

Public Document Pack

EAST HERTFORDSHIRE DISTRICT COUNCIL

NOTICE IS HEREBY GIVEN that a meeting of East Hertfordshire District Council will be held in the Online meeting - Livestreamed on Thursday 29th April, 2021 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

21 April 2021

James Ellis
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. Election of Chairman 2021/22

To elect the Chairman of the Council for 2021/22 following which the Chairman will make the statutory declaration of acceptance of office.

3. Election of Vice-Chairman 2021/22

To elect the Vice Chairman of the Council for 2021/22 following which the Vice Chairman will make the statutory declaration of acceptance of office.

4. Further Chairman's Announcements

5. Apologies for Absence

To receive any Members' apologies for absence.

6. Minutes - 18 March 2021 (Pages 7 - 32)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 18 March 2021.

7. Declarations of Interest

To receive any Members' declarations of interest.

8. Petitions

To receive any petitions.

9. Public Questions

To receive any public questions.

10. Members' questions

To receive any Members' questions.

11. Executive Report - 30 March 2021 (Pages 33 - 82)

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

(A) Harlow and Gilston Garden Town: Sustainability Guidance and Checklist, final document for endorsement

12. Licensing Committee - 10 March 2021 (Pages 83 - 100)

(A) Department for Transport (DfT) Statutory Taxi and Private Hire Vehicle Standards

13. Committee Membership and Political Balance of the Council 2021/22 (Pages 101 - 112)

14. Outside bodies (Pages 113 - 116)

15. Minor and Consequential Amendments to the Constitution (Pages 117 - 168)

16. Local Government Association Model Code of Conduct for Members (Pages 169 - 196)

17. Annual Scrutiny Reports 2019/20 and 2021/22 (Pages 197 - 232)

18. Motions on Notice

To receive Motions on Notice.

(A) Reconsider plans to demolish the URC Hall on the Old River Lane site in Bishop's Stortford (Pages 233 - 234)

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

East Herts Council provides for public attendance at its virtual meetings and will livestream and record this meeting. The livestream will be available during the meeting on the East Herts District YouTube channel (available from YouTube and then searching for the channel) or at this link:

<https://www.youtube.com/user/EastHertsDistrict/live>.

If you would like further information, email democratic.services@eastherts.gov.uk or call the Council on 01279 655261 and ask to speak to Democratic Services.

Accessing the Agenda Pack

To obtain a copy of the agenda, please note the Council does not generally print agendas, as it now has a paperless policy for meetings. You can view the public version of the agenda for this meeting on the Council's website in the section relating to meetings of Committees. You can also use the ModGov app to access the agenda pack on a mobile device. The app can be downloaded from your usual app store.

Implementing paperless meetings will save East Herts Council approximately £50,000 each year in printing and distribution costs of agenda packs for Councillors and Officers.

You can use the mod.gov app to access, annotate and keep all committee paperwork on your mobile device.

Visit <https://www.eastherts.gov.uk/article/35542/Political-Structure> for details.

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE ONLINE MEETING -
LIVESTREAMED ON THURSDAY 18 MARCH
2021, AT 4.00 PM

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

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven Linnett	- Head of Strategic Finance and Property
Peter Mannings	- Democratic Services Officer
Katie Mogan	- Democratic Services Manager
Helen Standen	- Deputy Chief

Ben Wood

Executive
- Head of
Communications,
Strategy and
Policy

428 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members to the Council meeting being held as a virtual meeting on Zoom. He also welcomed those that there were watching the meeting live on the East Herts District YouTube channel.

The Chairman advised that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on Saturday 4 April 2020 to enable councils to hold remote committee meetings during the Covid-19 pandemic period. This was to ensure local authorities could conduct business during this current public health emergency. This Extraordinary Council meeting was being held remotely under these regulations, via the Zoom application and was being recorded and live streamed on YouTube.

The Chairman asked that Members use the raised blue hand function to indicate if they wished to speak. Due to a Zoom update, the raise hand function would now be used to vote on items. The Chairman said he would call out 'for', 'against' and 'abstain' and members would need to raise their virtual hand at the appropriate

moment and the result be declared at the end.

The Chairman read out a statement as follows:

At the meeting of the Council held on 2nd March 2021, during the recorded vote on the East Herts budget, a remark was made by a councillor that was inadvertently broadcast to the wider meeting.

The comment of “you silly girl” made by Councillor Michael McMullen immediately following Councillor Mary Brady’s abstention, whilst not intended to be heard, was nevertheless inappropriate.

Councillor McMullen accepts that he should not have made the comment, irrespective of the circumstances or intention, and wishes to offer an unreserved apology to Councillor Mary Brady, and to any others who were offended by the remark.

Some equalities training is also being arranged for the end of the month, which Councillor McMullan, and any other members wishing to, will attend.

The Chairman announced that Tuesday 23rd March would be a national day of reflection on the first anniversary of the United Kingdom entering its first lockdown. The day would be used for the nation and communities to come together to remember, grieve and celebrate those who have died from Covid-19 and show support for family and friends who were grieving. There would be a minutes silence at 12 noon and people would be invited to stand outside with a light at 8pm.

429 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bolton, Drake, Frecknall, Hollebon, Ranger, Rowley and Wyllie. Upon taking a roll call of Members, it was established that Councillor Jones was absent.

430 MINUTES - 2 MARCH 2021

Councillor Alder proposed, and Councillor Reed seconded, a motion that the Minutes of the meeting held on 2 March 2021 be confirmed as a correct record and signed by the Chairman.

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

RESOLVED – that the Minutes of the meeting held on 2 March 2021 be confirmed as a correct record and signed by the Chairman.

431 DECLARATIONS OF INTEREST

There were no declarations of interest.

432 SUSPENSION OF COUNCIL PROCEDURE RULES

It was proposed by Councillor Cutting and seconded by Councillor Deering to suspend Council Procedure Rule 4.2 to allow for Members and the public to submit questions to the Extraordinary Council meeting.

RESOLVED – That Council Procedure Rule 4.2 be suspended for this meeting to allow for Members and public questions.

433 PUBLIC QUESTIONS

The Chairman invited the public to ask their questions. He said that members of the public who were present at the meeting would read out their questions and other questions that had been submitted were published under the Supplementary agenda. A response would be provided by the relevant Executive Members at the end that would cover all the points raised.

Simon Baker asked the following question:

“If the various companies and individuals that represent the arts in Bishop’s Stortford are saying that the spaces you are creating in the new cinema/arts space are too small for us to use, and therefore as experienced arts professionals we don’t believe it would be viable to use them, how does that change your mind on the design or indeed the concept of your proposal?”

Jill Goldsmith asked the following question:

“The report to Council on the Business Case for the ORL stipulates the deliverables the Council is committing to in the regeneration project but no detail on the contracts the Council has already entered into (with CityHeart, appointed in 2019, Glenn Howells

architect, Theatreplan and Barker Langham) or on future contracting to inform the public on how it will achieve these deliverables.”

“The Council’s Contracts Register discloses none of the existing ORL related contracts, in contravention of the Local Government Transparency Code, which requires local authorities to publish details of any contract, commissioned activity, purchase order, framework agreement and any other legally enforceable agreement with a value that exceeds £5,000. At paragraph 20 of the Code it specifically states that “Local authorities should expect to publish details of contracts newly entered into – commercial confidentiality should not, in itself, be a reason for local authorities to not follow the provisions of this Code.””

“Paragraph 8 in the report to Council mentions the risk of delay from the SPD process, but the effect of such impact is not spelled out. It says nothing about other contractual or financial risks, such as the risk of developer non-delivery after it has bought the land from the Council from operating the site after its development. It does not set out any safeguards the Council may have.”

“Can you detail the impacts and specific financial risks there would be for the Council if the project gets delayed or set back and what mitigations the Council has put in place?”

Stuart Purton asked the following question:

"As there has been widely publicised criticism of the rushed rework of the scheme, what efforts have or can be made to include members of the local creative community in the process? The voices of commercial interests will be amplified by their money how will you ensure those without financial clout are given equal credence?"

Simon Gilliver asked the following question:

"Almost uniquely for a town of its size, Bishop's Stortford has no venues of any description large enough to hold large scale concerts or events. The previous plans for ORL addressed this need, whereas the proposal now merely duplicates facilities that already exist in the town. In responding to the reduced available funds, why has the council not sought to find a solution that still delivers on the needs of the town on a reduced budget?"

Paddy Lennox asked the following question:

"In a report on the future of cinema, which we understand underpins the Council's business case for the proposed 5 screen cinema, Tamara Jarvis concluded that the key success of smaller locally run venues lies in a flexible offering to "local interest & population groups", responding to their demands by combining cinema spaces with other spaces to engage "live performance"."

"That sounds great but, given that none of the local performing arts groups, not the local theatre, not the Symphonia, not the Comedy Club and not the local live music bands, say the proposed new design ORL

will be of use to them, who exactly are these “local interest & population groups?”

“Please name them.”

Gailie Pollock asked the following question:

“If the footprint of the ORL arts centre is the same as the original plan, why can't we build the cinema spaces but leave the space for the larger auditorium (which would benefit the town's arts organisations that can't use the proposed small flexible performance spaces), to be built at a later date, at a time when it might be easier to apply for funding?”

Paul Dean asked the following question:

“Section 8 of the Business Plan Report for the ORL Development says *“the Master-planning and SPD process is a key risk ... [where] it is expected that there will be some turbulence around public opinion”*. Much of this arises from the Council's perceived failure to separate its role as a landowner/developer from its role as the Local Planning Authority and consult with the public.”

“The same paragraph of the Report illustrates the problem by suggesting the risk to the SPD process “will be mitigated through close working and good communication between Cityheart and EHDC's project team and planning officers”.”

“District Plan Policy BISH8(I) makes it clear that an SPD will be prepared by EHDC's planning officers and “used to inform the master-planning of the site” - not that the SPD will be informed by the developer's masterplan and EHDC's project team's Business Case.”

"In view of this will the Council confirm that in mitigating the public opinion risks on the SPD and master-planning processes for ORL it will:

1. comply with Regulation 12 of the Planning (Local Planning) Regulations 2012 to carry out public participation on the preparation and recommendations of the SPD before it is adopted and used to inform master-planning?)
2. follow the NPPF's SPD requirements for planning officers to provide further guidance for development on specific sites and, in this particular case, (para 23) "provide a clear strategy ... (and) ... address objectively assessed needs" for the facilities to be provided in accordance with Policy BISH III (a)?
3.

uring the Pre-application Engagement Process, comply with District Plan Policy DES1 (II) that: "The Masterplan will be collaboratively prepared with all stakeholders, including the public?
4.

nclude transport, environmental conservation area and social impact assessments within the scope of the SPD?"

"Finally, will the Council's Chief Legal Officer recommend that all DMC members and their substitutes be excluded from today's meeting so they can take an unbiased decision when the resulting planning application comes before them for

determination."

Daniel Badcock asked the following question:

"On the substantially reduced arts centre plan, is there any option delay the start of building of the new arts facility and to "save" the planned subsidy for some time to allow a scheme closer to the original proposal to be built? In my opinion to build a new facility without adding a larger stage to the town facilities is a huge missed opportunity and additional cinema screens are not an exciting alternative proposition."

Simon Anderson asked the following question:

"Please tell me the reasons why the decision on the amended ORL development cannot be postponed"

Jill Jones asked the following question:

"The business plan does not show any financial comparisons between the proposed cinema and any other alternatives. Will EHDC provide any comparisons to show residents of Bishops Stortford how the cinema proposal outweighs other concepts in terms of cost-benefit and social impact? In particular, comparison with an educational establishment such as a Digital skills training centre in terms of potential economic boost and long term sustainable income - as education is counter-cyclic, and BS is ideally placed between Cambridge and London to be such an educational 'hub'."

Councillor Haysey, Leader of the Council, responded as

follows:

"Many thanks for the questions submitted. A number of these questions have requested specific information which we are not able to share at this time. We are still at an early stage in the design process and there is further work to be done on the design development. As there is some overlap in the questions that have been asked Councillors will deliver a combined response to provide all of the information that we are able to at this time."

Councillor Williamson, Deputy Leader and Executive Member for Financial Sustainability, responded as follows:

"Significant consultation took place in the designing of the original scheme. It is with disappointment that this scheme has had to be reduced in response to the extraordinary circumstances that we have all found ourselves in as a result of the COVID 19 pandemic and the subsequent impact that this has had on public finances, alongside the impact of national government policy changes in relation to public sector borrowing. We have worked hard to keep as much of that original scheme as possible. The reduced scheme still offers a large part of the scheme that was based on that early consultation process and there will be plenty of opportunity for the public and the local creative community to engage with the revised proposals as we undertake further, extensive consultation as part of the planning process."

"The business plan is currently predicated on a limited

live performance programme of a single performance per week in the 80 seat space and income and hire assumptions are based on local benchmarking, interpreted by expert business planners in the arts and culture industry. The inclusion of other live performances, in shared spaces or outdoor space, has not been factored in as required income in the business plan but is of course something that we are looking to maximise in the delivery programme."

"Delay of the proposals has been considered but taking into account inflation, costs associated with maintaining the existing design and developer teams and other associated expenses, it is estimated that a 12 month delay would come at a minimum cost of £1.2mn. This would of course only make the scheme harder to deliver later down the line and whilst we all hope that the economy will recover from the Covid-19 pandemic, there is less reassurance about the future of local government finances. Longer periods of delay would pose a significant risk of having to re procure a development team at a later date, which would again add further risk and cost to the project. It is not possible to leave an area for the auditorium to be added at a later date, this space has been reallocated as part of the development of the overall scheme, which now includes the 90 senior living apartments, which have contributed to the increase in capital receipt by £700k. In response to the specific question on Northgate End, it is not possible to redesign the MSCP as the construction works are already well underway."

