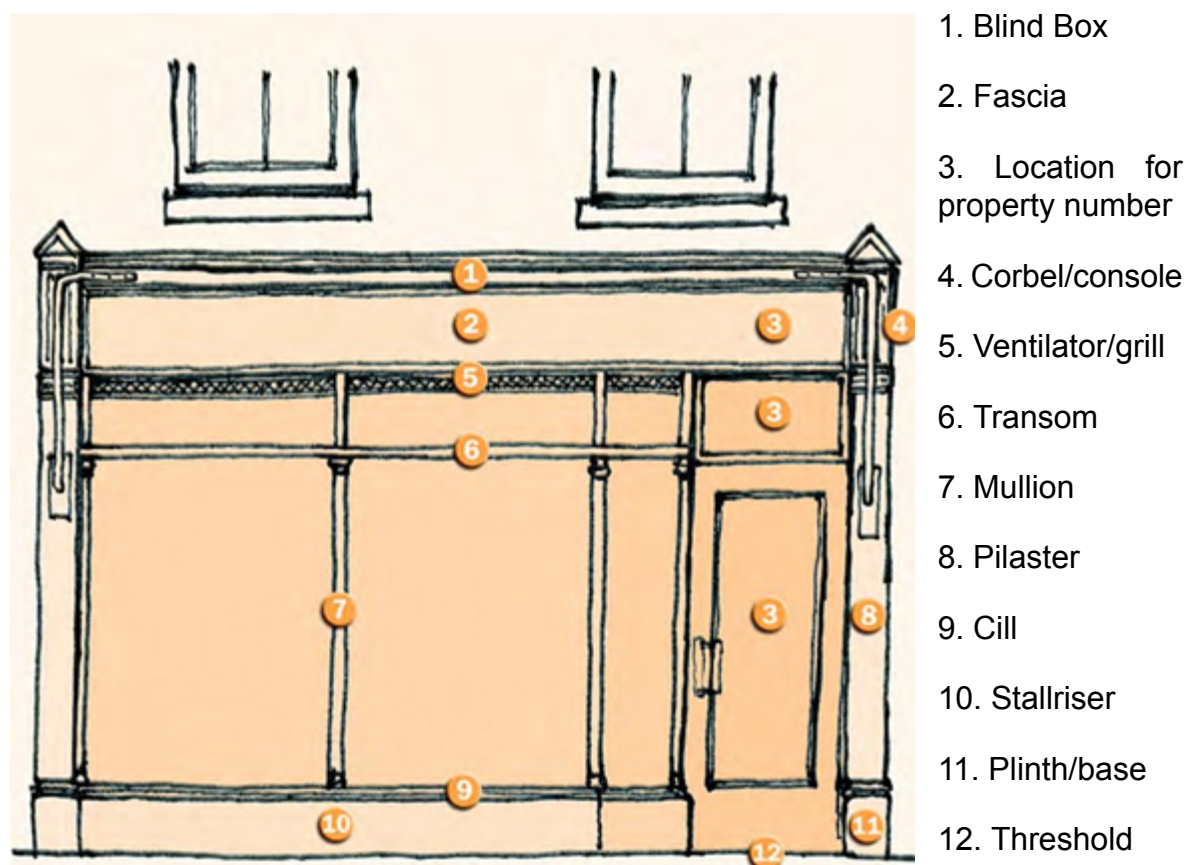


Figure 20 – Basic elements of a 'traditional' shopfront.



- 5.4** Even where the original shopfront has been removed, much of the architectural framework often survives, sometimes covered up by modern fascia boards and signs. Therefore reinstatement would be encouraged. Another option is to propose carefully proportioned, well-resolved high quality modern designs in appropriate locations and where the existing building can accommodate the extent of change.

### Modern Design

- 5.5** Modern designs may be a product of their time, responding to trading patterns with larger display windows, the growth of chain stores and multi-nationals, and the amalgamation of single shop units into larger stores. The response is often to extend the fascia across all units in an attempt to create unity but more so to accommodate corporate signage that often dominates a building and creates an unacceptable horizontal emphasis.
- 5.6** Plastic signage, particular internally illuminated box framed fascias in overly bright, garish colours and large lettering, has the sole aim of attracting attention. This may be what the retailer had in mind but it is often unsuccessful in its impact on the building itself and jars with its neighbours. Where more than one negative frontage sits alongside another, the cumulative impact is particularly harmful to the streetscene and quality of the shopping environment.
- 5.7** Not all modern design is negative as it can adopt traditional principles to meet trading and retailer needs whilst being sympathetic to the character of the host building. This is particularly important with regard to subdivisions, bay widths, architectural features, colour schemes and the context of the building in question. Some companies are more successful than others at adapting their corporate identities.

## 5 . What to take into Account



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Figure 21 – The identity of a chain store respecting the style of the curved shop with its fascia supported on barley twist columns with plinth and ornate capital.



Figure 22 – this retailer now has a unique presence in Bishop's Stortford with a subtle fascia.



## 5 . What to take into Account



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East Herts District Plan | East Herts Retail Frontages: Design & Signage SPD (2019)



Figure 23 - The specific character of each building is reflected in the design of shopfronts in the top image, but ignored when the ground floors are amalgamated into one large unit.

## 6 . Shopfront Design Advice



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### 6 Shopfront Design Advice

**6.1** The overall design of a shopfront encompasses a number of elements, any one of which, if inappropriately executed, can have a detrimental effect on not only the individual shop itself, but also the immediate locality. Therefore, proposals for either alterations to existing shopfronts or new shopfronts need to take account of a number of factors to ensure the end result relates sympathetically to the rest of the elevation including upper floors. Any details or features of interest should be incorporated into the design.

**6.2** Generally In their design, replacement shopfronts should:

- Reflect the architectural style of the individual building(s) with which they are associated, particularly insofar as their overall scale and glazing proportions are concerned. Where a shop occupies more than one building it is important that the individuality of each is clearly retained.
- Be generally well-proportioned and detailed, respecting existing decorative features and limiting signage to clearly defined elements.
- Utilise colour schemes sympathetic to the surrounding area in general and neighbouring buildings in particular.
- Employ traditional signwriting or utilise applied individual metal/timber lettering rather than vinyl, perspex or other non-traditional forms.
- Make use of discreet lighting and security measures in keeping with the building and its surroundings.
- Facilitate easy access through the use of appropriately detailed entrances – recessed where appropriate to overcome level changes – and door furniture.

#### Fascias and fascia signs

**6.3** Most shopfronts have a fascia and this is perhaps the most dominant feature. They play a dual role in both communicating the name, trade and number of the shop and forming an important design element in the 'framework' of the shopfront. As a general rule, Georgian and early Victorian designs employed upright fascias, with plain or decorative ends on top of any pilasters. In later periods the fascias were more often placed between console brackets (or other forms of termination) and canted forward. Fascias should be appropriate in terms of size and form to the architectural period and style of the building.

**6.4** Traditional fascias tend to be:

- Relatively narrow (around 18 inches/0.5 metres high).

## 6 . Shopfront Design Advice



- Proportional to the design of the shopfront and the building as a whole.
- Kept well below the cill level of the first floor windows whilst not extending down disproportionately far over the shop front proper.

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**Figure 24 - Various sign and fascia issues**



a) Hand-painted lettering to the original fascia. The font may be a little large in part.



b) The sign has been located within the fascia area, contained by the corbel. It would have been more successful if painted onto the wooden fascia boards with the main name reduced in size.



c) Although easy to read, the lettering is too large and thus crowds the applied fascia board. A hand-painted fascia would have been more successful.



d) A plastic fascia board that is overly bright with large lettering and external lights that overpowers this building.



e) An inappropriately positioned plastic board placed above the ground floor with large lettering. An uncomfortable relationship.



## 6 . Shopfront Design Advice



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- 6.5** All too often, excessively deep fascias – often boxing over earlier forms – have been introduced to reflect the fashion current at the time. Where such fascias are out of place, their presence should not influence the design of any replacement. Instead, this should be based on the original form where physical or photographic evidence is available.
- 6.6** A desire to insert a suspended ceiling should not be used as justification for increasing the fascia's depth as there are other, less visually intrusive solutions which could be adopted to conceal such a false ceiling.
- 6.7** Traditionally, fascias have a moulded cornice running above them to help throw rainwater clear of the shopfront and thereby prevent rot. Such cornices normally have an appropriately detailed lead weathering to protect them and were often used to conceal roller-blind boxes.
- 6.8** A general set of principles should be applied:
- The fascias and signage should be in harmony with the other elements of the building.
  - The depth of a fascia should not exceed one quarter of the height from the pavement level to its underside.
  - The fascia should not extend below the head of the pilaster nor above the perceived floor level below the first floor windows or its cills.
  - Where corbels exist above the pilasters, these contained the fascia and determined its height and extent and should be respected.
  - Where corbels have been lost, they should be reinstated to create that frame and space.
  - Existing windows and architectural details such as string courses, friezes, cornices and pilasters should not be obscured, altered or defaced by fascias or projecting signs or advertisements.
  - Acrylic, plastic or other shiny materials applied to fascias should be avoided.
  - On 19th Century buildings painted timber fascias are more appropriate with either painted lettering or individually mounted letters of another material.
  - Box Fascias, usually of plastic and/or metal, often project out of the existing fascia panel, and are too large and bulky and unsympathetic to the style of most buildings, and should be avoided.
  - Individually illuminated letters are preferred to box signs and in some cases may not need Advertisement Consent.



- Highly reflective materials should be avoided.
- Good contrast and simple lettering will make signage more legible. Standard shopfront designs used by national retail chains may not be suitable

### Pilasters and Corbels/Consoles

- 6.9** Pilasters are half columns that act as supports for the corbels/console and provide a clear division between each shop. Corbels are effectively the brackets or 'end stops' to a fascia and together with the supporting pilaster, complete the frame to the shopfront. Corbels are normally decorative rather than functional features and are derived from classical architectural orders but can vary significantly in size and detail from the classical and neo-classical to art deco designs of the 1920's and 30's. Pilasters also vary in detail from plain to moulded or fluted.
- 6.10** Pilasters and corbels make a significant visual contribution to individual shopfronts and, where they are used as a common element in a row of shops, can help to provide a unifying theme particularly evident in set-piece buildings purposely designed for retail use.



Figure 25 - Examples of corbels of the influenced by the classical period.

- 6.11** Any such original features that survive should be retained. Where new shopfronts in the 'traditional' style are being proposed, care should be taken to ensure the quality and proportions of the detailing of the individual elements is appropriate so as to avoid the visual blight arising from either 'pastiche' or 'standardisation'.

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### Canopies and blinds

- 6.12** Roller blind boxes were often incorporated into shop fascias. These were primarily intended to shade the shop-window displays from the sun and are not, therefore, commonly found on north-facing shopfronts. However, they also provide some protection to the shoppers and shop window against rain and sun and can be a lively addition to the streetscene, provided that they are designed as an integral part of the shopfront and are confined to it.
- 6.13** Where such blind boxes may have fallen out of use, resulting in the removal of the external ironmongery necessary for their function, the boxes themselves (often still containing the blinds) may survive in situ and, where this is the case, they should be refurbished and their mechanisms restored to full functionality where/if feasible.
- 6.14** Where canopies or blinds are being proposed as part of a shopfront design, they should normally be of the traditional, retractable type. Care should be taken to ensure that their size, shape and position are compatible with the character of the building. Architectural details should not be obscured when blinds are installed. The colour and materials should be in keeping with the materials of the shopfront and building.
- 6.15** Planning permission is normally required for all blinds, unless they are replacing existing blinds on a like-for-like basis. Blinds that carry symbols or lettering may be considered to be advertisements and may require advertisement consent. Listed building consent is required where blinds are to be installed on a listed building.
- 6.16** The Council will generally not permit blinds above first floor cill level. However, on existing buildings which are designed to accommodate blinds on upper levels, renewal will be acceptable if the blinds are concealed behind a traditional valance and do not carry advertisements. Folding or pseudo (fixed) 'Dutch' blinds are alien introductions to the traditional streetscene, perhaps owing more to sponsored advertising than any practical need. As such, the use of these latter types will be discouraged.





Figure 26 (left) - Section through a traditional fascia with integral roller blind (blue) and roller security shutters (purple).  
Figure 27 (right) - Dutch v simple roller blinds.

### Stallrisers and thresholds

- 6.17** The stallriser traditionally forms the lower horizontal and solid element of the 'frame' which encloses the display space and provides some protection against accidental knocks. Historically, the height of the stallriser was often dependant on the goods which were being sold, with those which would benefit from being viewed from above resulting in a low stallriser.
- 6.18** Higher stallrisers may have served to support projecting display shelves or tables, often associated with vertically-opening windows, of the type used historically by greengrocers, butchers and fishmongers, for example, in their shop designs.
- 6.19** Traditionally, stallrisers were constructed of render or wooden panelling on a rendered or stone / brick plinth. Early stallrisers were plain but in later centuries timber stallrisers included raised and fielded panels with mouldings. The modern reproduction versions are often inferior, utilising flat, un-profiled panels or applied mouldings which lack longevity.
- 6.20** Some stallrisers including decorative tiling relating to the type of business and in some instances incorporate terracotta panels, mouldings and lettering. Some pubs and butchers have glazed decorative tiles whereas some banks employed marble stallrisers. Modern alternative have included laminates, mosaics and reflective tiles which are not considered to be suitable materials and should be avoided.

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Figure 28 - A well-balanced frontage with stallriser of an appropriate height.



Figure 29 - Tiles with moulding and terracotta to the stallriser.



Figure 30 - Glazed blue tiles appropriate to this stallriser.



- 6.21** Historically where larger panes were used the building had a shallow stallriser or plinth, for example, the former Green Dragon Hotel dating from 1903 with its low blue green moulded plinth and dado and plate glass windows. Today the former hotel has been converted into retail and commercial units. Some modern shopfronts or commercial buildings can accommodate this minimalist approach but not all. Council policy requires that in certain locations, stallrisers should be incorporated into new frontages. Whatever their use it is possible for modern designs to incorporate these traditional features. In general stallrisers should not exceed the base of the pilasters of approximately 450mm in height. However, there may be cases where the stallriser could be higher, so seek advice first.



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Figure 31 - The former Green Dragon Hotel design with full plate glass windows.



Figure 32 - Two examples where full glazing works.

- 6.22** Thresholds marked the point of entry and, as such were frequently used to display the shop name. This often took the form of mosaic-work which might survive a number of changes in ownership and, where found, should be retained.



Figure 33 - A selection of the few tiled thresholds.

### Mullions, transoms and glazing bars

- 6.23** Mullions and transoms served as the main vertical and horizontal elements subdividing larger openings, in a pattern which reflects the proportions of the shop and the rest of the building. Transoms often enabled openable windows to be introduced for ventilation or the incorporation of ventilation grills.
- 6.24** Shopfronts from the late-18th to early-19th centuries often had full moulded or barley twist mullions into which the glass was set. The moulding was provided to the interior as well as the exterior creating visual richness.
- 6.25** Glazing bars of an increasingly slender, refined character were introduced as a means of holding small glazed panes in place within a larger frame, providing a particularly 'traditional' character. Though large sheets of plate glass have been used in shopfronts since the mid Victorian period, smaller divisions of glazing have remained in use for most traditional shop designs.
- 6.26** A transom should divide the window at the same level as the line between the door and door light. Mullions should line up above and below the transom and may reflect vertical alignment of windows in the upper floors or the bays of the building.
- 6.27** Unless a large expanse of glass is a principal feature of the design, then this practice of incorporating transoms and mullions should be followed. Therefore, where there is evidence of such features having previously existed in a shopfront it may be appropriate to consider reinstating them, not only for aesthetic reasons but also for practical ones. There is

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considerable potential for saving on glass replacement costs as, where casual vandalism or accident is concerned, it is unlikely that more than one pane would be damaged.



Figure 34 - An interesting Edwardian decorative glazing bar and a moulded mullion from the late-19th century.

### Doors and door furniture

- 6.28** The choice of door handles, letter boxes and other associated items of furniture is of importance as careless selection may be visually inappropriate and/or impracticable, particularly for the elderly or disabled. Again, these elements should reflect the overall character of the shopfront whilst remaining both robust and functional.





Figure 35 - Original Doors.

### Shop signage

- 6.29** Signage on fascias is best limited to details of the shop name and street address. Too much information creates clutter and visual confusion. Ideally, traditional signwriting or applied individual metal/timber letters should be used with painted timber as a base. The use of 'standard' vinyl, Perspex or similar materials is not considered to be appropriate, particularly in conservation areas and when applied to listed buildings.
- 6.30** Size of lettering should be determined by the need to be reasonably legible to shoppers, but not be too large to swamp the fascia or the shopfront. Generally individual letters and symbols should be no greater than 1/2 to 1/3 of the height of the fascia. Each shop must have its street number clearly displayed on the shopfront. Numbers can be positioned on the fascia, on glazing above doors or on the door.

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Figure 36- Appropriately scaled lettering to height of fascia.



Figure 37 – Example of a fascia with a too much lettering and an inappropriate Dutch blind.

- 6.31** Historically, other areas used for the display of more temporary advertising materials included the reveals of recessed doorways, where chalkboards might be put up or the sloping edges to the window display platforms above the stallrisers. As previously noted, stallrisers and adjacent paving surfaces might incorporate decorative tiling or mosaic work relating to the shop name and/or business.
- 6.32** The practice of displaying brash advertising material in the form of window stickers or banners draped across fascias or on elevations above ground floor level is inappropriate and can effectively compromise the character of the street, creating cluttered appearance and detracting from the appearance of the building/s.



- 6.33** Such inappropriate advertisement and signage prevents people from seeing into shops and has a detrimental visual impact on the character of an area. By contrast, attractive window displays have a positive effect on the perceived quality of the shopping area that will attract the interest of visitors and residents alike.



Figure 38 – Excessive signage significant in number and scale.

- 6.34** It must be remembered that a shopfront provides the framework for displaying goods. The method of display is crucial, not only in attracting the customer, but also making for a lively street. Shop windows should not be obscured by a proliferation of stickers and decals. A few carefully chosen and well-arranged items will be more eye catching than a display window crammed with goods.

### Corporate Styles

- 6.35** Company logos, signs and standard shopfront designs may not be suitable for either individual buildings or in Conservation Areas. The overall appearance of the building and the area is more important than promoting a 'corporate house style' for different branches of the same company. Care should be taken to adapt the design and incorporate the company logo in the overall design. Multiple stores need to co-operate in modifying their standard 'corporate' lettering, especially in conservation areas and on listed buildings.

### Signage on Glazing

- 6.36** Large areas of glazing can be a useful location for shop signs, which can be painted or etched onto the internal surface of the windows. This may be particularly suited to frontages that have an architectural form that do not lend themselves to the attachment of large external signs or fascias. However excessive signage can make windows look cluttered, especially when combined with additional advertisements and posters. Large vinyl



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stickers, often with exploded photos of products and used by convenience stores, are particularly harmful to the building and the character and appearance of the area and must be avoided.

- 6.37** Large areas of uninterrupted glazing should be easily identified to prevent people from walking into them accidentally. This should be with permanent marking 1.5m above street level. Clearly visible handles or push plates on fully glazed doors may also help to prevent accidents. Young children and people with a visual impairment may not detect the edge of a fully glazed door, and these should have a clearly visible frame or edge.

### Projecting or Hanging Signs

- 6.38** A well designed hanging sign suspended from traditional brackets can enhance the appearance of a shopfront and add vitality to a traditional shopping street. Sign-written hanging signboards of a modest size are an established feature of traditional streets and should be retained. Where the original brackets still exist, their reuse will be encouraged. Where new brackets are required, they would need to be detailed to fit in with the overall style of the building and their location should be carefully selected so as to minimise any potential for detrimental impact on the building itself or its neighbours. Any board should be painted timber and sign written. Bespoke hanging signs such as those used by chemists, barbers or ironmongers will be supported where of an appropriate design, appearance, material, and finish.
- 6.39** If original brackets are not present, a projecting sign may be accommodated centrally on a pilaster, at fascia level, at a minimum height of at 2.4m clearance from the pavement and 1m minimum in width from the outer side of the kerb line. The signs should be simple and limited to the relevant information relating to the shop and the services provided. No more than one sign will be considered acceptable per retailer or business and with deemed consent, should not exceed 0.75m<sup>2</sup>. Where exceeded, or a sign of any size is illuminated, advertisement consent may be required and Listed Building Consent will be required where attached to a listed building.
- 6.40** In conservation areas or on listed buildings, internally illuminated projecting box signs are considered unacceptable. Where illumination is required and justified, the most appropriate form for hanging signs is 'picture-lighting'. Other forms of external lighting will be considered on their merits.



Figure 39 - Positive examples of hanging signs using traditional brackets, or the original in respect of Pizza Express.

### Illumination (general)

- 6.41** Neon signage, illuminated letters and internally illuminated box signs and fascias are generally considered inappropriate, particularly for historic streets. Such signs tend to be too obtrusive and are usually constructed from unsympathetic materials.
- 6.42** Signs illuminated externally by means of trough lights or carefully positioned spotlights are potentially more acceptable but such illumination should only be considered for premises which are normally open after daylight hours, such as dispensing chemists, public houses, restaurants and other places of public entertainment.
- 6.43** The use of external floodlighting or downlighters is rarely necessary or appropriate as they add light pollution. In this context, it should be borne in mind that additional illumination should not be necessary where the level of street-lighting is adequate.

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Figure 40 – Unnecessarily extensive lighting.

### Upper floors

- 6.44** All advertising above ground floor level should relate solely to the use on that floor, rather than the commercial use below. For businesses operating from upper floors, painted lettering on window panes is preferred. Black or gold lettering is the traditional solution for this purpose. Etching can also be employed. Additional signs fixed to the outside of the building should be avoided, although “low key” signs e.g. brass plaques, may be appropriately sited next to entrances to the upper floors.

### Security Shutters and Grilles

- 6.45** Many retail frontages in the UK have been blighted by long stretches of solid aluminium shutters. At night these shut off light from within the shops creating an intimidating atmosphere. They prevent observation of break-ins and attract graffiti. There are some examples of shutters in the main shopping areas but not to the extent that they have created the negativity experienced elsewhere. There is evidence of runners of hooks for external mesh steel grilles on a number of shops. Some premises have internal expanding grilles which do not appear unattractive. Should proposals be presented for shutters account should be given to the following guidance and advice.





Figure 41 (left) - An imaginative use of external shutters. Figure 42 (right) - Poor Visibility through this inappropriate shutter

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East Herts District Plan | East Herts Retail Frontages: Design & Signage SPD (2019)

### 6.46

External shutters often retract into external boxes below the fascia and vertical runners attached to the pilasters. These both harm the appearance of a shopping streetscape. However, there are alternatives that avoid these problems:

- Security Glass is an ideal solution with no detrimental effect on the appearance of the shop. Modern toughened and laminated glass can give very high levels of security and there is a wide range of products available from standard 7mm laminated glass to bulletproof glass.
- Internal Grilles: Internal shutters require no external additions to the shopfront, and when they are the open link grille type, allow a clear view into the shop and give an open appearance from the street.
- Removable External Shutters: External shutters can be acceptable if they are appropriate to the shop and designed to suit its character. Traditional timber shutters that can be removed completely are fitted over each window; steel framed meshes with heavy gauge wire across fit over a larger area of glazing.
- External Roller Shutters: In exceptional circumstances external roller shutters can be used but they should be chosen carefully and fitted sensitively, so that:
  - They are of the open grille type allowing clear vision through.

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- The housing is contained within the design of the shopfront, preferably behind the fascia.
- The runners should be built into the frame of the shop.
- Solid External Shutters are only acceptable on traditional open shopfronts with no glazed window display, such as some fishmongers or butchers.

### Alarm boxes and security cameras

- 6.47** Burglar, fire alarm boxes and security cameras should be discretely sited and painted so as not to detract from the visual and architectural character of the building, whilst ensuring adequate visibility for deterrent purposes. Any necessary wiring should be routed in such a manner so as to be as unobtrusive as possible. These considerations are particularly important where listed buildings and conservation areas are concerned.

### A-boards and Banners

- 6.48** 'A'-boards are often displayed to attract custom to nearby premises. The unauthorised positioning of such signs on highway land is considered hazardous to highway users, particularly the visually impaired and introduces visual clutter into the streetscene and may result in action being taken to secure their removal.



Figure 43 - Examples of A-Board clutter.

- 6.49** The Highway Authority normally does not allow signs to be displayed on land in its control and has the power to remove them. Advertisement Consent is required for such signs on private land.



### Modern Shopfront

- 6.50** In certain circumstances, it might be appropriate to design a modern shopfront either within the traditional surround or within a carefully articulated new shop frame that reinterprets the proportions and forms of the adjacent shopfronts in a contemporary manner. The design of modern replacements should be of a high standard in order to bring diversity and vitality to the street. At the same time, proposals should always take account of adjacent shopfronts where these are of traditional design and should relate in terms of fascia lines, stallriser heights, bay widths and materials.
- 6.51** Shopfronts combining two shop units often disrupt the strong vertical emphasis, relate poorly to the buildings and introduce a visually unacceptable horizontal emphasis. It may be necessary therefore to retain or introduce an intervening pilaster and to break the fascia so that it looks like two separate shop units. Corner shopfronts have an important visual and practical role to play in shopping areas. Special care will be required for shops of 'double' aspect and window displays.

### Construction material and finish of shop frames

- 6.52** Materials should be selected to harmonise with the character of the building concerned. As a general principle, the type and number of materials used should be kept to a minimum, should be durable and easy to maintain. Shiny, reflective materials or lurid colouring should be avoided.
- 6.53** Traditional materials such as painted timber, glass, steel, render, stone, glazed tiles are still the most commonly used materials for good shopfronts and will appear in most better- quality designs. In well-established shopping areas with historic interest, painted timber, combined with other traditional materials are the most appropriate usually matching the features of the upper floors. Traditional shopfronts should not normally have a natural or varnished timber finish and exposed tropical hardwoods are especially unsuitable.
- 6.54** Modern framing materials such as extruded aluminium and UPVC, which are smooth, flat in texture and plain in section, are unlikely to be considered acceptable on historic buildings and certainly not in an attempt to mimic a traditional design. There are some steel-framed shopfronts in the District and these can result in elegant simple modern designs which should be retained. Powder-coated cast aluminium, stainless steel and frameless glazing can all suit contemporary design.
- 6.55** Shop fronts which comprise a series of folding doors, usually proposed for café and restaurant uses and which enable the entire frontage to be open in fine weather, can be problematical in historic buildings. When fully open they result in a ground floor void lacking any solid base to the building, whilst when closed the proportions of the folding doors can result in too much



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vertical sub-division particularly if the frames are heavy. This approach is generally discouraged in historic buildings and within conservation areas, except in some cases, where the property is set back from the pavement with a reasonable private forecourt. However, alternatives could be considered such folding windows or horizontally sliding windows which sit upon a solid stallriser. This can achieve the same effect in fine weather whilst retaining a solid visual base to the shop front at all times.

### Colour and finishes

- 6.56** The key to a successful colour scheme is to avoid colours with a high intensity which would make them overtly dominant in the street scene. Traditional joinery colours are dark blue, dark green, burgundy, brown, black, pale grey, creams and broken white. Using a consistent colour is preferable for all joinery. This approach will often still be the most appropriate one. However there are some exceptions, such as Lussmanns, a Grade II\* listed building in Hertford which dates from the Georgian period. It was remodelled in the 19th and 20th centuries with the ground floor housing a unique Egyptian revival style shopfront and a unique use of colours. It should be remembered that this is a one-off and does not justify some of the solid colours or colour schemes that are now evident elsewhere.
- 6.57** The choice of appropriate colour will depend upon the character of the particular building, street or area. Additionally, the council may seek to limit colour schemes where the shopfront is an original example, in a conservation area or forming part of a listed building.



Figure 44 - One-off special buildings like Lussmanns may be able to accommodate a stylized appearance and unusual colours. It does not apply to all.

- 6.58** Colour can be used to emphasise important elements of the design, to reinforce certain aspects and to pick up details, such as mouldings and lettering. Pilasters and corbel brackets should be a consistent colour. Where shared by adjoining shops they should not be painted half one shopfront



colour and half the adjoining colour. Traditionally rendered stallrisers and pilasters were painted in a contrasting colour to the joinery in smooth masonry paint. Original facing brick, steel and bronze or hardwood frames should not be painted and textured coatings should never be used. Joinery is normally best painted in a gloss or semi-gloss finish; a stained finish is almost always inappropriate in historic areas. The character or appearance of historic areas can be harmed by the use of strong and vivid colours. Restraint is required, preferably through the choice of traditional paints, colours and finishes.

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- 6.59** It is helpful to emphasise the location of shop entrances for people with a visual impairment. This can be done through use of colour and textural contrast, on the vertical plane between entrance and the rest of the shop front and underfoot, by emphasising the change from pavement to shop floor.

### Empty Shops

- 6.60** It is recognised that there will be occasions when properties are vacant with shopfronts possibly needing to be boarded up for security reasons. It is important that this is only done as a temporary measure whilst steps are taken to bring the shop back into use. The boarding up of premises has a significant impact on a building's appearance and on the surrounding area.

## 7 . Access Provisions



### 7 Access Provisions

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- 7.1** Wherever it is practicable, the design of a new shopfront, or proposals to remodel existing premises should provide access to everyone regardless of age or disability. Thus the principles of inclusivity should be employed whereby the whole scheme is designed to be accessible without the need for separate entrances or facilities which can only be accessed by request. A number of existing shops and premises in the shopping areas have 'at grade' level or gently sloping entrances. Due to the medieval pattern and street systems, some benefit from a double aspect or a shopfront to another street which can be utilised to provide suitable access.
- 7.2** Obviously, this requirement has great implications for the design and layout of sites and buildings, both externally and internally. Most buildings will have to comply with the Building Regulations and access requirements. Designs should be undertaken with this in mind.
- 7.3** It should be remembered that those with special requirements related to access are not limited to wheelchair users, but includes people with impaired vision, hearing or mobility. In addition to the possible regular users of the development, occasional visitors will also need to be considered.
- 7.4** It is recognised that in certain instances the character of listed buildings or other existing structures will mean that compromises may have to be made regarding the overall aim of inclusivity.



Figure 45 – An historic shopfront that could not accommodate access for the less able without significant harm.





- 7.5** Alterations or new frontage should ensure access for all through the main entrance by creating a clearly defined, well-lit, unobstructed and level approach. Where this is not possible, a secondary accessible entrance should be considered. Only in exceptional circumstances should disabled people be obliged to ring a bell or wait to be escorted onto the premises.



Figure 46 - A historic entrance with original handrails assisting entry (left). An additional step to ease entry (right), however a uniform surface treatment would have been more appropriate.