"To confirm the Council hasn't yet entered into a legally

binding contract with the Developer, Cityheart. The Development Agreement (for the wider ORL scheme) and the Development Management Agreement (for the arts centre) are not yet agreed. Once these have been completed, details will be published in accordance with the Local Government Transparency Code.”

Councillor Goodeve, Executive Member for Planning and Growth, responded as follows:

“Taking the first 3 points together from the question asked by Paul Dean; the Council has prepared a number of SPDs which are compliant with relevant regulations and we will continue to ensure compliance with regulations, policy and guidance during the production of the SPD for ORL.”

“As set out in Policy BISH8 the Bishop’s Stortford Town Centre Planning Framework will form the basis of the SPD, which will inform the masterplanning of the site. The preparation of the site specific SPD will include early stakeholder engagement and follow a similar process to that of the Council’s agreed Masterplanning process as well as meeting the statutory requirements for preparing SPDs. The Masterplanning process contained in Policy DES1 not only allows the Council to involve key stakeholders earlier in the planning process, but in this case allows the Council to expand the level of public participation prior to, and during the production of the SPD.”

“On point 4; generally speaking an SPD is often constrained by the relevant policies with which it must comply, in this case however the Masterplanning

approach allows us to broaden the scope to discuss and examine these wider points.”

“Finally, to address the request that DMC members be excluded from the meeting; Members of the DMC are, by definition, Members of the Council and have a right to attend and vote on all matters before the Council so long as they do not have an interest in that matter. Being a member of the DMC is not an “interest” in this context and so DMC members need not be excluded from the Council meeting this evening. In any event, the consideration of a business plan is not akin to determining a planning application, the two are separate.”

Councillor E Buckmaster, Executive Member for Wellbeing, responded as follows:

“The new facilities will still provide something new for the town, yes there will be a cinema – a high end, boutique offer which differs from the current local cinema provisions by providing a different experience with the potential to enjoy a film in luxurious surroundings, whilst enjoying food and drink, but there will also be a number of spaces where a live programme can be delivered. These spaces include gallery and foyer space for live music, a flexible cinema space in the 80 seat auditorium for a range of spoken word events such as one man / woman shows, author meet and greets, director / cast talks and small community led events as well as live streaming and other digital and immersive experiences. The outdoor space will provide the opportunity for larger performances, be it music, comedy, theatre or live

screening of theatre / sports events. We will also explore the demand for and possibility of using the 150 seat cinema space as flexible performance space as part of the ongoing design development. We have worked closely with other local venues and understand that there is an existing demand for audiences of 80 – 100 people. As we move ahead with the design work we will continue to engage with the local community to better understand and respond to the local demand at this level.”

“The design of all of these spaces is at a very early stage and will be developed alongside our expert team and with much public and statutory consultation. I would like to provide reassurance that public safety and sustainability will be built into all elements of the design process for the entire scheme. The Arts Centre is aiming to achieve BREEAM excellent accreditation. Further information will be available as the design development progresses.”

“Questions have been raised about other potential uses of the space, the scheme has not considered alternative options, such as a further education or digital skills college. The business case is based on proposals that are as close to the original brief for the site as possible, taking into account the financial constraints and need for commercial viability. Questions have also been raised in relation to the United Reform Church, which the Council now owns. This site has always been earmarked for demolition to enable the delivery of the scheme as a whole. The current plans for the Arts Centre do not include community space for hire but the Council is currently

considering options for the provision of additional community space for hire elsewhere in Bishop's Stortford."

434 MEMBERS' QUESTIONS

Councillor Mione Goldspink asked Cllr Linda Haysey, Leader of the Council:

"Would the Leader of the Council please clarify some points about the proposals for the Old River Lane development –

- 1) What are the plans for the United Reformed Church Hall (now owned by the Council)?
- 2) Has the size of the proposed Arts Centre been reduced from the original proposals?
- 3) What is the justification for adding a Care Home block of 90 units/beds?"

Councillor Haysey responded as follows:

"Under the existing plans the URC will be demolished and the space will be used to provide parking spaces which are required for the main scheme."

"Yes, the Arts Centre has reduced in size quite considerably."

"There are no plans to build a care home at the Old River Lane development. The proposal is to provide a form of supported living for older people who are no longer able to live independently, but don't necessarily require 24 hour care in a residential care home or

nursing home. This type of housing enables individuals or even couples to live with a degree of independence. Facilities such as those proposed make a significant impact on the lives of older people and can delay the need for people to go into care home facilities. The Developer will work with District and County Council colleagues to ensure that the final proposal meets local needs."

Supplementary question from Councillor Goldspink

"There seems to be some confusion about the size of the Arts Centre as you say it will be smaller but on page 12 of the report at paragraph 4.4, it states the redesign will mean it will be over a larger footprint. Could you please clarify what is correct?"

Councillor Haysey responded as follows:

"The original design had an Arts Centre with residential units on the side. Due to discussions with the architect, we have been able to reduce and take away the residential aspect away from the development as we no longer need the income from these sales to make the site work. The Arts Centre itself has been reduced in size"

435 OLD RIVER LANE BUSINESS PLAN

Councillor Williamson, Deputy Leader and Executive Member for Financial Sustainability, presented a report on the Old River Lane Business Plan. He ran through the history of the project from when the Council bought the site five and a half years ago and the

council have shaped and refined its ambition and vision for the site to be a complete regeneration of the Old River Lane area to drive footfall into the area and revitalise the local economy by welcoming people into the town. The plans have progressed and have been presented to Council at various key stages however, at the Council meeting in January, members were asked to look again as several factors have emerged over the last 12 months which have impacted the plans. One change is in the financing of the main site as the plans did allow for residential and commercial units with an agreed buy back model for the Council to retain full ownership as the landlord and receive rental income. However, the government changed the rules on borrowing so that local authorities could no longer get lending for projects primarily for yield and this had made this option unavailable. The Council recognised that the only option was to sell the leasehold to Cityhold and would receive the leasehold receipts. This outcome has the merit of reducing the council's overall borrowing requirement for the project. Council approved the revised scope for the project in January which removed the auditorium as an increase in costs and the reduced ability for subsidising the project was no longer viable and the future financial burden was unaffordable.

Councillor Williamson said that removing some of the residential and community elements made significant savings on the build costs. The capital requirements had fallen from £23.5 million to £15.5 million with a return on investment increased from £4.1 million to £6.9 million. The redesign of the scheme has included extra care housing on the scheme which would add

£700k to the capital receipts.

Councillor Williamson said there had been a lot of comment around further consultation with stakeholders and the community therefore he amended the wording of recommendation 1 to:

“That Council approve that Officers proceed with the delivery of the Old River Lane Arts Centre development and the Old River Lane Main Scheme development, as set out in this report and on the basis of the financial viability demonstrated in the business case and that through the detailed design and planning stages public engagement and statutory consultation will be undertaken.”

Councillor Williamson proposed the two recommendations with the amendment to recommendation one. Councillor E Buckmaster seconded the recommendations and reserved his right to speak.

Councillor Goldspink felt the amended recommendation did not go far enough and therefore proposed an amendment to recommendation one and was seconded by Councillor Wilson and reserved his right to speak. The amendment was as follows:

“That Council approve that Officers proceed with the delivery of the Old River Lane Arts Centre development and the Old River Lane Main Scheme development as set out in this report and on the basis of the financial viability demonstrated in the business case, but only on condition that the final layout, sizes and function of

the internal spaces within the Arts Centre will not be decided until full consultation has been held with local interest groups and with the residents of Bishop's Stortford. This consultation would help to determine the potential usage and viability of the Centre."

Councillor Goldspink thanked everyone who had been involved in the Old River Lane project for their hard work. She referred to the large number of public questions that had been submitted to the Council and said this displayed a large level of interest from residents who were willing to share ideas and contribute. She said what had become clear was that the public felt they had been kept in the dark over the years regarding the plans. She referred to page 15, paragraph 5 which mentioned the next steps in relation to consultation with residents and stakeholders and she welcomed this statement however, the report did not give any time frame for these consultations. Councillor Goldspink was concerned that it seemed the council would work up designs and then consult afterwards. She thought this was a serious mistake and it was important that the consultation should take place before design proposals are decided. She commended the amended to Council and asked members for their support.

Councillor E Buckmaster said he was not happy with the proposed amendment from Councillor Goldspink as it suggested that any consultation would only be held with residents of Bishop's Stortford and any facilities in the District would be open to all residents. The recommendation proposed by Councillor Williamson proposes a much wider engagement.

Councillor Redfern said she did not feel the amendment proposed by Councillor Goldspink was limiting to just Bishop's Stortford residents and the word 'local' could relate to the whole District.

Councillor Wilson addressed this point and said he did not think that if there was to be a consultation, that it would exclude people outside Bishop's Stortford. He felt that the 2016 consultation was inadequate and many residents had expressed that they were not aware one took place. He said this amendment was not calling for a pause or a radical change in thinking with the project, but the Old River Lane project has to attract business and people to the town centre and many residents and community groups do not believe it would in its current form. He referred to the proposed reduction in the facility and losing the Church Hall and not replacing it with a performance space, all local groups have said that it would not meet their needs. Councillor Wilson said the number of questions submitted demonstrated local democracy in action and he said there was no point consulting after the event. He supported the amendment.

The amended recommendation, as proposed by Councillor Goldspink and seconded by Councillor Wilson, was put to the meeting and a vote taken. The motion was declared LOST.

Councillor Crystall asked for more information on what the statutory consultation would involve.

Councillor Wilson queried how much room there

would be to change the size of the performance space if local groups said they required more seats.

Councillor Redfern said the Council were looking for a third time at this project because of a lack of money. She asked how the figures in the business plan were arrived at and felt the information in the confidential appendices should be made public as this was public money that was being spent. Councillor Redfern said that the council should release as much information as possible and felt that currently, as little as possible was being released.

Councillor Goldspink referred to the United Reform Church Hall and questioned whether the new arts centres would have no community space that could be hired.

Councillor Snowdon said he was disappointed that the Council could not push ahead with the original plans. He said he was excited by the scheme and was proud of the hard work that had been put into the vision. He said he had spent a lot of time with the Leader, Councillor Wyllie and Bishop's Stortford Town Council to see, as a ward member, what could be done and the plan presented to the meeting achieves this. He felt that the Council needed to push on with the project for the best of the town and district and asked Councillor Haysey if she agreed that this was the best scheme the Council could get.

Councillor McAndrew said he was sympathetic to the concerns raised this evening by members of the public. He agreed with Councillor Williamson about being

disappointed that the scheme had been reduced due to extraordinary circumstances. He highlighted Councillor E Buckmaster's response to the public questions and said the facilities would provide something new for the town and looked forward to the consultation. Councillor McAndrew drew attention to the sustainability element of the project and said the Council was seeking maximum carbon efficiency and achieve carbon neutrality if possible. Green sustainability would be built into all aspects of the design and delivery with electric vehicle charging points in the car park and solar panels would be considered.

Councillor Bell said she was pleased with the discussion around the environmental sustainability of the building. She expressed disappointment about the situation the council was in now. She said that Bishop's Stortford Amateur Dramatics group had been promised a 500 seat theatre which had now been taken away and the community space being utilised at the United Reform Church Hall that was not being replaced would be damaging for these groups. She urged the Council to look at alternative options such as developing community spaces on the top floor of the car park or reduce the cinema to three screens and have a studio theatre. She said the point of the development was to make money and the Church Hall currently makes £80k a year profit.

Councillor Haysey replied yes to Councillor Snowdon's earlier question.

Councillor E Buckmaster said there is an opportunity

for a cultural centre in Old River Lane and there was nothing else like it currently on offer in East Herts. This would offer an entirely different experience and create an ethos based on community need so programming events would have a greater reach as possible. The business case outlines the way forward that is achievable and affordable and he did not believe that people would want to stay home and watch streaming services after restrictions have eased. This project represents great value to residents of Bishop's Stortford and it will draw people in to enhance the local economy. There was no merit in delay and the risk in not proceeding was greater than delaying. Councillor E Buckmaster supported the recommendations.

Councillor Williamson responded to Councillor Crystall's question about the consultation and said it would be in line with any masterplanning process. In response to Councillor Wilson's question on changing the design, he said after the results of the consultation they would work with architects to create the best facilities possible. Responding to Councillor Redfern's question, he explained that the financial details in the confidential appendices were sensitive and could affect any future procurement process. Councillor Williamson concluded that if the council agreed the recommendations, it would be the final endorsement for the scheme and allow the Council to move ahead with masterplanning and for the project team to work closely with contractors in the design stages and start the consultation process.

The recommendations, as proposed by Councillor

Williamson and seconded by Councillor E Buckmaster, were put to the meeting and a vote taken. The motion was declared CARRIED.

RESOLVED - that (A) Council approve that Officers proceed with the delivery of the Old River Lane Arts Centre development and the Old River Lane Main Scheme development, as set out in this report and on the basis of the financial viability demonstrated in the business case and that through the detailed design and planning stages public engagement and statutory consultation will be undertaken; and

(B) That Council delegates to the Head of Strategic Property and Finance, in consultation with the Old River Lane Delivery Board operating in line with its Terms of Reference as contained at Appendix 1, the authority to make decisions relating to the delivery of the Old River Lane project.

The meeting closed at 5.25 pm

Chairman

Date

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Council

Date of Meeting: 29 April 2021

Report by: Councillor Linda Haysey, Leader of the Council

Report title: Executive Report – 30 March 2021

Ward(s) affected: All

Summary

- This report details the recommendations to Council made by the Executive at its meeting on 30 March 2021.

1.0 Item considered and recommended to Council

1.1 Since the last Council meeting, the Executive met on 30 March 2021. At that meeting the Executive considered and supported a recommendation for Council on the following item:

1.1.1 Harlow and Gilston Garden Town: Sustainability Guidance and Checklist, final document for endorsement

1.2 This report sets out the recommendation for the above items. The full report, including the Appendix, may be viewed at [Executive 30 March 2021](#).

1.3 The Minutes of the meeting are attached as **Appendix A**.

1.4 This report excludes items also considered by the Executive where those reports are separate agenda items on the Council agenda.

2.0 Harlow and Gilston Garden Town: Sustainability Guidance and Checklist, final document for endorsement

- 2.1 The Executive was asked to consider the updated draft sustainability document for the Harlow and Gilston Garden Town which had been out for consultation. The report recommended that the final document be endorsed.

RECOMMENDATIONS TO COUNCIL:

- (a) **that the Harlow and Gilston Garden Town Sustainability Guidance and Checklist be endorsed as material for development management purposes.**

3.0 Background papers, appendices and other relevant material

- 3.1 Appendix A - Minutes of the Executive meeting 30 March 2021

- 3.2 Appendix Bi and Bii – Harlow and Gilston Garden Town supporting documents

Contact Member

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE ONLINE MEETING
- LIVESTREAMED ON TUESDAY 30 MARCH
2021, AT 7.00 PM

PRESENT:

Councillors L Haysey, P Boylan,
E Buckmaster, G Cutting, J Goodeve,
G McAndrew, S Rutland-Barsby and
G Williamson.

ALSO PRESENT:

Councillors S Bull, A Curtis, D Hollebon,
M Pope, P Ruffles and T Stowe.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven Linnett	- Head of Strategic Finance and Property
Katie Mogan	- Democratic Services Manager
Helen Standen	- Deputy Chief Executive
Kevin Steptoe	- East Herts Garden Town Lead Officer
William Troop	- Democratic Services Officer

447 APOLOGIES

There were no apologies for absence.

448 LEADER'S ANNOUNCEMENTS

The Leader reminded everyone that the meeting was being livestreamed via YouTube and asked that the "chat" function not be used. If anyone wished to speak, they should raise their hand. She asked Members to stay on mute and to leave their cameras on so that the public could see that everyone was an active participant.

For the benefit of those watching YouTube, the Leader asked all Members of the Executive to introduce themselves and the remit their portfolios covered.

449 MINUTES - 19 FEBRUARY 2021

Councillor Curtis raised that he was missing from the attendance list on the minutes.

Councillor Haysey proposed, and Councillor Williamson seconded a motion that the Minutes of the meeting held on 19 February 2021 be approved as a correct record and be signed by the Leader, subject to the addition of Councillor Curtis on the attendance list.

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

RESOLVED – that the Minutes of the

meeting held on 19 February 2021 be approved as a correct record and signed by the Leader, subject to the addition of Councillor Curtis on the attendance list.

450 DECLARATIONS OF INTEREST

There were no declarations of interest.

451 QUARTERLY CORPORATE BUDGET MONITOR – QUARTER 3
DECEMBER

The Executive Member for Financial Sustainability submitted a report on the Quarterly Corporate Budget Monitor which gave an update of the council's finances at the end of December 2020. The net revenue budget was predicted to have a year-end overspend of £150k which, in light of the extraordinary circumstances experienced over the year, should be viewed in a positive light. He gave credit to the diligence of the finance team. The headline figure masked a considerable loss of income, especially within Operations and the fall in car parking income. The government had provided grants of £1.8 million but this did not cover the full amount so the council have had to make up the difference. Within the capital spend, £31 million had been brought forward from last year making the total £64 million and this was a reflection of the progress of capital projects such as Grange Paddocks. The capital programme was reviewed regularly and £27 million would be carried forward into next year. Referring to paragraph 6 of the report, Councillor Williamson said all efforts had been

made to bring in all debt money but the council must take a realistic stance on old debts that are deemed uncollectable. Officers would identify old debts to be written off and they would be presented to the Executive for sign off.

Councillors Buckmaster and Pope said they supported the position on debtors and thought it was a sensible approach.

Councillor Williamson proposed and Councillor Cutting seconded a motion supporting the recommendations in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - That (A) The net revenue budget forecast overspend of £159k in 2020/21 be noted (table 1); and

(B) The revised capital budget for 2020/21 is £64.323m, of which £27.401m is estimated to be carried forward to future years be noted (paragraph 5.1.1).

452 HARLOW AND GILSTON GARDEN TOWN: SUSTAINABILITY
GUIDANCE AND CHECKLIST, FINAL DOCUMENT FOR
ENDORSEMENT

The Leader of the Council submitted a report on the Harlow and Gilston Garden Town Sustainability Guidance and Checklist which had been out for extensive consultation with residents and developers. The document puts together the council's expectation of sustainable development within the Garden Town

across all its strategic sites. The Leader said this was an extraordinary piece of work and congratulated the officers involved for all their hard work and thanked residents for their extensive comments. The Leader said this document would sit with the other Garden Town policies and documents to ensure the council can get what it wants from developers.

Councillor McAndrew said the report was an extraordinary document and made comments on the review of supplementary documents.

Councillor Haysey said the Executive Member for Environmental Sustainability was a huge advocate for sustainable development and this report would complement his work on the Hertfordshire Climate Change Group.

Councillor McAndrew said the document would be shared with the climate group and it covered all four key themes: carbon, water, transport and biodiversity.

Councillor Buckmaster was also impressed with the report and said it would provide consistency across the Garden Town. He was pleased to see the link to RAG rating to determine if developers were meeting the net carbon goal.

Councillor Haysey proposed and Councillor Goodeve seconded a motion supporting the recommendation in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - To recommend to Council

that the Harlow and Gilston Garden Town Sustainability Guidance and Checklist be endorsed as material for development management purposes.

453 REVIEW OF SCRUTINY BY THE CENTRE FOR GOVERNANCE AND SCRUTINY

The Leader of the Council presented a report on the Review of Scrutiny carried out by the Centre of Governance and Scrutiny. Scrutiny was absolutely critical and crucial for running a high quality council and it was important that the Executive was held to account for its decision making and policies they want to introduce. The Executive wished to endorse the comments from the Overview and Scrutiny Committee. Councillor Haysey said she would invite the Chairs and Vice Chairs of Overview and Scrutiny and Audit and Governance to meet the whole Executive every quarter to give them a greater understanding of their work asked the Scrutiny Officer to arrange the invitations.

Councillor Rutland-Barsby said that she had researched some bespoke training for Members of the scrutiny committees which had taken into account the recommendations of the review.

Councillor Buckmaster said that he remembered his scrutiny training when he first started as a member and it was a very important role. The Overview and Scrutiny Committee should be a 'critical friend' and

they should focus on less rather than more and get involved in strategic issues. He suggested that there should be a focus to scrutinising a portfolio and look at a specific aspect of policy.

Councillor Curtis said that he was a member of the Overview and Scrutiny committee and agreed that that the scrutiny function should act as a 'critical friend'. They should help and work with the Executive to improve policies and work constructively.

Councillor Haysey proposed and Councillor Williamson seconded a motion to agree the recommendations in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - That

(A) The final report by the Centre for Governance and Scrutiny (CfGS) and the actions so far, to address the recommendations resulting from the review be noted; and

(B) The further actions which may be necessary as these changes develop following further scrutiny training be noted.

454 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

There was no update.

455 UPDATE FROM AUDIT AND GOVERNANCE COMMITTEE

Councillor Pope, Chairman of the Audit and Governance Committee, referred to the last meeting of the committee held on 16 March 2021. He said the committee reviewed reports from the Shared Anti-Fraud Service and the 2021-22 Internal Audit Plan. The committee received a report on the Quarter 3 financial position and noted the forecast outturn of £150k overspend. The level of debtors was discussed and it was confirmed that all services would review levels of debt that were more than 90 days old. The committee endorsed that debt write offs would be submitted to the Executive for approval. The committee also reviewed the risk management strategy and the new revised format of the risk register which represented a significant improvement on the previous version. Lastly, the committee considered the Model Code of Conduct for Members that had been released by the Local Government Association in January 2021 and recommended to Council that this be adopted into the Constitution subject to one minor amendment.

456 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.25 pm

Chairman

Date

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HARLOW & GILSTON GARDEN TOWN

HARLOW & GILSTON GARDEN TOWN

SUSTAINABILITY GUIDANCE & CHECKLIST

MARCH 2021

Interactive PDF: best viewed on computer screen



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The pioneering New Town of Gibberd and Kao will grow into a Garden Town of enterprise, health and sculpture at the heart of the UK Innovation Corridor. Harlow and Gilston will be a joyful place to live with sociable streets and green spaces; high quality homes connected to fibre optic broadband; local centres accessible by walking and cycling; and innovative, affordable public transport.

It will set the agenda for sustainable living. It will be adaptable, healthy, sustainable and innovative.

HARLOW AND GILSTON GARDEN TOWN

Harlow and Gilston Garden Town (HGGT) will comprise new and existing communities in and around Harlow. Set in attractive countryside, with transformative investment in transport and community infrastructure, new neighbourhoods to the east, west and south and new villages to the north will be established.

East Herts, Epping Forest and Harlow District Councils are working together with Hertfordshire and Essex County Councils to ensure plans for the Garden Town support sustainable living and a healthy communities and economies, provide a good quality of life for existing and future residents, and respond to local landscape and character.

The **HGGT Vision** sets out the principles and indicators for the Garden Town which will ensure its growth and management is high quality and sustainable.

SUSTAINABLE LIVING

Sustainability focuses on meeting the needs of the present without compromising the ability of future generations to meet their needs. High quality sustainable developments require adopting a holistic approach to environmental, social and economic sustainability; in line with the UN Sustainability Development Goals.

The Garden Town seeks to set the agenda for sustainable living through ensuring growth that will be being net carbon neutral by 2030, and building strong and integrated communities across new and existing places, with social equity.

COVID-19 RECOVERY

This Guidance has been developed during the pandemic of COVID-19. The pandemic has highlighted stark health inequalities which relate closely to environmental, social, and economic inequalities.

Now more than ever, high quality, sustainable and resilient design and development is needed to ensure that existing and new residents of the Harlow & Gilston Garden Town recover from this pandemic in a long term and locally-led manner.

Opportunities to foster community strength, provide job opportunities, support green and local economies and bolster residents health must be taken. All stakeholders are therefore expected to work collaboratively to contribute to this recovery, and ensure that the Garden Town is a joyful and sustainable place to live, work, and play.

Introduction



INTRODUCTION



1 | THE CLIMATE EMERGENCY

The UK Government and all five HGGT Partner Authorities have declared a Climate Emergency/ Actions.

This Sustainability Guidance supports the primary commitment across the Garden Town Authorities; to become Carbon-Neutral by 2030.

The global climate is changing, primarily as a result of greenhouse gas emissions from human activity.

Communities, businesses, and the natural environment are already feeling the impacts of the changing climate. Continued change is now unavoidable and will disrupt everyday life, with higher average temperatures and more extreme weather events.

There is a strong and committed national and local policy context for planning environmentally, socially, and economically sustainable places and developments, and climate adaptation.

2 | PURPOSE OF THIS GUIDANCE

The Garden Town will set the agenda for Sustainable living, making it easy for residents to adopt sustainable lifestyles.

The three district authorities have a combined carbon emission contribution of 2,048 CO₂ (kt) across all industries. With the goal of reducing carbon emission contributions, and planning for significant growth in the Garden Town, new developments must have exemplar placemaking and long term sustainability.

This document provides practical and technical guidance on how to apply sustainability indicators and policies (environmental, social, and economic) in the HGGT Vision and partner authorities Plans to new major developments in the Garden Town.

The purpose of this guidance is to help applicants meet the Garden Town goals of becoming net zero-carbon by 2030, and, to build strong and integrated communities across new and existing places.

3 | WHO USES THIS GUIDANCE

Applicants + Agents:

The document is to be used by developers, design teams, consultants and contractors in shaping development proposals. This will guide the design of proposals and ensure coordinated and integrated consideration of sustainability principles and targets at an early stage.

Local Authority Officers and decision-makers:

This document will be endorsed to have material planning weight and the Checklist will help guide the assessment of planning applications for developments coming forward within the Garden Town. It will inform pre-application discussions and assist decision-makers in sustainability matters.

The HGGT Quality Review Panel (QRP):

This Checklist will be utilised for QRP reviews to help form the basis of Sustainability and Garden Town discussions. The QRP panel members are independent experts and applicants are advised to be in a position to discuss issues on all themes raised in this guidance.

4 | WHEN TO USE GUIDANCE

Masterplanning

This guide should be used at as early a stage as possible in the design process in order to reduce costly and time-intensive re-design at later stages.

Pre-Application

The Sustainability Checklist and relevant evidence should accompany pre-application discussions to ensure applications have considered and incorporated sustainability measures from the outset of their design.

Planning Application

A Sustainability Strategy incorporating the Checklist, with relevant evidence / certification, is to be submitted alongside planning applications.

Post-Planning

Planning conditions and obligations will be aligned to ensure that sustainable measures are secured through to delivery and beyond. Tools such as Post-Occupancy Evaluation for ongoing monitoring will be expected relating to key indicators.



5 | HOW TO USE GUIDANCE

High quality and sustainable development requires environmental, social and economic sustainability to be holistically considered. This document is split into two sections, with sustainability themes cross-referencing each other, and co-benefits indicated throughout as pop-ups.

- 1. The Environmental Section
- 2. The Socio-Economic Section

These Sections consists of a Theme, noting:

- 1. Objectives & Requirements
- 2. Key Local Policy & Guidance
- 3. Case studies: with links to external sources
- 4. Checklist: to be completed and submitted.