- 7.6** The following points should also be borne in mind:

- The entrance to the shop should be level with the pavement. If this is not possible, a non-slip ramp (maximum gradient 1:12) should be provided, to allow access for people with limited mobility, including elderly people and shoppers with pushchairs.
- Doors should have a clear opening width of 900mm, with a clear 300mm space adjacent to the opening side of the door. Where there are double doors, there should be a clear opening width of 800mm through at least one of the leaves. Where building constraints make these recommended widths impossible, the minimum clear opening width should be 750mm.
- Where space is limited automatic doors are helpful, and there are a variety to suit most situations. Traditional shops may choose power-assisted doors, or automatic doors operated via a push plate. If manual, doors should be light, well hung, and self-closing forces kept to the minimum necessary. Revolving doors are not recommended.

## 7 . Access Provisions



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- Where there are unavoidable steps, these should be easy going, have a handrail on both sides and should be easy to see by including contrasting step nosings.
- On many traditional shopfronts the entrance is recessed. These recesses add variety to the shopping street. However, if open at night, they should be adequately lit for safety reasons.



1. Handle of appropriate height & design
2. Letterbox at convenient height
3. Kicking plate
4. Door hung to swing without obstructing pavement
5. Any necessary internal step 400mm beyond door swing

Figure 47 - Recessed entrances can accommodate appropriate access for the less able making the shopping experience 'user friendly' but care is required with detailing.



Figure 48 - Both the ramp and shopfront make for an unacceptable impact on the building and streetscene

1. Showcase
2. Landings (min900m2)
3. Ramp (1 in 20)
4. Safety Glass

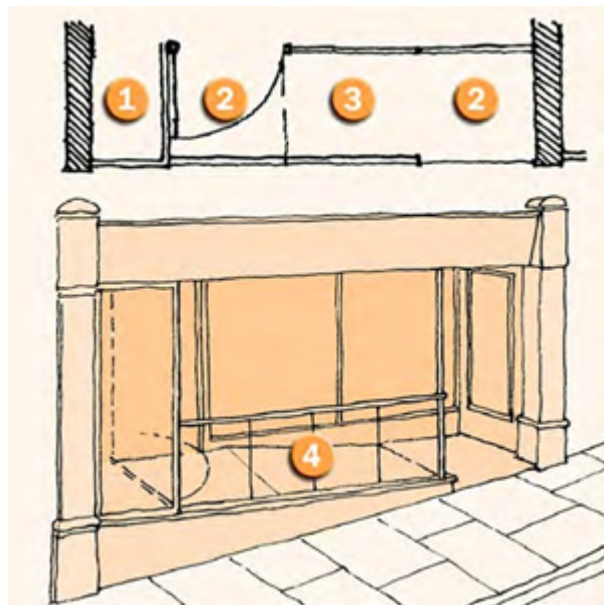


Figure 49 - Highways rarely permit level changes on pavements within their control. Where practical and achievable, this approach may offer an alternative and less intrusive approach.





### 8 Summary

- 8.1** The history of retailing and the availability of building materials and their associated construction methods are largely responsible for the appearance of our shopping centres and high streets today.
- 8.2** Alterations to existing commercial premises need to be carried out in a manner which is sympathetic to the original design and scale of the building and its setting. Demands from corporate businesses and the need for a higher retail profile has done much to destroy harmonious streetscapes. Modern materials and advertising methods have been used in ways which are out of context with the character of areas.
- 8.3** An understanding and appreciation of the development of the shopfront is useful when making changes and it is particularly important to conserve historic features and detailing in conservation areas and areas where the historical character is an important aspect of local distinctiveness.
- 8.4** It is not always easy to control the precise appearance of shopfronts and signage, especially when recent changes have been introduced which are not sympathetic to the existing fabric and design. Care is needed in the detailing of the fascia, canopies and blinds, pilasters and consoles, stallrisers, mullions, transoms and glazing bars, door furniture, shop signage, upper floors, illumination, security and alarm boxes.

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## ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

DRAFT FOR CONSULTATION 2018

Consultation period 22 October - 3 December 2018 (extended by a week).



Top: heavy wooden arched knee brace construction detail of Lych-gate to church probably dating from the 15th century, perhaps earlier; below part of 20th century stained glass in church. The latter commemorates the 292 USAAF airmen who were killed in action flying B17 Flying Fortresses in WW11 from nearby Nuthamstead air base. Ten airmen were lost in one take off incident when a fully laden plane crashed near the church. The names of all those who died are etched in the wings of the butterflies.

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



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Plan 1 - Existing conservation area on historic map (1874-1894).

Plan 2 – Character Analysis Plan/key.

Plan 3 – Management Plan/key.

# ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

## DRAFT FOR CONSULTATION

2018

This document has been produced by officers of East Hertfordshire District Council to assess the current condition of the Ansteby 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.

The content of Appraisals written from 2016 which include this paragraph may differ from predecessor documents. Selected revisions have been incorporated to reflect content and policies set out in the District Plan which was adopted on 23 October 2018, changes to legislation, nomenclature, consolidation, and other improvements resulting from experience gained to date. This process is ongoing.

~~The content of Appraisals written from 2016 which include this paragraph may differ from predecessor documents. Selected revisions have been incorporated to reflect changes to legislation, the emerging District Plan, nomenclature, consolidation, other improvements resulting from experience gained to date. This process is ongoing.~~

The document will be subject to public consultation a process that will be advertised separately. Any comments received (omitting personal details) will be available for public inspection. To comply with data protection legislation the local planning authority will destroy such personal details provided within six months of adoption of the appraisal.

It has not been possible to access some areas and rear boundaries. In such cases interpretation of information provided has been taken from satellite information. This also applies to the diagrammatic plotting of a number of trees and hedgerows.

### 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, **currently** 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, Stevenage, Royston and Cambridge. 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 previous Local Plan adopted in April 2007, recognised these facts and committed the Council to review its conservation areas and their boundaries, a process which is now nearing completion. The replacement District Plan which was adopted on 23 October 2018 contains the current policies affecting conservation areas.**

**~~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 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.



Where appropriate the documents put forward simple practical management proposals to 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 and also to their legal status in relation to householder permitted development rights (i.e. either being considered as single dwellings or alternatively as flats). Similarly with respect to assessing whether a building is curtilage listed.

1.8. This Conservation Appraisal will:

- Identify the special character of the 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.

1.10. Acknowledgement and thanks are recorded to Hertfordshire County Council who's Natural Historic and Built Environment Team 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<sup>\*</sup>. 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<sup>\*\*</sup>. Looking for and assessing such buildings is therefore a priority of this Appraisal.**

<sup>\*</sup>One exception in this rural community relates to buildings used for agriculture erected since 1914.

<sup>\*\*</sup> 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) (England), Order 2015 (further 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 associated with many non-listed buildings 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 commonly include some developments fronting a highway or open space, such as an external porch or the demolition of some gates, fences or walls or their alteration. The removal of existing important architectural features that are important to the character or appearance of a conservation area such as chimneys, traditional detailing or materials, distinctive porches, windows and doors or walls or railings 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 appropriate. The Council has introduced a similar Article 4 Direction elsewhere in the District and agreed the general principle of introducing further Directions in other conservation areas. -

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. There are several Tree Preservation Orders within the conservation area.

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.

2.10. National Planning Policy Framework 2018 (updated 2019). The principle emphasis of the framework is to promote sustainable development which has three main objectives which are Economic, Social and Environmental. Achieving good design is a key aspect of



sustainable development and new development should make a positive contribution to local character and distinctiveness.

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

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

- **Conservation Areas.** Such areas must justify such a status virtue of being of special architectural or historic interest and that the concept of conservation is not devalued through the designation of areas that lack special interest.
- **Heritage assets.** Heritage assets range from sites and buildings of local historic value to those of the highest significance. They are an irreplaceable resource and should be conserved in a manner appropriate to their significance to be enjoyed by present and future generations.
- **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 or Registered Park or Garden should be exceptional whilst similarly, substantial harm to heritage assets of higher status, e.g. those listed grade I or II\* 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 treated favourably.**
- **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 Spaces.** 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 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 £2,000.

2.13. In respect of the above the Council has produced a number of leaflets and guidance notes that are available on line and on request. These guidance notes on the preservation and repair of historic materials and buildings' provide useful information relevant to the preservation and enhancement of conservation areas. They will be updated as resources permit.

2.14. The Council also has a 'Heritage at Risk Register', originally produced in 2006, and further updated. This document is available on the Council's website. There are no such properties identified in Anstey.

2.15. The previous Local Plan adopted in April 2007, recognised these facts and committed the Council to review its conservation areas and their boundaries, a process which is now nearing completion. The replacement District Plan which was adopted on 23 October 2018 contains the current policies affecting conservation areas.

~~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 Council's 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 has is in the process of preparing a new planning policy document which willhas replaced the 2007 Local Plan. This will be known as the East Herts District Plan (DP). which was adopted on 23 October 2018. Once adopted the DP will contain the relevant Council planning policies. As currently drafted this emerging District Plan and advises that development in conservation areas should, inter alia, have regard to conform with the content of these Appraisals.~~

2.17. Anstey Conservation Area was designated in 1981.

## PART B - APPRAISAL

### 3. ORIGINS AND HISTORICAL DEVELOPMENT

3.1. There are about 30 records within the existing conservation area held by the County Historic Environment Records. Many of these relate to Listed Buildings, some descriptions being included later in this

document. Some other interesting entries relate to Anstey Castle traditionally attributed to Eustace, Count of Bologne and later believed to be demolished by Nicolas Anstey in 1218. The village is likened to a string of linked Ends and Greens.

**3.2. Several moated sites are identified, possibly of medieval origin. Another particularly interesting inclusion is that of a smock mill\* which was demolished in 1921. It was built circa 1860 and demolished in 1921 following being struck by lightning in 1919. The description advises a mill stood on or near this site (Silver Street, Snow End) from the 13th century.**

\*A smock mill is a type of windmill that consists of a sloping tower often with six or eight sides and topped with a rotating cap to bring the sails into the wind.

**3.3. Prehistoric. Unknown to the fieldworker.**

**3.4. Roman settlement. Possible as early 20th century excavation reported fragments of Roman sherds although others consider these were more likely to have been medieval Herts Grey Ware.**

**3.5. The Domesday Book was a census commissioned by William I in 1086. In relation to Anstey it advises *The Count (Eustace Count of Bologne?) himself holds Anstey. It is assessed at 5 hides. There is land for 120 ploughs. In demesne 5 Hides...There 8 villans with a priest and 6 bordars have 5 ploughs...There are 5 cottars and 6 slaves, meadow for half a plough, pasture for the livestock woodland for 50 pigs. In all it is and was worth £14.***

*Also in Anstey Payne holds half a hide of Hardwin. There is land for 1 1/2 ploughs...with 4 bordars and 4 cottars and 1 slave. Meadow for 1/2 a plough, pasture for the livestock, woodland for 12 pigs. This land is worth 20s, when received 10s. [Source: Domesday Book a complete translation, Alecto Historical Editions Penguin Books 2002.](#)*

**3.6. Interpretation: 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 '. A cottar is a tenant occupying a cottage in return for services. 'Demesne' essentially means land belonging to the lord of the manor.**

**3.7. Anglo Saxon. Unknown to fieldworker.**

**3.8. Medieval settlement. An abbreviated description from the County Historic Environment Records for Anstey describes the village as being a collection of medieval hamlets guarded by a Norman castle with a small settlement developing around the motte and bailey where the castle church and later manor house form a group. The church dates**



from the 12th century and there are several buildings dating from the later Medieval period, the 15th century. There have been Medieval pottery finds.

**3.9. The 19th century.** A picture of the settlement as it can be recognised in part today is set out in Kelly's Directory of 1874 which refers as follows: *Anstey is a village and parish 4½ miles north east from Buntingford Station...The church is cruciform...The church was restored in 1871...and has been furnished with a new pulpit and other greatly improved fittings. Here is a National School for Boys and Girls; average attendance 50. The Primitive Methodists have a small chapel here. A castle formerly stood here, the mound and moat of which may still be seen. The soil is mixed, chiefly heavy; subsoil clay and chalk, with small quantities of gravel. The crops are principally on the four course shift... the population in 1871 was 412.*

**3.10. Commercial activities,** in addition to the unsurprisingly predominance of farmers listed in Kelly's at this time, there were as follows~~the following~~: shopkeeper, beer retailers (2), miller and shopkeeper, butcher, blacksmith and beer retailer, draper and general dealer, Chequers PH.

**3.11. Mapping from 1874 -1894** (which appears disjointed - see Plan 1) identifies the location of some of the activities listed above. It shows the string of settlements very sparsely developed with a Rectory and moats at Hale Hill; a Primitive Methodist chapel, now demolished, at Cheapside (interpreted as being on the north side of the road); the castle mound; The Hall; a school for Boys and Girls; several chalk pits at Snow End; a corn windmill north of Silver Street and what may be allotments to the south of Silver Street. Little change seems to have occurred until the mid 20th century with the building of Moatside and Bury Field and later the Two Acre Farm housing area which appears to have replaced a large piggery complex.

**3.12. The publication, Place Names of Hertfordshire, Cambridge University Press 1970** advises several names, a selection of which is included thus: Anestige, Anestei 1086, Ansti 1271, Anstey ad Castrum 1642-1660. Name possibly derives from Anstig - a narrow path, possibly the steep ascent to site of Anstey castle.



Picture 1. War Memorial 1921, presumed as being the dedication and unveiling ceremony.  
Reproduced courtesy of Ann McNeill.

3.13. Plan 1 shows the existing Conservation Area plotted on historic map (appears disjointed) dating from 1874-1894.

#### 4. ENVIRONMENTAL DESIGNATIONS AND CRITERIA USED TO IDENTIFY OTHER IMPORTANT ENVIRONMENTAL FEATURES

4.1. Scheduled Ancient Monuments. A National designation. There are three such monuments in the existing conservation area (two in revised conservation area).

4.2. Areas of Archaeological Significance. Designated locally by EHDC on advice from HCC. ~~The areas identified by this Appraisal are areas as shown on the Council's most up to date mapping, and may sometimes differ from that shown on the adopted Plan.~~ The identification and refinement of such areas is an ongoing process.

4.3. Listed buildings. A National designation. Individually listed buildings have been identified, plotted and a selection is briefly described, such abbreviated descriptions being based on the national list, occasionally with additional comments *in italics* by the fieldworker. Full descriptions can be obtained on line at Historic England's website [List.HistoricEngland.org.uk](http://List.HistoricEngland.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. The issue of deciding whether or not a building is 'curtilage listed' can sometimes be problematic and there is no exact legal definition of a building's curtilage. The main tests relate to the physical layout of the land surrounding the main building/s at the date of listing, the physical layout and functional relationship of structures to each other; ownership, past and present and use or function, past and present. Structures need to be ancillary or subordinate to the main Listed

Building and form part of the land and not be historically independent. Protection is granted to such objects or structures within the curtilage of a Listed Building if they were built prior to July 1, 1948. In determining the extent of a Listed Building and its curtilage, a key assessment will be to examine the situation at the time of listing.

**4.5. Non listed buildings of quality and worthy of protection.** Several other non-listed buildings and structures that make an important architectural or historic contribution to the conservation area are identified by this Appraisal. The basic questions asked in assessing 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?
- (e) Determining which properties to include or which to exclude is occasionally a matter of difficult judgement.

**4.6. Important trees and hedgerows** are identified by this Appraisal. Their positions are shown very diagrammatically indeed and access to some rear areas has not been obtained. In such cases the information provided has been based on interpretation of satellite information. 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.

**4.7. Open spaces or gaps of quality** that contribute to the visual importance of the conservation area where development would be inappropriate are identified by this Appraisal. 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.

4.8. Other distinctive features that make an important visual or historic contribution are identified by this Appraisal. In relation to walls and railings those at and above prescribed heights in a conservation area 1m abutting a highway (including a public footpath or bridleway, waterway or open space) or 2m elsewhere, are protected and require permission for their demolition.

4.9. Reference has previously been made to the potential of introducing Article 4 Directions in justified circumstances. The Appraisals undertaken to date have identified elsewhere in the District that many historic architectural features of quality remain unaltered on some non listed buildings but, on the other hand, the exercise of Permitted Development Rights has eroded other parts of some conservation areas. ~~Should Members decide to proceed with such an initiative, s~~Such important historic detailing including features as identified below could justifiably be retained and inappropriate alterations to them controlled. ~~(Update: Members have tested the impact of introduced~~ an Article 4 Direction ~~in 2016~~ elsewhere in the District and ~~may introduce others as resources permit).~~ agreed the general principle of introducing further Directions in other conservation areas.

- Chimneys, in good condition, contemporary with the age of the property, prominent in the street scene and generally complete with chimney pots.
- Selected windows, 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.
- Other features might include good quality architectural materials and detailing constructed of wood, metal or other materials.
- Walls or railings which make a positive architectural or historic contribution to the visual appearance of the conservation area.
- It may also be appropriate to introduce Article 4 Directions to retain quality buildings below the prescribed Permitted Development threshold.

4.10. Features that are out of character with the conservation area and detract or are in poor repair are identified.

4.11. Important views are identified.

4.12. Conservation area boundaries. In suggesting any revisions to the conservation area boundaries, principal consideration is 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. Current advice from Historic England advises against the inclusion of agricultural land forming part of the wider landscape.

~~In respect of the latter the document published by Historic England (Conservation Area Designation, Appraisal and Management – 2016) advises that Conservation area designation is not generally an appropriate means of protecting the wider landscape....~~

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4.13. Local Wildlife sites. Those shown are identified on the **emerging** District Plan. ~~(which may differ from those on the Adopted Plan due to updates)~~. There are two within/partly within the Anstey conservation area.

## CHARACTER ANALYSIS

5.1. General Landscape setting. The Council's Landscape Character Assessment produced in 2007 (which is Supplementary Planning Guidance) identifies the distinct landscapes of the District in terms of their wider settings. The conservation area is located within Area 148 Anstey and Pelhams Plateau. The landscape is described as being *ancient... with frequent settlements containing a high proportion of vernacular properties.*

5.2. General overview. Positive attributes. Anstey is remote and rural and consists of several groupings of historic buildings strung out along a long narrow winding road. There are two principal concentrations of historic buildings: firstly in the centre of Anstey around and to the north of Anstey Hall and a grouping at Snow End. Many of the listed buildings have thatched roofs. There are three Scheduled Ancient Monuments (two in revised area), the most important and prominent of which is to the north of Anstey Hall. Several other non listed important buildings

worthy of retention have been identified as have large numbers of trees and hedgerows.

5.3. Negative attributes. There are groupings of later residential developments with very limited historical or architectural interest. The fence adjacent to the site of the Blind Fiddler PH in the centre of the village ~~could be improved.~~ needs repairing. Discussions with the owner have been positive and repairs have now been implemented.

5.4. Very large areas of open countryside are proposed to be excluded from the conservation area as their inclusions are contrary to Historic England advice (see previous reference).

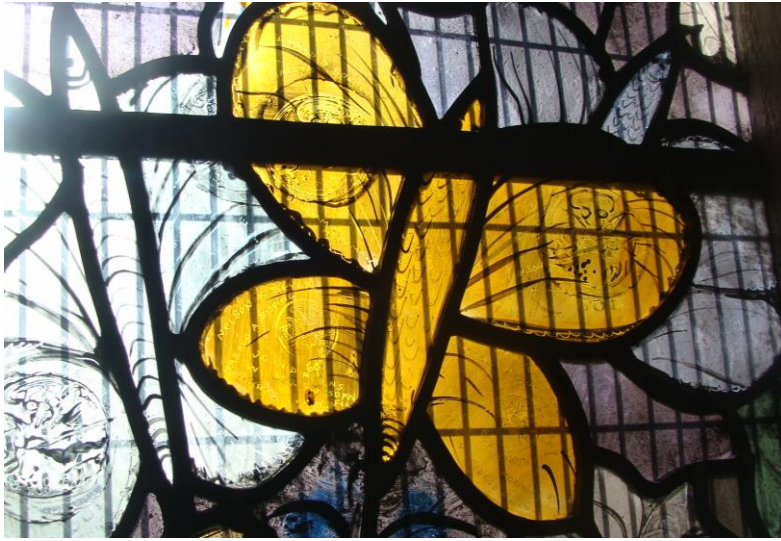
5.5. Individually Listed Buildings. There are 27 listed buildings/groups within the existing conservation area (24 in the revised area). Of the former total, 37% date from the 17th century, 22% from the 16th century and 15% from the 15th and 18th centuries each. The 12th (church), 19th (well head and shelter) and 20th (telephone kiosk) centuries are also represented.

5.6. The above buildings are grade II except the church which is Grade I.

5.7. Individually Listed Buildings. A selection of Listed Buildings with abbreviated descriptions based on the National list is provided below. Any comments by the fieldworker are in *italics*.

5.8. Church of St George - Grade I. Late 12th century central tower chancel and transepts rebuilt in late 13th century, 14th century nave and aisles, late 15th century south porch. Roofs lowered in 1831. Carefully restored 1871-2 by William Butterfield (1814-1900). Repairs by Sir Arthur Blomfield 1907. Flint rubble with stone dressings. Metal roofs of low pitch behind parapets. A fine cruciform church with chancel, 4-bays clerestoreyed nave, north and south aisles, transepts, south porch and central tower with battlements and spike. Unusual semi-circular lower stages to 13th century diagonal buttresses. Central tower of 3 stages with embattled parapet and Herts spike. Transept largely occupied by organ but also large iron bound medieval chest. *Unusual 20th century stained glass windows commemorating nearly 300 young Americans who were killed whilst serving in the 398th Bomb Group of the USAAF. Their names appear in the wings of butterflies etched on the stained glass.*





Picture 2. Detail of 20th century stained glass in church commemorating the presence of the United States Air Force at nearby Nuthampstead WWII airbase. Look closely and you can see some of the names of those who were tragically killed in action.



Picture 3. Church of St George which dates from the 12th century.

**5.9. Lych-gate Grade II.** Lych-gate incorporating a lockup. 15th century or earlier, lockup enclosed in flint and brick walls in 1831. Timber frame on red brick sill walls uncoursed flint with grey brick quoins to lockup, and hipped old red tile roof with gablets. A small, single-storey rectangular structure... the square lockup occupies the east 2/5ths. 3 heavy chamfered square posts in line on the central long axis support the rest of the structure. Arched knee-braces in the head of the central opening. In use as the parish cage up to the early 20th century.



Picture 4. Lych-gate and lockup, the latter being in use until the early 20th century.

**5.10. Anstey Hall - Grade II. Manor House.** Mid 17th century south range, earlier north range, early 19th century east garden front. Timber frame plastered, plastered red brick early 19th century casing to south front, and steep hipped tiled roofs. A large square 2-storeys house. On the site of the capital messuage (*house and outbuildings*) which replaced the castle as the Caput (*head*) of the Manor.

**5.11. Wellhead and Shelter - Grade II. Well head and shelter.** Early 19th century. Cast iron wellhead, timber shelter and octagonal pointed slate roof with finial. A large openwork cast iron wellhead on an island at crossroads with an octagonal shelter on oak posts thickened by spurs at the base. Large flywheel on south side with mounting for handle on one of its four serpentine spokes. Trestle of 3 stages constructed of 2 parallel castings spaced apart. Small gear on spindle from flywheel drives large gear mounted on top spindle with a flanged winding wheel at its centre. A picturesque village feature of special social and technological interest. *Some may consider the presence of local information notices on hoarding within the structure detracts.*





Pictures 5-6. As the listed building says this is *A picturesque village feature of special social and technological interest*. However there is an opportunity to consider inexpensive improvements that would much improve the quality of this most unusual feature. In the authors opinion the notice board hoarding detracts.

**5.12. Barn at Anstey House - Grade II.** Late 16th century west part, late 17th century east part. Timber frame on red brick sill, white weatherboarded on south, rear (north) side roughcast on road side. Steep, hipped thatch roof. A long barn with low side-walls and tall roof. 18th century leaded casement windows to convert it to a coachman's house. *Original thatched roof no longer exists - replaced.*



Picture 7. Barn at Anstey House. A prominent historic feature in the street scene.

**5.13. Chappells Cottage, Cheapside - Grade II. Later 17th century, north bay later. Timber frame on red brick plinth, white weatherboarded with a steep thatched roof. 2 eyebrow dormers on east with cast iron casements, ~~and~~ plank door under gabled tiled hood. Interior has axial beams and wide fireplace.**



Picture 8. Chappells Cottage, Thatched roofs are an important feature in Anstey.

**5.14. Telephone kiosk, 30 m. north-east of Wellhead and Shelter - Grade II. Type K6. Designed by Sir Giles Gilbert Scott. Made by Lion Foundry Co Ltd. Cast iron. Square kiosk with domed roof. Unperforated Elizabeth II crowns to top panels and margin glazing to windows and doors.**  
*Appears to be in working order but in need of a good 'clean- up.'*



**Picture 9.** 20th century listed telephone kiosk. Would benefit by undertaking minor repairs and cleansing and if necessary repainting.

**5.15. Well Cottage - Grade 11.** 17th century, matching north part 1865. Timber frame, white weatherboarded with steep thatched roof. A 1½ storeys, 3 cells, end chimneys plan house facing east. 3 dormer windows of 2-light casements cut into thatch at eaves. Lean-to weatherboarded and thatched porch central to older south part.



**Picture 10.** Well Cottage one of a number of important thatched properties in the local street scene.

**5.16. Hillside - Grade II.** 16th century heightened to 2 storeys after fire in mid 20th century. Timber frame roughcast with red tile hung 1st floor and red pantiled roof. A long, originally single-storey house now of 3 unequal bays, facing south possibly representing a hall. Large external east gable chimney with former wide fireplace now enclosed in later single-storey east extension. An important late medieval building associated with the church.

**5.17. Essex Cottage - Snow End - Grade II.** 16th century or earlier. Hall floored and chimney inserted in 17th century. Restored in 20th century. Timber frame roughcast with steep half-hipped thatch roof.



Interior has evidence of former open hall, with slots for braces in bay posts in south bay flanking inglenook.



Picture 11. Snow End and Essex Cottage in foreground, part of a group of important listed properties principally dating from the 16th century.

**5.18. Clare Cottage - Snow End, Grade II. Late 17/early 18th century. Timber frame on stuccoed sill, roughcast front with corner battens and dark weatherboard west gable. Steep old red tile roof with bellcast eaves.**

**5.19. Scheduled-Ancient Monuments.** There are three **such monuments** in the existing conservation area (two in conservation area as amended). **General:** Motte and bailey castles are medieval fortifications introduced into Britain by the Normans. They comprised a large conical mound of earth or rubble, the motte, surmounted by a palisade and a stone or timber tower. In a majority of examples an embanked enclosure containing additional buildings, the bailey, adjoined the motte. Motte castles and motte-and-bailey castles acted as garrison forts during offensive military operations, as strongholds, and, in many cases, as aristocratic residences and as centres of local or royal administration. Built in towns, villages and open countryside, motte and bailey castles generally occupied strategic positions dominating their immediate locality and, as a result, are the most visually impressive monuments of the early post-Conquest period surviving in the modern landscape. Over 600 motte castles or motte-and-bailey castles are recorded nationally. Although many were occupied for only a short period of time, motte castles continued to be built and occupied from the 11th to the 13th centuries, after which they were superseded by other types of castle.

**5.20. Anstey motte and bailey castle to north of Anstey Hall. The monument includes a motte and bailey castle situated at the south end of a broad spur, adjacent to the Norman church of St George's. It survives as a large flat-topped motte. Surrounding the motte is a water filled ditch with a causeway to the south-east. To the north and east of the motte is the L-shaped bailey which is still surrounded on its north-western and north-eastern sides by a dry ditch. Within the projected**

area of the bailey, just east of the motte, is a square-shaped landscaped mound surrounded by a dry ditch. Its position and shape are incongruous with the bailey and it is considered to be a later ornamental addition. In 1902 excavations carried out by R. T. Andrews on the eastern edge of the motte summit revealed a trapezoidal foundation of flint dug circa 46 cm deep into the boulder clay. Fragments of tile and 13th century pottery were also found. The castle is attributed to Eustace, Count of Cologne, who held the manor at Domesday. In 1218 Nicholas de Anstey was ordered to reduce his castle which was in the king's hands in 1225.



Picture 12. Part of the Anstey Motte and Bailey site, an important Scheduled Ancient Monument attributed to Eustace Count of Cologne.

**5.21. Moated mound near Hale Farm (south of Anstey House). No information immediately available from Historic England as record has been generated from an "old county number" scheduling record. County records describe it as *a mound within a small rectangular water-filled feature, possibly medieval but also possibly a prospect mound in a post medieval formal garden. It is close to another moated site within Anstey House perhaps dating from the 17th or 18th century.***

**5.22. For information there is a third scheduled site at Pain's End (now beyond the conservation area) which is believed to be the remains of a homestead moat possibly of medieval date. No trace of a structure.**

**5.23. Areas of Archaeological Significance. ~~Much of the conservation area is so designated.~~ Much of the built up part of the conservation area is so designated although the large eastern section of open countryside (now excluded from the conservation area) is not.**

**5.24. Important buildings within the curtilages of Listed Building.** The issue of deciding whether or not a building is 'curtilage listed' can sometimes be problematic and there is no exact legal definition of a building's curtilage.

**5.25. Group of 4 buildings to the north of Anstey Hall. Presumed former agricultural barns, now residential and garaging. Various of flint render and timber boarding; tiled and slate roofs.**

**5.26. Other non listed buildings that make an important architectural or historic contribution.** This Appraisal identifies other buildings of high quality that are not listed but that should be retained. These generally date from the late 19th/ early 20th century and are an important element in the high environmental quality of the conservation area and make a positive contribution to its built form and historical evolution. Any important architectural features they possess and worthy of retention are identified.

**5.27. High Hall, Mill Lane. Of mid/late 19th century date. Brick construction with hipped slate roof; 2 No. chimney stacks. 3 range vertical sliding sash windows to first floor. Central decorative portico (not examined or dated) and entrance door with flight of steps. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 13. High Hall a prominent 19th century building of good proportions worthy of retention.

**5.28. Barn at High Hall Farm. Of 19th century date. Weatherboarded farm building on brick and flint base with slate roof adjacent to the public road and prominent in the street scene. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**





Picture 14. Prominent barn in the local street scene - High Hall Farm worthy of retention.

**5.29. Agricultural barn at High Hall Farm. Probably of mid/late 19th century date. Principally weatherboarded with slate roof. Largely unaltered with large central entrance to front elevation. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 15. 19th century agricultural barn of historic and architectural interest associated with High Hall Farm probably from mid/late 19th century.

**5.30. The Hale, Mill Lane. At furthest eastern extremity of the conservation area and to the east of Anstey House. Probably of mid 19th century date. Of brick construction with three range vertical sliding sash windows to first floor. Slate roof with 2 No. chimneys. Later central canopy detail. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**



Picture 16. The Hale - makes a worthwhile architectural and historic contribution to the conservation area in this location.

**5.31. The Union Chapel.** Dating from the early 20th century. Of brick construction with slate roof and decorative ridge tiles. Central entrance door to front and three range window to side. This building seems to have replaced an earlier original Primitive Methodist chapel to the north, now demolished. Commemorative stone reads *This stone was laid to the glory of God by J. C. Wilkerson Esq. October 27 1902.* This building and window openings with central entrance and brick hood moulding and label stops is/are most worthy of retention.



Picture 17. The Union Chapel, of early 20th century date apparently replaced a Primitive Methodist Chapel at Cheapside to the north.

**5.32. Nos.1-6 Castle Cottages.** Of block construction painted/rendered. All with original roof chimney and date plaque (1920) detailing. Mostly with original entrance canopies to side. Two have later extensions but executed in a sympathetic manner. Despite late window detailing, and on balance, these early 20th century properties have sufficient architectural and historic value to be protected and retained. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.



Picture 18. Nos. 1-6 Castle Cottages. Dating from 1920 these properties on balance are considered to be of sufficient quality to be protected and retained.

**5.33. School building in part. Parts of the old school remain and are visible from the main road. The brick and flint front elevation and bell tower are pleasing features and worthy of retention. However various extensions and additions elsewhere on the site are visually less satisfactory.**



Picture 19. Historic elements of original 19th century school building which make an historic and architectural contribution to the street scene.

**5.34. Church Gate Cottage and Anstey Hall Cottage, St Georges End. A large two storey rendered building probably of 19th century date with tiled roof and chimneys with pots. Inappropriate but subservient extension to Church Gate Cottage. On balance the whole is worthy of retention. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.**





Picture 20. Church Gate Cottage and Anstey Hall Cottage, St Georges End.

**5.35. Elm Cottage.** From preliminary consideration (albeit no detailed site inspection or discussion with owners, see reference at para. 1.7) and historic map inspection, the southern element of Elm Cottage is interpreted as being late 19th century of brick construction with hipped roof and centrally located chimney. The northern extension, although quite prominent is well designed and in keeping with the original in terms of design and materials. Therefore the building as a whole makes an important architectural and historical contribution and on balance the whole is considered worthy of retention. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.



Picture 21. Elm Cottage A sensitive design and use of materials of new extension is successful and in keeping with the original.

**5.36. Other distinctive features that make an important architectural or historic contribution.** Walls and railings so identified are protected to varying degrees virtue of exceeding specified height relevant to the

conservation area legislation or by being within the curtilage of a Listed Building unless otherwise noted.

5.37. Flint wall at High Hall Farm. Prominent feature in the farm complex. Of flint construction capped with typical 19th century rounded brick detailing. Not adjacent to the highway and less than 2m in height and thus unprotected by conservation area legislation. An Article 4 Direction to provide protection for selected features may be appropriate subject to further consideration and notification.



Picture 22. Good quality 19th century wall at High Hall Farm worthy of retention and protection.

5.38. Wall to frontage of ~~Clare Cottage~~ Snow End House. Approx. 1m in height of brick and flint construction with rounded brick capping detailing.



Picture 23. Wall of brick and flint construction to front of ~~Clare Cottage~~ Snow End House.

5.39. War Memorial. Advised designed and built by G. Maile and Son London and dedicated in 1921 (see Picture 1). Celtic Cross with sword commemorating the local war dead of the Great War 1914-1919.



Picture 24. Fine stone War Memorial believed dedicated in 1921, see also Picture 1.

**5.40. Eastern boundary of church presumed brick/flint wall. Partly repaired but partly heavily covered in ivy. Condition of wall beneath ivy unknown. Suggest careful removal of ivy and if necessary initiate repairs.**



Picture 25. The condition of the eastern boundary of the church boundary wall? is unknown. Suggest explore further and consider implementing any necessary repairs.



**5.41. Boundary wall to Anstey Hall. Wall of high quality of flint construction with rounded brick capping. Height varies.**



Picture 26. High quality boundary wall to Anstey Hall - a prominent and visually important feature in the street scene.

**5.42. Tombstones in churchyard- see below.**

**5.43. Important Open Spaces.** The spaces identified below are most important and should be preserved.

**5.44. Churchyard.** Provides an open area accessible to the public with trees and well stocked with gravestones of historical interest, some chest tombs and several unusual wooden ones. Modern headstones are sensitively designed and in keeping. Spring flower covering enhances the general scene.





Pictures 27 -28. A verdant churchyard enhanced by spring flowers contains a wide range of interesting tombstones, many dating from the 19th century.

**5.45. Small green near Union Chapel. Small triangular Green with maturing trees that forms a small but visually important space in the street scene.**

**5.46. Wildlife sites.** There are two such Local Wildlife sites within or partly within the conservation area.

**5.47. Anstey Churchyard (ref. 16/030) simply described as being building and environs important for Protected Species.**

**5.48. The Hale Meadow (ref. 16/005). This lies partly within and partly beyond the conservation area to the south and east of Anstey House. It is described as old unimproved neutral grassland supporting a good range of typical Boulder Clay species. Also uncommon flora beside lower pond. Important habitat for insects and birds. Ponds etc add habitat diversity.**

**5.49. Particularly important trees and hedgerows.** Those trees and hedgerows that are most important are shown very diagrammatically on the accompanying plans. The detail of some has been taken from satellite information (where it is often difficult to differentiate between trees and hedgerows).

**5.50. Water features.** The moated water features at Anstey Hall and Anstey House within the revised conservation area are important both from a visual and historical perspective.

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



5.52. Elements out of character with the conservation area. The ~~site~~ ~~effence adjacent to~~ The Blue Fiddler PH is in the centre of the village ~~and a visual focal point. The site is untidy in some respects and~~ would benefit from ~~modest improvements including repair and~~ replacement. ~~Discussions have now taken place with the owner who has promised positive action. of part broken fence. This has now been implemented.~~



~~Pictures 29-30. The Blue Fiddler PH – broken boundary fence and open storage area detract.~~



Picture 29. Broken boundary fence between No. 1 Buryfield and adjacent PH detracts. The owner has promised a positive outcome which has now been implemented.

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5.53. Throughout the conservation area there are utility poles with overhead services which detract to varying degrees. The ones considered to be most prominent are diagrammatically plotted. One near



the PH is particularly prominent and others opposite Anstey Hall detract from the historic central core. In the first instance it is suggested the appropriate utility company be approached with a view to seeking their long term co-operation in reducing the visual impact of some of those considered most intrusive.

5.54. The open countryside, sporadic development and hamlets beyond the conservation area boundary. During the consultation process concern was raised relating to ensuring proper protection of the countryside and the hamlets beyond the conservation area. Historic England advises that conservation area designation is *not generally an appropriate means of protecting the wider landscape*. It should be noted however that these areas form part of the 'Rural Area Beyond the Green Belt' and are subject to, and thus protected by, District Plan Policy GBR2. The Rural Area Beyond the Green Belt is a considerable and significant countryside resource, which Policy GBR2 seeks to maintain.

5.55. This appraisal therefore recognises the importance of maintaining the general openness of this wider landscape and protecting its hamlets from inappropriate development and as such these areas will be protected by Policy GBR2 as a valued countryside resource.

5.546. Opportunities to secure improvements. Consider if improvements could be made to the listed well head at cross roads in centre of village by removing or reducing impact of local information hoarding and notices. Consider minor repairs cleansing and general refurbishment of listed telephone kiosk. Explore condition of eastern wall to churchyard covered in ivy and initiate any necessary repair works. ~~Discuss potential of securing improvements at the Blue Fiddler PH. Promised improvements to fence adjacent PH in centre of village have been carried out.~~ The PC may wish to approach the relevant utility company to discuss the potential of securing selected improvements.

5.557. Suggested boundary changes. The detail of some of the boundary changes have been taken from satellite information by necessity due to limited public accessibility. It is proposed to amend the conservation area boundary as follows:

- (a) Extend the conservation area so as to include the entirety of the small triangular green to the north of the Chapel.
- (b) Exclude two large modern agricultural barns at High Hall Farm of no architectural or historic interest.



Picture 340. Modern agricultural barns to north of High Hall Farm to be removed from the conservation area because they are of no historic or architectural value.

(c) Exclude two narrow linear areas of open countryside to north of Mill Lane and north of Anstey House. These pockets form part of the wider landscape and farmland.



Picture 321. One of two linear strips of agricultural land with undefined northern boundaries clearly forms part of the wider agricultural landscape and as such their exclusion is consistent with Historic England advice.

(d) Exclude a very large area principally of open countryside and agricultural land to the south of Mill Lane and east of Castle Cottages and extending further south to include land beyond Silver Street at Dawe's End. This very extensive area also includes a scatter of properties and smaller scale paddocks. Overall it forms part of the wider landscape, the inclusion of which is not consistent with National advice and local practice. Within this area are a number of properties mainly modern but also ~~three~~ a listed buildings (LB) protected by ~~their~~ it's own legislation. These properties include: a collection of farm buildings to south of Essex Cottage; Yew Tree Cottage, Nos. 1-2 Dawe's End Cottages; The Old Bell (LB); The Mayflower; Bell Cottage; Goldings; building south of Goldings on north west corner of Silver Street; ~~Dove Cottage (LB); Welspen Thatch (LB) -~~ On reflection and following

consultation the listed properties of Dove Cottage and Welspen Thatch together with the woodland adjacent to and to the north west of Welspen Thatch are proposed to remain within the conservation area.



Picture 332-343. Extensive tract of open countryside/ farmland between Mill Lane and Castle Cottages extending south to land beyond Silver Street now excluded from the conservation area being contrary to National advice and local practice.

**(e) Exclude field to west of Village Hall. This farmland is open and forms part of the wider agricultural landscape. Its exclusion is clearly in accord with Historic England advice.**



Picture 354. The field beyond the trees on the approach to the Village Hall clearly forms part of the open countryside.



(f) Exclude large area of open agricultural/grazing land and modern agricultural barn north of St Georges End and west of Two Acre Farm stretching north to include Northey Lodge. Within this area there is a loose scatter of several residential properties at Pain's End. The latter are mainly modern and include Northey Lodge, Woodside Cottage, Brokers Retreat and property under construction on site of High Tree. Woodside Cottage is listed and there is a moated site at Northey Lodge; both protected by their own legislation. This area is interpreted as being part of the open countryside and beyond the obvious physical edge of the village at Two Acre Farm.



Pictures 365-376. Agricultural barn and area of open countryside north of St Georges End. Current national advice and local practice generally advise against the inclusion of such areas within a conservation area.

5.568. General explanation of boundary amendments and retention of selected areas within the conservation area.

5.579. The retention of Anstey Hall area 'out on a limb' at the far eastern extremity within the conservation area and linked to the main body is considered appropriate because of its historical, architectural, visual and archaeological importance. There is one non listed building of note worthy of the protection afforded by conservation area status.

5.5860. The retention of Bury Field and Moatside. The former consists of three pairs of semi detached houses with their steeply pitched roofs linked with single storey garages date from the mid 20th century. Whilst not of sufficient quality to be described as making *an important architectural or historic contribution* they are not unpleasing. Moatside, nearby and on the west side of the road has less architectural and/or

historical value. However the two sites together with their environmentally attractive frontage trees are centrally located and perform a function in joining together two parts of the conservation area. Without their retention two separate conservation areas would be created and this would not be sensible. Therefore for these reasons the areas remain within the conservation area.

5.5961. Retention of Two Acre Farm site. Whist of limited historic and architectural quality traditional design features common of their time have been achieved. On balance the site has remained within the conservation area.

5.602. With respect to areas of areas removed from the conservation area these include tracts of farmland and other land which has been interpreted as forming part of the wider landscape. The inclusion of such areas is contrary to local practice and national advice from Historic England (Conservation Area Appraisal Designation, ~~Appraisal~~, and Management Advice Note 1 - 20168, paragraph 4273). Same reference in HE document update of 2019).

## 6. OVERALL SUMMARY.

6.1. Anstey's conservation area as proposed -is-a-linear village stretches along the main road from Mill Lane to Snow End. with~~There are~~ a number of high quality listed buildings, one particularly important Scheduled ~~Aa~~ncient Monument which -illustrates its rich historical heritage. The latter spans the 900 years or so from the Norman Conquest right through to the present day where modern stained glass in the church commemorates USAAF servicemen who died in the Second World War, stationed nearby. There are a number of non listed buildings worthy of the additional protection afforded by conservation area status.

6.2. Some buildings from the mid 20th century detract to a modest degree but these are limited. Implementing current advice it is no longer considered appropriate to include large areas of open countryside which have now been removed. Subject to the latter boundary modifications it is considered that the Anstey Conservation area is ~~worthy of its designation.~~ worthy of its designation.

6.3. The retention of the open countryside, sporadic development and hamlets beyond the proposed conservation area boundary is considered important and will be protected by District Plan Policy GBR2 as a valued countryside resource.

## PART C - MANAGEMENT PROPOSALS.

### 7. MANAGEMENT PROPOSALS.

**7.1. Revised Conservation Area Boundary.** The revised boundary is shown on accompanying Management Plan to which the reader is referred and includes the following amendment/s.

- (a) Extend to include the entirety of the small triangular green to the north of the Chapel.
- (b) Exclude two large modern agricultural barns at High Hall Farm.
- (c) Exclude two narrow linear areas of open countryside to north of Mill Lane and north of Anstey House.
- (d) Exclude a very large area principally of open countryside and agricultural land to the south of Mill Lane and east of Castle Cottages and extending further south to include land beyond Silver Street at Daw<sup>es</sup> End. Properties within this area include: a collection of farm buildings to south of Essex Cottage; Yew Tree Cottage, Nos. 1-2 Daw<sup>es</sup> End Cottages; The Old Bell; The Mayflower; Bell Cottage; Goldings; building south of Goldings on north west corner of Silver Street ~~;~~ ~~Dove Cottage; Welspen Thatch.~~
- (e) Exclude field to west of Village Hall.
- (f) Exclude large area of open agricultural/grazing land and modern agricultural barn north of St Georges End and west of Two Acre Farm stretching north to include Northey Lodge. Within this area there is a loose scatter of several residential properties and include Northey Lodge, Woodside Cottage, Brokers Retreat and property under construction on site of High Tree.

**7.2. General Planning Control and Good Practice within the Conservation Area.** ~~All 'saved' p~~Planning policies are contained in the East Herts ~~Local~~District Plan ~~Second Review~~ adopted in ~~April 2007~~October 2018. It is ~~currently~~ against this document and the National Planning Policy Framework (NPPF) that the District Council will process applications. The NPPF is supplemented by Planning Practice Guidance. One such guidance note of particular relevance is 'Conserving and Enhancing the Historic Environment'. ~~When the 2007 Local Plan is replaced by the District Plan the latter's policies will then be relevant. District Plan policies HA1, HA4, HA5 and HA6 are particularly relevant.~~



7.3. Applicants considering submitting any application should carefully consider the relevant **District Plan** 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](mailto:planning@eastherts.gov.uk) Website: [www.eastherts.gov.uk](http://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 which will be updated as resources permit.

7.5. *Planning Control - Potential need to undertake an Archaeological Evaluation.* Within the Scheduled Ancient Monuments and Areas of Archaeological Significance (~~as shown on either the adopted Local Plan or emerging District Plan~~), the contents of **District Plan** policies **BH1**, **BH2** and **BH3** are **HA1** and **HA3** 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. **District Plan Policy HA7 particularly applies.**

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 area this Appraisal has identified 8 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. **District Plan Policies HA2 and HA4 II particularly apply.**

7.9. These buildings are High Hall, Mill Lane; 2 No. barns at High Hall Farm; The Hale, Mill Lane; the Union Chapel; Nos. 1-6 Castle Cottages; part of school building; Church Gate Cottage and Anstey Hall Cottage; Elm Cottage.

7.10. There are other distinctive features that are integral to some of the important unlisted buildings identified above that make an important architectural or historic contribution, including selected chimneys,

windows and other architectural detailing where protection could be provided by removing Permitted Development Rights via an Article 4 Direction. The associated legislation is complex, and 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. District Plan Policy HA4 I(f) particularly applies.

*7.11. Planning Control – Other distinctive features that make an Important Architectural or Historic Contribution.* This Appraisal has identified several walls and other features that make a particular contribution to the character of the conservation area. These will be protected from demolition within the parameters of legislation and relevant District Plan policies.

*7.12. Planning Control – Important open land, open spaces and gaps.* This Appraisal has identified the following particularly important open spaces: Churchyard; small green near Union Chapel. These spaces will be protected. District Plan Policy HA4 1(e) particularly applies.

*7.13. Planning control - The open countryside, sporadic development and hamlets beyond the conservation area boundary. These areas will be protected as a valued countryside resource. District Plan Policy GBR2 particularly applies.*

*7.14. Planning Control – Wildlife Sites. This Appraisal has identified two such sites; Anstey Churchyard and The Hale Meadow. District Plan Policy NE1 particularly applies.*

*7.15. Planning Control – Particularly important trees and hedgerows.* Only the most significant trees are shown very diagrammatically. It has not been possible to plot trees on inaccessible land. Subject to certain exceptions all trees in a conservation area are afforded protection and a person wanting to carry out works has to notify the Council. Trees that have not been identified may still be considered suitable for protection by Tree Preservation Orders. Owners are advised to make regular inspections to check the health of trees in the interests of amenity and Health and Safety. District Plan Policy NE3 III particularly applies.

*7.16. Planning Control – Water Features. Moated water features at Anstey Hall (also a Scheduled Ancient Monument) and Anstey House will be protected. District Plan Policy NE3 IV particularly applies.*

*7.17. Planning Control - Important views.* A selection of general views is diagrammatically shown. Policy BH6 is particularly relevant. District Plan Policy HA4 I(e) particularly applies.

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**7.158. Enhancement Proposals.** The Appraisal has identified several 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.
<del>Open storage area</del> <del>and broken</del> boundary fence.	<u>Adjacent to</u> The <del>Blue</del> <u>ind</u> Fiddler PH.	Contact owner to consider if improvements can be secured <del>to this sensitive central site.</del> <u>Owner contacted. Repair of fence now executed.</u>
Selected Utility poles and overhead services.	Various.	PC may wish to discuss potential of improvements at selected locations with utility company.
Consider the potential of improving the appearance of Well head gear and small green at crossroads in centre of village by removing or reducing impact of local information hoarding and notices.		
Consider minor repairs cleansing and general refurbishment of listed telephone kiosk.		
Explore condition of eastern wall to churchyard and initiate any necessary repairs.		



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EAST HERTS COUNCIL

COUNCIL – 23 OCTOBER 2019

REPORT BY CHAIRMAN OF LICENSING COMMITTEE

LICENSING COMMITTEE REPORT

WARD(S) AFFECTED: All

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## **Purpose/Summary of Report**

- This report details the recommendations made by the Licensing Committee at its meeting held on 21 August 2019.

### **1.0 Background**

1.1 Since the last Council meeting, the Licensing Committee has considered and supported a number of recommendations on the following items:

- Consideration of responses to draft Taxi Licensing Suitability Policy

The full reports can be viewed at: [Licensing Agenda](#)

### **2.0 Agenda Item 11(A) – draft Taxi Licensing Suitability Policy**

2.1 The Licensing Committee considered and supported recommendations regarding received during consultation on the draft Taxi Licensing Suitability Policy.

2.2 The Licensing Committee supported the recommendations, as now detailed, so that the Policy could be referred to Council for adoption to take effect from 1 November 2019. Council is asked to approve the recommendations.

<b>RECOMMENDATION FOR COUNCIL:</b>	
<b>That</b>	
<b>(A)</b>	<b>The revised Taxi Licensing Suitability policy, as set out at Essential Reference Paper A to this report, be adopted, to take effect from 1<sup>st</sup> November 2019.</b>

### Background Papers

The full agenda for the Licensing Committee meeting can be viewed at: [Licensing Agenda](#)

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# **DRAFT**

# **Taxi Licensing**

# **Suitability Policy**

## **1.0 Introduction**

- 1.1 This policy provides guidance to all parties on the criteria that will be taken into account when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a Hackney Carriage and/or Private Hire Driver Licence, an Operator Licence or be the proprietor of a licensed vehicle. Whilst criminal convictions play a significant part in the Licensing Authority's determination on whether an individual is fit and proper or not, the Council will also take into account other factors such as demeanour, general character, non-criminal behaviour, driving abilities, and police information and the like.
- 1.2 When the Council makes any decisions or takes any actions in line with this policy, the safety of the public will be its paramount concern.

This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:

- applicants for a driver's licence
- existing licensed drivers
- licensing officers
- the Council's properly delegated decision makers
- magistrates and judges hearing appeals against local authority decisions.

In considering this guidance the Council will be mindful that each case must be considered on its individual merits and, where the circumstances demand, the decision makers may depart from the guidelines.

- 1.3 It is the responsibility of East Herts Council (referred to as the Council) to issue Hackney Carriage and Private Hire licences under the Local Government (Miscellaneous Provisions) Act 1976. In exercising this duty the Council will consider its duty to ensure the safety of the public as its primary consideration. Licences will not be issued unless the person is considered to be 'fit and proper'.
- 1.4 In seeking to safeguard the safety of the public the Council will be concerned to ensure:
- that a person is a fit and proper person in accordance with Sections 51, 55 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (Part II)
  - that the person does not pose a threat to the public
  - that the public are safeguarded from dishonest persons
  - the safety of children, young persons and vulnerable adults.
- 1.5 In drafting this policy and considering responses to the consultation consideration has been given to the Human Rights Act 1998, particularly in relation to:

- Article 6 (right to a fair trial);
- Article 8 (the right to respect for private and family life); and
- Protocol 1, Article 1 (protection of property)

1.6 All decisions taken under this policy will be taken in accordance with the Human Rights Act.

1.7 Similarly the impact of this policy on the local community of East Herts, both positive and negative, has been considered.

### **Decision-making principles**

1.8 The term “Fit and Proper” for the purposes of taxi and private hire licensing is not legally defined but it has also been described as “safe and suitable” in a number of court cases.

1.9 In determining whether a person is fit and proper to hold a **driver’s licence**, those tasked with determining licences / applications are effectively asking the following question of themselves:

**“Would you allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?”**

1.10 In determining whether a person is fit and proper to hold an **operator’s licence**, those tasked with determining licences / applications are effectively asking the following question of themselves:

**“Would I be comfortable providing sensitive information such as holiday plans, movements of my family or other information to this person, and feel safe in the knowledge that such information will not be used or passed on for criminal or unacceptable purposes?”**

There are no statutory criteria for granting a vehicle proprietor’s licence so the authority has absolute discretion over whether or not to grant. In determining whether a person should be granted a **vehicle licence**, those tasked with determining licences / applications are effectively asking the following question of themselves:

**“Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be satisfied that he/she would not allow it to be used for criminal or other unacceptable purposes, and be confident that he/she would maintain it to an acceptable standard throughout the period of the licence?”**

1.11 If the answer to the pertinent question is an unqualified ‘yes’, then the person can be considered to be fit and proper. If there are any doubts in the minds of

those who make the decision, then further consideration should be given as to whether a licence should be granted to that person.

- 1.12 In order to assess the suitability of an Applicant (and to inform decision makers when answering the questions above), the Council will undertake whatever checks and apply whatever processes it considers necessary to ensure that licences are not issued to, or used by, unsuitable people. In assessing the suitability of an Applicant or licence holder, the Council will take into consideration the following factors:

- Criminality
- Period of holding a driver's licence
- Number of endorsed driving licence penalty points
- Right to work in the UK
- Medical fitness
- Standard of driving / driving ability
- The conduct of the individual in making the application (which could include whether they have acted with integrity during the application process, made a misleading statement or omission)
- The previous licensing history of existing / former licence holders

The Council conducts enhanced disclosures from the Disclosure and Barring Service (DBS) on all applicants for a new driver's licence and every three years following the grant of a driver's licence. Applicants applying for the grant or a renewal of a driver's licence will be required to obtain an enhanced disclosure at their expense.

- 1.13 Hertfordshire Constabulary will be consulted on all new and renewal applications. Applicants and existing licence holders should be aware that any information that the Police provide regarding their fitness and propriety to hold a licence will be considered.
- 1.14 East Herts Council is a member of the National Anti-Fraud Network (NAFN) and as such has access to the National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3). This is an important step in tackling the issue of individuals making applications to different licensing authorities following a refusal or revocation elsewhere. The register will be used in the following way:
- When a new application is received the register will be checked to see if that individual has had a licence revoked or refused by another authority; and
  - When an application to this authority is refused the applicants details will be added to the register; and
  - When a licence which has been issued by this authority is revoked the individuals details will be added to the register.
- 1.15 In addition the Council will also consider further information sources such as the Police (including abduction notices), Children and Adult Safeguarding



Boards (or other bodies with a similar function), other licensing authorities and statutory agencies where appropriate.

- 1.16 An individual wishing to be licensed would normally be required to remain conviction free for an appropriate period of time as detailed in this policy. In the case of a new application for a licence it is the applicant's responsibility to demonstrate how they are fit and proper to hold a licence. Simply remaining free from complaint and/or conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.
- 1.17 The standards and criteria set out in paragraphs 3 to 12 below are those that would normally be applied to applications and licences. The Council may depart from these criteria; however it must only do so in wholly exceptional circumstances<sup>1</sup>. The otherwise good character and driving record of the Applicant or licence holder will not ordinarily be considered as exceptional circumstances.
- 1.18 The Council reserves the right to overturn a decision that has previously been made, or refuse a renewal of a licence, where clear errors are discovered or new information has come to light.

## **2.0 Powers**

- 2.1 Section 61 and Section 62 of the Local Government (Miscellaneous Provisions) Act 1976 allow the Council to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
- 2.2 The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, allows the Council to take into account all convictions recorded against an applicant or the holder of a Private Hire Vehicle or Hackney Carriage driver's licence, whether spent or not. Therefore the Council will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. Individuals need to be aware that, in accordance with this Act, all convictions, cautions, warnings and reprimands must be declared.
- 2.3 Under the provisions of Sections 51, 55 and 59, Local Government (Miscellaneous Provisions) Act 1976, the Council is required to ensure that an

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<sup>1</sup> 'Wholly exceptional circumstances will be decided by discussion between the officer dealing with the matter, the Head of Service and the Chair of the Licensing Committee.

applicant for the grant or renewal of a Hackney Carriage and/or a Private Hire Vehicle driver's licence and/or Private Hire Vehicle Operator's licence is a "fit and proper" person to hold such a licence. However, if there is any reason to question an individual's fitness and propriety to hold a licence (such as convictions, warnings, charges awaiting trial, police intelligence, complaints or any other matter considered relevant) the Council will look into:

- How relevant the information is to the licence
- How serious the matter(s) were
- When the matter(s) occurred
- The date of the conviction, warning, caution etc.
- The number of matters/offences i.e. lots of minor offences
- Circumstances of the individual concerned
- Any sentence or sanction imposed by a court
- Any comments made by the court or other information laid before the court
- The individual's age at the time of offence / incident
- Whether they form part of a pattern of conduct/offending
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant, for example:
  - Whether the Applicant has intentionally misled the Council or lied as part of the application process
  - Information provided by other agencies / Council departments
  - The previous conduct of an existing or former licence holder

2.4 Existing holders or those with open applications are required to notify the Council in writing of certain matters in the following time periods:

- driving licence endorsement within 5 working days;
- fixed penalty notice, warning, reprimand, police caution, criminal conviction or other criminal proceedings (including acquittal as part of a criminal case) within 5 working days;
- arrest for any matter (whether subsequently charged or not) within 3 working days

Failing to notify the Council within the appropriate timescale will raise serious questions for the Council as to the honesty of the individual and will be taken into account in relation to the fitness and propriety of that person.

2.5 Individuals can discuss further what effect any relevant information may have on their application or licence by contacting the Licensing Team for advice. It is in the individual's best interest to bring any relevant detail to the attention of the authority at an early stage.

If you are not sure whether or not to bring a matter to the Authority's attention then the simple answer is that you should. If the matter is not considered relevant then you will have peace of mind and if it is considered relevant it can be dealt with. The costs involved in applying for a licence may be wasted if details come to light later which mean the application should be refused.

Similarly failure to notify the authority of a relevant matter whilst licensed will bring your fitness and propriety into question.

- 2.6 It is an offence for any person knowingly or recklessly to make a false statement or to omit any material matter when giving information required as part of the application for a licence or required by holding a licence. Where an individual has made a false statement or a false declaration or omission on their application for the grant or renewal of a licence, the licence will normally be refused. Where a licence is already in place that licence can be suspended or revoked. Subsequent applications for licences will be refused for a period of five years from the date that the lie or omission came to light.
- 2.7 The Council is entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the Council or other licensing authorities, and information disclosed by the police. Examples of information sources that may be used include but are not limited to social care information, benefits payments, and the like.
- 2.8 The lists of offences within this Policy are not exhaustive. The Council can consider any offences not detailed in this Policy when examining the fitness and propriety of an individual.
- 2.9 **Options at time of new applications or renewals:** When determining the fitness and propriety of an applicant for a licence the Council has the following options:
- approve the application
  - approve the application with a shorter expiry date
  - refuse the application.
- 2.10 **Options when considering an existing licence:** When considering the fitness and propriety of an existing licence holder the Council has the following options:
- take no action
  - issue a warning which may include the use of Licensing Record Points in line with the Council's Licensing Points Scheme
  - suspend the licence subject to a 21 day appeal period
  - suspend the licence with immediate effect
  - revoke the licence subject to a 21 day appeal period
  - revoke the licence with immediate effect.
- 2.11 A suspension or revocation of the licence of a driver normally takes effect at the end of the period of 21 days beginning with the day on which notice is given to the driver. If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes a statement that this is so and an explanation of why, the suspension or revocation takes effect when the notice

is given to the driver. [s61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.]

- 2.12 The Council recognises the different roles of drivers, vehicle proprietors and operators and its responsibility to ensure that they are 'fit and proper' to hold such licences. For driver's licences all of the following sections apply but sections 11 and 12 do not apply to private hire operator's licences or vehicle proprietor's licences.

### 3.0 Convictions

- 3.1 Licensed drivers, and potentially private hire operators, have close regular contact with the public. A firm line is to be taken with those who have any convictions.

#### 3.2 Offences including threat to or loss of life and/or violence

Murder	<p>Applications will be <b>refused</b></p> <p><b>An existing licence will be revoked</b></p>
Manslaughter	
Manslaughter or culpable homicide while driving	
Grievous bodily harm	
Violent disorder	
Riot	
Malicious wounding or grievous bodily harm which is racially aggravated	
Aggravated burglary	
Terrorism offences	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	
Arson	<p>Applications will only be considered if a period of at least <b>10 years</b> has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)</p> <p><b>An existing licence will be revoked</b></p>
Actual bodily harm	
Robbery	
Possession of firearm	
Assault Police	
Resisting arrest	
Any racially aggravated offence against a person or property	
Affray	
Any offence that may be categorised as domestic violence	



Any other Public Order Act offence (harassment, alarm or distress, intentional harassment or fear of provocation of violence)	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	

### 3.4 Possession of a weapon

Conviction for possession of an offensive weapon or other weapon related offence	Applications will only be considered if a period of at least <b>7 years</b> has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)  <b>An existing licence will be revoked</b>
A history of two or more separate convictions for offences of a violent nature or weapon related offences	Applications will be <b>refused</b>  <b>An existing licence will be revoked</b>

### 3.5 Other offences

Obstruction	Applications will only be considered if a period of at least <b>5 years</b> has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)  <b>An existing licence will be revoked</b>
Criminal damage	
Common assault	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	

- 3.6 As licensed drivers often carry unaccompanied and/or vulnerable passengers, the Council will take a strong line in relation to applicants or existing licence holders with convictions for sexual offences. Similarly licensed private hire operators will have access to information regarding the location and movements of these groups of people. All sexual and indecency offences will be considered as serious.