6 | TO BE SUBMITTED

- 1. Collated Sustainability Quality Checklist
- 2. Sustainability Statement/Strategy

This guidance assist applicants to provide the information for the above, in order to meet the Garden Town principles and local policies.

7 | APPLICATION OF GUIDANCE

The guidance is applicable to:

- Strategic Masterplan / Village Masterplan areas
- All major residential developments (≥ 10no.)
- Change of Use resulting in a major development
- Council-led housing within the Garden Town

8 | THE QUALITY CHECKLIST

The Checklists indicate the quality of development in line with the Garden Towns' standards through a red/amber/ green approach. These work together across themes and will be assessed alongside each other to ensure a holistic approach to sustainability is being considered.

Each sustainability theme will be assessed by Officers in the round and in context of factors that may be unique to a development, providing flexibility in how each development is assessed. The applicant is expected to identify unique sustainability aspects of their development and include these in the 'Sustainability Statement', where the Applicant deems this necessary.

All checklists should be completed and submitted; except where highlighted in each checklist table, some questions that are required at Outline Planning Application only, with the remainder expected to be submitted at Full Planning and/or Reserved Matters, including updated figures for those submitted at Outline Planning.

All applications will be considered through the completion and submission of this Sustainability Checklist.

Minimum Requirements (Low Quality)	Net Zero-Carbon by 2050 (Medium Quality)	Net Zero-Carbon by 2030 (Garden Town High Quality)
These are policy-compliant / Building Regulations compliant, but do not meet Climate Declaration targets	These targets meet ultimate goal, but 20 years slower	These targets meet HGGT goal and Climate Declarations
This sets out what HGGT consider low quality standards / outcomes	This sets out what HGGT consider medium quality standards/ outcomes	This sets out what HGGT consider high quality standards/ outcomes
Outline Planning Submission	Outline Planning Submission	Outline Planning Submission

9 | RELATIONSHIP TO THE HGGT VISION & DESIGN GUIDE

This document should be read in conjunction with the Harlow and Gilston Garden Town [Vision](#), and [Design Guide](#). The Sustainability Guidance takes the principles and objectives of the Vision as its starting point and provides guidance and checklists to help deliver these principles, and sustainability indicators.

The HGGT Design Guide sets out Design Quality Questions which applicants are expected to follow. The information in this document aim to build on these and provide further guidance and detail as appropriate.

10 | RELATIONSHIP TO LOCAL PLANS

This document has been endorsed to have material planning weight when determining applications.

This guidance should be read in conjunction with the policies in the current [Epping Forest DC](#), [East Herts DC](#), and [Harlow DC](#) Local Plans.

This guidance compliments the policies and relevant SPDs by providing a practical tool for enhancing and assessing the sustainability of developments in the Garden Town.

11 | PARTNERSHIP WORKING

In addition to cross-boundary working as part of the Councils' Duty to Cooperate, the Councils are committed to working with relevant organisations, service providers and community groups to ensure proposals are developed collaboratively and with thorough consideration of local priorities.

12 | REVIEW & MONITOR

This guidance will be reviewed and updated regularly (maximum every three years) to ensure that it remains fit for purpose. The Garden Town encourages Applicants to innovate with new technology to meet the overall Garden Town sustainability ambitions.

This guidance will be reviewed upon national adoption of the Governments' Future Homes Standard (Part L and Part F) - where the first stage of a two-part consultation process was undertaken in 2020. Current Building Regulations fall short of the carbon neutral by 2030 commitment by HGGT.

13 | INCENTIVES FOR SUSTAINABILITY

[Design and Planning](#)

Compliance with these sustainability standards will lead to a smoother planning process and faster assessment time.

[Awards and recognition](#)

Exemplar schemes will be hosted on the HGGT website and shared as case studies, promoting the most ambitious projects. The Garden Town will work with applicants to put their schemes forward for Local and National awards and partnership opportunities.

Incentives: Cost Benefit

By 2030 all new buildings will need to operate at annual net zero carbon, meaning that by 2025 all new buildings must be designed to net zero-carbon.

In the Garden Town, 16,000 new homes are expected over the next plan period, with more to follow. If the standards highlighted in this guidance are not met when homes are first constructed, they will require retrofit before 2050 just to keep up with changing legislation; this is likely to be five times more expensive than building them to be zero-carbon in the first place.

Net zero carbon homes can be achieved at a capital cost uplift of between 3.5%-15% for residential developments, or, at equal cost - depending on economies of scale in alignment with varying reports.

This capital cost of sustainable buildings is likely to decrease over time as legislation improves, our electricity grid decarbonises, our supply chain upskills, and as cost of technology decreases.

Costs can be offset by value benefits, including; increased rental premiums (6-11% [Link](#)), lower tenancy void periods, and lower offsetting costs. Furthermore, long-term operation costs of new homes are vastly reduced due to the lower energy demand from homes, eliminating challenges such as fuel poverty ([Link](#)), and providing cost savings of 30%-40% ([Link](#)) over 30 years.

Finally, in a post covid society, more people are working from home, and look to live more sustainable lifestyles, making sustainable homes and communities more attractive to homeowners, thereby, providing a commercial benefit to developers ([Link](#)).



SUSTAINABILITY GUIDANCE APPLICATION AREA

The Garden Town comprises strategic development sites both within the Harlow administrative area and within East Hertfordshire District and Epping Forest District. This includes:

Gilston Area:

- Located in East Hertfordshire District
- Across 7 villages,
- 10,000 homes in total
- 3,000 built by 2033, a further
- 7,000 to follow post-2033

East of Harlow:

- Located in Harlow and Epping Forest Districts
- 3,350 new homes
- 2,600 within Harlow District
- 750 within Epping Forest District

Water Lane Area:

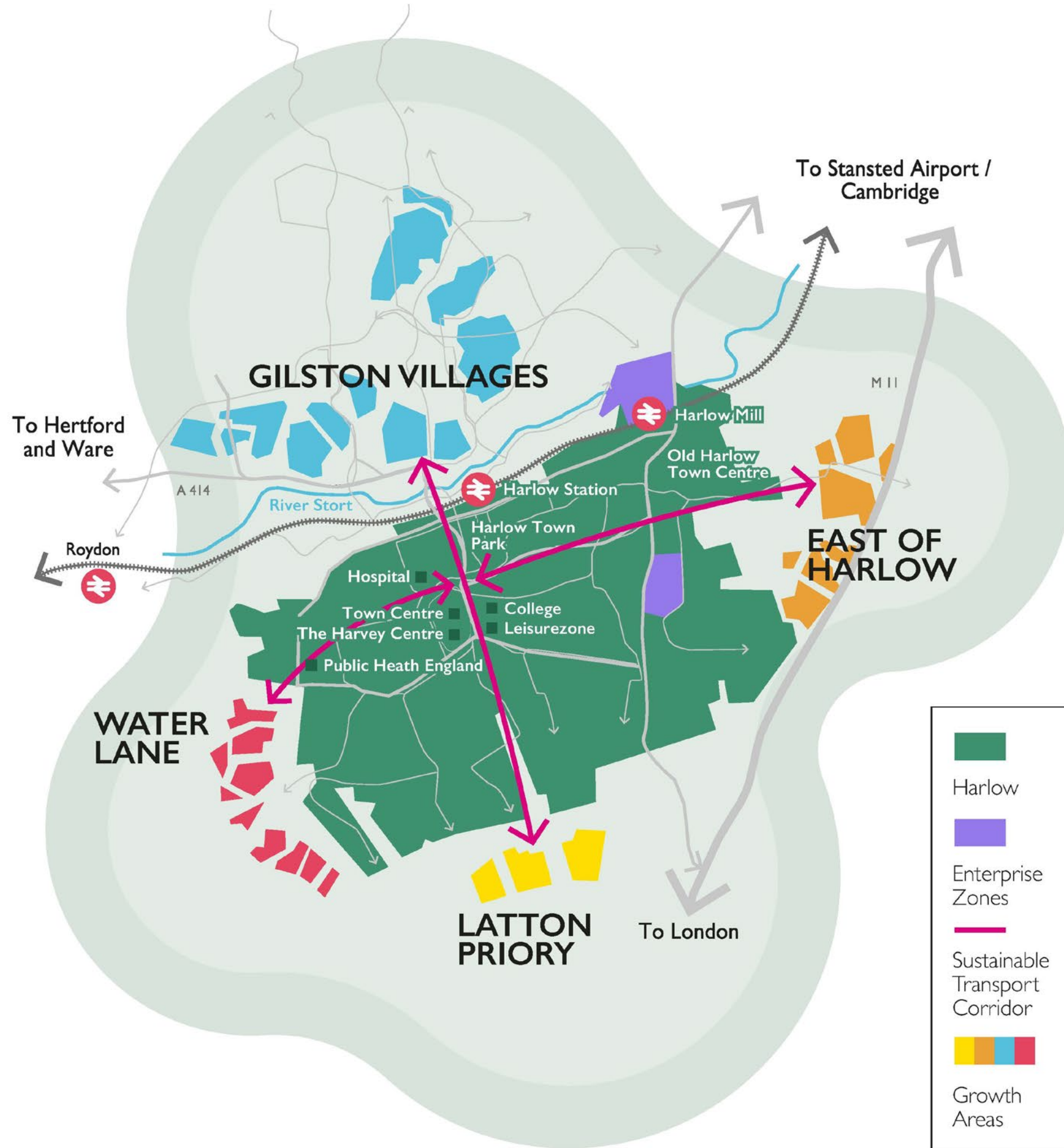
- Located in Epping Forest District
- 2,100 new homes

Latton Priory:

- Located in Epping Forest District
- 1,050 new homes

Draft Harlow Local Plan:

A further 21 sites, which together total 1,147 dwellings, are allocated in the draft Harlow Local Plan



Environmental Sustainability

Goal: Net Zero-Carbon by 2030



DESIGN APPROACH: FIRST PRINCIPLES

These ‘First Principles’ are to be followed to ensure new Garden Town developments are sustainable, and evolve through good design. The First Principles act as a structured design process, and are iterative, with observations made to be referred back to when navigating the varying scales of design. Use of these principles will significantly benefit the proposal when assessing against the remainder of the Guidance.

1 | LANDSCAPE-LED DESIGN

Harlow and Gilston Garden Town is characterised by a number of different landscape characters areas and assets. Study of existing strategies, analysis, survey and mapping should be undertaken of existing green infrastructure and ecological value of features. These include; topography, trees, hedgerows, woodland, grasslands, wetlands, meadowlands, farmlands, hills and lowlands, scarps and valleys, flood plains, views and vistas. Drawings, surveys, site photographs, and precedent images should be utilised.

Design should be landscape led from the start and across all design stages. The best design and development outcomes will be delivered by engaging landscape and ecology consultants at an early stage. Additional spending on design fees will be very likely outweighed by the speed and ease of securing planning permission.

2 | SUSTAINABLE MOVEMENT

The Garden Town has ambitious sustainable travel mode shift targets, as set out in the HGGT Transport Strategy. To achieve this, sustainable movement must be considered as a first principle in design, alongside landscape and ecology.

Key destinations and active travel desire lines for journeys to work, schools, shops and leisure should be mapped, to be direct, inclusive, attractive and safe. Opportunities to knit communities together with movement routes and green infrastructure should be maximised.

Follow the HGGT User Hierarchy on routes and access points; ensure walking and cycle networks connect to the Sustainable Transport Corridors and wider networks, and prioritise travelling to further destinations by public transport over private cars.

3 | ORIENTATION AND FORM

Solar orientation must inform the topography, scale and massing of development at early stages of masterplanning, with south-facing buildings, fenestration, and amenity being orientated to take advantage of passive solar gain – absorbing the sun’s heat energy to warm buildings and spaces. Building axis’ can be orientated in the east-west direction to take advantage of maximum daylight and heat from the sun which significantly reduces the energy consumption of a building, and can reduce a homes’ heating and cooling costs by up to 85%.

To stay cool in the summer months and avoid overheating, external shading provisions should be made to the buildings and surrounding areas, including the use of green infrastructure.

4 | FOLLOW ENERGY HIERARCHY

When determining energy strategies for new developments and masterplans, the Energy Hierarchy is to be followed:

- 1. BE LEAN:
Use less energy: minimising the energy demand of new buildings through fabric performance: This step requires design that reduces the energy demand of a development. Energy Strategies need to demonstrate how energy efficiency measures reduce the energy demand in line with performance targets highlighted in this document.
- 2. BE CLEAN & GREEN:
Supply energy efficiently: utilising energy efficiently in buildings including for space heating & cooling: Consideration must be given to how heat and energy will be provided to the development using low-carbon heating networks.
- 3. BE SEEN:
Monitor & Report performance: for at least 5 years post-completion to remove the performance gap: This requires all major developments to monitor and report their energy performance post-construction to ensure that the actual carbon performance of the development is aligned with the Garden Town ambitions of a net zero-carbon target.

5 | ADAPTABLE & FUTURE PROOF DESIGN

Building strong communities is aided by giving people and families the opportunity to have accommodation that can adapt to respond to their changing needs and abilities.

This means looking at the macro-scale of large scale green and blue infrastructure and management for climate adaptation, futureproofing infrastructure for technological innovation, provision of a range of house types, adaptable facilities and meanwhile use spaces. And through to the micro-scale; for example the space and ease in ability to extend homes and facilities (physical and digital) to work from home.

While technologies will change, the homes built here will exist for decades - 60+ years, and it is important that strong communities are not broken due to the lack of adaptable design.

A fabric-first approach requires the building envelope to be a high-performance thermal envelope, reducing energy waste. This means the proposed buildings must have external walls, roofs, floors, windows & doors that are: super insulated, airtight, and windtight.