### 3.7 Sexual and indecency offences

Rape	<p>Applications will be <b>refused</b></p> <p><b>An existing licence will be revoked</b></p>
Assault by penetration	
Offences involving children or vulnerable adults	
Trafficking, sexual abuse against children and/or vulnerable adults and preparatory offences (as defined within the Sexual Offences Act 2003)	
Making or distributing obscene material	
Possession of indecent photographs depicting child pornography	
Sexual assault	
Indecent assault	
Exploitation of prostitution	
Soliciting (kerb crawling)	
Making obscene/indecent telephone calls	
Indecent exposure	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	
Applicant is currently on the Sex Offenders Register or any other similar register	

3.8 In addition to the above the Council will not allow an individual to remain licensed or grant a licence to any individual who is currently on the Sex Offenders Register or any other similar register.

3.9 A licensed driver is expected to be trustworthy. In the course of their working duties drivers will deal with cash transactions and valuable property may be left in their vehicles. Drivers may well deal with customers who are vulnerable or intoxicated and potentially easily confused. Both drivers and operators may be privy to information regarding empty homes as taxis are often used as transport to airports etc. For these reasons, a serious view is taken of any conviction involving dishonesty.

### 3.10 Dishonesty offences

Theft	<p>Applications will only be considered if a period of at least <b>7 years</b> has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)</p> <p><b>An existing licence will be revoked</b></p>
Burglary	
Fraud	
Benefit fraud	
Handling or receiving stolen goods	
Forgery	
Conspiracy to defraud	
Obtaining money or property by deception	
Other deception	
Taking a vehicle without consent	
Fare overcharging	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	

- 3.11 A serious view is taken of any drug-related offence. Taking drugs and driving poses an obvious risk to public safety, whilst individuals who have convictions for the supply of drugs will also be treated with considerable concern. The nature and quantity of the drugs, whether for personal use or supply are issues which will be considered carefully.
- 3.12 It is recognised nationally that taxis can travel to any location at any time without raising suspicion so they are the ideal mode of transport for moving illegal items. An individual applying for an operator's licence with any conviction relating to the supply of illegal substances will be refused.
- 3.13 As licence holders are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while exceeding the legal limit or under the influence of drink or drugs.
- 3.14 If an individual has previously been an addict then they will be required to show evidence of 5 years free from alcohol or drug taking after detoxification treatment.

### 3.15 Drug related offences

Conviction for an offence relating to the supply of illegal/controlled drugs	Applications will be <b>refused</b>  <b>An existing licence will be revoked</b>
Conviction for possession of illegal/controlled drugs	Applications will only be considered if a period of at least <b>10 years</b> has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)  <b>An existing licence will be revoked</b>

## 4.0 Driving and traffic offences

4.1 A very serious view is to be taken of any individual who has been convicted of a driving offence that resulted in the loss of life.

### 4.2 Driving offences including loss of life

Causing death by dangerous driving	Applications will be <b>refused</b>  <b>An existing licence will be revoked</b>
Causing death by careless driving whilst under the influence of drink or drugs	
Causing death by dangerous driving	
Causing death by driving: unlicensed, disqualified or uninsured driver	
Any related offences (including aiding, abetting, attempting or conspiring to commit offences) that are similar in gravity to those above or which replace those above	



### 4.3 Other traffic offences

Minor traffic offences	Individual offences will be considered but will not normally result in an application being <b>refused or an existing licence being revoked</b> .
Major traffic offences (one)	At least <b>1 year</b> free of any other driving conviction (either major or minor)  <b>An existing driver licence revoked.</b>
Major traffic offences (two or more)	At least <b>2 years</b> free of any other driving conviction (either major or minor)  <b>An existing driver licence revoked.</b>
Disqualification	At least <b>5 years</b> free of any other driving conviction (either major or minor) starting from the date the drivers licence is restored  <b>An existing driver licence revoked.</b>
Disqualification (two or more)	Application <b>refused</b>  <b>An existing driver licence revoked.</b>
New applicant with 7 or more points on their DVLA licence	Application <b>refused</b>
Existing licensed driver who accumulates 9 or more points on their DVLA licence	6 weeks to pass the Council approved driving test or licence <b>suspended</b> until successfully completed. (Test to be taken at individuals own expense)
12 or more points on the DVLA licence	Application <b>refused</b> . <b>An existing driver licence revoked.</b>

4.4 Minor traffic offences come under the following categories: Construction and use offences (prefixed CU), Miscellaneous offences (prefixed MS), Motorway offences (prefixed MW), Pedestrian crossings (prefixed PC), Speed limits (prefixed SP) and Traffic direction and signs<sup>2</sup>. These offences can also be subject to consideration as part of the Licensing Records Points Scheme.

4.5 Major traffic offences, which are all offences not covered in the paragraph above, will give rise to serious doubts about the individual's suitability to be a driving professional. An individual with any such convictions will be required to show a period of at least one year free of any other driving conviction. For individuals with more than one offence this period will be increased to two years.

<sup>2</sup> The offences that fall under each of these categories can be found at [www.gov.uk](http://www.gov.uk).

## 5.0 Outstanding charge or summons

5.1 If the individual is the subject of an outstanding charge or summons their application should be suspended until the matter is resolved.

### 5.2 Outstanding Charges or Summonses

Outstanding charge or summons	Application <b>put on hold</b> until the matter is resolved.  Fitness and propriety of existing licence holder will be considered with the seriousness of matter viewed in reference to the categories contained within this policy.
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## 6.0 Licensing offences

6.1 Certain offences under taxi legislation will prevent a licence being granted or renewed.

### 6.2 Licensing offences

Illegal Plying for hire	Applications will only be considered if a period of at least <b>3 years</b> has passed since conviction  An existing licence will be <b>revoked</b>
Overcharging	
Refusing to carry a person with a disability or assistance dog	

## 7.0 Insurance offences

7.1 A serious view will be taken of convictions for any insurance offence but in particular of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided the Applicant has been free of conviction for 5 years. However, strict warning should be given as to future behaviour. More than one conviction for these offences will prevent a licence being granted or renewed.

### 7.2 Insurance offences

Any insurance offence	Applications will only be considered if a period of at least <b>5 years</b> has passed since conviction, the end of any prison sentence or period 'on licence' (whichever is longest)  An existing licence will be <b>revoked</b>
More than 1 insurance offence	Applications will be <b>refused</b>  An existing licence will be <b>revoked</b>

- 7.3 An operator found guilty of aiding and abetting, or otherwise assisting the driving of passengers whilst without insurance will have his Operator's Licence revoked immediately and will not be permitted to hold a licence for a period of at least three years.

## 8.0 Discrimination offences

### 8.1

1 conviction for a discrimination offence in the last 7 years	Applications will be <b>refused</b>
1 conviction for a discrimination offence which is more than 7 years old	Application will be <b>refused</b> unless: <ul style="list-style-type: none"> <li>• The applicant has no other conviction for a similar offence; AND</li> <li>• The applicant can demonstrate a thorough understanding of the requirements of the Equality Act 2010 (or any Act replacing or amending this Act) to the satisfaction of the issuing authority.</li> </ul>
More than 1 conviction a discrimination offence	Applications will be <b>refused</b>
Existing licensed operator or driver convicted of any of the following: <ul style="list-style-type: none"> <li>• discriminating, whether as the result of a criminal investigation or by way of a successful action in the County Court for a claim of discrimination.</li> <li>• refusing an assistance dog.</li> <li>• over-charging a passenger on the basis of their disability.</li> <li>• allowing a disabled passenger to travel in an unsafe manner.</li> </ul>	An existing licence will be <b>revoked</b>

- 8.2 Where the applicant for an operator's licence is a company or partnership a conviction for discrimination against any partner, director or secretary of that body will be considered in the same way as it would be for an individual and the licence will be revoked.

## 9.0 Exploitation offences

### 9.1

Any conviction involving, related to, or that has any connection with: <ul style="list-style-type: none"><li>• abuse;</li><li>• exploitation;</li><li>• use or treatment of another individual irrespective of whether the victim or victims were adults or children.</li></ul>	Applications will be <b>refused</b>  An existing licence will be <b>revoked</b>
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9.2 The above categories include matters such as slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse. This is not an exhaustive list.

## 10.1 Non-conviction information

10.1 At any point during a licence application or once a licence is held, the Council will take into account information that becomes known about situations and circumstances that have not led to a conviction. This will include but is not limited to:

- If an individual is alcohol or drug dependent, a satisfactory special medical report (as specified by the Council at that time) must be provided
- If there is persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required. Such a report will be at the individual's own expense.
- an arrest
- being held on bail
- being charged but not convicted
- acquittals
- circumstances in which convictions were quashed due to misdirection to the jury
- circumstances where the decision was taken not to prosecute, and
- complaints.

10.2 In determining the most appropriate action to take, the Council will take into account, though not limit itself to:

- the source of the information
- the nature of non-conviction information
- the credibility of the witness / complainant
- the range of information / number of complaints available



- the credibility of the licence holder.

With regard to the options available, the Council will have regard to paragraphs 2.9 and 2.10 of this policy.

## **11.0 Individuals with periods of residency outside the UK**

- 11.1 If at any time an Applicant or existing licence holder has spent six continuous months or more overseas the Council will expect to see evidence of a criminal record check from the country/countries visited covering the whole period spent overseas.
- 11.2 Because of the potential lifetime relevance for some of the most serious offences mentioned in this policy, the Council will need to ensure that sufficient background checks are conducted for those individuals who have lived overseas. For EU nationals suitable checks should be available, for those countries for which checks are not available, one option is to require a certificate of good conduct authenticated by the relevant embassy. Where an individual cannot demonstrate that they were conviction-free during periods abroad they will be unable to meet the 'fit and proper' criteria. The onus is on the applicant to provide proof of their fitness and propriety and where they cannot applications will be refused.

## **12.0 Conditional discharge**

- 12.1 Applicants are required to notify the Council of any conditional discharge or absolute discharge and these will be considered on a case-by-case basis. As the court can use these options in a variety of cases it is not possible to give comprehensive guidelines regarding the likely outcome of their consideration by the Council.
- 12.2 If an offence is committed during the period of a conditional discharge the courts may re-sentence an offender for the offence for which the conditional discharge was given. At this point the Council may consider that offence under this policy.

## **13.0 Cumulative impact of offending history**

- 13.1 The Council recognises there may be cases where an Applicant or an existing licence holder may have a number of convictions and/or non-conviction matters, none of which, if considered in isolation, would preclude the holding of a licence. A number of convictions and/or non-conviction matters, however, will give cause for concern, thus, in such circumstances the Council will take into account the cumulative nature of these separate convictions and/or non-conviction matters when determining the suitability of that person to hold a licence.

## **14.0 Appeals**

- 14.1 Any Applicant refused a driver's licence or an existing licence holder who has their licence suspended or revoked has a right to appeal to the Magistrate's Court within 21 days of the notice of refusal [Local Government (Miscellaneous Provisions) Act 1976, s 77 (1)].

## EAST HERTS COUNCIL

COUNCIL – 23<sup>rd</sup> OCTOBER 2019

### REPORT BY EXECUTIVE MEMBER FOR WELLBEING

### HERTFORD THEATRE GROWTH AND LEGACY SCHEME – DESIGN PROPOSALS AND FUNDING

WARD(S) AFFECTED: ALL HERTFORD WARDS

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#### **Purpose/Summary of Report**

- This report provides an update on the progress of the theatre expansion work and business plan for the Hertford Theatre Growth and Legacy Scheme and requests additional funding of £6.4mn for the delivery of the scheme.

<b><u>RECOMMENDATIONS FOR FULL COUNCIL: That:</u></b>	
<b>(A)</b>	<b>The additional funding of £6.4m is approved for the delivery of the Hertford Theatre Growth and Legacy scheme (subject to planning approval).</b>

#### 1.0 Background

1.1 In July 2018, Council approved a capital investment of £13.5m for the “Growth and Legacy” option to develop and expand the Hertford Theatre. This option is summarised as follows:

1.2 The Growth and Legacy option represents a long-term vision for the Theatre and its cultural offer. It engages with all aspects of the operation and presents a view of Hertford Theatre as a 21st century beacon of art and heritage activity for all. The building aims to

become the hub of the evening offer to younger audiences, supporting the local night time economy. The suggested alterations and additions include:

- Rooftop extensions to accommodate 3 x cinema screens with a total of 200 seats.
- Enhanced Main Auditorium accommodating 550 seats with an additional high-level balcony and new fixed seating layout to improve customer 'theatre' experience and ensure consistency across all auditoria.
- Flexible Studio space with 150 seats
- Reconfigured entrance foyer with more 'break-out' space
- Relocated and enhanced food and beverage offer alongside and over-looking the River Lea
- Acoustic improvements to the main Auditorium
- Reconfigured office and backstage spaces
- Improved accessibility in-line with the Equality Act including new back-stage door with accessible ramps leading to changing and rehearsal spaces enabling disabled performers and participants to engage fully with the theatre and its output.
- A greatly improved public realm around the entire theatre site.
- Improved connectivity between the town, theatre and park. A key element to this is ensuring we create a vibrant and welcome surrounding area.
- Scope for partnering with Town Council, schools and other centres of education to release the heritage story of the Motte, Castle Gardens and Hertford.
- Creates a safe environment in all areas surrounding Hertford Theatre.

1.3 The recommendations approved by Council in July 2018 were:

(A) Considers and receives the views of Overview and Scrutiny and the Executive



(B) Approves the capital investment for the Growth and Legacy Option.

(C) Notes that following the request from the overview and scrutiny committee, that member involvement and engagement will increase as the project develops.

(D) Subject to funding approval, delegated authority to make decisions relating to the Theatre development project is provided to the Executive Member for Health and Wellbeing with the support of a Theatre project board. The board will consist of the Executive Members of Health and Wellbeing and Finance and Support Services, the Head of Operations, the Chief Finance Officer and a the Chief Executive.

## 2.0 Report

2.1 Since the approval of the Theatre expansion project in 2018, due to the significance of the project and the requirement to have sufficient expertise to undertake the work, the project team were required to engage consultants. Updates have been provided to the project board and theatre reference group on a regular basis. In response to the original brief for the Growth and Legacy scheme that defined an exciting and challenging ambition for the Theatre that will have significant, positive and cultural impacts for the town and people of Hertford, the project team working alongside consultants have worked through the first key milestone stage of the Royal Institute of British Architects (RIBA) plan of works. The RIBA plan of work is the definitive UK model for building design and construction projects.

2.2 On 3<sup>rd</sup> October 2019, the Hertford Theatre Project Board signed off the end of RIBA stage 1 Preparation and Brief (Feasibility). RIBA stage 1 consisted of a 15 week period in which the project team and Design Consortium developed early proposals on space planning and

location requirements for the Theatre. The Design Consortium is led by Bennetts Architects and includes expert consultants in the following areas:

- Fire prevention
- design and access
- structural engineering
- mechanical and electrical engineering
- lighting and acoustics
- theatre operations
- landscaping

The development of the RIBA stage 1 design proposals has been an iterative process taking into account operational feedback, structural and services input, planning advice, sustainability options, costs and business planning.

2.3 The scheme that is emerging builds on the Growth and Legacy project approved by Council in July 2018. The design radically 're-thinks' the building: re-orientating its outlook towards the river Lea, considers new and re-worked dynamic performance spaces, introduces new hire spaces for important income generation and brings first release film to Hertford to be shown in three new cinema spaces. It also improves the adjacent green spaces and introduces boardwalks along the River Lea and around the Motte to improve the surrounding public realm and connectivity with The Wash and Castle Gardens. The areas within scope are those immediately adjacent to Hertford Theatre, on the Theatre side of the river. The RIBA stage 1 design proposals will be shared with stakeholders and the public through a number of events and open days in November.

2.4 The original Feasibility scheme, developed in 2018 anticipated a cost of £13.5mn to deliver the full Growth and Legacy brief as outlined in the report. Cost consultants Bristow Johnson have worked alongside the design and project team to produce a detailed cost estimate for the new design proposals including early thoughts on budgeting for key packages of work, logistics and material specifications. Following the detailed analysis of the original costs

and integration of additional information gleaned from the more comprehensive understanding of the design and build requirements, the existing building structure and external market information and influences, a number of additional or revised cost requirements, over and above those captured in the £13.5mn figure for the original Growth and Legacy feasibility design, have been identified.

2.5 As further work has been undertaken by structural engineers it has become clear that the original proposal, made in the 2018 Feasibility, to refurbish the existing single storey building and put the new cinemas on a rooftop extension, is not achievable. The structural engineers have undertaken a study to review the loading capacity of the existing roof slab of the single storey and compare it against what would be required for the cinemas, for example. The loading of the cinema block would be at least 6 times the current loading capacity of the existing roof slab before heavy acoustic finishes are accounted for in the calculation. This therefore means that the roof slab would have to be demolished.

2.6 The current proposals, outlined in the Stage 1 report, are now therefore based on demolishing the single story building that wraps around the main auditorium and putting a new build structure in its place. There is very little of the existing structure that would remain in order to facilitate the new building, hence the most logical, cost effective and risk adverse approach, is to demolish and rebuild. This approach adds significant cost to the project. It is considered that this would have been necessary in the 2018 scheme also but the cost of doing so was not captured in the original estimate as the detailed work to understand the loading capacity had not been carried out at this early stage.

2.7 Other additional costs that have been identified include:

- Replacing roof coverings to the main auditorium and fly tower to improve thermal and acoustic insulation
- High sustainability aspirations incorporating a BREEAM accreditation target of 'Excellent'
- Asbestos removal

- Inclusion of the studio theatre balcony and additional seating to reach the 150 required for the business plan
- Boardwalks along the river edge and around the Motte
- Kitchen fit out for the new and improved food and beverage offer
- A new, additional bookable community room.

2.8 Taking all of the above into account the revised cost estimate for the project comes to a total of £19.9mn. Whilst this is a significant increase on the agreed funding we are confident that the business case demonstrates a strong return on investment. (see 2.13– 2.14).

2.9 The current designs use as much floor area as possible without being over generous and significant rigour has been applied in the way the brief has been interpreted and applied to the cost model. Without the additional investment of £6.4mn it would not be possible to deliver the full Growth and Legacy scheme. Key components of the brief would be compromised which would in turn have an impact on the ability to deliver the business plan, to remove the existing subsidy and to operate with a profit and contribution to the Council (see 2.14).

2.10 Please note that the costings are as comprehensive as possible at this stage and the detail is significantly beyond the cost information that would usually be available at this stage in order to provide a level of confidence in the final figure. It is always possible however, in a complex design and build as this, that costs can change throughout the duration and delivery of the Programme. In order to minimise this risk a significant amount of work has been done to identify and quantify project risk so that realistic contingency is built into the cost plan. For example, a considerable amount of outstanding risk is linked to the building foundations, as it is difficult to identify issues below ground before the commencement of construction works. Initial advice from the project Engineers is that the existing foundations can be re-used, however as this cannot be guaranteed a cautious approach has been taken and costs for new foundations have been included in the current cost plan. The project



and design team has tried to anticipate as many problems as possible and make allowances for them to de risk the process as much as possible. Value engineering will continue to take place through the design process to ensure that the project stays within the cost parameters set.

2.11 In addition to the risk management activities, the project will engage in the most efficient procurement route to limit council risk. It is expected that the existing project and design team will develop a fully co-ordinated design (to RIBA stage 4) before going out to tender for the remaining design and build work. This has proved successful on a number of comparable projects and ensures the transfer of risk to the contractor at the most cost effective stage in the process. Further work will be carried out in the next stage to ensure the most appropriate procurement strategy.

2.12 Despite the uplift in cost, the revised business plan, taking into account all of the improvements outlined above, demonstrates a positive return on investment. The updated design proposals will transform Hertford Theatre into a vibrant cultural hub with a sustainable business plan that offers higher levels of economic and social benefits for Hertford and its sub-regional communities. User numbers are estimated to be more than doubled from current levels to 300,000 visits per annum– contributing towards the Council's Health and Wellbeing Strategy. The projected operational post project profit will increase by £1.2mn per annum whilst covering support services and divisional costs and payment of principal and interest of a 30 years annuity loan. The goal for the Theatre to operate without Council subsidy can be achieved.

**2.13 Current situation:** Hertford Theatre delivers an operational result of £17,501 per annum. After support service costs and capital charge costs Hertford Theatre receives a subsidy of - £311,799 per year from EHDC.

**2.14 On completion:** Hertford Theatre will deliver an operational result of £1,244,372mn per annum. After support service costs and the increased capital charges Hertford Theatre will operate with a surplus and contribution to the Council of + £110,201 per year.

2.15 The business plan has taken a cautious approach to projected occupancy, pricing and interest levels. The biggest uplift in income generation will come through the dedicated cinema screens and the introduction of first release film. The introduction of two bookable community spaces will also provide a significant income stream. Whilst ticket prices have increased slightly to reflect the new offer they are still calculated at the low end of the market. Hire prices for the community rooms have remained consistent at the low end of the market and food and beverage assumptions are also very cautious. The biggest uplift has been in the booking fee which will increase from £1 to £2. This is still in line with comparable market offers. It is considered that overall the business plan has taken a prudent approach and provides ongoing opportunity for flex.

Assumptions and sensitivities have been captured in Essential Reference Paper A.

2.16 The Hertford Theatre Growth and Legacy project will be funded in full by a £19.9mn loan from the Council. This will be repaid in full over a period of 30 years at an interest rate estimated at 2.68% (based on current Government lending guidance). The investment in Hertford Theatre will not impact upon the Council's ability to fund other projects elsewhere in the District.

2.17 In addition to the direct return on investment captured in the business plan the proposed development will deliver substantial public benefits and provide a catalyst for economic growth across Hertford.

### 3.0 Summary

In summary, at the end of RIBA Stage 1, a strong set of strategic design proposals have been developed that meet the brief for the delivery of the full Growth and Legacy scheme agreed in July 2018 and will deliver an exemplar building, for Hertford and for Theatres across the country.

3.1 The significant work that has gone into creating these designs has been carried out alongside a much improved understanding of the building and design requirements which have been costed at an unprecedented level of detail for this stage in the design development.

3.2 It is anticipated, with a good level of confidence, that the cost for the delivery of the project will be £19.9mn.

3.3 Despite the uplift in cost of £6.4mn the business case still demonstrates a strong return on investment. The current subsidy provided to the theatre will be removed and the theatre will operate at a surplus providing a legacy income for the Council and galvanising the wider economy in Hertford.

### 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.

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**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p>
Consultation:	<p>Consultation has taken place on the early design proposals with the EHDC Planning team, including the development officer, the case officer and the conservation and urban design officer.</p> <p>Consultation on design proposals has also taken place with Hertford District Councillors and Hertford Town Councillors.</p> <p>Stakeholder and Public consultation events are planned for November 2019.</p>
Legal:	<p>There are no statutory requirements arising from the proposals.</p>
Financial:	<p><b><i>Capital Costs</i></b></p> <p>The original Feasibility scheme, developed in 2018 anticipated a cost of £13.5mn to deliver the full Growth and Legacy brief and Full Council agreed a £13.5mn loan in July 2018. Following detailed analysis of the original costs and integration of additional information gleaned from the more comprehensive understanding of the design and build requirements, the existing building structure and external market information and influences, a number of additional or revised cost requirements have been identified, as set out in section 2.6 of the main report.</p> <p>The revised cost estimate for the project comes to a total of £19.9mn. As such we are seeking an additional loan of £6.4mn.</p>

	<p>The scheme cost of £19.9mn will be fully funded by EHDC loan and repaid in full over 30 years.</p> <p>Whilst this is a significant increase on the agreed funding we are confident that the business case demonstrates a strong return on investment (see Business Plan).</p> <p>Please note that the costings are as comprehensive as possible at this stage and the detail is significantly beyond the cost information that would usually be available at this stage in order to provide a level of confidence in the final figure. It is always possible however, in a complex design and build as this, that costs can change throughout the duration and delivery of the Programme. Significant work on identification and pricing of risk has been undertaken to minimise this risk and value engineering work will continue throughout the duration of the project.</p> <p><b><i>Business Plan</i></b></p> <p>Despite the uplift in cost, the revised business plan, taking into account all of the improvements outlined above, demonstrates a positive return on investment. The current proposal will transform Hertford Theatre into a vibrant cultural hub with a sustainable business plan that offers higher levels of economic and social benefits for Hertford and its sub-regional communities. User numbers are estimated to be more than doubled from current levels to 300,000 visits per annum– contributing towards the Council’s Health and Wellbeing Strategy. The projected operational post project profit will increase by £1.2mn per annum whilst covering support services and divisional costs and payment of principal and interest of a 30 years</p>
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	<p>annuity loan. The goal for the Theatre to operate without Council subsidy can be achieved.</p> <p><b>Current situation:</b> Hertford Theatre delivers an operational result of £17,501 per annum. After support service costs and capital charge costs Hertford Theatre receives a subsidy of - £311,799 per year from EHDC.</p> <p><b>On completion:</b> Hertford Theatre will deliver an operational result of £1,244,372mn per annum. After support service costs and the increased capital charges Hertford Theatre will operate with a surplus and contribution to the Council of + £110,201 per year.</p> <p>The £19.9mn loan for the expansion work will be repaid in full over a period of 30 years with an interest rate estimated at 2.68% (based on current Government interest rates). Sensitivity work has been undertaken to identify the impact of any change in interest rates. At an increased interest rate of 3% Hertford Theatre would still operate at a surplus of c.£70,000, after costs and loan repayment.</p> <p>In addition to the direct return on investment captured in the business plan the proposed development will deliver substantial public benefits and provide a catalyst for economic growth across Hertford.</p>
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### ***Key assumptions and sensitivities - income***

<b><i>Ticket income</i></b>	<b><i>Panto</i></b>		<b><i>Live shows auditorium</i></b>		<b><i>Live shows Studio</i></b>		<b><i>Cinema (3 screens + studio + auditorium)</i></b>	
	<i>2018/19</i>	<i>Projected</i>	<i>2018/19</i>	<i>Projected</i>	<i>2018/19</i>	<i>Projected</i>	<i>2018/19</i>	<i>Projected</i>
<i>Shows</i>	50	50	88	120	17	100	283	3726
<i>capacity</i>	380	525	408	550	60	150	361	900
<i>Occupancy</i>	85.5%	80%	68.1%	65%	55.3%	65%	29.7%	40%
<i>Average ticket price</i>	£13.47	£14.00	£14.09	£16.00	£8.20	£12.00	£5.67	£8.00
<i>Total users</i>	16254	20962	25188 total live shows 2018/19		52650 total live shows projected		30367	143639
<b><i>Hire income</i></b>	<b><i>Auditorium</i></b>		<b><i>Studio</i></b>		<b><i>Rooms for hire</i></b>			
	<i>2018/19</i>	<i>Projected</i>	<i>2018/19</i>	<i>Projected</i>	<i>2018/19</i>	<i>Projected</i>		
<i>Hire hours</i>	72	90	13	100	2431	3640		
<i>Income</i>	£86410	£135,000	£3045	£50000	£61385	£91000		
<i>Average hire fee</i>	£1200	£1500	£234	£500	£25.25	£25.00		

Ticket and hire pricing assumptions are based on analysis of ticket and hire prices among local theatre and cinemas, national benchmarks and the yield achieved at Hertford Theatre over the past years. A prudent approach has been taken to ensure the integrity of the Business Plan.

Hertford Theatre introduced booking fees of £1.00 on 1<sup>st</sup> August 2017 for all tickets sold across all types of ticketed activities including those that are sold on behalf of third party companies. It is assumed that



following the re- opening of Hertford Theatre, booking fees will rise to an average of £2.00 per ticket. This fee would be in line with comparable benchmarks and national averages.

The project includes a new riverside Bar / Café with around 60 covers on the ground floor, a cinema bar / confections stand on the first floor and a boardwalk link to the Motte and Castle grounds, which is expected to draw additional footfall. Penetration and average spend per visitor differs between each event and genre, demonstrated below:

<b><i>F&amp;B assumptions</i></b>	<b><i>Number</i></b>	<b><i>Average spend per visitor</i></b>	<b><i>Cost of delivery</i></b>	<b><i>Staff cost</i></b>
Walk ups	5000	£2.75	35%	19%
Cinema goers	143639	£1.50	35%	19%
Live / panto / auditorium / studio attendees	73612	£2.25	35%	19%
Community class participants	61880	£1.10	35%	19%
Hire auditorium / studio attendees	37200	£2.25	35%	19%

Assumptions for the food and beverage offer are very prudent and do not take into account the potential for significantly higher custom as a result of the increased connectivity with Castle Gardens.

***Key assumptions and sensitivities - expenditure***

Costs for utilities, waste, cleaning, building

	<p>maintenance and insurance have been calculated using benchmarked costs per square metre over the new buildings total gross internal area of 2,383sqm.</p> <p>An allowance for office and administrative costs has been calculated based on actual costs adjusted proportionately to the proposed increase in footprint and programming.</p> <p>The budget for marketing remains unchanged at £0.30 per customer.</p>
Human Resource:	<p>The operation of the site has a range of indirect costs, for example, HR, marketing and administrative costs. These costs are required to ensure the day to day operation of Hertford Theatre. The project to expand the venue will significantly enhance the facilities and customer experience. To achieve this a revised staffing structure is needed with 1 additional full time position in the bar/café and 6 full time positions in the full time positions in the theatre to manage the extended operational hours, implement the new artistic vision and improve the private hire offer. The Theatres day to day operations will continue to be supported by a number of volunteers in addition to the salaried staff.</p>
Risk Management:	<p>If the current proposals are not approved and the additional funding is not secured it will not be possible to deliver the Growth and Legacy scheme for Hertford Theatre. A number of options have been considered to fit the brief requirements with the business plan requirements and the current design proposals, and associated costs, are considered to be the most cost effective way of delivering the scheme. Without the funding requested, key parts of the brief for the</p>

	<p>growth and legacy scheme would not be able to be delivered which would in turn impact upon the ability to deliver the surplus identified in the business plan.</p> <p>A full risk register and risk management plan has been developed as part of the project management.</p>
Health and wellbeing – issues and impacts:	<p>The Hertford Theatre Growth and Legacy scheme will significantly contribute to the EHDC Health and Wellbeing Strategy across all three priorities:</p> <ul style="list-style-type: none"> <li>• Improve the health and wellbeing of our communities – supporting active and healthy lives, supporting vulnerable families and individuals and engaging the community</li> <li>• Enhance the quality of people’s lives – by creating attractive places and delivering developments that meet the needs of the district and its residents</li> <li>• Enable a flourishing local economy – contributing to a vibrant town centre, supporting local businesses and the local economy and working with others to achieve the right infrastructure for the community.</li> </ul>
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	<p>An Equality Impact Assessment was produced for the Hertford Theatre expansion project in July 2018 and considered by Full Council as part of the original approval of the Growth and Legacy scheme.</p> <p>Key points to note are:</p> <p>In the growth and legacy model customer access will be improved across the board to ensure that all customers / users will be able to access all areas of the building. Currently many areas of the front and back of house are not wheelchair friendly / accessible.</p> <p>Market analysis suggests that currently almost 50% of</p>

	<p>Hertford Theatre customers are 45-55+ years with only approximately 10% in the 15-24 year age group. The delivery of the growth and legacy option is expected to appeal to the younger age group, with the offer of first release film and the new food and beverage offering and aims to become the hub of night time activity for the 15-24 year old age group.</p>
Environmental Sustainability	<p>Sustainability is at the heart of the delivery of the Hertford Theatre Growth and Legacy scheme. Hertford Theatre aims to become a beacon for sustainability in the County and for Theatres across the country and will be pursuing a BREEAM Excellent rating, at an additional cost of £600,000. This cost is built into the request for additional funding.</p>



## EAST HERTS COUNCIL

COUNCIL– 23 OCTOBER 2019

REPORT BY THE CHIEF EXECUTIVE

POLLING DISTRICT, PLACES AND STATIONS REVIEW 2019

WARD(S) AFFECTED: Whole district

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### **Purpose/Summary of Report**

- The purpose of this report is to seek Council approval for the revisions to the current polling districts, places and stations within East Hertfordshire.
- A formal review is legally required to be carried out every five years under the Electoral Administration Act 2006.

<b><u>RECOMMENDATIONS FOR COUNCIL: That:</u></b>	
<b>(A)</b>	<b>the revised scheme of polling districts, places and stations as set out in Essential Reference Paper B is approved, and</b>
<b>(B)</b>	<b>the ward register number changes as set out in Essential Reference Paper C, are approved.</b>

### 1.0 Background

- 1.1 The Electoral Administration Act 2006 introduced the requirement to carry out a review of polling districts and polling places every 5 years. The review has been conducted in accordance with the Electoral Commission's guidelines.

- 1.2 As the District boundary is not coterminous with the Parliamentary Constituency boundary, the Returning Officer for completeness has included the polling places and districts that come under the responsibility of the Returning Officer for Stevenage and also for North East Herts as these places and district become the Acting Returning Officer's responsibility at a Parliamentary general election.
- 1.3 By virtue of Section 18E (3) of the 1983 Act (polling districts and places at parliamentary elections) (as amended by Section 16 of the Electoral Administration Act 2006), the decision is that for the Council to approve.

## 2.0 Report

- 2.1 In carrying out the review the Returning Officer must demonstrate that he has, as far as practicable, met the criteria set out in the Representation of the People Act 1983, notably:
- (a) seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
  - (b) seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons (Section 18B).
- 2.2 A key consideration has been to avoid using any temporary polling buildings as these are very expensive and not ideal in regards the health, safety and welfare of our staff and the public.
- 2.3 Schools have been allocated wherever possible because these are available to the Returning Officer to use at a nominal charge and are well placed within the local community with

good access. Schools are not generally used however where there is a suitable community centre or village hall nearby as the Returning Officer is mindful of the potential disruption that using schools can cause. Schools are not required to close as this is local choice and where the school does decide to close they are encouraged to use that as one of their statutory teacher training days to lessen the impact on disruption.

- 2.3 The impact of house building over the period before the next review has been factored in to the consultation.
- 2.4 The review has provided an opportunity to re-visit polling provision within Bishop's Stortford north area and in particular to future proof some additional polling provision due to house building where we propose creating a new polling district and re-aligning two existing adjoining polling district boundaries within the Silverleys ward.
- 2.5 The review has also provided a suitable opportunity to change the polling district numbering scheme, to provide some logic and order and enable easy expansion within a new numbering scheme.

### 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'**.
- 3.2 In addition to internal consultation, external consultation with stakeholders has been undertaken with the following:
  - MPs that cover all polling provision within the district
  - County Councillors
  - District Councillors/Candidates
  - Candidates at local elections
  - Parish Councils
  - Local political organisations

- Local disability groups

Comments were also sought from the general public via an e-form on the council's website.

Comments received from the electorate, politicians and polling staff from the two major elections in May 2019 have also be included within the consultation.

The consultation period initially ran from 1<sup>st</sup> March to 17<sup>th</sup> May 2019 but this was then extended to 31<sup>st</sup> May to allow for feedback from the European Parliamentary election.

### Background Papers

None other than the following that are in the public domain. These documents are on the Council's website

<https://www.eastherts.gov.uk/elections-voting/polling-places-review>

- Circular EC28/2007 – The Electoral Commission
- Reviews of polling district, polling places and polling station – Electoral Commission
- Polling District and Place Review – draft scheme for consultation
- Polling Scheme Summary – Current provision
- Polling Scheme by wards
- Proposed naming scheme

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**IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	Priority 2 – Enhance the quality of people's lives
Consultation:	<p>Consultation with stakeholders was undertaken with the following:</p> <ul style="list-style-type: none"><li>• MPs that cover all polling provision within the district</li><li>• County Councillors</li><li>• District Councillors/Candidates</li><li>• Parish Councils</li><li>• Local political organisations</li><li>• Local disability groups</li></ul> <p>Comments were also sought from the general public via an e-form on the council's website.</p> <p>Comments received from the electorate, politicians and polling staff from the two major elections in May 2019 have also be included within the consultation.</p> <p>The consultation period initially ran from 1 March to 17 May 2019 but this was then extended to 31 May to allow for feedback from the European Parliamentary election held on 23 May.</p>
Legal:	Legal requirement to conduct a review under the Electoral Administration Act 2006. The review to be started and completed between 1 October 2018 and 31 January 2020. The changes to the Polling District

	letters to take affect from the publication of the next revised register on 1 December 2019.
Financial:	Not applicable
Human Resource:	Not applicable
Risk Management:	Risk of legal challenge if the Returning Officer of the Council fails to meet his legal responsibility to carry out the review or within the statutory timeframe.
Health and wellbeing – issues and impacts:	None specific other than the Returning Officer has a legal duty to ensure that the health and wellbeing of the staff he employs at polling places and that these are not impacted by unsuitable premises.
Equality, diversity and human rights considerations, and whether Equality Impact Assessment required:	<p>An Equality Impact Assessment is not required, however the Returning Officer must:</p> <ul style="list-style-type: none"> <li>• seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances</li> <li>• seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled.</li> </ul> <p>The above has been taking in to account in this review.</p>
Environmental Sustainability	Not applicable

# Polling Places by Ward

East Herts Council  
(Acting) Returning Officer

**Explanatory Notes:**

- Electorate totals as at 1 December 2018
- Predicted electorate from Planning based on the District Plan site allocations with or without planning permission – homes to be built by 2023/4 prior to the next Polling Place Review.

# Polling Scheme by Wards

## Ward: Bishop's Stortford – All Saints

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CD	All Saints JMI School, Parsonage Lane, Bishop's Stortford CM23 5BE – <b>Move to Parsonage Community Centre (CC)</b>	2,910	
CE	All Saints Vestry, Stanstead Road, Bishop's Stortford CM23 2DY	848	
CF	Thorn Grove Primary School, Thorn Grove, Bishop's Stortford CM23 5LD	2,238	
	<b>Total</b>	<b>5,996</b>	<b>50</b>

### Proposed Changes:

CD - Proposal is to send voters to nearby polling place of the Parsonage Community Centre (polling District CC) – large hall who can accommodate these additional voters plus sufficient parking places. The Parsonage already has CC electors' one side of the hall and CD would be on the other side – this would be a double polling station due to the electorate size and being a different ward.

The proposal will be trialled at the local elections in May 2019 and further feedback will be taken in to account from the electorate, polling staff, visiting officers and candidates on the day.

### Comments:

CF will always be a double polling station due to its electorate size. We have explored alternative polling provision in the area such as at the hospital but continued use at the school is recommended.

### Feedback from the May polls 2019

Email from member of the public saying "much better being at the Parsonage Lane Hall for access and egress".



## Polling Scheme by Wards

### Ward: Bishop's Stortford - Central

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CG	Wesley Hall, Methodist Church, 34B South Street, Bishop's Stortford CM23 3AZ	1,993	
CH	Havers Community Centre, 1 Knights Row, Waytemore Road, Bishop's Stortford CM23 3GR	2,106	
CI	Thorley Community Centre, Frieberg Avenue, Bishop's Stortford CM23 4RF	2,280*	
CJ	Rhodes Arts Complex, South Road, Bishop's Stortford CM23 3JG	1,036	
	<b>Total</b>	<b>7,355</b>	<b>600</b>

#### Proposed Changes:

No changes proposed.

#### Comments:

The polling allocation will be monitored due to the potential house building over the next 5 years.

\*Thorley CI polling district has now dropped to 1,831 electors as at 1 March 2019 due to the Community Governance Review changes.

# Polling Scheme by Wards

## Ward: Bishop's Stortford - Meads

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CA	Meeting Rooms, Charringtons House, Council Offices, Bishop's Stortford CM23 2EN	2,590	
CC	Parsonage Community Hall, Parsonage Lane, Bishop's Stortford CM23 5PY <b>(plus incorporate voters from CD)</b>	2,045	
	<b>Total</b>	<b>4,635</b>	<b>1,100</b>

### Proposed Changes:

Parsonage Community Centre is a large good venue and the proposal is to send voters from the nearby polling district CD who currently vote at All Saint's JMI School – refer to Page 1.

We have ongoing issues with the school and have been looking to move to alternative voting provision and have explored use of the football club and golf club, however neither have been able to accommodate us. A further alternative considered was to move to Grange Paddocks however due to the new development in this area being at the north of the polling district and the current polling station being right at the south of the polling area this is not being pursued at present until any new sports centre is built on the Grange Paddocks site.

### Comments:

CA - Based at the Council Offices. This is a double station. The Meeting room is a suitable size with good facilities.

Due to the significant house building predicted within the next 5 years with over 2,000 potential additional electors within this ward we shall be looking to create an additional polling district with a new polling place. This may well be before the next formal review and mini review of this ward would be undertaken.

# Polling Scheme by Wards

## Ward: Bishop's Stortford - Silverleys

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
BC	Bishop's Park Community Centre, Lancaster Way, Bishop's Park CM23 4DA	744	
CB	St Joseph's Catholic Primary School, Great Hadham Road, Bishop's Stortford CM23 2NL – <b>Proposed new venue.</b> Temporary moved electors to Bishop's Park Community Centre for May 2019 elections	3,425	
	<b>Total</b>	<b>4,169</b>	<b>1,580</b>

### Proposed Changes:

Current polling provision is at St Mary's School, however are temporarily sending electors to the Bishop's Park Community centre as a temporary measure. St Mary's still have measure refreshments works ongoing until summer 2020.

A step change approach is to move the current boundary lines of polling districts CB and BC. Currently CB surrounds BC polling district creating a doughnut effect. We feel this is not sustainable and propose to move the housing area from Maze Green Road from CB to BC which will equalize the electorate figure within the two current polling districts. The future change would be to then create a new polling district for the new development north of Hadham Road.

### Comments:

CB – proposal for May 2019 to send all electors to Bishop's Park Community Centre as we book the whole venue for polling and we shall make the polling place a double station and split the electorate over the two separate rooms.

Bishop's Park Community Centre offers two rooms. There is modern kitchen. Suitable for disabled and elderly. Wi-Fi available. Access to ground floor via main entrance. Large Car Park. Kitchen accessible by both rooms. The Community Centre, situated next door to Tesco Supermarket which also has ample free parking.

Due to the significant house building predicted within the next 5 years with over 3,000 potential additional electors within this ward an additional polling district has been created for the area north of Hadham Road has led to us to reduce the size of polling district CB and increase the size of BC and create a new polling district north of the Hadham Road. The electors for the new area will be allocated to the Bishop's park Community Centre until such time as a new community centre opens in the new housing development.

# Polling Scheme by Wards

## Ward: Bishop's Stortford - South

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CK	The Bishop's Stortford High School, London Road, Bishop's Stortford CM23 3LU	1,784	
CL	Thorley Christian Centre, Vicerons Place, Villiers Sur Marne CM23 4EL	3,051	
KD	The Bishops Stortford High School, London Road, Bishop's Stortford CM23 3LU	471	
LC	St Michael's Mead Community Centre, Turners Crescent, St Michael's Mead, Bishop's Stortford CM23 4FZ	1,208*	
	<b>Total</b>	<b>6,514</b>	<b>450</b>

### Proposed Changes:

No changes proposed at the current time but will need to be monitored with the additional house building which may require re-investigating at the next polling review.

### Comments:

Two polling districts vote at the same place (CK and KD – Thorley Rural).

CL/LC - Thorley Christian Centre will be a double station for all elections.

DK – Thorley Rural also votes at the same polling place (Bishop's Stortford High School) – comes under Much Hadham District ward (see page 19).

\*1,911 as at 1 March 2019 due to the Community Governance Review.



# Polling Scheme by Wards

## Ward: Braughing

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CS	Anstey Village Hall, Buntingford SG9 0BY	266	
CV	Old Boys School, Church End, Braughing SG11 2QA	1,046	
CW	Brent Pelham Village Hall, Near Buntingford SG9 0HE	159	
DD	Church Room, St Nicholas Church, Horseshoe Lane, Great Hornead SG9 0NH <b>Propose to use the Village Hall from 2020 (see comments below)</b>	591	
DF	Meesdon Village Hall, Buntingford	103	
	<b>Total</b>	<b>2,165</b>	<b>0</b>

### Proposed Changes:

No proposed changes.

### Comments:

Insignificant house building to have any effect on polling provision.

DD – comments received from polling staff from May polls received from the Chairman of the village Hall about moving back from the church to the village hall for future polls.

**Comments of the ERO/RO** - We had previously used the old village hall. The Church hall is further away from the main settlement; it is the rear of the church which is very dark at night and access difficult if someone was in a wheelchair. We propose to use the new village hall in future which has modern facilities, plenty of parking and is in the centre of the village.

# Polling Scheme by Wards

## Ward: Buntingford

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CX	The Countryman Inn, Ermine Street, Chipping, Buntingford SG9 0PG	223	
CY	The Manor House, 21 High Street, Buntingford SG9 9AB	4,871	
DM	"Rosemead", Moles Lane, Wyddial, Nr Buntingford SG9 0EX	126	
	<b>Total</b>	<b>5,220</b>	

### Proposed Changes:

No proposed changes.

### Comments:

CY - The Manor House will always be a double station due to the large electorate. Step and no ramp – to exam providing a ramp

DM – Step access in to house. No issues raised at the two polls in May 2019.

## Polling Scheme by Wards

### Ward: Datchworth and Aston

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FW	Aston Village Hall, Nr Stevenage SG2 7ED	701	
GC	Datchworth Village Hall, Knebworth SG3 6TL	1,240	
	<b>Total</b>	<b>1,941</b>	<b>600</b>

#### Proposed Changes:

No proposed changes.

#### Comments:

Only suitable polling places within the electoral areas.

Significant house building within the next 5 years but the existing polling provision can accommodate the increased electorate.

# Polling Scheme by Wards

## Ward: Great Amwell

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
DQ	Parish Hall Great Amwell, Hillside Lane, Gt. Amwell, Ware SG12 9SG	1,761	
RD	Clubhouse, St Margaretsbury Recreation Ground, St Margarets, Stanstead Abbots SG12 8EH	423	
	<b>Total</b>	<b>2,184</b>	<b>0</b>

### Proposed Changes:

No proposed changes.

### Comments:

RD and DR (Stanstead Abbots district ward) vote at the same polling place – see page 23.

Only suitable polling places within the electoral areas.



# Polling Scheme by Wards

## Ward: Hertford Bengoe

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FF	Bengoe Sports Pavilion, Boundary Drive, Off New Road, Hertford SG14 3JG	2,349	
FG	Bengoe Primary School, The Avenue, Bengoe, Hertford SG14 3DX	1,735	
FH	3rd Hertford Scout Headquarters, Port Vale, Hertford SG14 3AF	1,938	
	<b>Total</b>	<b>6,022</b>	<b>50</b>

### Proposed Changes:

No proposed changes.

### Comments:

FF - Sports Pavilion will always be a double station. The existing polling provision can accommodate the increased electorate from proposed house building. Slight lip inside building for any wheelchair to negotiate. Another ramp needed.

FH – feedback from the 2 May 2019 poll from member of the public saying the Scout HQ is well signposted, easily accessible and with welcoming staff.

FG – feedback from member of the public at the 2 May 2019 local elections that this school did not have parking and he was a disabled driver. Direct email received. No other comments from our polling staff.

**Feedback from the ERO/RO** – ramp is required for kerbside near the disabled parking bay.

Polling took place at the Nursery in May 2019 so the school stayed open.

Will pass on the comments about a ramp to the school and the County Council.

# Polling Scheme by Wards

## Ward: Hertford Castle

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FA	The River Room Hertford Theatre, The Wash, Hertford SG14 1PS	1,616	
FC	The Brace Room, St Mary's Church, St Mary's Lane, Hertingfordbury SG14 2LD	537	
FD	Morgans Primary School, The Annex Via Adj. Public Footpath, Wilton Crescent, Hertfords SG13 8DR	1,242	
FE	Hornsmill Community Centre, 115E Cecil Road, Hertford SG13 8HS	560	
FM	Methodist Church Hall, Ware Road, Hertford SG13 7DZ	2,619	
ND	Room 27, Wallfields, Pegs Lane, Hertford SG13 8EQ ( <b>Move to St. Andrew's Church Hall</b> )	515	
	<b>Total</b>	<b>7,089</b>	<b>250</b>

### Proposed Changes:

ND - Due to changes within the Council Offices, Meeting Room 27 is no longer available to use. The proposal is to move to St. Andrew's Church Hall, St. Andrew Street, Hertford SG14 1HZ. This is a large church hall more than suitable to accommodate the amount of voters. There is good level access and nearby car parking. This venue will be used for the local elections in May 2019 and any feedback from the voters, polling staff, visiting officers and candidates will be incorporated in to this review.

**Feedback from May 2019 polls voting** – used successfully without any problems on 2 May, however voters used The Mill Bridge Rooms, The Wash, nearby on 23 May for the European Parliamentary elections as St Andrew's church hall was unfortunately not available. It is not proposed to designate The Mill Bridge Rooms but they are a suitable reserve venue.

### Comments:

FM - Methodist church hall will always be a double station.

FA – voters sent to the Mill Bridge Rooms on The Wash opposite on 23 May 2019 poll as Theatre Room not available – suitable back up if Theatre not available in the future.

Predicted house building will be monitored over the next 5 years but is likely to be accommodated within the current polling provision.

### Feedback from member of the public after the May polls 2019.

St.Mary's is far from easy or safe to reach by foot. Parking is poor. **ERO comment** – no plans to move as no readily available alternative.

## Polling Scheme by Wards

### Ward: Hertford Heath

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
DP	Village Hall Hertford Heath, London Road, Hertford Heath SG13 7RH	1,812	
GB	Fanshaws Room, Brickendon Liberty Village Hall, Brickendon Green, Brickendon	496	
	<b>Total</b>	<b>2,308</b>	<b>0</b>

#### Proposed Changes:

No proposed changes.

#### Comments:

No other polling provision within the area.

Insignificant house building predicted.

# Polling Scheme by Wards

## Ward: Hertford Kingsmead

PD Ref	Polling Place Name/Address	Current Electorate	Predicted electorate by 2023
FN	Pinehurst Community Hall, Birdie Way, Hertford SG13 7SS	2,105	
NF	Pinehurst Community Hall, Birdie Way, Hertford SG13 7SS	2,250	
	<b>Total</b>	<b>4,355</b>	<b>0</b>

### Proposed Changes:

No proposed change.

### Comments:

Two polling districts to the one polling place. This is the only suitable polling place within the electoral area.

**Feedback from 23 May poll from Presiding Officer** – the venue is lovely and has everything needed.



# Polling Scheme by Wards

## Ward: Hertford Rural North

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FY	Tonwell Village Hall, Nr. Ware SG12 0HN	493	
GA	Bramfield Village Nr. Hertford SG14 2QL	210	
GG	Little Munden Memorial Hall, Dane End, Nr. Ware SG12 0NR	137	
GH	Stapleford Village Hall, Hertford	456	
GJ	Tewin Memorial Hall, Lower Green, 11 Lower Green, Tewin AL6 0JX	538	
	<b>Total</b>	<b>1,834</b>	<b>0</b>

### Proposed Changes:

No proposed changes.

### Comments:

Insignificant house building predicted.

# Polling Scheme by Wards

## Ward: Hertford Rural South

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FX	Memorial Hall Bayford, Hertford SG13 8PX	362	
GD	Hertingfordbury Cowper School, Birch green Nr. Hertford SG14 2LR	515	
GF	Little Berkhamstead Village hall, Little Berkhamstead, Nr. Hertford SG13 8LY	396	
JG	The Bishop's Stortford High School 6 <sup>th</sup> form centre, London Road, Bishop's Stortford CM23 3LU	780	
	<b>Total</b>	<b>2,053</b>	<b>220</b>

### Proposed Changes:

No proposed changes

### Comments:

Predicted electorate increase from house building can be accommodated within existing polling provision.

# Polling Scheme by Wards

## Ward: Hertford Sele

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FB	Hertford Selections Childrens Centre, The Training Centre, Welwyn Road, Hertford SG14 2DG	1,288	
FJ	St Joseph's RC School, North Road, Hertford SG14 2BY	693	
FK	Sele Farm Community Centre, 25 Perrett Gardens, Hertford SG14 2LW	946	
FL	Sele Farm Community Centre, 25 Perrett Gardens, Hertford SG14 2LW	1,170	
	<b>Total</b>	<b>4,097</b>	<b>550</b>

### Proposed Changes:

No proposed changes.

### Comments:

Polling Districts FK and FL at the same polling place.

Predicted electorate increase from house building is likely to be accommodated within existing polling provision.

# Polling Scheme by Wards

## Ward: Hunsdon

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
DN	Gilston Village Hall, Nr. Harlow, Essex CM20 2RB	117	
DU	Hunsdon Village Hall, 45 High Street, Hunsdon, Ware SG12 8NJ	876	
EB	Wareside Village Hall, Ware SG12 7QY	547	
ED	Widford Village Hall, Bell Lane, Widford, Nr. Ware SG12 8SH	461	
EG	Gilston Village Hall, Nr. Harlow, Essex CM20 2RB	554	
	<b>Total</b>	<b>2,555</b>	<b>250</b>

### Proposed Changes:

No proposed change.

### Comments:

DN Eastwick parish and EG Gilston parish (one Grouped Parish Council) vote at the same polling place (Gilston Village Hall).

Only suitable polling places within the electoral areas.

Predicted electorate increase from house building can be accommodated within existing polling provision.



# Polling Scheme by Wards

## Ward: Little Hadham

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CR	Albury Village Hall, The Bourne, Clapgate, Albury SG11 2JQ	487	
DA	Furneux Pelham Village Hall, Buntingford SG9 0LL	432	
DE	Little Hadham Village Hall, Ware SG11 2BP	908	
DJ	Stocking Pelham Village Hall, Buntingford SG9 0JA	149	
	<b>Total</b>	<b>1,976</b>	<b>0</b>

### Proposed Changes:

No proposed change.

### Comments:

Only suitable polling places within the electoral areas.

Insignificant house building to affect any polling provision.

DJ – no ramp or disability access – small ramp needed. Facilities very good.

# Polling Scheme by Wards

## Ward: Much Hadham

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
DB	Allens Green Village Hall, Sawbridgeworth CM21 0LR	162	
DC	Memorial Hall High Wych, Sawbridgeworth CM21 0HX	437	
DG	Much Hadham Village Hall, Much Hadham SG10 6BS	1,210	
DH	Mission Hall Green Tye, Much Hadham SG10 6JP	419	
DK	The Bishops Stortford High School, London Road, Bishop`s Stortford CM23 3LU	47	
	<b>Total</b>	<b>2,275</b>	<b>0</b>

### Proposed Changes:

No proposed changes.

### Comments:

DK Thorley **Rural** – votes along with Thorley **Urban** – see page 5

Insignificant house building to affect any polling provision.

DC – memorial hall has a small step in to the room. At May 2019 polls the room at the back of the hall was used which is smaller and not the best for disabled voters (comment from polling staff).

Recommendation of ERO/RO – use main hall in future.

## Polling Scheme by Wards

### Ward: Mundens & Cottered

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CU	The restaurant, The Fox Public House, Aspenden, Buntingford SG9 9PD	194	
CZ	Cottered Village Hall, Nr. Buntingford, SG9 9RA	635	
DL	Westmill Village Hall, Buntingford SG9 9LG	251	
DT	Great Munden Church, Nr. Munden Bury, Great Munden, Ware SG11 1HG	263	
DV	Little Munden Memorial Hall, Dane End, Nr. Ware SG12 0NR	750	
	<b>Total</b>	<b>2,093</b>	<b>0</b>

#### Proposed Changes:

No proposed change.

#### Comments:

Only suitable polling place within the electoral area.

Insignificant house building to affect any polling provision.

DT - Comments from members of the public on this perfect location (Great Munden Church) with good parking. Small step in to room.

# Polling Scheme by Wards

## Ward: Puckeridge

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
DX	Standon and Puckeridge Community Centre, Station Road, Standon, Nr. Ware SG11 1TF	2,148	
	<b>Total</b>	<b>2,148</b>	<b>0</b>

### Proposed Changes:

No proposed change.

### Comments:

Only suitable polling place within the electoral area.

Insignificant house building to affect any polling provision.



# Polling Scheme by Wards

## Ward: Sawbridgeworth

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CM	The Hailey Day Centre, Sayesbury Manor, Bell Street CM21 9AN	3,632	
CN	Spellbrook Primary School, London Road, Spellbrook CM23 4BA	159	
CP	Bullfields Centre, Cutforth Road, Sawbridgeworth CM21 9EA	1,145	
CQ	Leventhorpe School, Cambridge Road, Sawbridgeworth CM21 9BY	1,840	
	<b>Total</b>	<b>6,776</b>	<b>500</b>

### Proposed Changes:

No proposed changes.

### Comments:

CM - will always be a double polling station due to the electorate size.

House building though significant is likely to be accommodated within the existing polling provision.

Suggestion to use Sawbridgeworth Cricket Club received after the 2 May elections, though no adverse comments raised at this poll or the at the 23 May. On the use of the Hailey day centre that has been used for years.

The cricket club use the same car park as the Hailey Day centre and has disabled access and a larger hall 19m x 6m. However, having consulted the Polling Station Inspector, the RO/ERO proposes to continue to use the Hailey Day centre at it is a focal point of the town and is suitable size with car parking at the venue. Should the Hailey Day centre not be available at any time we would consider using the cricket pavilion.

CN – though a small number of electors, this polling station caters for the electors at the far north of the town.

# Polling Scheme by Wards

## Ward: Stanstead Abbots

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
DR	Clubhouse, St Margaretsbury Recreation Ground, St Margarets, Stanstead Abbots SG12 8EH	823	
DZ	Stanstead Abbots Parish Hall, Roydon Road, Stanstead Abbots, Nr. Ware SG12 8EZ	1,484	
	<b>Total</b>	<b>2,307</b>	<b>0</b>

### Proposed Changes:

No proposed changes.

### Comments:

DR and RD (Great Amwell district ward) vote at the same polling place – see page 9. This polling place has two polling stations due to the electorate size and due to being in different wards for local District elections

Insignificant house building to affect any polling provision.

## Polling Scheme by Wards

### Ward: Thundridge and Standon

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
DW	Puller Memorial CofE Primary School, High Cross, Ware SG11 1AZ	175	
DY	Standon Village Hall, WARE	1,105	
EA	Thundridge Village Hall, Cambridge Road, Thundridge, Ware SG12 0SZ	745	
EE	Puller Memorial CofE Primary School, High Cross, Ware SG11 1AZ	457	
	<b>Total</b>	<b>2,482</b>	<b>0</b>

#### Proposed Changes:

No proposed changes.

#### Comments:

Polling districts DW (Standon parish) and EE (Thundridge parish) both at Puller primary school and will be one polling station at all elections unless at parish elections if the parishes are contested.

Insignificant house building to affect any polling provision.

# Polling Scheme by Wards

## Ward: Walkern

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
CT	Ardeley Village Hall, Ardeley, Stevenage, SG2 7AH	328	
FZ	Benington Village Hall, Benington, Stevenage, SG2 7LN	709	
GK	Walkern Sports and Community Centre, Jubilee Pavillion, High Street Walkern SG2 7NP	1,103	
	<b>Total</b>	<b>2,140</b>	<b>0</b>

### Proposed Changes:

No proposed changes.

### Comments:

Insignificant house building to affect any polling provision.

CT – small step in to village hall



## Polling Scheme by Wards

### Ward: Ware - Chadwell

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FV	Ware Drill Hall, 17 Amwell Street, Ware SG12 9HP	2,460	
	<b>Total</b>	<b>2,460</b>	<b>0</b>

#### Proposed Changes:

No proposed change.

#### Comments:

FV - will always be a double station.

Most suitable polling place within the electoral area.

Voters sent to 3<sup>rd</sup> Ware Scout Hut at Broadmeads on 23 May 2019 poll as Ware Drill Hall not available.

**RO/ERO** - Not proposing on changing to this venue permanently but it is a good back up venue.

Limited disabled access.

Insignificant house building to affect any polling provision.

# Polling Scheme by Wards

## Ward: Ware - Christchurch

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FS	Priory Garden Room, The Priory, High Street, Ware SG12 9AL	1,246	
FT	Christ Church Hall, New Road, Ware SG12 7BS	2,941	
	<b>Total</b>	<b>4,187</b>	<b>0</b>

### Proposed Changes:

No proposed changes.

### Comments:

FT - will always be a double station due to electorate size.

Insignificant house building to affect any polling provision.

## Polling Scheme by Wards

### Ward: Ware – St. Marys

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
EC	Scout H.Q's, Poles Lane, Ware SG12 0SF	1,000	
FO	Royal British Legion Hall, 12 Gladstone Road, Ware SG12 0AG	1,560	
FU	Age Concern Hall, Garland Room, Priory Street, Ware SG12 0DE	1,447	
	<b>Total</b>	<b>4,007</b>	<b>0</b>

#### Proposed Changes:

No proposed changes.

#### Comments:

Insignificant house building to affect any polling provision.

**Comments received from member of the public** on how good a facility the Age Concern building is and that if any venues had to be amalgamated this building would be the one to retain.