A fabric-first approach includes the windows and doors – which provide significant heat loss and heat gains – depending on solar orientation. Windows and doors must therefore incorporate high-performance glazing to provide comfortable internal temperatures. A high-performance thermal envelope delivers exceptional indoor comfort and building energy efficiency.

7 | VENTILATION & OVERHEATING

A mixed-mode (natural and mechanical) ventilation strategy is encouraged for excellent indoor air quality. This involves the incorporation of passive and/or whole-house mechanical ventilation with heat recovery system (MVHR) – which is key to delivering radically energy efficiency and exceptional comfort, through providing clean, filtered air into habitable spaces.

Early stage overheating analysis will be expected to be carried out at design stage to identify key factors contributing to overheating risk; where developments are at risk of overheating, additional detailed assessment and mitigation measures will be expected to be incorporated.

8 | EMBODIED & OPERATIONAL ENERGY

Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site, and the construction of the development.

All design teams are expected to think about, and reduce the embodied energy required to develop their schemes. For example, depending on location, height, and site suitability, materials like timber could be favoured over less sustainable alternatives such as concrete.

Operational Energy is concerned with the amount of carbon emissions associated with the building's annual operation. Developments should be aiming for net zero carbon – where energy on an annual basis is zero or negative. A net zero carbon building is highly energy efficient and powered from on-site and/or off-site renewable energy sources.

Developments should be designed using realistic predictions of operational energy to avoid performance gap in a building's energy use.

9 | RENEWABLE TECHNOLOGIES

Renewable energy uses natural resources such as sunlight, wind, tides and geothermal heat which are naturally replenished. Most forms of renewable energy are cheap to operate, but can be expensive to install.

Examples of technologies include; PV's, solar thermal, biomass, ground/air source heat pumps, wind, hydro. The choice of renewable technologies should be dependent on an assessment on site and development suitability.

10 | AIR-TIGHT STRATEGY & THERMAL-BRIDGE FREE

An air-tight strategy focuses on the internal comfort of a building, and will be required to develop a draught-free building envelope. The draught-free building ensures high energy efficiency, internal user comfort, and protects the building envelope.

The airtight strategy must be continuous to ensure there are no unintended gaps in the building envelope that allow uncontrolled air to leak in and out of the building.

Internal comfort is affected by heat loss through the building fabric, and poor thermal bridging – any gaps or thinning of the insulation. Therefore, the design approach must be to design them out.

Post-occupancy evaluation enables air tightness and thermal bridging to be measured, to help close the known performance gap in these areas.

RETROFITTING

Design Principles for Retrofitting of existing buildings has not been addressed in this guidance. This is in anticipation of the emerging HGGT Sustainability Guidance for Retrofit. This document will signpost to industry standards and guidance regarding retrofitting.



ENERGY EFFICIENCY & CARBON REDUCTION

OBJECTIVES & REQUIREMENTS

The transition to net zero-carbon by 2030 must begin with providing **genuinely affordable homes**. All new buildings are therefore expected to adopt a fabric-first approach (i.e. Passivhaus Standards), with the expectation that as our grid system decarbonises, and, we build more energy efficient homes, emphasis will be placed on the embodied energy involved in constructing new buildings, utilising more **renewable technologies**.

Currently (2017 figures), all 3 district councils contribute **558CO2kt** from the domestic sector only (electricity, gas and other contributions). This accounts for almost a third (27%) of all CO2 contributions in the districts and represents a significant opportunity reduce our carbon impact and adopt **circular economy** principles.

With the decarbonising of the National Grid, achieving net zero-carbon will mean strategic sites must respond to the two key components of **whole-life carbon**; **embodied carbon** and **operational energy**. Achieving net zero operational energy means the building does not burn fossil fuels and is 100% powered by renewables.

A **Whole Life Carbon (WLC) Assessment** should be undertaken at pre-application, planning application, and after practical completion, as new homes are expected to last 60+years, with carbon emission reduction in line with the targets in the Checklist. **Appendix 2a** highlights the sequence of activities to complete an assessment.

- Embodied Carbon Reduction Strategy:
1. Using circular economy principles of reuse and refurbish, and designing for disassembly at end of life with processes including using offsite construction.
 2. Building low-energy homes, using fossil fuel-free technology to supply heating and power to them.
 3. Using renewable energy where necessary

- Operational carbon Reduction Strategy:
1. Not burning fossil fuels for supply to homes
 2. 100% powered by renewable energy i.e. heat pumps
 3. Achieving energy performance in line with checklist

For Outline Planning, Applicants can use Whole Life Carbon assessment tools such as **FCBS Carbon**.

SOCIO-ECONOMIC CO-BENEFITS +

KEY LOCAL POLICY & GUIDANCE

- HGGT Vision
- Placemaking and Homes: B9, B10, D3
 - Landscape & Green Infrastructure: D1, D2, D3, D4
 - Sustainable Movement: D6
 - The emerging Garden Town Transport Strategy
 - Building Futures – Hertfordshire Guide

- HDC Local Plan Policy:
- HGT1: Development & Delivery of Garden Town
 - PL3: Sustainable Design, Construction & Energy Use
 - Harlow Area Action Plan (TC AAP)

- EFDC Local Plan Policy:
- SP4(xvii): Highest standards of energy efficiency
 - SP5 Garden Town Communities
 - DM9: High Quality Design
 - DM19: Sustainable Water Use
 - DM20: Low Carbon and Renewable Energy

- EHDC Local Plan Policy:
- CC3: Renewable and Low Carbon Energy
 - DES1 Masterplanning
 - DES4: Design of Development (a) & (b)
 - HOU8 Self-Build and Custom Build Housing
 - CFLR9 Health and Wellbeing
 - I1.2 Harlow and Gilston Garden Town



CASE STUDIES (click image to visit website)



Marmalade Lane, Cambridge
Built with fabric-first approach for energy efficient homes, alleviating fuel-poverty.



Goldsmith Street, Norwich
Built to Passivhaus standards, needing little energy for heating and cooling.



Newhall, Harlow
Being highly sustainable with consideration for long-term energy use and incorporating measures to reduce energy use in properties

QUALITY CHECKLIST		Minimum Requirement	Net Zero-Carbon by 2050	Net Zero-Carbon by 2030
En.1	What Operational Energy target does the development aim to achieve (KWh/m2/y)	146	< 70	< 0 - 35
En.2	What Embodied Carbon target does the development aim to achieve (kgCO2e/m2)	1000	< 450	< 300
En.3	Space Heating Energy Demand (KWh/m2/y) of net living space	54.26	25	15
En.4	Airtightness (air changes/ hr @ n50)	5	3	≤ 0.6
En.5	Ventilation Strategy (m3/hr/person)	Natural - extract fans	Mechanical - with extract fans	Mechanical Heat Recovery (30)
En.7	What is the on-site reduction in CO2 emissions against Building Regulations Part L (2013)?	0-34%	35%-50%	≥ 50%
En.8	For applications greater than 99no. units, what BREEAM Communities Level is met?	Very Good	Excellent	Outstanding
En.9	Thermal Bridging y-value (W/m2K)	0.0051	0.0039	0
En10	What Fabric U-Values has the proposal been designed to meet? W/(m2K)			
	External Walls	0.30 - 0.16	0.15 - 0.11	< 0.1
	Floor	0.25 - 0.11	0.10 - 0.08	< 0.07
	Roof	0.20 - 0.13	0.12 - 0.10	< 0.1
	Windows (triple glazing) & Doors	2.00 - 1.4	1.3 - 1.00	< 0.9
Attach Whole Life Carbon Assessment				
Attach Overheating Design Assessment				
		Attach certification of the above chosen standards, and use 'Statement' page for additional information		

Our recent extreme weather has highlighted the need to ensure that buildings constructed today are fit for the future, and, designed for resilience over the next 60+ years. Other Climate mitigation and adaptation strategies span the breadth of this document, so this section focuses on the use of renewable energy for our heat supply, as heat demand is estimated at more than 40% of the energy consumed across all 3 boroughs.

The nature and scale of the strategic sites make them ideal to ensure that the heating and hot water they generate are fossil fuel free, supporting less demand on the national grid.

On-site renewable technologies such as Heat Pumps, Solar Photovoltaics, and Solar Thermals should be explored for adoption, and paired with each other to provide the greatest benefit to new developments; i.e. heat pumps paired with efficient buildings, and PV's paired with electric charging enabling sustainable travel.

Applicants are to use the LETI Heat Decision Tree (Appendix 3) at concept and developed design stages, to assist them in choosing the most appropriate heating system; where renewable systems should be prioritised over connecting to district heating networks, which depend on fossil fuels.

- New Developments should be designed to;
- Heat Sharing Network: joining a heat sharing network is particularly relevant for these strategic mixed-use development sites where opportunities for load shifting and heat sharing occur.
 - Minimise system temperatures: high temperatures in heating systems are synonymous with fossil-fuel combustion
 - Reduce Heat Demand at point of use: The greatest opportunity to meeting net zero-carbon emissions is to reduce the amount of heat needed: achieved through a fabric-first approach and limited hot water use, coupled with reuse of low temperature waste heat sources.
 - Lean Design: load modelling can predict energy use and help size plant requirement.
 - Harness Waste Heat: heat released as a by-product of an existing process enables otherwise wasted heat to contribute to meeting energy demands.

KEY LOCAL POLICY & GUIDANCE

- HGGT Vision
- Placemaking and Homes: B9, B10, D3
 - Landscape & Green Infrastructure: D1, D2, D3, D4
 - Sustainable Movement: D6

- HDC Local Plan Policy:
- HGT1: Development & Delivery of the Garden Town
 - PL3: Sustainable Design, Construction & Energy Use
 - Harlow Area Action Plan (TC AAP)

- EFDC Local Plan Policy:
- SP4(xvii): Highest standards of energy efficiency
 - DM9: High Quality Design
 - DM19: Sustainable Water Use
 - DM20: Low Carbon and Renewable Energy

- EHDC Local Plan Policy:
- CC3: Renewable and Low Carbon Energy
 - DES4: Design of Development (a) & (b)
 - Building Futures: Sustainable Design Toolkit



CASE STUDIES (click image to visit website)



Project Etopia, Corby
Uses combined solar PV's and thermal panel to deliver net zero carbon on site.



Active Homes, Neath, South Wales
Battery technology used to store energy and solar PV & TSC's to generate 60% energy.



Tallack Road, Waltham Forest, London
Large-scale communal Air Source Heat Pump to feed ambient temperature heat network

QUALITY CHECKLIST		Minimum Requirement	Net Zero-Carbon by 2050	Net Zero-Carbon by 2030
Rn.1	What on-site renewable energy technologies are planned to be included in the development?	PV's + EV charging / CHP's	Low-temperature District Heating	Electric Heat Pumps / Solar Thermal
Rn.2	What percentage of CO2 emission reduction is planned to be provided from on-site renewable energy sources? (SAP 10 carbon emission factors to be used for calculation)	> 20%	> 50%	> 70%
Rn.3	What percentage of household electricity will on-site renewable technology provide? (net zero operational carbon does not burn fossil fuel and is 100% powered by renewables)	> 35%	> 50%	100%
Rn.4	Have any government incentivised schemes been taken advantage of? i.e. Non-Domestic Renewable Heat Incentive (RHI)	None	N/A	Non-Domestic RHI
Rn.5	Photovoltaic Energy Demand (kWh/m2/yr)	-854	-2,563	-2,563
Rn.6	Domestic hot water (kWh/m2/yr)	42	20	6
Please attach Energy Assessment				
Please attach relevant certification of the above standards you have chosen				
Please use 'Sustainability Summary' pages where you are adding any further information				

Outline Planning submission

Reserved Matters / Full Planning Application



GREEN INFRASTRUCTURE

OBJECTIVES & REQUIREMENTS

The HGGTVision sets out indicators for landscape and green infrastructure: proposals should respond to the distinctive landscape setting; expand and enhance the town’s Green Wedge network; improve access to, and the quality of, the surrounding Green Belt; and support a sustainable and biodiverse environment.

The green and blue infrastructure network of the Garden Town and wider area must be protected and enhanced, and considered in an integrated way to meet sustainability, placeshaping and socio-economic objectives. Key assets include the Stort Navigation & Stort Valley; the River Lea & Lee Valley; the Green Wedge and Finger network; Grade II Listed Harlow Town Park; existing and Ancient woodland including Epping Forest; neighbourhood allotments & green spaces; the proposed Gilston Country Park; proposed Suitable Alternative Natural Greenspace; new ‘Super Greenways’; sports, play and adventure spaces.

Proposals must be landscape-led from the start, and green infrastructure should be high quality and multifunctional, as set out in the [East Herts Gilston Area Charter SPD](#) and [EFDC Green Infrastructure Strategy](#). Relevant landscape and ecology expertise should be sought early in the design process.

Development should deliver at least 10% [Biodiversity Net Gain](#) (BNG) following the [mitigation hierarchy](#), and then provided on-site where possible, before off-site or compensation are considered, Ecology Reports should set out targeted net gain outcomes, through baseline surveys, then consider protection, mitigation, habitat enhancement/ creation, with stewardship and maintenance for a minimum of 30 years.

Greening of streetscapes and amenity spaces, with street trees, pocket parks, hedgerows, Super Greenways, greens roofs and swales, provide placeshaping benefits as sociable streets and contribute to climate resilience, through biodiversity enhancement and mitigating overheating.

Multifunctional and inclusive green & blue infrastructure at various scales has an important role to play in placeshaping, health, wellbeing, and community resilience. Play, social spaces, food growing, art and heritage trails should be designed early, considering ages and abilities, with active frontages to enable natural surveillance.