**Comments of ERO** – there are no plans to amalgamate the polling venues in this part of the town.

# Polling Scheme by Wards

## Ward: Ware - Trinity

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
FP	St. Mary`s Junior School, Heath Drive, Ware SG12 0RL	898	
FQ	Larkspur Academy, Tower Road, Ware SG12 0RL	1,723	
FR	Larkspur Academy, Tower Road, Ware SG12 0RL	1,398	
	<b>Total</b>	<b>4,019</b>	<b>0</b>

### Proposed Changes:

No proposed changes

### Comments:

Two Polling Districts at the one venue (FQ and FR) – Larkspur Academy – double station.

Insignificant house building to affect any polling provision.

Comment received from member of the public that St. Mary`s primary school is very convenient.



## Polling Scheme by Wards

### Ward: Watton-at-Stone

PD Ref	Polling Place Name/Address	Current Electorate	Predicted house building
GL	The Community Hall, Sports Field, Adj. School Lane, Watton-at-Stone SG14 3SF	2,002	
	<b>Total</b>	<b>2,002</b>	<b>0</b>

#### Proposed Changes:

No proposed change.

#### Comments:

Only suitable polling place within the electoral area.

Insignificant house building to affect any polling provision.

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## Polling District number changes

Ward Name	Register Prefix	Proposed WARD Prefix
Bishops Stortford All Saints	CD, CE, CF	<b>BSA</b>
Bishops Stortford Central	CG,CH,CI,CJ	<b>BSC</b>
Bishops Stortford Meads	CA,CC	<b>BSM</b>
Bishops Stortford Silverleys	BC, CB	<b>BSS</b>
Bishops Stortford South	CK,CL,LC,KD	<b>BSO</b>
Braughing	CS,CV,CW,DD,DF	<b>BRA</b>
Buntingford	CK,CY,DM	<b>BUN</b>
Datchworth & Aston	FW,GC	<b>DAS</b>
Great Amwell	DQ,RD	<b>GAM</b>
Hertford Bengoe	FF,FG,FH	<b>HBE</b>
Hertford Castle	FA,FC,FD,ND,FE,FM	<b>HCA</b>
Hertford Heath	DP,GB	<b>HHE</b>
Hertford Kingsmead	FN,NF	<b>HKI</b>
Hertford Rural North	FY,GA,GG,GH,GJ	<b>HRN</b>
Hertford Rural South	FX,GD,GF,JG	<b>HRS</b>
Hertford Sele	FB,FJ,FK,FL	<b>HSE</b>
Hunsdon	DN,DU,EB,ED,EG	<b>HUN</b>
Little Hadham	CR,DA,DE,DJ	<b>LHA</b>
Much Hadham	DB,DC,DG,DH,DK	<b>MHA</b>
Mundens and Cottered	CU,CZ,DL,DT,DV	<b>MCO</b>
Puckeridge	DX	<b>PUC</b>
Sawbridgeworth	CM,CN,CP,CQ	<b>SAW</b>
Stanstead Abbots	DR,DZ	<b>SAB</b>
Thundridge and Standon	DW,DY,EA,EE	<b>TST</b>
Walkern	CT,FZ,GK	<b>WAL</b>
Ware Chadwell	FV	<b>WCW</b>
Ware Christchurch	FS,FT	<b>WCC</b>
Ware St Marys	EC,FO,FU	<b>WSM</b>
Ware Trinity	FP,FQ,FR	<b>WTR</b>
Watton-at-Stone	GL	<b>WAS</b>

Proposal is for registers to logically reflect our main electoral areas at East Herts  
This method is descriptive and expandible - the respective registers within the w  
get an number digit etc - logical breakdown of the housing areas.

Silverleys - BC district is being enlarged from CB and new district created for land

## Essential Reference Paper C

Format for Polling District Ref
BSA1, BSA2, BSA3
BSC1, BSC2,BSC3,BSC4
BSM1, BSM2
BSS1, BSS2 (see note below)
BSO1, BSO2, BSO3,BSO4
BRA1,BRA2,BRA3,BRA4,BRA5
BUN1,BUN2,BUN3
DAS1,DAS2
GAM1,GAM2
HBE1, HBE2,HBE3
HCA1,HCA2,HCA3,HCA4,HCA5,HCA6
HHE1,HHE2
HKI1,HKI2
HRN1,HRN2,HRN3,HRN4,HRN5
HRS1, HRS2, HRS3,HRS4
HSE1,HSE2,HSE3,HSE4
HUN1,HUN2,HUN3, HUN4,HUN5
LHA1,LHA2,LHA3,LHA4
MHA1,MHA2,MHA3,MHA4,MHA5
MCO1,MCO2,MCO3,MCO4,MCO5
PUC1
SAW1,SAW2,SAW3,SAW4
SAB1,SAB2
TST1,TST2,TST3,TST4
WAL1,WAL2,WAL3
WCW1
WCC1,WCC2
WSM1,WSM2,WSM3
WTR1,WTR2,WTR3
WAS1

i.e. our District Wards.  
and i.e. the polling districts

| north of Hadham Road



## EAST HERTS COUNCIL

COUNCIL – 23 OCTOBER 2019

REPORT BY HEAD OF LEGAL AND DEMOCRATIC SERVICES

POLITICAL BALANCE – SUBSTITUTE MEMBER APPOINTMENTS

WARD(S) AFFECTED: ALL

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### **Purpose/Summary of Report**

- Following the review of political balance approved at the last scheduled Council meeting, Council is requested to approve allocation of the number of Substitute Members to Committees for the political groups which changed in July 2019.

<b><u>RECOMMENDATIONS FOR COUNCIL:</u></b>	
<b>(A)</b>	<b>To approve the allocation of the number of Substitute Members to the Labour and Green Groups on the Committees referred to in Essential Reference Paper B; and</b>
<b>(B)</b>	<b>That the Members of the Labour and Green Groups, as nominated by their respective Group Leaders to be Substitute Members for such Committees, and as set out in the Reference Paper, be noted.</b>

### 1.0 Background

- 1.1 On 24 July 2019, the Council reviewed the representation of political groups, following notification of new political groups

by the Members of the Green and Labour political parties. The allocation of seats on the Council's committees was agreed, but did not include the allocation of the number of Substitute Members for the new Groups which were formed.

## 2.0 Report

2.1 Where Members of a Council are divided into political groups, the Local Government and Housing Act 1988 places a duty on the Council to review the allocation of seats on its committees. This duty applies where there is a change to the political groups on the Council. The allocation of committee places and Substitute Members of the Council's Committees took place at its annual meeting on 15 May 2019. Following the annual meeting, notification of a change of political groups was received from the Members of the Green and Labour groups that they would need to cease to operate as the Green/Labour Group. Accordingly, the Council again reviewed its political balance and approved, at its meeting on 24 July 2019, the allocation of seats arising from this change.

2.2 The allocation of Substitute Members appointed to committees was omitted from that subsequent review. The [Constitution](#) provides for the allocation of up to 6 named substitutes per political group to committees, for groups having 10 or more Members, and up to 3 named substitutes per political group having fewer than 10 members. The Green and Labour Group Leaders have confirmed their wish to nominate to these committees the Members whose names are highlighted in Essential Reference Paper B. The Leaders of all political groups on the Council have been consulted as to the proposed allocation of Substitute Members on these Committees.

## 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

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## **ESSENTIAL REFERENCE PAPER 'A'**

### **IMPLICATIONS/CONSULTATIONS**

Contribution to the Council's Corporate Priorities/ Objectives:	The proposals set out in this report will support all of the Council's corporate objectives.
Consultation:	The appropriate consultation with the political group leaders has taken place.
Legal:	The proposals set out in this report accord with the statutory provisions for reviewing the Council's political balance.
Financial:	None
Human Resource:	None
Risk Management:	The Council needs to establish a robust and clear decision-making structure to enable it to function effectively and make decisions in an expeditious manner which is accountable to the electorate.
Health and wellbeing- issues and impacts	None
Equality, diversity and human rights considerations, and whether	No

Equality Impact Assessment required:	
Environmental Sustainability	None

ESSENTIAL REFERENCE PAPER B  
PROPOSED SUBSTITUTE MEMBERS (highlighted)

**Overview and Scrutiny Committee**  
**14 seats**

<b>Conservative</b>		<b>Liberal Democrat</b>		<b>Green</b>		<b>Labour</b>	
1	John Wyllie (C)	11	Mione Goldspink (VC)	13	James Frecknall	14	Mary Brady
2	Judith Ranger	12	Sophie Bell				
3	Alastair Ward Booth						
4	Ian Devonshire						
5	Norma Symonds						
6	David Snowdon						
7	Mari Stevenson						
8	Holly Drake						
9	Ken Crofton						
10	Diane Hollebon						

<b>Substitutes</b>						
<b>Conservative</b>		<b>Liberal Democrat</b>		<b>Green</b>		<b>Labour</b>
David Andrews				Ben Crystall		Carolyn Redfern
Stan Bull						
Charlie Rowley						

<b>Performance, Audit and Governance Oversight Committee</b> <b>7 seats</b>
--

**Conservative**

- 1 Mark Pope (C)
- 2 Stan Bull
- 3 Angela Alder
- 4 Alex Curtis
- 5 John Burmicz
- 6 Tony Stowe (VC)

**Liberal**
**Democrat**

- 7 Louie Corpe

**Green**
**Labour**

Substitutes						
Conservative		Liberal Democrats		Green		Labour
Alistair Ward-Booth						
Charlie Rowley						



## Development Management Committee

### 12 seats

<b>Conservative</b>		<b>Liberal Democrat</b>		<b>Green</b>		<b>Labour</b>	
1	Tim Page (C)	10	Terence Beckett	11	Ben Crystall	12	Carolyn Redfern
2	Ruth Buckmaster						
3	Ian Kemp						
4	Andrew Huggins						
5	Tony Stowe						
6	Bob Deering (VC)						
7	David Andrews						
8	Jeff Jones						
9	Peter Ruffles						

<b>Substitutes</b>						
	<b>Conservative</b>		<b>Liberal Democrat</b>		<b>Green</b>	<b>Labour</b>
	Stan Bull		Joseph Dumont		James Frecknall	Mary Brady
	Jonathan Kaye					
	Rishi Fernando					

**Licensing Committee**  
**12 seats**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Green</b>	<b>Labour</b>
1 Rosemary Bolton (VC)	10 Sophie Bell	12 Ben Crystall	
2 Stephen Reed	11 Chris Wilson		
3 David Andrews (C)			
4 Norma Symonds			
5 Tony Hall			
6 Michael McMullen			
7 Tim Page			
8 Jeff Jones			
9 Mari Stevenson			

**Substitutes**

<b>Conservative</b>		<b>Liberal Democrats</b>		<b>Green</b>		<b>Labour</b>
				James Frecknall		

**Human Resources Committee**  
**7 seats**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Green</b>	<b>Labour</b>
1 Rosemary Bolton (C)	7 Joe Dumont		
2 Peter Ruffles			
3 Sally Newton			
4 Stan Bull			
5 Michael McMullen			
6 Angela Alder			

**Substitutes**

<b>Conservative</b>		<b>Liberal Democrats</b>		<b>Green</b>		<b>Labour</b>
NONE APPOINTED						

<b>Financial Sustainability Committee</b> <b>10 seats</b>
--

<b>Conservative</b>		<b>Liberal Democrat</b>		<b>Green</b>	<b>Labour</b>
1	Angela Alder	9	Mione Goldspink		10 Carolyn Redfern
2	Kenneth Crofton (VC)				
3	Ian Devonshire				
4	Graham McAndrew				
5	Mari Stevenson				
6	Tony Stowe				
7	Alastair Ward-Booth				
8	Geoffrey Williamson (CH)				

<b>Substitutes</b>					
<b>Conservative</b>		<b>Liberal Democrats</b>		<b>Green</b>	<b>Labour</b>
NONE APPOINTED					

**Chief Officer Recruitment Committee**  
5 seats

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Green</b>	<b>Labour</b>
1 Linda Haysey	5 Mione Goldspink		
2 Peter Boylan			
3 Geoffrey Williamson			
4 Eric Buckmaster			

**Revenues and Benefits Joint Committee**  
3 seats

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Green</b>	<b>Labour</b>
1 Geoffrey Williamson			
2 Peter Boylan			
3 Mari Stevenson			

**CCTV Joint Executive**  
3 seats

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Green</b>	<b>Labour</b>
1 Peter Boylan			
2 Alex Curtis			
3 Geoffrey Williamson			

**Local Joint Panel**  
4 seats

1	Mari Stevenson	3	Eric Buckmaster
2	Linda Haysey	4	Joe Dumont

**Substitutes**

<b>Conservative</b>	<b>Liberal Democrat</b>		
Angela Alder			
George Cutting			



MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 17 JULY 2019, AT 7.00 PM

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PRESENT: Councillor T Page (Chairman)  
Councillors D Andrews, T Beckett, S Bull,  
B Crystall, B Deering, R Fernando, J Kaye,  
I Kemp, C Redfern, P Ruffles and T Stowe

ALSO PRESENT:

Councillors J Goodeve, J Dumont and  
S Rutland-Barsby

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Rachael Collard	- Principal Planning Officer
June Pagdin	- Principal Planning Officer
Jill Shingler	- Principal Planning Officer
Sara Saunders	- Head of Planning and Building Control
David Snell	- Service Manager (Development Management)
Victoria Wilders	- Legal Services Manager

ALSO IN ATTENDANCE:

Matt Armstrong	- Hertfordshire County Council
Roger Flowerday	- Hertfordshire County Council

70 APOLOGIES

Apologies for absence were submitted on behalf of Councillors R Buckmaster and J Jones. It was noted that Councillors S Bull and J Kaye were substituting for Councillors J Jones and R Buckmaster respectively.

71 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of housekeeping issues and reminded those in attendance that the meeting was being webcast and that their image might be captured.

The Chairman said that due to the level of public interest, he intended to bring forward agenda items 5 (D) (HERT2) Land East of Marshgate Drive, Hertford and 5 (F) Land West of Hoddesdon Road, St Margaretsbury, Stanstead Abbots. This was supported.

The Chairman said that application 3/19/0408/FUL, (Land at Stortford Road (r/o 12-18 Farm Crescent) Standon, Hertfordshire, was not on the agenda this evening for consideration by Members. He apologised for any confusion caused.

72     DECLARATIONS OF INTEREST

Councillor B Deering declared a non-pecuniary interest in agenda item 5(B) St Joseph's Roman Catholic Primary school Great Hadham Road, Bishop's Stortford by virtue of the fact that he was a Hertfordshire County Councillor.

73     MINUTES - 19 JUNE 2019

Councillor T Beckett proposed and Councillor B Crystall seconded, a motion that the Minutes of the meeting held on 19 June 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 19 June 2019, be confirmed as a correct record and signed by the Chairman.

- 74 3/18/2465/OUT - HYBRID PLANNING APPLICATION COMPRISING: FULL PLANNING PERMISSION FOR 375 RESIDENTIAL DWELLINGS (COMPRISING 29 HOUSES AND 5 APARTMENT BUILDINGS FOR 346 APARTMENTS), 420 SQM FOR A GYMNASIUM (CLASS D2 FLOORSPACE), 70 SQM OF RESIDENTS CO-WORKING FLOORSPACE, CAR AND CYCLE PARKING, ACCESS, OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS, IMPROVEMENTS TO MARSHGATE DRIVE AND CREATION OF A SPINE ROAD IN THE NORTHERN SECTOR; AND OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF 2,220 SQUARE METRES OF EMPLOYMENT FLOORSPACE (USE CLASS B1C), CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS (ALL MATTERS RESERVED EXCEPT ACCESS) AT (HERT2) LAND EAST OF MARSHGATE DRIVE, HERTFORD
- 

The Head of Planning and Building Control recommended that in respect of application 3/18/2465/OUT, planning permission be refused for the reasons detailed in the report now submitted.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control summarised the outline application and detailed the relevant planning history.

Mr Steven Gough spoke for the application. Hertford Town Councillor Jane Sartin addressed the Committee in objection to the application.

Councillor S Rutland-Barsby referred to the fact that the adopted District Plan recognised that the site could accommodate 200 dwellings but not the 325 proposed by the developer. She referred to the impact this application would have on Highways and supported



refusal of the application.

Councillor J Kaye said he was concerned about the scale of the development and about the number of proposed dwellings. He sought clarification that the developer had been given guidance at the pre-application stage. The Principal Planning Officer confirmed that advice had been given and that the applicant had also been part of the district plan consultation process which had been examined by an Inspector. She added that the developer should submit an application which was policy compliant.

Councillor T Stowe sought clarification as to whether the developer had been involved with other Steering Group meetings. The Service Manager (Development Management) was unable to confirm how many Steering Group meetings the Developer had attended on the basis that other Officers had previously been involved.

Councillor D Andrews requested that in future, phrases such as “benefit from” in reports be removed so that the content sounded more objective. He expressed concern about the impact the application might have in relation to the provision of social housing if the developer reduced the housing provision to 200 dwellings.

Councillor I Kemp said he was disappointed with the application, given that the applicant was a specialist in the development of such sites. He commented on the site’s high levels of contamination, problems with access, the design layout (in that many people would

not enjoy the river view), and the potential for heavily shaded gardens. He felt that this was a substandard design given the developer's previous experience.

Councillor P Ruffles said the timber yard was included in Part 2 and was not included in this application for 375 dwellings. He asked Members to keep this in mind.

Councillor I Kemp sought clarification regarding egress from the eastern end. Mr Flowerday from Hertfordshire County Council (Highways) summarised the County Council's concerns which had contributed to a recommendation for refusal of the application.

Councillor T Beckett commented on parking for the site and encouraged sustainable transport. These concerns were shared by Councillor D Andrews who commented on the closeness of the railway station and bus hub. He commented that people would still need their vehicles close to their homes in order to charge them if they had electric cars.

Councillor D Andrew proposed and Councillor T Beckett seconded, a motion that in respect of application 3/18/2465/OUT, planning permission be refused for the reasons detailed in the report submitted.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee supported the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that, in respect of application 3/18/2465/OUT, planning permission be refused for the reasons detailed in the report submitted.

75      3/18/1228/FUL - ERECTION OF 8NO. DWELLINGS, NEW ACCESS AND LANDSCAPING AT LAND WEST OF HODDESDON ROAD, ST MARGARETSBURY, STANSTEAD ABBOTS

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The Head of Planning and Building Control recommended that in respect of application 3/18/1228/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Service Manager (Development Management), on behalf of the Head of Planning and Building Control, summarised the full application and detailed the relevant planning history.

Ms Alderman addressed the Committee in objection to the application. Mr Shrimplin spoke for the application. Councillor N Cox addressed the Committee on behalf of St Margarets Parish Council.

Councillor J Dumont addressed the Committee as the local Ward Member and summarised residents' concerns.

Councillor D Andrews said Highways were satisfied with the design and that Thames Water had not responded to the consultation. The trees would need to be surveyed to establish whether protection under a TPO was appropriate. He was concerned about

accessibility and the collection of refuse. He felt there was sufficient space to overcome accessibility issues.

The Service Manager advised that he was not aware of any other developments where private waste arrangement were in place and that there was a condition regarding the protection of trees relating to a biodiversity plan.

Members debated at length issues in relation to highways, visibility surveys and how a private refuse collection arrangement would work. Councillor B Crystall said he was concerned about the application from an ecological viewpoint and asked whether an assessment of the site had been carried out before a request for planning permission.

Councillor S Bull said the village did not have a Neighbourhood Plan in place and that he was concerned at the suggestion of a private arrangement for waste collection. The Service Manager explained that it was unusual for a full ecological assessment to be submitted in relation to a minor application and that the site was not a designated wildlife site of ecological significance.

Councillor T Beckett explained that he had visited the site and witnessed cars travelling at speed. He questioned the timing of letters to residents and said that the developer should be requested to widen the road.

The Service Manager explained that there was an error in relation to advising residents of an incorrect date for



Development Management Committee but this had been quickly rectified. He suggested that Members could resolve to defer consideration of the application or delegate the decision to Officers once the issue in relation to waste management had been resolved.

The Legal Services Manager explained that a decision to defer could impact on the target date from the view point of non-determination and the possible submission of an appeal by the applicant. She further explained that there was no evidence from an accident viewpoint and that the Highways viewpoint had been given.

Councillor I Kemp said that the application should be deferred to enable further consultation to take place in relation to the need to widen the road, to provide a pedestrian crossing / introduction of traffic calming measures and safety refuge.

Councillor R Fernando raised the issue of habitable rooms on the ground floor and accessibility issues. The Service Manager said the location was in Flood Zone 2 and that there were other properties along that strip with living accommodation on the first floor.

It was moved by Councillor B Deering and seconded by Councillor P Ruffles that the application be deferred. After being put to the meeting and a vote taken, the motion was declared LOST.

It was moved by Councillor T Beckett and seconded by Councillor B Crystall that the application be refused on highways, ecological and safety grounds. After being

put to the meeting and a vote taken the motion was declared CARRIED. The Committee rejected the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/18/1228/FUL, planning permission be refused for the following reasons.

1. The proposed development fails to demonstrate that it acceptable in highways safety terms as required by Policy TRA2 of the East Herts District Plan 2018.
2. The proposed development fails to demonstrate that there was no harm to ecological interests contrary to Policies NE2 and NE3 of the East Herts District Plan 2018.

(There was a short adjournment of the meeting at 8:20pm to allow members of the public to leave the meeting. The meeting recommenced at 8:25pm)

76      3/18/1213/FUL - DEMOLITION OF EXISTING COMMERCIAL BUILDING AND ERECTION OF REPLACEMENT BUILDING FOR CLASS B1, B2, AND B8 USES AND ANCILLARY VEHICLE SALES AT UNITS C, D AND E, RAYNHAM ROAD, BISHOPS STORTFORD

---

The Head of Planning and Building Control recommended that in respect of application 3/18/1213/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control summarised the full application and detailed the relevant planning history.

Members made a number of comments regarding vehicle storage, the need for electric charging points, and noise which might be generated from the use of a ramp. The Principal Planning Officer provided a detailed response to each of the issues that had been raised by Members.

Councillor T Beckett proposed and Councillor I Kemp seconded, a motion that in respect of application 3/18/1213/FUL, the Committee support the recommendation for approval, subject to the conditions detailed in the report submitted and additional conditions relating to the provision of electric car charging point and limiting the hours of use of the ramp.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee supported the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that, in respect of application 3/18/1213/FUL, planning permission be granted subject to the conditions detailed in the report submitted and the following additional conditions:

11. Prior to the above ground construction of the development hereby approved, details

of a scheme to make provision for electric vehicle charging points for four vehicles within the area allocated for staff and customer parking on the application site shall be submitted to and approved by the LPA. The development shall be constructed in accordance with the approved details and retained thereafter.

Reason: To ensure provision for sustainable modes of transport further to Policy TRA1 of the East Herts District Plan 2018 and Policies TP2 and BP5 of the Bishops Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley 2017.

12. The external vehicle ramp on the north elevation of the development hereby permitted shall only be used between 07:00 and 21:00 hours.

Reason: In the interests of mitigating against noise pollution having regard to Policy EQ2 of the East Herts District Plan 2018.

77      3/18/1961/FUL - CONSTRUCTION OF A TWO STOREY PRIMARY SCHOOL BUILDING (2FE) AND ASSOCIATED FACILITIES FOR UP TO 420 PUPILS. ASSOCIATED LANDSCAPING WORKS, WIDENED ACCESS ROAD AND INCREASE CAR PARKING SPACES TO 48. NEW EXTERNAL HARD AND SOFT PLAY AREAS WITH FENCING. DEMOLITION OF EXISTING SCHOOL BUILDING AT ST JOSEPH'S ROMAN CATHOLIC PRIMARY SCHOOL, GREAT HADHAM ROAD, BISHOPS STORTFORD

---



The Head of Planning and Building Control recommended that in respect of application 3/18/1961/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control summarised the full application and detailed the relevant planning history.

Mr Fletcher spoke for the application.

Councillor D Andrews welcomed the work in relation to the car park, drop off and facilities for coaches. He expressed concerns about the utilitarian design of the building. He further commented that as it was a state run school funded by the public purse, it should be made as environmentally capable and sustainable as possible by including schemes for grey water recovery, photoelectric cells, solar water heating and ground source energy. He said that fire and rescue sprinklers should be installed.

Members supported Councillor Andrew's comments regarding the need to include energy sustainability measures at this stage rather than later. Queries were raised regarding access to the playing fields and the provision of changing rooms and toilet facilities.

The Principal Planning Officer commented on the issues raised adding that no guidance had yet been adopted in relation to energy sustainability measures and that sprinklers would be a matter for Building

Control.

Councillor Andrews said he recognised the content of Condition 20 in respect of minimising the use of mains water and urged the Executive Member for Planning and Growth to bring forward policies for adoption, which had environmental empathy.

Councillor T Beckett proposed and Councillor D Andrews seconded, a motion that in respect of application 3/18/1961/FUL, the Committee support the recommendation for approval, subject to the conditions detailed in the report submitted.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee supported the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that, in respect of application 3/18/1961/FUL, planning permission be granted subject to the conditions detailed in the report submitted.

- 78      3/19/0308/FUL - DEMOLITION OF EXISTING BUILDINGS AND CREATION OF 45 DWELLINGS, COMPRISING 28NOS. 2 BEDROOM APARTMENTS, 13NOS. 2 BEDROOM HOUSES AND 4NOS. THREE BEDROOM HOUSES, ASSOCIATED ROADS, CAR AND CYCLE PARKING AND LANDSCAPING, PLUS VEHICLE ACCESS FROM WARE ROAD AND A NEW AREA OF PUBLIC OPEN SPACE OFF HAMELS DRIVE AT 306-310 WARE ROAD, HERTFORD
- 

The Head of Planning and Building Control

recommended that in respect of application 3/18/0308/FUL, subject to a Section 106 legal agreement, planning permission be granted subject to the conditions detailed in the report now submitted.

The Principal Planning Officer, on behalf of the Head of Planning and Building Control summarised the application and detailed the relevant planning history. She provided an update in relation to the Section 106 contribution.

Ms Paige Harris spoke for the application.

Councillor P Ruffles raised the issue of the inability of the NHS to identify specific projects to which section 106 contributions could be allocated. Councillor B Deering commented on the problems in getting the NHS to engage with the Council on such issues. Councillor D Andrews agreed that the NHS could do more to work with the Council.

The Service Manager said the Council had, on many occasions, explained to the NHS that they needed to provide Officers with projects that they would wish to see funded. The Head of Planning and Building Control agreed that Officers would continue to push the NHS to take a broader approach on this issue in moving forward and that Health Scrutiny Committee at Hertfordshire County Council might be able to provide a further push.

Councillor C Redfern expressed concern regarding the location of the recreational facilities on the site and that the green area could not be accessed. She felt

that local recreational facilities were particularly important to those children who were being brought up in flats.

Councillor R Fernando proposed and Councillor K Beckett seconded, a motion that in respect of application 3/19/0308/FUL, subject to a Section 106 legal agreement, the Committee support the recommendation for approval, subject to the conditions detailed in the report submitted.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee supported the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that, in respect of application 3/19/0308/FUL, subject to a Section 106 legal agreement, planning permission be granted subject to the conditions detailed in the report submitted.

- 79      3/19/1039/HH AND 3/19/1040/LBC - SINGLE STOREY REAR EXTENSION TO PARTIALLY INFILL THE COURTYARD, AND LEVELLING OF A LARGE LAWN BY USE OF RETAINING WALLS AT THE GABLES, 19 GREEN END, BRAUGHING
- 

The Head of Planning and Building Control recommended that in respect of applications 3/19/1039/HH and 3/19/1040/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.



The Service Manager (Development Management) on behalf of the Head of Planning and Building Control summarised the applications and detailed the relevant planning history.

Councillor D Andrews said he was aware of the property and that what was being proposed was sympathetic to the building. Councillor S Bull commented on the nature of the listed building and asked Officers to make sure that the materials used were in keeping with its appearance.

Councillor D Andrews proposed and Councillor S Bull seconded, a motion that in respect of applications 3/19/1039/HH and 3/19/1040/LBC, the Committee support the recommendations for approval, subject to the conditions detailed in the report submitted.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee supported the recommendations of the Head of Planning and Building Control, as now submitted.

RESOLVED – that, in respect of applications 3/19/1039/HH and 3/19/1040/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report submitted.

## 80 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

(A) Planning Statistics.

The meeting closed at 9.33 pm

Chairman .....

Date .....

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 14 AUGUST 2019, AT 7.00 PM

PRESENT: Councillor T Page (Chairman)  
Councillors D Andrews, T Beckett,  
R Buckmaster, B Crystall, B Deering,  
A Huggins, J Jones, I Kemp, C Redfern,  
P Ruffles and T Stowe

ALSO PRESENT:

Councillors A Alder, E Buckmaster, S Bull,  
J Goodeve and A Ward-Booth

OFFICERS IN ATTENDANCE:

Elaine Bell	- Solicitor
Peter Mannings	- Democratic Services Officer
David Snell	- Service Manager (Development Management)

105 APOLOGY

An apology for absence was submitted on behalf of Councillor R Fernando. It was noted that Councillor I Kemp was substituting for Councillor R Fernando.

106 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that training for the Committee had been arranged for 7 pm on Wednesday 28 August in respect of understanding Officers recommendations.

107 MINUTES - 17 JULY 2019

Councillor T Beckett proposed and Councillor T Stowe seconded, a motion that the Minutes of the meeting held on 17 July 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 17 July 2019, be confirmed as a correct record and signed by the Chairman.

108 3/19/0408/FUL - ERECTION OF 23 DWELLINGS (9 AFFORDABLE DWELLINGS) INCLUDING ASSOCIATED HIGHWAY WORKS, LANDSCAPING, UTILITIES, DRAINAGE INFRASTRUCTURE AND CAR PARKING AT LAND AT STORTFORD ROAD (R/O 12-18 TOWN FARM CRESCENT), STANDON

The Head of Planning and Building Control recommended that in respect of application 3/19/0408/FUL, subject to a legal agreement, planning permission be granted subject to the conditions detailed in the report now submitted.

The Service Manager (Development Management), on



behalf of the Head of Planning and Building Control, summarised the details of the application and detailed the relevant planning history. He drew Members' attention to a number of typographical errors in the report and said that Officers would be drafting additional conditions regarding electric vehicle charging points and broadband provision.

The Service Manager said that condition 13 had been amended as this had required the submission of an energy statement. He summarised the key details of the energy statement that had now been received and emphasised that this document was one of the best he had seen.

The Service Manager emphasised that the provisions of the energy statement exceeded the requirements of building regulations as encouraged but not required by policy CC2 in respect of the mitigation of climate change.

Members were advised that the predicted water usage would equate to 107.8 litres per person per day and this was compliant with the District Plan Policy WAT4 target requirement of 110 litres of water per person per day. Officers would amend condition 13 in order to fix the scheme to the report submitted.