KEY LOCAL POLICY & GUIDANCE

- HGGTVision & Design Guide
 - HGGT Healthy Town Framework
- Harlow Council: Local Plan Policy:
- WE1: Strategic Green Infrastructure
 - WE2: Green Wedges and Fingers
 - WE3: Biodiversity and Geodiversity
 - PL4: Green Wedges and Green Fingers
 - PL5: Other Open Spaces
 - PL6: Trees and Hedgerows
 - PL7: Green Infrastructure and Landscaping
 - PL8: Biodiversity and Geodiversity Assets
 - Harlow Area Action Plan (TC AAP)
- EFDC Local Plan Policy:
- SP 3 Place Shaping
 - SP 7 The Natural Environment
 - DM 1 Habitat protection and improving biodiversity
 - DM 2 Epping Forest SAC and the Lee Valley SPA
 - DM 3 Landscape Character
 - DM 5 Green and Blue Infrastructure
 - DM 6 Designated and undesignated open spaces
 - DM9: High Quality Design
 - DM 15 Managing and reducing flood risk
 - DM 22 Air Quality
 - EFDC Green Infrastructure Strategy
- EHDC Local Plan Policy:
- DES1: Masterplanning
 - DES2 Landscape Character
 - DES3 Landscaping
 - DES4: Design of Development (a) & (b)
 - CFLR1 Open Space, Sport and Recreation
 - CFLR2 Local Green Space
 - CFLR4 Water Based Recreation
 - CFLR9 Health and Wellbeing
 - NE3 Species and Habitats
 - NE4 Green Infrastructure
 - CCI Climate Change Adaption
 - East Herts Gilston Area Charter SPD
- Wider Area
- Green Essex Strategy
 - Essex Biodiversity Action Plan
 - Hertfordshire Strategic Green Infrastructure Plan 2011
 - Stort Catchment Management Plan
 - Green Arc Strategy

CASE STUDIES (click image to visit website)



Community cohesion: Drapers Field
Addresses issues of community cohesion and play, improving wellbeing.



Ecology in Architecture: Barratt Homes
A progressive approach to wildlife-friendly housing, with 'Swift Bricks' built into homes.



Collaboration: Teignmouth, Devon.
Partnership with third sector to deliver ongoing BNG and between the LPA & RSPB to deliver strategic compensation.

QUALITY CHECKLIST		Low Quality	Medium Quality	Garden Town High Quality
Gr.1	Has a Landscape-led approach been demonstrated, as set out in the HGGT Vision / Gilston Area Charter SPD / EFDC Green Infrastructure Strategy ?	No	Some landscape analysis undertaken	Ecology, topography, vistas, landscape character & features leading design
Gr.2	What % of Biodiversity Net Gain (BNG) will be delivered?	0-9% BNG	10-15% BNG	15%+ BNG
Gr.3	Does Ecology Report show process of mitigation and location hierarchy, with Stewardship and Maintenance strategy provided for green infrastructure and BNG?	No strategy	Yes - Outline strategy provided	Yes - hierarchies followed, and 30 year strategy with input from community
Gr.4	Have play, community amenity and food production opportunities been maximised? All new homes should be within 800m of allotments, and Fields in Trust distances should be followed for play spaces.	No	Yes - locations mapped with walking isochromes	Yes - locations mapped, character of spaces defined, strategies for play / food / active frontages
Gr.5	Have you used recognised tools to assess the value/ quality of green infrastructure? E.g. Natural Capital Tool / Ecometric / Building With Nature / Green Flag Award / Social Value Calculator	No	Yes - qualitative assessment undertaken	Yes - qualitative assessment/ value calculated with exemplary score
Gr.6	Has an overheating assessment or modelling been provided, as set out in UKGBC's Housing Standards Playbook , taking into account impact of green infrastructure?	No	Yes - some assessment	Yes - UKGBC Playbook followed
Gr.7	Has green infrastructure been proposed at different scales to reinforce the Garden Town Vision indicators, access and inclusive design principles ?	Different scales not explored	Yes - Different scales shown, roles/ function undeveloped	Yes - Different scales designed, with qualities and roles defined, and inclusively designed
Please attach your BNG Report / Biodiversity Impact Assessment with Stewardship & Maintenance Strategy Please use 'Sustainability Summary' pages where you are adding any further information				



OBJECTIVES & REQUIREMENTS

Sustainable movement and active transport infrastructure are key to the success of sustainable growth in the Garden Town. Positive travel choices that enable sustainable living lie at the heart of the Garden Town’s Vision, Transport Strategy, and Healthy Town Framework. The three overarching objectives of the HGGT Transport Strategy are:

- 1. 50% of all trips originating from and ending within the whole Garden Town should be by active and sustainable travel modes. Within the new Garden Communities, 60% of trips originating from and ending within them should be by active and sustainable travel modes.
- 2. Mobility options will be based on a hierarchy of importance: Reduce the need to travel > walking and cycling > public transport > private vehicle use.
- 3. Support and encourage a culture of active and sustainable travel ensuring all journeys will be efficient and safe.

Masterplanning for Sustainable Movement should address: walkable low traffic neighbourhoods, sociable streets and placemaking; cycling, walking and public transport network; behaviour change programmes; rebalancing car use and parking design (including carpooling and car sharing); futureproofing with adaptable technology; deliveries and servicing; and construction impacts.

Sustainable Transport Corridors (STCs) will be a series of strategic public travel routes through the Garden Town providing inclusive, coherent, safe, direct, convenient and attractive public and active travel options that will connect neighbourhoods quickly with key destinations such as the town centre and Harlow Town railway station. The design of these should follow the HGGT STC Placeshaping Principles and Transport User Hierarchy.

‘Mobility Hubs’ provide transport interchange as well as social and community focal points. All new homes should be within 800m (10 minute walk) of a hub and within 400m of a bus stop.

Designs must futureproof for change in travel habits, including reallocating parking and road space, innovation in travel technology, last mile deliveries and appropriate provision for electric charging .

KEY LOCAL POLICY & GUIDANCE

- HGGT Vision & Design Guide
- HGGT Transport Strategy (draft)
- HGGT Healthy Town Framework (draft)
- HGGT Local Cycling & Walking Infrastructure Plan (LCWIP) (emerging)
- HGGT STC Placeshaping Principles (draft)
- HGGT Hubs ‘How To’ Guide (draft)
- HGGT Parking Strategy (emerging)

Essex County Council

- Local Transport Plan 3
- Sustainable Modes of Travel, Speed & Traffic Management Strategies
- Essex Design Guide
- Harlow Cycling Action Plan

Hertfordshire Council Council

- Local Transport Plan 4
- Hertfordshire Active Travel Strategy/Sustainable Modes of Travel Strategy
- Roads in Hertfordshire: A Design Guide

Harlow Local Plan Policy:

- HGT1 Dev & Delivery of the Garden Town
- PL3 Sust. Design, Construction & Energy Use
- IN1 Development and Sustainable Modes of Travel
- WE2 Green Wedges and Green Fingers
- Harlow Town Centre Area Action Plan (emerging)

EFDC Local Plan Policy:

- SP 3 Place Shaping
- SP 4 Garden Communities in HGGT
- T 1 Sustainable transport choices
- T 2 Safeguarding of routes and facilities
- DM 9 High Quality Design
- DM 22 Air Quality

East Herts Local Plan Policy:

- GA1 The Gilston Area
- TRA1 Sustainable Development
- TRA3 Vehicle Parking Provision
- DES4 Design of Development
- CFLR9 Health and Wellbeing
- DEL2 Planning Obligations
- EHDC Sustainability SPD

Other:

- UK Government Policy Paper: Gear Change
- Sport England Active Design Principles
- Sustrans Cycling For Everyone

CASE STUDIES (click image to visit website)



Dunsfold Park Masterplan, Surrey
Designing a walkable village entirely within 10 minutes’ walk of the Market Square.



St Chads Development, Essex
Shared surface ‘home zones’ are designed to prioritise pedestrians and cyclists, while reducing vehicular speed.



VeloCity, National Infrastructure Commission. Enriching village life while creating new homes and employment in healthy and socially cohesive places.

QUALITY CHECKLIST		Low Quality	Medium Quality	High Quality
Tr.1	Have walkable low traffic neighbourhoods been designed as a first principle, based on the HGGT Transport User Hierarchy?	No - vehicle access design prioritised	Transport hierarchy considered	Yes - desire lines, permeability, topography, user hierarchy leading design
Tr.2	Have safe and high quality connections to active travel networks beyond the development boundary been proposed with green infrastructure considered?	Ongoing connectivity not considered	Some connectivity - lacks GI consideration	Strong connections to networks, with clear relationship to GI/ ecology
Tr.3	Have you followed the STC Placeshaping Principles when designing the STC and its transport interchanges?	Not shown	Some achieved	Yes - all achieved
Tr.4	Are bus stops and hubs accessible and attractive for new and existing residents, offering appropriate shelter and including provision of a regular bus service?	Hubs and bus stops not meeting requirements	STC hubs within 800m, bus stops within 400m of all new homes	STC hubs co-located with facilities/sheltered bus stops within 800m/ 400m of all homes with regular service
Tr.5	Has cycle parking designed to be high quality, safe and with ease of access?	Cycle parking not provided	Suitable quantity of spaces provided	Quantity and quality of environment provided
Tr.6	Have inclusive design principles / accessibility for all regarding sustainable movement routes been achieved?	Does not meet Equalities Act	Inclusive Design Statement provided	Exemplary inclusive design provided
Tr.7	Has a Transport Assessment been provided that clearly demonstrates how the mode split target is being achieved, as defined by HGGT?	Yes - minimum TA provided	Yes - but multi modal modelling not included	Yes - multi-modal modelling, and roadmap for achieving HGGT targets
Tr.8	Has a thorough Sustainable Travel Plan been provided? Has Modeshift Stars accreditation been explored?	No	Sustainable Travel Plan provided	Yes - including behaviour change programme, travel coordinator, monitoring

Please use ‘Sustainability Summary’ pages where you are adding any further information

WATER MANAGEMENT

OBJECTIVES & REQUIREMENTS

The combined challenges and opportunities of growing populations within the Garden Town, changing land uses, the finite supply of water, action is required now to ensure the availability of water for the future without having a detrimental impact on the environment. There is likely to be less water available for future generations and therefore a greater need for water demand management and water efficiency in the area. New development should therefore not lead to an overall increase in demand for water.

The strategy therefore looks for new developments to:

i) Reduce the risk of flood through the use of sustainable drainage infrastructure and robust **green infrastructure design** - including the use of biophillic design and permeable hard landscape.

ii) Minimise use of mains water by incorporating water saving measures and equipment, and, designing residential development so that mains water consumption is reduced in accordance with requirements found in the table overleaf.

iii) Promote the use of rainwater harvesting and using dual potable and grey water recycling measures

To avoid increased flood risk, and make the most effective use of the existing and planned drainage infrastructure, rainwater should be managed as a valuable resource, rather than a waste product and innovative ways of using water can be incorporated into **community infrastructure**.

There is a drive towards sustainable drainage systems that mimic the way nature manages rainwater. As a result, designing new developments for optimal sustainable water consumption has become even more important, with the Garden Town enabling ambitious targets for water efficiency in all new developments.

Existing homes and workplaces should become more water efficient through metering and water efficiency retrofits.

New developments should embrace **carbon reduction** systems such as a **waste water heat recovery**.

KEY LOCAL POLICY & GUIDANCE

HGGT Vision

- Placemaking and Homes: B9, B10, D3
- Landscape & Green Infrastructure: D1, D2, D3, D4
- Sustainable Movement: D6
- HGGT Watercycle Study 2018
- The emerging Garden Town Transport Strategy

HDC Local Plan Policy:

- HGT1: Development & Delivery of Garden Town
- PL3: Sustainable Design, Construction & Energy Use
- PL10: Water Quality, Water Management, Flooding and Sustainable Drainage Systems
- Harlow Area Action Plan (TC AAP)

EFDC Local Plan Policy:

- SP4(xvii): Highest standards of energy efficiency
- DM9: High Quality Design
- DM19: Sustainable Water Use
- DM20: Low Carbon and Renewable Energy

EHDC Local Plan Policy:

- CC3: Renewable and Low Carbon Energy
- DES4: Design of Development (a) & (b)
- Building Futures: Sustainable Design Toolkit
- WAT3 Water Quality and the Water Environment
- WAT4 Efficient Use of Water Resources
- WAT5 Sustainable Drainage

Essex:

- The Sustainable Drainage Systems Design Guide For Essex: [Weblink Here](#)



CASE STUDIES (click image to visit website)



Waltham Village Square | Rain Gardens
Full of native shrubs and flowers planted in a depression to temporarily hold and soak-in rain water runoff from roofs & driveways



Knostrop Weir, Leeds | Flood Management
Provides three new pneumatically moveable weirs that can be lowered to let floodwater discharge quickly downstream.



Ladywell Fields, Lewisham | SuDS
Creating sustainable drainage and reduce flooding by modifying the river channel with a naturalistic setting incorporating backwaters and wetlands.

QUALITY CHECKLIST		Minimum Requirement	Net Zero-Carbon by 2050	Net Zero-Carbon by 2030
W.1	What water collection or recycling measures are likely to be used?	100% provision of water butts	Rainwater harvesting systems	Grey water recycling & harvesting
W.2	How much of the hard surfaces within the development and conveyance systems will be permeable (i.e streams, swales)	50%	75%	100%
W.3	Potable Water: What is the expected internal water use (litres/person/day)?	110	95	75
W.4	Will water saving devices be installed in the development? e.g. low flush toilets, smaller baths , taps and showers with flow regulators	N/A	N/A	Yes
W.5	What additional Sustainable Urban Drainage (SUDs) measures have been proposed? (i.e. permeable surfaces, rain gardens, green roofs, ponds/wetlands, soakaways)			
Please use ‘Sustainability Summary’ pages where you are adding any further information				



OBJECTIVES & REQUIREMENTS

New developments should promote circular economy outcomes and aim to be net zero waste. In the UK, the largest contributor to waste nationally is the construction and demolition industry where a third of all waste is generated.