The Service Manager summarised the main issues for Members to consider and he drew Members' attention to the infrastructure and planning obligations as detailed in paragraph 8.32 and the recommendation. He said that the conclusions in respect of planning balance were summarised in section 9 of the report

submitted.

Mr Kwan addressed the Committee in support of the application. Councillor T Stowe sought clarification in respect of a discrepancy in the drainage details between the outline application for 15 dwellings and this full permission application. He referred in particular to drainage infiltration ponds, ditches, trenches and basins.

Councillor J Jones commented on paragraph 8.27 and the suggestion of a condition by Herts Ecology for the protection of Roman snails. He said he could not see a condition in the report as suggested by Herts Ecology. He referred to paragraph 8.32 and the infrastructure and planning obligations. He said that he was concerned that £3233 towards the children's area at Bishop's Stortford library was included given that the nearest libraries were in Buntingford and Ware.

Councillor J Jones said that the point made by the Service Manager in respect of an additional condition regarding broadband should be worded to include the requirement for the installation of fibre broadband to the property. Councillor Jones also believed that section g of condition 5 should include the wording 'during the construction phase'.

Councillor B Crystall commented on responses from consultees and referred in particular to the views of East Herts Conservation and Urban Design regarding the lack of a pedestrian linkage to the pathway to the north of the proposed development and a lack of inviting pedestrian routes into Standon.

Councillor Crystall commented on highways safety and the safety implications for residents of an agricultural access onto the road. He referred to mud being left on the road should a tractor exit the field onto the highway. He said that Herts Ecology had referred to external field boundary hedges as additional habitat in this area. He referred to an ecological management plan and said that as badgers and hedgehogs were in the area, would it be possible for mammal ramps to be provided at night if excavations were to be left exposed after dark.

Councillor C Redfern expressed concern that the proposed development was in conflict with the Standon Neighbourhood Plan. She said that she shared the concerns that had been expressed in a letter from Standon Parish Council. She expressed concern that the affordable housing provision could be reduced on viability grounds as this provision had not been included in the conditions.

Councillor Redfern referred to parking on the other side of the main road as not being clearly defined for the residents who lived on that side of the highway. Councillor D Andrews, as the local ward Member, expressed concerns about the encroachment on the amenity of the residents on the eastern side of Town Farm Crescent. He said that parking could be an issue as residents of the properties on the south side embankment parked on the other side of the A120 in a layby. He stated that the proposed footways in place of a field entrance would be rapidly occupied by residents' cars.

Councillor Andrews said that he whilst he welcomed the condition regarding contractor vehicles, he was concerned how this condition could be implemented. He also welcomed the affordable housing but was concerned that this had not been conditioned. He referred to the minor matter of the site falling outside the village boundary.

Councillor D Andrews said that whilst he welcomed funding for libraries, children in Standon could not utilise the library in Bishop's Stortford as the last bus to Standon was the one they would already be using to get home from school. He believed that children from the village would gravitate towards Ware or Buntingford.

The Service Manager confirmed that the matter of affordable housing was covered in the Section 106 legal agreement. Members were advised that controlling parking on the proposed access road by condition was very difficult as this was in effect free parking on the highway and any such condition would be unenforceable in any event. He said that the scheme did meet the Council's parking standards.

The Service Manager stated that the Sustainable Urban Drainage Solution (SUDS) matters were subject to a very detailed design and this was covered by conditions 8, 9 and 10 and was based on the submissions of the lead local flood risk authority for a natural infiltration design.

Members were advised that the Section 106



contributions for library provision could only be utilised towards planned schemes but Officers could talk to the County Council to clarify the position. The Service Manager referred to standard conditions regarding high speed fibre broadband and the Construction Management Plan, the details of which had to be submitted for approval before development could commence.

Members were advised that the conservation area urban design team were happy with the proposed design parameters and the proposed changes to the footway. The Service Manager stated that Herts Ecology matters were all dealt with via an informative. Members were advised that UK wildlife laws and current EU laws gave far more protection to existing species than the planning system.

The Service Manager referred to the Standon Neighbourhood Plan and advised that the current plan did have a village boundary line that encompassed this site meaning that the limits of this development would become the new village boundary. A condition in respect of Herts Ecology matters could not be imposed if this related to an area outside the control of the applicant.

The Service Manager confirmed to Councillor D Andrews that the matter of concrete hard standing in the field to prevent mud and other materials building up on the highway would be picked up as part of the Section 106 legal agreement. He also responded to a number of further queries from Members in respect of broadband, libraries and the position of Herts Ecology.

The Chairman exercised his discretion and allowed Mr Burge to address the Committee in objection to the application. In response to a comment from Councillor J Jones, the Service Manager advised that would not be an undue impact on neighbouring properties.

It was moved by Councillor B Deering and seconded by Councillor I Kemp that the application be granted subject to the conditions detailed in the report submitted. After being put to the meeting and a vote taken the motion was declared CARRIED. The Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/19/0408/FUL, subject to a legal agreement, planning permission be granted subject to the conditions detailed in the report submitted.

109 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 7.45 pm

Chairman .....
Date .....

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MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 11 SEPTEMBER 2019, AT 7.00  
PM

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PRESENT: Councillor T Page (Chairman)  
Councillors R Buckmaster, B Crystall,  
B Deering, J Dumont, R Fernando,  
A Huggins, J Jones, J Kaye, C Redfern,  
P Ruffles and T Stowe

ALSO PRESENT:

Councillors S Bull, E Buckmaster and  
J Goodeve

OFFICERS IN ATTENDANCE:

Elaine Bell	- Solicitor
Peter Mannings	- Democratic Services Officer
Sara Saunders	- Head of Planning and Building Control
Jill Shingler	- Principal Planning Officer

137 APOLOGIES

Apologies for absence were submitted on behalf of  
Councillors D Andrews and T Beckett. It was noted  
that Councillors J Dumont and J Kaye were substituting



for Councillors T Beckett and D Andrews respectively.

138 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of housekeeping issues.

The Chairman reminded Members that there was a training session at 7 pm on Thursday 12 September 2019 in the Council Chamber in respect of Gilston. He emphasised that it was a requirement that Members of the Development Management Committee attend this training session.

Councillor J Jones said that he had already attended training in respect of Gilston in Harlow and did not plan to attend on the 12 September. The Executive Member for Planning and Growth explained that the briefing would be covering different aspects of the site and attendance was very important for Members' understanding.

139 MINUTES - 14 AUGUST 2019

Councillor R Buckmaster proposed and Councillor B Crystall seconded, a motion that the Minutes of the meeting held on 14 August 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 14 August 2019, be confirmed as a correct record and signed by the Chairman.

- 140     3/18/2731/FUL - DEMOLITION OF BUILDING P5 AND ASSOCIATED STRUCTURES AND THE ERECTION OF A MANUFACTURING BUILDING AND ASSOCIATED WORKS AT GLAXOSMITHKLINE SERVICES LTD, PRIORY STREET, WARE, HERTFORDSHIRE, SG12 0DJ
- 

The Head of Planning and Building Control recommended that in respect of application 3/18/2731/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor P Ruffles said that he was unclear as to the location of the existing public right of way referred to in condition 15 of the report submitted. The Principal Planning Officer, on behalf of the Head of Planning and Building Control, advised that the public right of way highlighted in condition 15 was not actually within the site and was to the east.

The Principal Planning Officer stated that she was asking for condition to be removed as it had been incorrectly added to the list of conditions. This condition had been requested by Hertfordshire County Council to protect the public right of way during construction.

Members were advised of an additional condition that was referred to in the report at paragraph 8.13 but was missing from the list of conditions. This related to the access to Harris's Lane which would be an access for emergency and construction vehicles only. This had been restricted by condition on the previous

approval and a similar condition was recommended by Officers for this application.

Councillor T Stowe expressed concerns in respect of the amended time limit of 5 years detailed in the conditions. He said he supported employment but would welcome some clarification as a lot could change in 5 years.

The Principal Planning Officer stated that a previous consent had been granted for 3 years and that permission had not been implemented. The applicant had requested 5 years due to uncertainty about a timescale for the commencement of development. A further permission for 3 years could result in the Committee having to determine another renewal of planning permission at that time. Officers had taken on board the issue of sustainability and had included a condition covering the sustainability credentials of the application.

Councillor J Kaye referred to the comments of the Hertfordshire County Council Historic Environment Unit and advice that the scheme would impact upon heritage assets of archaeological importance. He said that this has been addressed within the report submitted by Officers.

Councillor Kaye highlighted the points made by Ware Town Council in that the developed and investment in Ware was welcomed subject to conditions regarding construction hours to minimise disruption to residents, with no deliveries at weekends and conditions to ensure safety of access to Park Road. He concluded

that he was encouraged by the proposed 37 replacement native trees and a holly hedge that would reach a maximum height of 1.8 metres.

The Principal Planning Officer stated that a construction management condition was proposed and Officers would take advice from Environmental Health and Hertfordshire County Council highways in respect of deliveries and delivery hours to this site in evenings and at weekends.

Councillor B Crystall referred to a traffic regulation order (TRO) and he also referred to the very thorough Transport Statement. He commented on whether the TRO would prevent parents and residents from parking on Park Road during the construction period and whether this would have a knock on effect on other streets.

Councillor Crystall questioned whether a condition could be possible to permit parents to park during the construction phase. He also referred to there being no new parking but asked whether a condition was possible to cover the provision of electric car charging points for the employees who would use this site.

The Principal Planning Officer advised that the TRO was being looked after by Hertfordshire County Council and she was unclear what this would entail. Members were advised that the red outline of this application site did not include the parking area so conditions could not be imposed regarding electric car charging points.

It was moved by Councillor A Huggins and seconded by Councillor J Jones that the application be granted subject to the conditions detailed in the report submitted with condition 15 being deleted and a condition being added on the basis of the access shown on to Harris's Lane being used for construction purposes in association with the development hereby approved and thereafter shall be used solely for emergency access only.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/18/2731/FUL, planning permission be granted subject to the conditions detailed in the report submitted with condition 15 being deleted and the following condition being added:

15. The access shown on to Harris's Lane shall be used for construction purposes in association with the development hereby approved and thereafter shall be used solely for emergency access only.

Reason: In the interests of highway safety in accordance with policy TRA2 of the East Herts District Plan 2018.

#### 141 ITEMS FOR REPORTING AND NOTING

Councillor J Jones commented on the importance of



robust Neighbourhood Plan Policies in the context of appeals against the refusal of planning permission. He raised this matter in the context to 2 appeals that had been allowed where Officers had refused planning permission under delegated powers for 2 applications in his ward.

The Head of Planning and Building Control referred to the emergence of some conflict in respect of Neighbourhood Plan policy and appeals. She stated that she would be doing some research and would be seeking to report back to the Committee relatively quickly. Members received the reports.

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

#### 142 URGENT BUSINESS - RESOLUTION TO CORRECT AN INACCURACY IN THE SIGNED MINUTES OF THE MEETING HELD ON 17 JULY 2019

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The Democratic Services Officer detailed an inaccuracy in the signed minutes of the 17 July 2019 meeting of the Development Management Committee. He said this related to the end of the first sentence of the 14<sup>th</sup>

paragraph of Minute 75 and the word 'deferred' should be deleted and replaced with the word 'approved'.

Members were advised that the motion for approval was correctly referred to as being LOST and the subsequent motion for refusal of planning permission was also correct and had been declared CARRIED. The Head of Planning and Building Control confirmed to Councillor J Jones that the applicant had been informed of the decision of the Committee to refuse planning permission in respect of application 3/18/1228/FUL.

Councillor T Page proposed and Councillor R Fernando seconded, a motion that the minutes of the meeting on 17 July 2019, approved and signed by the Chairman at the meeting on 14 August 2019, be amended in the following respect to correct an inaccuracy subsequently discovered:

Minute 75 – 3/18/1228/FUL – Erection of 8no dwellings, new access and landscaping at land west of Hoddesdon Road, St Margaretsbury, Stanstead Abbots

Delete at end of 1<sup>st</sup> sentence in 14<sup>th</sup> paragraph –  
'....deferred.'

Replace with – 'approved'.

After being put to the meeting and a vote taken, this motion was declared CARRIED. Councillor A Huggins abstained from voting.

RESOLVED – that the minutes of the meeting on

17 July 2019, approved and signed by the Chairman at the meeting on 14 August 2019, be amended in the following respect to correct an inaccuracy subsequently discovered:

Minute 75 – 3/18/1228/FUL – Erection of 8no dwellings, new access and landscaping at land west of Hoddesdon Road, St Margaretsbury, Stanstead Abbots

Delete at end of 1<sup>st</sup> sentence in 14<sup>th</sup> paragraph – ‘....deferred.’

Replace with – ‘approved’.

The meeting closed at 7.25 pm

Chairman .....

Date .....

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MINUTES OF A MEETING OF THE  
PERFORMANCE, AUDIT AND GOVERNANCE  
OVERSIGHT COMMITTEE HELD IN THE  
ROOM 27, WALLFIELDS, HERTFORD ON  
TUESDAY 21 MAY 2019, AT 7.00 PM

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PRESENT: Councillor M Pope (Chairman)  
Councillors A Alder, S Bull, L Corpe,  
A Curtis, T Stowe and A Ward-Booth

ALSO PRESENT:

Councillors G Williamson and J Wyllie

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Isabel Brittain	- Head of Strategic Finance and Property
Mike Edley	- Interim Scrutiny Officer
Robert Winterton	- Financial Services Manager

ALSO IN ATTENDANCE:

Suresh Patel	- EY
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23     APPOINTMENT OF VICE-CHAIRMAN

It was moved by Councillor Pope and seconded by Councillor S Bull that Councillor T Stowe be appointed Vice Chairman for the civic year 2019/20. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor T Stowe be appointed Vice Chairman for the civic year 2019/20.

24     APOLOGY

An apology for absence was received from Councillor J Burmicz. It was noted that Councillor A Ward-Booth was substituting for the Member.

25     MINUTES - 12 MARCH 2019

It was moved by Councillor A Alder and seconded by Councillor T Stowe that the Minutes of the meeting held on 12 March 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 12 March 2019 be confirmed as a correct record and signed by the Chairman.

26     CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members to the new Performance, Audit and Governance Oversight Committee. He asked those in attendance to introduce themselves.

27      EXTERNAL AUDIT - UPDATE ON TIMING OF THE AUDIT  
2018/19

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The Head of Strategic Finance and Property explained that a report on the accounts would normally be presented to Members by 31 July and of the difficulties that the Council's External Auditors (EY) were experiencing in being able to carry out the audit and sign off the accounts by the statutory deadline.

The External Auditor apologised to Members and explained that they were suffering from staff shortages and that as a result, their work with a number of local authorities would be approached with an emphasis on remote working to access the Council's accounts. He explained that External Auditors would be on site by 15 July and would spend a week on site. Of the 160 authorities that EY audit, 18 authorities had been advised that EY could not start their audit until the end of July and 12 authorities advised that the Audit would not be resourced until August, 2019. Members' sought and were provided with assurances that EY were doing all it could to address the recruitment issue and going forward, of lessons learned.

Councillor J Wyllie raised the issue of the pressures on Councils to produce accounts within 3-4 months whereas the private sector had a much longer period of time to produce accounts. He sought assurances that the costs of the impact on Officers in terms of additional hours which may be needed would be re-charged to EY. The Head of Strategic Finance and Property assured Members that they would work together to mitigate the impact and to address issues; she expressed concern in relation to staff who had booked holidays after what they had thought was the sign

off for the final accounts.

Concern was expressed by a number of members about EYs staffing issues and the degree of remote working proposed by them.

Assurances were sought and provided to Councillor A Curtis that the quality of the audit would not be compromised.

The Head of Strategic Finance and Property explained that there would be an informal briefing for all Members regarding the draft accounts on 16 July 2019.

Councillor A Curtis referred to the pressures on the service in terms of the management of projects. The Head of Strategic Finance and Property referred to the strong support she had from Officers.

Following the departure of the External Auditor, the Head of strategic Finance and Property explained that she had written to the PSAA requesting a change to the external audit provision.

With Members consent, the Head of Strategic Finance and Property said she would write again to the PSAA (Public Service Account Auditing) and reinforce the need to change the external audit provision. This was supported.

Councillor A Ward-Booth suggested the insertion of a Penalty Clause in any future external audit contract. Councillor J Wyllie emphasised the short lead in time for public accounts and the problems this caused for local authorities.

Members received the report.

RESOLVED – that (A) the report be noted;

(B) the Head of Strategic Finance and Property write to the PSAA expressing Members' concerns about the delays in carrying out the Council's Audit caused by the External Auditor's staffing resources.

## 28 STRATEGIC RISK REGISTER - ANNUAL REPORT

The Head of Strategic Finance and Property submitted a report on the Strategic Risk Register for 2019/20. She referred to a number of updates which would need to be addressed such as reference to the newly appointed Chief Executive and the Head of Planning and Building Control and the adoption of the District Plan. Members debated the report at length raising a number of concerns in relation to the risk allocation scores in respect of:

- 1a - Business rates: Members were advised that provision had been made in the Council's accounts and allocated in the event to Business Rate Appeals and reviewed on an annual basis - Members felt was too high).
- 2 - Workforce: from an HR perspective whether some departments were more at risk in terms of an inability to fill critical positions which could impact on the organisational structure. The Head of Strategic Finance and Property Services explained the difficulties experienced by Planning and Environmental Health in recruiting staff;
- 5a - Information Management: whether there were

plans to recruit a permanent Data Protection Officer (as the post was temporarily being covered by the Head of Legal and Democratic Services);

- 5b - Cyber risk: the likelihood score of 2 in relation to cyber management. The Head of Strategic Finance and Property explained that she was confident that the service was compliant and protected;
- 6 - Development of strategic sites: allocated a likelihood score of 3. Members asked whether the Master Plan would have a positive impact on this score? The Head of Strategic Finance suggested that the Portfolio Holder (Councillor G Cutting) might be able to provide more insight and suggested that an informal meeting be arranged to consider this further. This was supported. The quality of new build and how this might impact on the Council's reputation was also discussed.
- 8 and 9 – compliance with the Childrens' Act 2004 and Safeguarding Adults and the differentials in their scoring. Members' requested that the Head of Housing and Health provide an explanation;
- 10 - Encouragement of Economic Viability: whether the Council was flexible and sufficiently dynamic to respond to possibilities and of the need to ensure that there was a joined up approach across the entire District. Members requested an update from the Portfolio Holder and the Head of Communications, Policy and Strategy;
- 11 – Emergency planning: why the impact score was 3 and not 4. An update was requested from the Head



of Housing and Health;

- 12 - Referendum vote to leave EU: how this would impact on sources of Council procurement in terms of the decision to leave the EU in a “no-deal” scenario.

It was felt by Members that further clarity was needed as to the nature of the risks themselves, the rationale behind the scoring, and mitigation measures. A session to cover this as well as other aspects of PAGO work would be set up before the next committee meeting.

It was moved by Councillor M Pope and seconded by Councillor T Stowe that Members’ comments be referred to the Executive. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Members’ comments detailed above, be referred to the Executive.

## 29 WORK PROGRAMME PROPOSALS 2019-20

The Chairman sought Members’ comments on the development of a Work Programme for 2019/20. He referred to the work programme for Performance Audit and Governance Scrutiny Committee and suggested that Members might wish to include the following on the work programme:

- Healthcheck (quarterly performance review)
- Treasury Management Strategy
- Audit Letter and Report
- SIAS and SAFs report
- Old River Lane – Oversight of progress

Councillor A Curtis asked when the KPIs were last reviewed. The Head of Strategic Finance and Property explained that these were reviewed within the context of the Quarterly Healthcheck reports.

The Chairman suggested that oversight of Section 106 monies and where these had been allocated. This was supported.

Councillor A Curtis queried the role of PAGO in the formation of the work programme. The Scrutiny Officer explained that PAGO's activities met a number of statutory requirements in relation to auditing, and budget setting and financial management with the result that the committee's forward plan is to some extent pre-determined.

Members supported the suggestion to include the items as detailed above, on the Work Programme for 2019/20.

It was moved by Councillor M Pope and seconded by Councillor T Stowe that a draft Work Programme be fleshed out including the items above, and that these elements as detailed above be approved for the civic year 2019/20

RESOLVED – that the draft work programme as detailed, be approved for the civic year 2019/20.

The meeting closed at 8.25 pm

Chairman .....
Date .....

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MINUTES OF A MEETING OF THE  
PERFORMANCE, AUDIT AND GOVERNANCE  
OVERSIGHT COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 31 JULY 2019,  
AT 7.00 PM

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PRESENT: Councillor M Pope (Chairman)  
Councillors A Alder, S Bull, J Burmicz,  
L Corpe and A Ward-Booth

OFFICERS IN ATTENDANCE:

Mike Edley	- Interim Scrutiny Officer
Peter Mannings	- Democratic Services Officer
Su Tarran	- Head of Revenues and Benefits Shared Service
Robert Winterton	- Financial Services Manager
Ben Wood	- Head of Communications, Strategy and Policy

94 APOLOGIES

Apologies for absence were submitted on behalf of Councillors A Curtis and T Stowe. It was noted that Councillor A Ward-Booth was substituting for Councillor T Stowe.

95 MINUTES - 21 MAY 2019

It was moved by Councillor S Bull and seconded by Councillor A Ward-Booth that the Minutes of the



meeting held on 21 May 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 21 May 2019 be confirmed as a correct record and signed by the Chairman.

96 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members to the meeting. He referred to a number of housekeeping matters.

97 COUNCIL TAX REDUCTION SCHEME

The Executive Member for Finance and Support Services submitted a report about the current local Council Tax Support Scheme (CTS) and considered whether any changes to the scheme should be considered for 2020/21.

The Head of the Revenues and Benefits Shared Service provided a summary of the report in the form of a PowerPoint presentation. She said that the Authority must agree a scheme for the coming financial year not later than 11 March 2020, even if no change was proposed.

Members were advised of the actions that would be required if changes to the scheme were proposed. The Head of the Shared Service stated that Officers had considered ways of changing the scheme to simplify and reduce costs. She detailed the actions that had been taken by the Authority since 2013. She

highlighted the current likely minimum costs to the customer.

The Head of the Shared Service updated the Committee in respect of Universal Credit and summarised the differences between Housing Benefit, Council Tax Support and Universal Credit. She said that the recommendation was not to change anything now until such time as Universal Credit was rolled out which will reduce the administrative burden.

The Head of the Shared Service referred to the ongoing preparations for the migration of the residual working age caseload and the evaluation of a discount or banded scheme for working age Council Tax Support customers on Universal Credit.

Councillor A Alder said that, as at 31 March 2019, there were 1002 working customers in receipt of Council Tax Support (CTS) who had arrears outstanding from the 2018/19 tax year. She believed that the value of these arrears amounted to £214,000.

The Head of the Shared Service responded to a query from Councillor L Corpe in respect of learning from other Authorities regarding software providers. It was moved by Councillor A Alder and seconded by Councillor L Corpe that the Executive be advised that Performance, Audit and Governance Oversight Committee recommends that there should be no change to the 2020/21 Council Tax Reduction Scheme. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Executive be advised that

Performance, Audit and Governance Oversight Committee recommends that there should be no change to the 2020/21 Council Tax Reduction Scheme.

98 STATEMENT OF ACCOUNTS 2018/19

The Head of Strategic Finance and Property submitted a report updating Members on the timing of the 2018/19 audit of the Statement of Accounts and provided the Council's overall financial position in the Balance Sheet, and of revenue activities for the General Fund and Collection Fund. The Financial Services Manager provided a summary of the report.

Members were advised that Ernst Young (EY) were still unable to give East Herts a definitive date for the completion of the audit which was now likely to be until the end of September.

The Committee was also advised that, due to these delays, approval and authorisation of the Council's Statement of Accounts for the financial year 2018/19 would not be able to take place until Tuesday 19 November 2019.

It was moved by Councillor S Bull and seconded by Councillor A Alder that the Committee support the recommendations now detailed. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) authority be delegated to the Chairman of Performance, Audit and Governance Oversight Committee to approve

and authorise the signing of the Council's Statement of Accounts for the financial year 2018/19 following the conclusion of the external audit; and

(B) Authority be delegated to the Chairman of Performance, Audit and Governance Oversight Committee and the Head of Strategic Finance and Property to authorise and sign the Letter of Representation.

## 99 ANNUAL GOVERNANCE STATEMENT

The Leader of the Council submitted a report setting out the 2018/19 Annual Governance Statement and the 2019/20 Annual Governance Statement Action Plan. The Financial Services Manager provided a summary of the report.

Members were reminded that the 2015 Accounts and Audit Regulations stipulated that all Authorities must conduct a review of the effectiveness of the system of internal controls and prepare an Annual Governance Statement each financial year.

The Financial Services Manager confirmed that the Shared Internal Audit Service had changed how recommendations were classified and that there were would be more actions points this financial year.

The Financial Services Manger responded to a number of queries from Councillor A Alder in respect of information technology and IT disaster recovery timelines. The Interim Scrutiny Officer said that Standards Committee was intended to be a stand-

alone Committee rather than falling under the remit of the Performance, Audit and Governance Oversight Committee.

Councillor A Ward-Booth commented on the introduction of public speaking at Overview and Scrutiny Committee. The Interim Scrutiny Officer stated this could prove to be difficult to manage in terms of public expectations.

Councillor A Ward-Booth said that he believed public speaking could prove to be a popular measure. The Chief Executive commented on open engagement with the community and said that Officers could look at best practice in other Councils.

The Financial Services Manager confirmed that PMR stood for "Performance Management Regime". It was moved by Councillor S Bull and seconded by Councillor A Ward-Booth that the Annual Governance Statement for 2018/19 be received and that the 2019/20 Action Plan be noted. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the 2018/19 Annual Governance Statement be received; and

(B) the 2019/20 Annual Governance Statement Action Plan be noted.

## 100 ANNUAL PERFORMANCE REPORT

The Head of Communications, Strategy and Policy submitted a report on the detail of the Council's Annual Report 2018/19. The report summarised key



achievements for the year and provided an update on the key actions and performance indicators which support the Council's Corporate Strategic Plan Priorities.

The Head of Communications, Strategy and Policy provided a summary of the report. The Chairman said that this report had been reported to the Executive and it was within the remit of the Performance, Audit and Governance Oversight Committee.

The Head of Communications, Strategy and Policy responded to a number of questions from Members regarding Essential Reference Papers 'B' and 'C' and the performance indicators and service plan actions and their contribution towards the priorities in the Corporate Strategic Plan. Members noted the report.

It was proposed by Councillor A Ward-Booth and seconded by Councillor L Corpe that the recommendation detailed in the report be supported. After being put the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the content of the 2018/19 Annual Report, be noted.

## 101 SIAS PROGRESS REPORT

The Shared Internal Audit Service (SIAS) submitted a report on the progress made in delivering the Council's 2019/20 Internal Audit Plan as at 12 July 2019, the findings for the period 1 April to 12 July 2019, including the status of previously agreed Internal Audit recommendations.

The report summarised the proposed amendments required to the approved 2019/20 Internal Audit Plan and provided an update on performance management information as at 12 July 2019. The SIAS Officer provided a summary of the report and detailed a number of key messages for Members. He also referred to a number of final reports and assignments that had been issued in respect of the 2019/20 Audit Plan.

Members were advised that all outstanding audit reports would be emailed once finalised and Members should direct any questions to the respective Service Managers. It was moved by Councillor S Bull and seconded by Councillor A Ward-Booth that the recommendations, as detailed, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the Internal Audit progress report be noted;

(B) the status of critical and high priority recommendations, be noted.

## 102 SIAS ANNUAL ASSURANCE STATEMENT AND INTERNAL AUDIT REPORT

The Shared Internal Audit Service submitted a report on the adequacy and effectiveness of the Council's control environment. The report detailed the outcomes of the self-assessment against the Public Sector Internal Audit Standards (PSIAS) incorporating the requirements of the Quality Assurance and

Improvement Programme (QAIP) and summarised the audit work that informed the option. The report detailed SIAS's performance in respect of delivery the Council's Audit Plan and presented the 2019/20 Audit Charter.

The SIAS Officer provided a summary of the report and said that all targets had been met in 2018/19. He also referred to the Internal Audit Charter and the Audit Planning Arrangements.

It was proposed by Councillor A Ward-Booth and seconded by Councillor A Alder that the recommendations as detailed be approved. After being to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the Annual Assurance Statement and Internal Audit Annual Report, be noted;

(B) the results of the self-assessment required by the Public Sector Internal Audit Standards (PSIAS) and the Quality Assurance and Improvement Programme (QAIP), be noted;

(C) the SIAS Charter be accepted; and

(D) the Head of Strategic Finance and Property confirmed that the scope and resources for the internal audit were not subjected to inappropriate limitations in 2018/19.

103 SIAS ANNUAL REPORT

The Shared Internal Audit Services (SIAS) submitted their Annual Report for 2018/19. The summary, written by the Head of the Shared Internal Service, praised the commitment and dedication of the team, external service providers and partners and explained that SIAS had achieved its overall performance targets despite a number of challenges.

The SIAS Officer highlighted a number of key issues and said it was recommended that Performance, Audit and Governance Oversight Committee seek management assurance that the scope and resources for internal audit were not subject to inappropriate limitations in 2018/19.

The Financial Services Manager confirmed that the scope and resources for internal audit were not subject to inappropriate limitations in 2018/19. He said that service resilience had been enhanced by having BDO (audit delivery partners) working with the SIAS as they had experience of IT Audits that the general auditors did not have.

It was proposed by Councillor A Alder and seconded by Councillor L Corpe that the Annual Report be received. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the 2018/19 SIAS Annual Report be received.

104 DRAFT WORK PROGRAMME PROPOSALS 2019-20

The Scrutiny Officer submitted a report inviting Members to review and determine a future work programme for Performance, Audit and Governance Oversight Committee. The Scrutiny Officer provided Members with background to the development of the draft work programme.

Members discussed the work programme and the potential work load. The Scrutiny Officer suggested that inter-meeting task groups could resolve some concerns about the length and complexity of some agenda items.

It was moved by Councillor A Alder and seconded by Councillor L Corpe that the agenda items for the September 2019 meeting be approved and the draft work programme for the civic year 2019/20 be approved, subject to the inclusion of subject matter in the performance management reviews by the Scrutiny Officer. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the agenda items for the September meeting be approved; and

(B) the draft work programme for the 2019/20 civic year, be approved.



The meeting closed at 8.56 pm

Chairman .....

Date .....

MINUTES OF A MEETING OF THE  
OVERVIEW AND SCRUTINY COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON TUESDAY 11  
JUNE 2019, AT 7.00 PM

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PRESENT: Councillor J Wyllie (Chairman)  
Councillors S Bell, M Brady, K Crofton,  
I Devonshire, H Drake, J Frecknall,  
M Goldspink, D Hollebon, J Ranger,  
D Snowdon, M Stevenson, N Symonds and  
A Ward-Booth

ALSO PRESENT:

Councillors A Alder, A Hall and P Ruffles

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Ben Wood	- Head of Communication s, Strategy and Policy

## 46 MINUTES

It was moved by Councillor H Drake and seconded by Councillor I Devonshire that the Minutes of the meeting held on 5 February 2019 be confirmed as a correct record and signed by the Chairman.

RESOLVED – that the Minutes of the meeting held on 5 February 2019 be confirmed as a correct record and signed by the Chairman.

47 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed new and returning Members to the meeting. He provided a brief summary of the role of scrutiny in terms of challenging policy decisions and the performance of services.

48 TERMS OF REFERENCE

Members noted the updated Terms of Reference for Overview and Scrutiny Committee.

49 AGREEMENT OF THE MEMBERSHIP AND TERMS OF REFERENCE OF ANY TASK AND FINISH GROUP

The Chairman referred Members to the Terms of Reference and Scoping Document in relation to the establishment of a Task and Finish Group to evaluate the outcomes of the Council's approach to parking in East Herts, with reference to the Council's Climate Change principles.

The Democratic Services Officer explained that Members' comments were being sought on the document and of the need to nominate Members to serve on the Task and Finish Group. Members' views were also being sought as to whether the scoping document and approach to parking in East Herts delivered any benefits in terms of sustainable transport and climate change.

The Head of Communications Policy and Strategy provided background information into the development of the scoping document.

Councillor H Drake suggested that document should be expanded to include a review of residents' parking zones, especially where policy was not being applied. Councillor M Brady suggested that the remit be widened to include parking on grass verges outside of homes.

Councillor D Hollebon suggested that the impact of air quality and air pollution on residents be an issue for further review. Members' suggestions were supported.

In response to a query from Councillor Ward-Booth, the Head of Communications, Policy and Strategy provided background information around the development of a parking policy.

The Chairman sought Members' views regarding the timing of Task and Finish Groups and sought nominations from those Members who wished to participate on the work of the Task and Finish Group. Members supported the suggestion that they be held on an evening and that the T&F Group comprise five Members.

Councillors S Bell, I Devonshire, H Drake, M Stevenson and J Wyllie indicated their wish to be included on the Task and Finish Group.

It was moved by Councillor J Wyllie and seconded by Councillor I Devonshire that the scoping document, as amended, be approved and that the membership of the

Task and Finish Group include those Members who wished to participate, as detailed. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the scoping document, as amended, be approved as the basis of the Task and Finish Group's Terms of Reference;

(B) the membership of the Task and Finish Group be determined by the Chairman, to include Councillors S Bell, I Devonshire, H Drake, M Stevenson and J Wyllie and any other Members of the Council where they have a particular interest or expertise to bring to the work of the Group; and

(C) Meetings of the Task and Finish Groups be held during the evening.

## 50 WORK PROGRAMME FOR THE CIVIC YEAR 2019/20

On behalf of the Scrutiny Officer, Members were provided with a draft Overview and Scrutiny Work Programme and Members' views sought in relation to questions which could be asked in relation to the services updates on Waste and the Website which would be considered at the next meeting, on 17 September 2019.

Councillor M Goldspink queried the need to obtain detailed information regarding underperformance of the Waste Service, in advance of the meeting of the next meeting. The Chairman reminded Members that they could approach Executive Members and seek information, at any time.



In relation to Waste, Members sought further information on:

- the large fluctuations (1<sup>st</sup> graph) on a month to month basis, on missed collections and sought clarification on this issue;
- Regarding recycling and composting (2<sup>nd</sup> graph) and the target of 50%; the variations and reasons for the targets not being achieved;
- The need to include North Herts' figures in the breakdown;
- Of the fact that the Council had a unified waste and disposal policy and for feedback in relation to whether this was a long term ambition or not viable unless forced to do so by the Government.

Members requested that the Portfolio Holder whose remit covered Waste Services be invited to the meeting.

In relation to the Website, the Head of Communications and Policy commented that each of the Council's web pages had a feedback mechanism (Gov.Metric) which enabled an individual to feed back information on the web page information being reviewed. He undertook to provide Members with a recent report about website usage.

Members expressed their concerns about:

- the impact (slowness) of using different browsers;
- IT as a service and the Laptops (inability to log on). A Member felt that the service was underperforming and of the difficulties that "silver surfers" experienced in trying to navigate the Council's website;

- Of the need to promote better use of front pages to allow quicker access to information.

In relation to items on the draft Work Programme, Members supported the following changes to the draft:

- Website Customer Satisfaction be moved to the meeting on 4 February 2020;
- The IT Service be included on the work programme for the meeting on 17 September 2019;
- Pre-Planning Advice be removed from 5 November and included on the agenda for the meeting on 4 February 2020;
- The Parking (final report and recommendations of the Task and Finish Group) be reported to Members on 10 December 2019; and
- Hertford Town Centre (blight issue) be removed from the agenda on 4 February and included on the agenda for the meeting on 5 November 2019

Councillor K Crofton referred to the IT Service and questioned whether the shared service was reducing costs given that the Council contributed £2.5M a year to the service. He suggested that the Portfolio Holder for the Shared Service and the ICT Partnership Manager be invited to the meeting on 17 September 2019. This was supported.

Members requested that at some point during the civic year, Executive Members be requested to present their aims and objectives to Members. This was supported.

It was moved by Councillor J Wyllie and seconded by Councillor K Crofton that the draft Work Programme, as

amended be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the draft Work Programme as amended, be approved;

(B) the Head of Communications, Strategy and Policy provide members with the most recent Gov. Metric report.

## 51 URGENT ITEMS

Although not an urgent item of business, the Chairman allowed Councillor Ward-Booth the opportunity to express his concern that meetings of the Committee were currently confined to the single venue of the Council Offices at Hertford. He suggested that alternative venues such as The Rhodes, Bishop's Stortford Town Council and Schools, within the District should be used as alternative venues for Overview and Scrutiny Meetings. The Chairman and a number of other Members supported this view as they felt it enabled residents to better communicate and interact with the Council and become more familiar with the decision making process.

Councillor D Hollebon reminded Members that East Herts once had a Council Chamber in Bishop's Stortford but that this former venue was now a car park. She hoped that when the new Civic Centre was built, that meetings could be held there but in the interim, supported the use of venues at locations such as Buntingford, Sawbridgeworth, Ware and other sites. She felt that there was a need to be more inclusive and approachable to residents and that by moving away from Hertford (on an irregular basis) would

help achieve this. Councillor M Goldspink supported other Members' views on this issue adding that many people in Bishop's Stortford felt neglected. Councillor J Ranger supported a need to change the location. Councillors K Crofton and M Stevenson did not support a suggestion to change the location of meetings, adding that Hertford was the HQ and complied with essential needs such as microphones and accessibility.

It was moved by Councillor A Ward-Booth and seconded by Councillor H Drake that Member's views concerning the need to change the venue of Overview and Scrutiny Committee be given further consideration. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Member's views regarding the need to change the venue of Overview and Scrutiny Committee be given further consideration.

The Chairman raised the issue of Public Speaking and asked Members whether they wanted the public to speak at meetings of Overview and Scrutiny Committee. It was noted that Meetings of Development Management committee had this arrangement in place. A number of Members supported such a proposal adding that this added transparency and openness of decision making. It was noted that further advice would need to be provided by the Head of Legal and Democratic Services.

It was moved by Councillor J Wyllie and seconded by Councillor D Snowdon that the proposal to seek to introduce public speaking at meetings of Overview and Scrutiny Committee, be supported. After being put to the

meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that further information be sought from the Head of Legal and Democratic Services on a proposal to introduce public speaking at future meetings of Overview and Scrutiny Committee.

The meeting closed at 7.45 pm

Chairman .....
Date .....



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MINUTES OF A MEETING OF THE  
LICENSING COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON TUESDAY 19 MARCH 2019,  
AT 7.00 PM

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PRESENT: Councillor D Andrews (Chairman)  
Councillors P Ballam, Mrs R Cheswright,  
K Crofton, B Deering, J Jones, M Stevenson  
and N Symonds

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)

458 APOLOGIES

Apologies for absence were submitted on behalf of  
Councillors G Cutting, R Brunton, M McMullen and T  
Page.

459 MINUTES - 6 FEBRUARY 2019

Councillor J Jones proposed and Councillor B Deering  
seconded, a motion that the Minutes of the meeting  
held on 6 February 2019 be confirmed as a correct  
record and signed by the Chairman. After being put to  
the meeting and a vote taken, this motion was  
declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 6 February 2019, be confirmed as a correct record and signed by the Chairman.

460      CONSIDERATION OF DRAFT SUITABILITY POLICY IN  
RELATION TO HACKNEY CARRIAGE AND PRIVATE HIRE  
LICENSING

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The Head of Housing and Health submitted a report advising that in August 2016, East Herts Council had implemented a convictions policy to be applied to applicants and existing licence holders in the Hackney Carriage and private hire trade. This policy had now been reviewed and amended in light of lessons learned, case law, best practice and updated guidance.

Members were being asked to endorse the wording of the new 'Suitability Policy' for an 8 week public consultation. The Service Manager (Licensing and Enforcement) referred to the institute of licensing guidance on suitability policies. Members were advised that the policy closely mirrored or was stronger than the Department for Transport (DfT) draft guidance which was currently out for consultation.

The Service Manager referred to the register of refused licenses that was run by the anti-fraud network. Every driver whose licence had been refused or revoked in the last 7 years would appear on the system.

Councillor P Ballam commented on the complicated nature of the process in respect of data security. The Service Manager confirmed that the system would flag to Officers if a driver had had an application refused or

revoked and only a limited number of Officers could search or input data into the system.

Councillor M Stevenson asked a number of questions which the Chairman requested that the Service Manager address outside of the meeting.

The Service Manager confirmed to Councillor N Symonds that taxi drivers could continue to work during the 21 day right of appeal period and could also continue to work if they appealed a decision to revoke or refuse their licence. Members were advised that the law would need to be changed to ensure every revocation would apply with immediate effect.

Councillor Mrs R Cheswright commented on the wording in the policy in respect of whether, regardless of their condition, people would allow a person about whom they cared to travel alone in a vehicle at any time of day or night. The Service Manager confirmed that 'fit and proper' was not defined in the policy and if Members had even the slightest of doubts then a licence should not be approved.

The Service Manager explained that vehicle licence holders would be subjected to Criminal Records checks if the policy was ultimately approved. The holders of proprietor's licences were not currently checked however and this matter needed to be looked at.

Councillor J Jones commented on driving offences and the circumstances whereby an existing licence would be revoked. The Service Manager advised that no applicants would be accepted with 7 or more DVLA

record points. Drivers who had accumulated 9 DVLA points had a set time period to pass a driving course or they would have to surrender their badges.

Members were advised that public safety takes precedence over a driver's livelihood. The Service Manager emphasised that a driver with 9 DVLA record points should not be considered fit to driver a taxi in East Herts. The Service Manager confirmed to Councillor M Stevenson the approach that was being taken in respect of Taxi Drivers who had taken controlled drugs.

The Committee had a general discussion in respect of CCTV in taxis. In response to comments from Councillor Mrs R Cheswright and the Service Manager in respect of the process whereby taxi drivers continued to drive until appeals were heard, the Chairman commented on work that had to take place with the Ministry of Justice to help judges understand how local authority licensing worked.

The Services Manager responded to a number of other queries from Members in respect of public safety and Officer delegated decisions and the issue of Taxi Drivers refusing to take passengers with assistance dogs.

Members received the report and endorsed the recommendation now detailed.

RESOLVED – that the draft 'Suitability Policy' be endorsed for an 8 week public consultation.



The meeting closed at 7.46 pm

Chairman .....
Date .....

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MINUTES OF A MEETING OF THE  
LICENSING COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 21 AUGUST  
2019, AT 7.00 PM

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PRESENT: Councillor D Andrews (Chairman)  
Councillors S Bell, R Bolton, B Crystall,  
A Hall, T Page, M Stevenson, N Symonds  
and C Wilson

ALSO PRESENT:

Councillors P Ruffles, A Ward-Booth and  
McDonald

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
Brad Wheeler	- Senior Licensing and Enforcement Officer

110 APPOINTMENT OF VICE-CHAIRMAN

It was moved by Councillor D Andrews and seconded  
by Councillor T Page that Councillor R Bolton be  
appointed Vice Chairman of Licensing Committee for  
the civic year 2019/20. After being put to the meeting

and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor R Bolton be appointed Vice Chairman of Licensing Committee for the civic year 2019/20.

111 APOLOGIES

Apologies for absence were received from Councillors J Jones and M McMullen.

112 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all Members to the meeting. He explained that Mr Ian McDonald (Licensed Vehicles Survey Assessment) would be providing Members with a presentation on the results of the Hackney Carriage Unmet Demand Survey in relation to Agenda item 7.

113 MINUTES - 19 MARCH 2019

Councillor T Page proposed and Councillor M Stevenson seconded a motion that the Minutes of the meeting held on 19 March 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 19 March 2019 be confirmed as a correct record and signed by the Chairman.

114 LICENSING SUB-COMMITTEE - 3 APRIL, 20 MAY, 21 JUNE AND 23 JULY 2019

Councillor T Page proposed and Councillor R Bolton seconded a motion that the Minutes of the Licensing Sub Committees held on 3 April, 20 May, 21 June, and 23 July 2019 be received.

RESOLVED – that the Minutes of the Licensing Sub Committees held on 3 April, 20 May, 21 June and 23 July 2019 be received.

115     CONSIDERATION OF THE RESULTS OF THE HACKNEY CARRIAGE UNMET DEMAND SURVEY

The Chairman drew Members' attention to a study which had been undertaken by LVSA (Licensed Vehicle Surveys and Assessment) which sought to identify unmet demand in relation to the licensed Hackney Carriage trade and whether there were any particular sectors whose needs were not being met. He referred to what action the Council might take if there was no "significant" unmet demand.

The Service Manager (Licensing and Enforcement) explained that there had been some concerns about over supply and that standards had fallen; of concerns about vehicles being wheelchair accessible and support of green initiatives such as electric cars. Members were reminded that if a decision were to be taken to limit the number of Hackney Carriage licences to figure below the current level, then the policy would have to go back out to consultation with the trade. Responses would be bought back to Members for consideration and then to Council for determination.



Mr McDonald (LVSA) provided the context of the survey in terms of the consultations carried out and highlighted the key points. The survey concluded that there was no significant unmet demand. Mr McDonald referred to the demand profiles in relation to Hertford and Bishop's Stortford, adding that the majority of hirers were pre-bookings and that migration of drivers between the towns did not appear to be an issue.

Councillor S Bell sought and was provided with clarification regarding the possible impact of UBER on the Hackney Carriage trade. It was noted that in this District, private hire operators primarily worked on the basis of the loyalty of customers and that UBER hires were more effective in cities.

In response to a query from Councillor C Wilson, Mr McDonald explained the parameters of the survey adding that all of the trade, including sole traders, had been included in the survey. The Chairman commented that the survey had revealed that private hire work represented the bulk of Hackney Carriage trade. He further commented that East Herts might have approximately 47 too many Hackney carriage vehicles and that to limit numbers to 200 might be an aspiration going forward, with a reduction in numbers occurring by natural wastage and policies being applied flexibly.

Councillor C Wilson commented that new applicants might have newer vehicles. The Service Manager (Licensing and Enforcement) agreed that there was a need to be flexible and to apply licensing policies in an open minded manner but that existing policies such as

the vehicle age and emissions policy were already driving up standards

It was moved by Councillor D Andrews and seconded by Councillor N Symonds that the Hackney Carriage trade be limited to 200 with a flexible approach being taken in terms of the application of policy in relation to wheelchair accessible vehicles and electric vehicles. The overall number to be reduced by natural wastage and that this approach be adopted as a basis for further consultation. After being put to the meeting and a vote taken, the motion was declared carried.

RESOLVED – that the number of Hackney Carriage vehicle licences issued by this authority should be capped. The Hackney Carriage trade to be consulted on the proposed limit of 200 licences with the results of that consultation to be brought back to Licensing Committee for consideration.

#### 116 CONSIDERATION OF THE RESPONSES TO THE DRAFT REVISED TAXI LICENSING SUITABILITY POLICY

The Head of Housing and Health submitted a report setting out the responses received during the consultation on the revised "Suitability Policy" to be applied to the licensed Hackney Carriage and Private Hire Trade. The Service Manager (Licensing and Enforcement) provided a summary of the report.

Councillor R Bolton sought and was provided with clarification that enhanced DBS checks were carried out every three years on every driver. Councillor

Bolton suggested that paragraph 3.2 should be amended by the inclusion of a further category "assault to emergency services officers". The Service Manager (Licensing and Enforcement) explained that an assault on such an officer would be treated with the same seriousness as an assault on a Police Officer.

Councillor C Wilson was concerned that the policy was too draconian and might put off applicants who had committed minor offences many years before. The Service Manager (Licensing and Enforcement) explained that rarely did people interested in becoming a licensed driver read the authority's policies even though they were freely available. When Officers were contacted by potential applicants, any past convictions were discussed and individuals were told that they were not a bar to applying but that the policy was a guide to how certain convictions might be viewed.

Councillor C Wilson acknowledged that licensed drivers were exempt from the Rehabilitation of Offenders Act but would still like to have seen a policy that was closer to the time scales within that Act with regards to when convictions were considered "spent". People could reform and should sometimes be given a chance.

The Chairman explained that he and the Head of Housing and Health regularly reviewed Hackney Carriage and Private Hire driver applications from those with convictions and that some had been allowed to be licensed when the individual circumstances and evidence had been explained.

The Service Manager (Licensing and Enforcement) explained the advice provided by his service to applicants generally and in relation to fees being returned if the applicant was unsuccessful. He added that it was the applicant's responsibility to ensure that they provided evidence that they were "fit and proper" to hold an appropriate licence.

Members supported the endorsement of the "Suitability Policy" as amended and that the revised policy be submitted to Council on 23 October 2019 for adoption to take effect from 1 November 2019.

It was moved by Councillor R Bolton and seconded by Councillor N Symonds that the revised "Suitability Policy" as amended be endorsed and submitted to Council on 23 October 2019 for adoption for the policy to be effective from 1 November 2019. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the "Suitability Policy" as amended be endorsed;

(B) the revised policy be submitted to Council for adoption on 23 October 2019 to take effect from 1 November 2019.

#### 117 REPORT ON LICENSING ACTIVITY 2018-19

The Head of Housing and Health submitted a report on the activity of the licensing department in relation to processing licences, enforcement activity and other issues in relation to the implementation of the Service

Plan. The Service Manager (Licensing and Enforcement) explained that going forward, Members could let him know if they would like other information to be highlighted and included within future reports.

Councillor T Page was advised that there had been no complaints in relation to gambling. Members suggested that trends in complaints might be identified within further reports on licensing activities. This was supported.

It was moved by Councillor A Hall and seconded by Councillor C Wilson that the report, as amended, be received. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the report be received.

The meeting closed at 8.00 pm

Chairman .....

Date .....



HR

HR

MINUTES OF A MEETING OF THE  
HUMAN RESOURCES COMMITTEE HELD IN  
THE COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 3 JULY 2019,  
AT 7.00 PM

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PRESENT: Councillor Rosemary Bolton (Chairman)  
Councillors A Alder, S Bull, J Dumont,  
M McMullen, S Newton and P Ruffles

ALSO PRESENT:

Councillor A Ward-Booth

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Vicki David	- Human Resources Officer
Simon O'Hear	- Head of Human Resources and Organisational Development

57 MINUTES

It was moved by Councillor P Ruffles and seconded by Councillor S Bull, that the Minutes of the meeting held on 10 April 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a

vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 10 April 2019 be confirmed as a correct record and signed by the Chairman.

58 DECLARATIONS OF INTEREST

Although not a Disclosable Pecuniary Interest, Councillors R Bolton, S Newton and P Ruffles declared a personal interest in relation to Agenda Item 6 (Human Resources and Payroll Team Update Report) by virtue of the fact they were also Members of Hertford Town Council.

59 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of housekeeping issues in relation to the Fire Alarms, exits and public conveniences.

60 ACCEPTABLE USAGE POLICY

The Head of Human Resources and Organisational Development submitted a revised policy on behalf of the Head of the ICT Strategic Partnership Manager which provided guidance to all ICT users on the boundaries of acceptable usage of ICT equipment and systems. The Head of HR explained that the report had been updated following a number of recommendations from the Local Joint Panel who had also asked that the policy should be included for circulation in the Members' Information Bulletin.

Councillor P Ruffles suggested that minor changes be

made to the wording in paragraphs 6.1 and 7.1 to clarify matters. This was supported.

The Committee approved the report, as amended.

It was moved by Councillors A Alder and seconded by Councillor M McMullen that the Acceptable Usage Policy, as amended, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Acceptable Usage Policy, as amended, be approved.

## 61 HUMAN RESOURCES AND PAYROLL UPDATE

The Head of Human Resources and Organisational Development submitted a report on what HR and the Payroll team had been working on. He provided a summary of the report.

In response to a query from Councillor A Alder, the Head of HR provided an update in relation to the locations of the defibrillators generally and explained why a defibrillator had not been provided at the Council's Offices at Charrington's House, Bishop's Stortford. He agreed to provide an update to Members regarding their specific locations and would raise the issue of funding for a further defibrillator in Bishop's Stortford, with Leadership Team. The Head of HR also agreed to provide Members with a schedule of when staff would be moved out of Charrington's House.

In response to a query from Councillor M McMullen, the

Head of HR explained the role of the Shared Internal Audit Service (SIAS) in relation to health and safety audit.

The Head of HR and Organisational Development provided a summary of the new pay award which had been rolled from 1 April 2019 and the challenges this had posed for Officers.

The Chairman, on behalf of Members asked that the Committee's thanks be passed to the HR and Payroll team for their hard work in effecting the new changes.

Councillor P Ruffles referred to the HR support given by the Council to Hertford Town Council and felt that he should declare a (non-pecuniary) interest as he was a Member of the Town Council. Councillors R Bolton and S Newton also wished their (non-pecuniary) interest be recorded as they were also Members of the Town Council.

The Head of HR explained that East Herts Council had supported Hertford Town Council in terms of HR support for a number of years and that there were no proposals to provide such support to other town or parishes.

The Committee noted the report, as detailed.

RESOLVED – that (A) the report be noted; and

(B) the Head of Human Resources and Organisational Development:

- provide Members with an update regarding the specific locations of defibrillators and to raise the issue of funding a further one in Bishop's

Stortford with the Leadership Team;

- provide Members with a schedule concerning the closure of Charrington's House, Bishop's Stortford.

## 62 EMPLOYEE HEALTH AND WELLBEING

The Head of Human Resources and Organisational Development submitted a report which considered employee absence levels, causes, and trends in other public sector organisations and outlined the Council's current and proposed initiatives to improve employee health and wellbeing.

In response to a query by Councillor P Ruffles in relation to the "work rate of individuals" in terms of the delivery of outcomes, the Head of HR explained that no such parameters were placed on staff, but that staff were placed in positions which played to their strengths and were supported with training.

Councillor A Alder asked that Members be provided with how many staff had recognised disabilities. The Head of HR undertook to provide Members with information which may have been provided on their equalities form at the time of their application.

The Head of HR explained the challenges in relation to long term absences and especially when a member of staff might be ill because of stress. He explained that Officers were reviewing sickness and absence procedures at the moment. The Committee Chairman sought and was provided with clarification in relation to short term



absences.

In response to a query from Councillor J Dumont, the Head of HR explained the Council's policy on sickness payments which he said, was on a par with other public sector organisations such as, education, health, charities and local government.

The Committee Chairman sought and was provided with further information in relation to the role Mental First Aiders, how these volunteers were supported and the role of HR in co-ordinating the process generally and their training.

The Committee Chairman commented on the many good initiatives provided by the Council.

The Committee approved the report, as detailed.

It was moved by Councillor A Alder and seconded by Councillor S Newton that the report as detailed, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the Employee Health and Wellbeing report be noted;

(B) the Council's absence management targets be changed to reflect the decision made by HR Committee on 3 October 2018 to reduce the short term target from 4.5 days to 4 days per FTE and for the long term absence target to remain as 2 days (thereby reducing the overall absence target to 6 days) with effect from 1 April 2019.

## 63 HEALTH AND SAFETY AUDIT

The Head of Human Resources and Organisational Development submitted a report summarising the results of the Health and Safety Audit and associated Action Plan. The Head of HR provided an outline of the background to the audit which had been completed by the Shared Internal Audit Service (SIAS).

The Committee Chairman queried training for Members in relation to health and safety. The Head of HR explained that this was provided on-line and that a number of “e”-learning platforms were being set up and an update would be provided within an annual report to Members.

The Committee approved the report, as detailed.

It was moved by Councillor J Dumont and seconded by Councillor S Newton that the report as detailed, be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the Health and Safety Audit report and associated Action Plan be noted; and

(B) The Head of Human Resources and Organisational Development provide a quarterly safety report to Members in October 2019 with a detailed Annual Report provided at the January 2020 meeting of Human Resources Committee.

## 64 TURNOVER REPORT

The Head of Human Resources and Organisational Development submitted a report which set out the turnover rate for 2018/19 and outlined recommendations for 2019/20. The Head of HR provided a summary of the report.

Councillor M McMullen expressed concern about the targets and queried the basis for increasing the targets from 10% to 15%. The Head of HR explained that the figures were not currently in line with national figures and questioned whether there was a need to have a turnover figure.

Councillor S Newton raised the issue of exit questionnaires and said that she felt that it would be useful to see and evaluate why people were “coming and going”. She raised concerns about a loss of continuity and historical information if staff left after a short period of time. The Head of HR acknowledged this concern, adding that it was about achieving the correct balance to grow the organisation.

The Committee Chairman raised the issue of the Staff Survey. The HR Officer confirmed that this would next take place in 2020. In response to a possible correlation between the highest turnover rate and the highest absence, the Head of HR confirmed that there was no correlation.

The Committee Chairman raised the issue of recruitment costs and obtaining value for money. The Head of HR updated Members on the various social media platforms

which were used to advertise posts. He hoped to achieve economies by centralising the recruitment budget.

It was moved by Councillor P Ruffles and seconded by Councillor R Bolton that option (ii) that turnover targets be removed and to monitor these against wider benchmarks and more local benchmarks directly sourced. i.e. with other local district Councils be supported. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the turnover report be noted;

(B) turnover targets be removed and that they monitored against wider benchmarks and more local benchmarks directly sourced i.e. other local district Councils.

65 HUMAN RESOURCES MANAGEMENT STATISTICS -  
QUARTERLY REPORT

The Head of Human Resources and Organisational Development submitted a report setting the HR Management Statistics for Quarter 1 (April –June 2019). The HR Officer explained that the projected turnover was 14.6%.

The Committee noted the report, as detailed.

RESOLVED – that the HR Management Statistics for Quarter 1: (9 April – June 2019) be noted.

## 66 MEMBER TRAINING

The lead officer for Scrutiny and Member Development submitted a report summarising the 2018/19 provision of Member training and development of events. The report provided an overview of the broader approach to Member development including the 2019/20 induction and a summary of the roll-out of Member induction, training and development. The Head of Human Resources and Organisational Development provided a summary of the report.

Councillor A Ward-Booth referred to the training provided by the Centre for Public Scrutiny (CfPS) which he considered was expensive and queried whether value for money was evaluated in terms of the training by external providers. The Head of IT explained that external providers had certain areas of specialism. Councillor Ward-Booth queried whether value for money vs cost could be reported back to Members and especially if training was particularly good. The Democratic Services Officer agreed to speak with the Lead Officer for Member Development and Scrutiny in this regard.

Councillor A Alder referred to Members who might agree to initially attend, then who did not and the impact this could have in terms of demonstrating value for money.

Councillor J Dumont referred to meeting etiquette and protocols, such as knowing when to ask questions and queried about such training provision. The Democratic Services Officer undertook to refer this issue to the Lead Officer for Scrutiny and Member Development.



RESOLVED – that the report as detailed be noted.

67 LOCAL JOINT PANEL - MINUTES OF THE MEETING: 5 JUNE 2019

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The Minutes of the Local Joint Panel meeting held on 5 June 2019 were submitted for information.

RESOLVED – that the Minutes of the meeting held on 5 June 2019 be received.

68 SAFETY COMMITTEE - MINUTES OF THE MEETING: 18 MARCH 2019

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In response to a query, the Head of Human Resources and Organisational Development explained the “man down” function referred to in paragraph 3.1 and in relation to lone workers.

Although not part of the Safety Committee Minutes, Councillor A Alder referred to the East Herts Social Prescribing Project and the fact that Kathrine Foy had won Hertfordshire County Council’s Dr Joan Crawley Award 2019 for Public Health Excellence and to Mehkola Ray in relation to the “Forever Active” Programme. The Chairman, on behalf of Members, asked that the Committee’s thanks be passed to the Officers.

The Minutes of the Safety Committee meeting held on 18 March 2019 were submitted for information.

RESOLVED – that the Minutes of the meeting held on 18 March 2019 be received.

69 URGENT BUSINESS

With the consent of Members, the Chairman agreed to take an urgent item of business in relation to the appointment of a Vice Chairman of Human Resources Committee, in order to facilitate the business of the Council.

It was moved by Councillor M McMullen and seconded by Councillor S Newton that Councillor P Ruffles be appointed Vice Chairman for the civic year 2019/20. After being put the meeting and a vote carried, the motion was declared CARRIED.

RESOLVED – that Councillor P Ruffles be appointed Vice Chairman of Human Resources Committee for the civic year 2019/20.

The meeting closed at 8.25 pm

Chairman .....

Date .....

COUNCIL – 23 OCTOBER 2019

MOTIONS ON NOTICE

**MOTION 1**

The following motion on notice has been submitted.

PUBLIC TRANSPORT “ON-DEMAND” SERVICE

“The Council recognises that there is a need to improve public transport in the District, and laments the decline in availability and use of buses in the area. The relative paucity of public transport negatively affects the air quality in the District, and also contributes to the failure to produce a modal shift. Moreover, it disproportionately disadvantages the more elderly, the disabled, and rural and poorer members of our society.

In some other Local Authority areas, public transport has been greatly improved by setting up an "On-Demand Service" - mainly using an app on people's mobile phones.

This Council therefore requests its Overview and Scrutiny Committee to investigate the possibility of working with Hertfordshire County Council to research the possibility of setting up such an "On-Demand" service in East Herts.”

Proposed by Councillor C Wilson  
Seconded by Councillor J Dumont

## **MOTION 2**

The following motion on notice has been submitted.

### PUBLIC WORK LOAN BOARD INTEREST RATE INCREASE

“East Herts District Council is dismayed by H.M.Treasury’s recent and unexpected decision to raise the interest rate charged by the Public Works Loans Board. This 1% increase has come without any warning and it takes effect immediately. It will have serious consequences for many Local Authorities across the Country and may put many excellent projects at risk.

This Council requests that its Leader and the Executive member for Financial Sustainability should write immediately to H.M. Treasury and ask for the increase to be scrapped and for the interest rate to be kept at 1.8%.”

Proposed by Councillor M Goldspink  
Seconded by Councillor T Beckett