The strategic sites in the GardenTown are to be designed to reduce construction & operational waste and enable ease of access for future occupants to recycle and reduce waste. This can be encouraged through adopting a circular economy approach (including the use of modern methods of construction (MMC) & Design for Manufacture and Assembly (DfMA) processes) and the Waste Hierarchy found in the DEFRA Guidance.

Building in Layers principles should be adopted to determine realistic lifetimes for the elements of a building, and adapt the structure and fabric. Homes should be designed to be adaptable and flexible by considering the intended lifespan of each independent building layer, optimising building longevity and maximising material reclamation at end-of-life.

3 Key Principles expand the Circular Economy process:
1. Conserve Resources, Increase Efficiency, Source Ethically:

- Minimise the quantities of materials used: by specifying low embodied carbon materials
- Minimise the quantities of other resources used: including energy, water, and land
- Source materials responsibly and sustainably: including all materials to be reusable

2. Eliminate waste and ease maintenance by:

- Long-life & Loose fit: build to adapt to changing social, physical and economic environments.
- Design for Disassembly: at the commencement of the project, set out deconstruction plan and capture asset value.

3. Manage waste sustainably and at the highest value:

- Construction, demolition & excavation waste
- Operation & Municipal waste

A Circular Economy Statement should be provided to demonstrate chosen strategy.

KEY LOCAL POLICY & GUIDANCE

HGGT Vision

- Placemaking and Homes: B9, B10, D3
- Landscape & Green Infrastructure: D1, D2, D3, D4
- Sustainable Movement: D6

HDC Local Plan Policy:

- HG1: Development & Delivery of the Garden Town
- PL3: Sustainable Design, Construction & Energy Use
- PL9: Pollution and Contamination
- Harlow Area Action Plan (TC AAP)

EFDC Local Plan Policy:

- SP4(xvii): Highest standards of energy efficiency
- DM9: High Quality Design
- DM19: Sustainable Water Use
- DM20: Low Carbon and Renewable Energy
- DM 7 Heritage Assets
- DM 8 Heritage at Risk
- DM 11 Waste recycling facilities on new development
- DM 18 On site management of waste water and water supply

EHDC Local Plan Policy:

- CC3: Renewable and Low Carbon Energy
- DES4: Design of Development (a) & (b)
- HA1 Designated Heritage Assets
- HA2 Non-Designated Heritage Assets
- HA3 Archaeology
- HA4 Conservation Areas
- HA7 Listed Buildings
- HA9 Enabling Development



CASE STUDIES (click image to visit website)



Illford Community Market, London
Designed for five year and will be dismantled and reconfigured on future meanwhile sites.



London Olympic Park, London
A waste target of 90% diversion from landfill of demolition waste by weight



Clarion Housing, Merton Regeneration
Zero-carbon development of 208 homes, achieving Code for Sustainable Homes Level 5.

QUALITY CHECKLIST		Minimum Requirement	Net Zero-Carbon by 2050	Net Zero-Waste by 2030
CE.1	How much of the materials used are expected to be 'reusable'	10%	50%	>80%
CE.2	How much of the materials used are expected to be 'reused'	10%	30%	>50%
CE.3	How much of the materials used on site are sourced from ethical and responsible supply chains?	80%	95%	100%
CE.4	How much of the materials used are non-toxic?			100%
CE.5	How much of the materials used can be easily extracted, recycled, and manufactured?	80%	90%	95%
CE.6	The new buildings are circular-by-design to what amount?	20%	40%	65%
CE.7	How much biodegradable and recyclable waste will be diverted to landfill?			0
Please attach Circular Economy Statement (see guidance Here)				
		Please use 'Sustainability Summary' pages where you are adding any further information		

Outline Planning submission

Reserved Matters / Full Planning Application



WASTE MANAGEMENT

OBJECTIVES & REQUIREMENTS

In line with becoming net zero carbon by 2030, the Garden Town want to ensure that the amount of waste produced by residents and visitors, as well as landfill waste, will be significantly reduced. There is also the ambition for waste to be recycled and used as a resource.

Developments should therefore be designed to ensure that residents and visitors to the Garden Town reduce the amount of waste they produce; with an overall ambition that no waste will end up in landfill.

This section ties strongly to the circular economy section regarding the necessity of designing buildings and places in a way that maximises the lifespan of a building and its' components, before its' components can be reused.

Innovative solutions for recyclable waste management including underground refuse systems are encouraged and applicants are expected to work closely with county councils in encouraging use.

While both Essex and Hertfordshire County Councils are responsible for making decisions on how waste is managed, the Garden Town have a clear ambition to prevent waste going to landfill, therefore applicants are expected to explore innovate ways to reduce waste at design and operational stages, increase efficient recycling opportunities, and reduce residual household waste (including designing-in opportunities for local food production through allotments); and, the waste strategies should consider the [Essex Waste Local Plan](#), [Hertfordshire Waste Local Plan](#), and, the emerging Hertfordshire Circular Economy Guidance should be referred to.

Developers are expected to provide Operational Waste Strategies including management of recyclable waste, residual waste, and food waste. Alongside this, developers are encouraged to be innovative in contributing towards waste reduction campaigns (i.e. collaborating with education providers such as Harlow College)

KEY LOCAL POLICY & GUIDANCE

- Hertfordshire County Council
- Waste Local Plan, consisting of:
 - Waste Core Strategy and Development Management Policies document
 - Waste Site Allocations document

- Essex County Council
- Waste Local Plan:



CASE STUDIES



Eddington, Cambridge
Underground chutes replace thousands of traditional wheelie bins in an innovative waste disposal system.



London Olympic Park, London
A waste target of 90% diversion from landfill of demolition waste by weight



Millerhill, Midlothian
Residual waste recycling and energy recovery facility

QUALITY CHECKLIST		Minimum Requirement	Net Zero-Carbon by 2050	Net Zero-Waste by 2030
W.1	Has early engagement been undertaken with LPA waste management teams to ensure due processes are taken into consideration?	No: LPA not engaged		Yes: demonstrated
W.2	Have developments been designed to encourage ease in waste recycling?	No		Yes
W.3	How much construction, demolition and excavation (CD&E) waste will be recycled? This is to be incorporated in your Construction Management Plan			≥ 95%
W.4	How much municipal waste (operational waste) will be recycled or composted vs sent to landfill or energy recovery?			65% : 35%
Please attach: - Construction, Demolition and Excavation Waste Strategy - Operational Waste Strategy				
		Please use 'Sustainability Summary' pages where you are adding any further information		

Outline Planning submission

Reserved Matters / Full Planning Application



AIR QUALITY

OBJECTIVES & REQUIREMENTS

In this section, pollution focuses on air pollution as it acts as the single largest influence on air quality to human health in the districts. This section should not be used as a substitute for work otherwise undertaken in any normal full planning application.

Every new development will have an impact on air quality, usually by increasing emissions from buildings or from traffic generation. The links between poor air quality, human health, and the environment are well documented and is classed by Public Health England as a major public health risk alongside cancer, heart disease and obesity.

Air pollution causes more harm than passive smoking and is responsible for the early deaths of an estimated 40,000 people in the UK.

Air Pollution arises from sources and activities including; traffic and transport, industrial processes, domestic and commercial premises, energy generation, agriculture, waste storage/treatment and construction sites.

This section adopts Public Health England's 2019 "net health gain" principles to improve outdoor air quality and public health. New developments should adopt a strategic approach, in line with each Boroughs' Air quality policy and guidance, including any requirements on Air Quality Management Areas, Local Air Quality Action Plan, and development Air Quality Assessments.

Clean by Design: Better by Design:

The following net health gain principles should be incorporated in design to reduce emissions and contribute to better air quality management; applicable irrespective of air quality assessments:

1. Reduce the need to travel by car to destinations
2. Provide zero and low-emission travel options (EV's)
3. Not siting buildings with vulnerable users (i.e. schools, nurseries, care homes) in areas where pollution levels are likely to be higher.
4. Incorporate Clean Air Zones in larger developments
5. Avoid creating 'street canyons' which encourage pollution to build up
6. Incorporate green infrastructure to promote carbon and pollution sequestration
7. Orientate and design buildings to rely less on heating and cooling systems
8. Siting living accommodation away from roadsides
9. Incorporate whole-house ventilation systems for good indoor air quality

KEY LOCAL POLICY & GUIDANCE

HDC Local Plan Policy:

- HGT1: Development & Delivery of the Garden Town
- PL3: Sustainable Design, Construction & Energy Use
- PL9: Pollution and Contamination
- Harlow Area Action Plan (TC AAP)

EFDC Local Plan Policy:

- SP4(xvii): Highest standards of energy efficiency
- DM9: High Quality Design
- DM19: Sustainable Water Use
- DM20: Low Carbon and Renewable Energy
- DM 22 Air Quality

EHDC Local Plan Policy:

- CC3: Renewable and Low Carbon Energy
- DES4: Design of Development (a) & (b)
- Building Futures: Sustainable Design Toolkit
- EQ4 Air Quality

QUALITY CHECK-LIST		Minimum Requirement	Best Practice
A.1	Have mitigation measures as described in each relevant District's Air Pollution Mitigation Strategy been adhered to?	No: LPA not engaged	Yes: demonstrated
A.2	Where the development has the potential to impact on air quality, has an air quality assessment been undertaken to ensure present and future occupants are not exposed to unacceptable levels of air pollution?	No: assessment not undertaken	Yes: demonstrated
A.3	Have tree species been chosen based on their ability to reduce air pollution in line with requirements from the Woodland Trust Urban Air Quality Report?	No: tree species not identified	Yes: demonstrated
Please attach relevant documentation, and use 'Sustainability Summary' pages where you are adding any further information			

Outline Planning submission

Reserved Matters / Full Planning Application

ASSURING PERFORMANCE

OBJECTIVES & REQUIREMENTS

Post-construction energy and quality monitoring is required to bridge the 'performance gap' found in new developments and achieve net zero-carbon .

Achieving this requires a true understanding of a buildings' operational energy .

The performance gap is the difference between predicted design and as-built performance of a building.

Addressing the performance gap in new homes and buildings is critical, as this affects both the 'happiness' of residents, as well as the performance quality of through; residents comfort in terms of poor thermal comfort, indoor air quality, health challenges such as respiratory issues. Furthermore, a poor performing building leads to higher energy bills due to poor building fabric, and exasperating challenging health conditions.

Findings from studies undertaken by Innovate UK and the Zero Carbon Hub consisting over 300 homes, results showed that none met their intended performance targets when tested, with the majority falling even short of Part L and Part F of the Building Regulations by a margin of over 50% post-completion.

The main challenges found in the studies are highlighted in the green box, and design teams and applicants are therefore required to undertake Post Occupancy Evaluation (PoE); assessing both performance standards and quality of life, to address these issues.

All major developments will therefore be required to monitor and report on residents' wellbeing, and the actual operational energy performance in order to close this performance gap and meet the net zero carbon by 2030 targets committed to by each partner authority.

A template PoE form can be found in Appendix 8 and should be used to show compliance. Broadly; evaluation will be required at the following stages:

1. Planning: predicted performance assessment
2. As-built: performance assessment
3. In-use: quality of life / happiness assessment

Further information can be found on the GLA website and the Zero Carbon Hub website.

PRIORITY ISSUES

1. Energy Literacy
2. Improving Quality Output
3. Demonstrating Performance
4. Evidence Gathering & Dissemination

QUALITY STANDARD

In line with the RIBA Post Occupancy Evaluation is expected for submission and should cover these key areas of Building in Quality:

1. **Build Quality:** performance of the completed buildings
2. **Functionality:** how useful the building and places is in achieving its purpose
3. **Impact:** how well these developments adds social, economic, cultural, and environmental value and improves human wellbeing



DIGITAL SUSTAINABILITY

OBJECTIVES & REQUIREMENTS

Sustainable and future digital infrastructure will be a key component to the success of Harlow and Gilston Garden Town.

Future proof and wide-ranging digital infrastructure to enable HGGT to achieve its sustainability goals is crucial and an opportunity for HGGT to champion new delivery models and achieving the 60% modal shift goal. It will also enable HGGT to achieve the Garden Town principles of becoming net zero-carbon by 2030, with strong and connected communities. The opportunity to use sensor and 5G technology will make wireless internet possible everywhere, from smart cars to the Internet of Things (IoT).

The speed, capacity and connectivity of 5G will also provide many opportunities to enhance, protect and preserve the environment through increasing energy efficiency, reducing greenhouse gas emissions, minimising waste and enabling more use of renewable energy. It can also expand our understanding of, and hence improve, decision-making about weather, agriculture, pests, industry, waste reduction and much more.

COVID-19 pandemic has tested (and demonstrated) the importance of efficient, fast and reliable communications networks and other digital infrastructure. However, there is a clear challenge to ensure residents have the access and skills to enable them to take advantage and use new technologies. Focus must be given to ensure the reduction of the digital divide and ensure access by all residents.

HGGT also is part of the Essex & Hertfordshire Digital Innovation Zone (DIZ), which has one of its aims to ensure future digital infrastructure in new developments.

A Digital Vision has been produced, setting out the opportunities and challenges including a set of principles to achieve the sustainability by ensuring future proof digital infrastructure.

Developers are invited to present their plans for the individual sites and are encouraged to sign up the Vision and its principles to be used in their procurement of telecom providers.

PRINCIPLES

Health and Wellbeing - Using digital technologies to provide excellent access to services to helping people helping themselves through self-testing and monitoring.

Sustainable Movement - Utilising appropriate digital technology to enable deployment of innovative technologies and public transport solutions in order to minimising greenhouse gas emissions and local traffic congestion. Also, to ensure the connectivity with Harlow town centre and the wider connectivity.

Promoting a Circular Economy - Developing a Circular economy aimed at eliminating waste and the continual use of resources.

Smart energy and utilities - Utilising appropriate digital technology to minimise the use of natural non-renewable resources and maximise the use of renewable resources, to protect the environment

Smart Public Realm - Utilising appropriate Smart technology to maximise the safe, inclusive and enjoyment use of the public realm; to make it safe and enrich people's lives, and to minimise energy use.

Economy - To ensure the latest digital technology is available in all new homes to facilitate working from home and in new flexible workplaces to maximise productivity. Also, to ensure ease of movement of goods through smart transport infrastructure and monitoring.

Community and Social Infrastructure - To digitally connect people across HGGT to create a strong sense of community, enrich people's lives, and empower residents and businesses to harness digital opportunities for social mobility and equality.

Smart Data Sharing - Utilising appropriate Smart technology to digitally collect/monitor data to manage and maintain the function and quality of the village for the users and protect the wider environment.



Social & Economic Sustainability

Goal: Enabling integrated communities



INTRODUCTION

OBJECTIVES & REQUIREMENTS

This section looks at the direct impacts of places and people. Specifically, dealing with how new strategic sites (The East of Harlow site, Gilston Villages 1-7, Waterlane, Latton Priory) will affect the existing diverse communities they connect to.

Designing for **Social Sustainability** requires a collaborative approach between the private and public sector in order to create new communities that thrive. With the scale and pace of new development, communities must be socially, and economically, as well as environmentally sustainable, and critically, reflect the needs of existing communities. The Draft **Harlow Town Centre Area Action Plan** should be referred to in knitting existing community requirements with new development.

Addressing social sustainability at the beginning of development, helps manage the long-term costs and consequences of decline and failure in new settlements - an issue of public value and political accountability.

The issues raised in the **HGGT Healthy Towns Framework** must be addressed; as these highlight that significant proportions of the adult population in Harlow, East Herts, and Epping Forest are not physically active enough, are overweight, or have diabetes - with Harlow having the third highest rate of diabetes in the country.

All three districts have ageing population with an increasing number of people living with dementia. Child poverty and poor outcomes for children and young people are significant issues in Harlow and parts of Epping Forest.

It is therefore essential that all developments create opportunities for daily physical activity for all members of the community; as well as opportunities for supporting a healthier food environment.

Community Ingredients cut across different stages of developments including:

1. Planning & Design
2. Construction & Occupation
3. Long-term Stewardship

When implementing the high-quality Socio-Economic Sustainability Principles, developments ready themselves for strong communities that are well-integrated to the existing Harlow socio-economic fabric.

KEY LOCAL DOCUMENTS

- HGGT Healthy Town Framework
- Essex Health & Wellbeing Strategy: priorities for planning, transport and housing
- Hertfordshire Health & Wellbeing Strategy: priorities for improving mental health and encouraging healthier lifestyles
- NHS Healthy New Towns: Design, Deliver and Manage

Harlow Council:

- Draft Harlow Town Centre Area Action Plan
- Harlow Health & Wellbeing Partnership Strategy
- Harlow Economic Development Strategy
- Livewell Essex
- Harlow Agewell Guide
- HGGT Infrastructure Delivery Plan (IDP)
- HGGT Vision
- HGGT Design Guide
- HGGT Transport Strategy
- HGGT Stewardship Commission
- Essex & Hertfordshire Digital Innovation Zone
- Gilston Area Charter
- Harlow Health and Wellbeing Strategy
- EFDC / HDC / EHDC Statement of Community Involvement (SCI)
- Harlow Sculpture Town
- EFDC Youth Projects interactive map
- Visit Epping Forest
- EFDC Green Infrastructure Strategy
- The Essex Map



Herts & Essex Community Farm.
Photo credit: H&E Community Farm



Herts & Essex Community Farm.
Photo credit: Harlow Livewell Campaign



TBC



TBC

HEALTH & WELLBEING

OBJECTIVES & REQUIREMENTS

To promote a **healthy lifestyle**, active travel should be encouraged and invested in, including ensuring good accessibility to sustainable transport and transportation; embedding the design of high-quality public and green spaces and blue infrastructure such as the River Stort; the use of green infrastructure and biodiversity to promote good mental and physical health; and investment in long-term resilient buildings and infrastructure.

The Harlow Health & Wellbeing Strategy highlights the following key priorities that should be embedded in new developments:

1. Early Help and Startwell
2. Bewell, Staywell, Workwell
3. Agewell
4. Physical Activity and Mental Health

Additional information on other partners in Essex can be found on the Livewell website and Agewell Guide.

The following actions are therefore required from all new developments:

- Look for how this new development can increase physical activity, active living, active travel, and sport - refer to the Green Infrastructure page in this Guidance.
- Promote mental health and wellbeing through clear connections to existing support services
- Encourage older people to "Agewell" by living independent lives through increased community support and reduced winter pressures
- Support children and young people through "Startwell" by incorporating access to affordable activities such as outdoor gyms, community allotments, travelling farms, and urban farming - helping to grow local fruits & vegetables - which also allow them to Eatwell.
- Incorporating flexible workspaces such as co-working, as part of the social infrastructure in new developments to help residents Workwell, particularly in light of pandemics like Covid-19 which will change the way we work moving forward.

VOICE & INFLUENCE

This involves governance structures to represent existing residents networks (such as the Canal & River Trust - a wellbeing charity) and engage new ones in shaping local decision-making and stewardship.

RESILIENCE & ADAPTABILITY

Provision of flexible forward-planning; including housing, infrastructure, and services that can adapt over time; and the incorporation of meanwhile use of buildings and public spaces.



OBJECTIVES & REQUIREMENTS

Ensuring the existing social fabric is protected from disruption, and can benefit from new neighbouring development through shared spaces, collective activities and social architecture to foster local networks, belonging and community identity. A strong sense of local ownership; ensuring new communities are well-integrated into the surrounding area, including utilising critical measures such as stakeholder engagement and post-development governance; ensuring the social infrastructure to promote thriving social networks; and a diversity of building and non-building uses and tenures.

Incorporating the right (formal and informal) amenities to enable social inclusion. This section focuses on applicants having a thorough understanding of the local community. Applicants are therefore expected to undertake meaningful engagement with the local communities, particularly those closest to the relevant strategic site, ensuring members, local charity groups, local networks' comments are taken on board and responded to. The applicant will need to demonstrate that a robust stakeholder engagement has been undertaken. The Garden Town undertook high-level engagement and an initial list of stakeholders to be engaged can be found using the The Essex Map.

Development should tie into, and extend the rich art culture of Harlows' sculptural town - including engagement with the Harlow Art Trust.

Discover Harlow should be engaged through the development of communities; and can highlight key existing local businesses, organisations, and individuals who can share insight to the needs of Harlow residents.

Additionally, documentation, including those found in the HGGT Infrastructure Delivery Plan (IDP), Harlow Infrastructure Delivery Plan, EFDC Infrastructure Delivery Plan, EHDC Infrastructure Delivery Plan; should be referred to and addressed in accordance with the infrastructure needs associated with planned housing and employment growth for each strategic site. Within the documents, these have been prioritised as:

- Critical
- Essential
- Desirable

Developments should therefore highlight what infrastructure will be provided alongside contributions to ensure a holistic approach to development.



Henry Moore; Harlow Family Group: part of the extensive public art collection in Harlow. Photo credit: Discover Harlow



TBC. Photo credit: Discover Harlow



Harlow community tree planting day. Photo credit: Harlow Council



Harlow hatches used during covid-19 to respond to community needs. TBC.



TBC. Photo credit: Discover Harlow



TBC. Photo credit: Discover Harlow



TBC. Photo credit: Discover Harlow



TBC. Photo credit: Discover Harlow

OBJECTIVES & REQUIREMENTS

This theme focuses on outcomes including local residents having comfortable homes that are affordable to operate; thriving local businesses; decent jobs for local people, including hard to reach groups; long-term employments for skilled local labour. But also, embedding the fabric necessary to promote long-term growth and development opportunities and develop new skills, including the incorporation of principles found in the Essex & Hertfordshire Digital Innovation Zone (DIZ); and specifically, in the DIZ Strategy.

Developers can play a key role in supporting the success of the local economy and prosperity of the HGGT through both the planning, design and delivery phases of development.

HGGT needs to build upon and integrate with the existing local economy of Harlow and environs to support economic prosperity for residents, businesses and workers.

HGGT occupies a significant and well connected position in the UK Innovation Corridor extending between the global cities of London and Cambridge with significant strengths and innovation assets in key sectors such as digital and ICT, Life Sciences and Advanced Manufacturing.

Key investments in Harlow are being delivered and planned to ensure they both contribute to and benefit from the success of Harlow and the emerging HGGT bringing new employment and business. These include the Harlow Innovation Park with Anglia Ruskin University Innovation Centre, the new Princess Alexandra Hospital, Town centre regeneration and the relocation of Public Health England to Harlow.

Harlow Council has an existing Economic Development Strategy which outlines both the opportunities and challenges for economic success, including the need to support growing numbers of local businesses, ensure we generate quality employment that residents can access, ensuring the right type of accommodation for business and driving up the skills levels of local people.



SOCIO-ECONOMIC CHECKLIST

QUALITY CHECKLIST	
For each response, describe design responses within the Sustainability Statement and/or identify details on your plans (250no. words / question max).	
Se.1	Has an audit (social mapping) of existing local amenities (shops, parks, school, pubs, playspace) been undertaken? Demonstrate how the outcome informed the development of compact neighborhoods including provision of a wide range of amenities (employment & retail spaces, community facilities and spaces) designed to be accessible by walking and cycling and encourage community interaction, cultural and civic life. Essex Map offers a good tool to assist with finding local services, groups, and activities available in the local area.
Se.2	Demonstrate how proposals have been informed by key stakeholders (including: youth, unemployed, ethnically diverse groups, local support organisations) to contribute to a more integrated Harlow community. (include in response: the stakeholders you have engaged with, the findings from these sessions, and how you have implemented stakeholder recommendations). Include community activation strategy (Ref: HGGT Engagement Strategy) produced as part of planning process to secure community engagement and cohesion.
Se.3	Demonstrate how your proposal has provided health and care assets or support the delivery of health and care priorities as set out in the local Health & Wellbeing Strategies. (include the ease of accessibility for existing Harlow communities to use new facilities and networks). Use of the Essex Map offers a good tool to assist with finding local services, groups, and activities available in the local area.
Se.4	What early wins / meanwhile uses are planned for existing Harlow residents during construction stage of strategic sites? And how are they to be implemented?
Se.5	Demonstrate how your proposal includes allotments and community gardens that are easily accessible from homes and spaces for fresh food markets; and how your development has connected with local Harlow food partnerships to agree strategies and actions to enable community accessibility to these assets. <i>Due to opportunity for anti-social behaviour, applicants are encouraged to engage with Essex / Hertfordshire Police Design out Crime Teams around allotment allocations across new developments.</i>
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QUALITY CHECKLIST	
Se.6	Demonstrate how your proposal supports of deliver initiatives (physically and/or socially) which focus on integration between new and existing communities (including Harlow Town Centre, and network of existing local centres) - this to include your engagement with LPA Community Liaison Officers, and Community Representatives (i.e. Discover Harlow Ambassadors).
Se.7	Demonstrate how the HGGT Economic Growth Strategy have been incorporated in this scheme through; design stage, construction stage, and post-completion (identify what jobs have been created / will be created through this development)
Se.8	Demonstrate how the design enables business and workers to function? Is there good telecoms and digital infrastructure that support new business and work patterns.
Se.9	Demonstrate how spaces and buildings support the economic activity of businesses and workers. What type of business space contributes to the local economy? Can homes support working and learning? Can community spaces support economic activity, social enterprises, individual entrepreneurs and skills provision?
Se. 10	How will you work with the local authorities and local education providers to develop and deliver employment and skills plans that support local employment and skills activities through construction and where appropriate occupation phase?

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Submission:

I. Quality Checklist

(SUBMISSION OF: ENVIRONMENTAL & SOCIO-ECONOMIC PAGES)

2. Sustainability Statement

(ANY ADDITIONAL INFORMATION)



SUBMISSION

1. Submit the following as evidence of the completed Quality Checklists at Outline, or, Reserved / Full Planning Application Stages as appropriate.

LIST OF SUBMISSION ATTACHMENTS	
DESIGN PRINCIPLES	
Daylight & Sunlight Assessment	
Noise Assessment	
ENVIRONMENTAL SUSTAINABILITY	
Energy Efficiency & Carbon Reduction	
Whole life carbon Assessment	
Overheating Design Assessment	
Renewable Energy	
Energy Assessment	
Sustainable Movement	
Sustainable Travel Plan	
Transport Assessment	
Water Efficiency	
Water Management / SUDs Strategy	
Green Infrastructure	
Ecological Report (to include Biodiversity Impact Assessment)	
Lighting Assessment	
Landscape Character and Tree Surveys	
Circular Economy	
Circular Economy Report (linked to Construction Management Statement)	
Construction Management Statement	
Waste Management	
Operational Waste Strategy	
Pollution:Air Quality	
Air Quality Impact Assessment	
Assuring Performance	
Post-Occupancy Evaluation	
SOCIO-ECONOMIC SUSTAINABILITY	
Health Impact Assessment (HIA) (Guidance Link)	
Health Framework Action Plan	
Community Engagement and co-creation strategy	
Stewardship Strategy / Long-term Maintenance Strategy	

2. Include any additional strategies that have not been covered by the Quality Checklists:

NB: all submitted assessments / reports will be conditioned as necessary to the LPA at post completion / pre-occupation stage to ensure that buildings and communities are being completed to the specified design standards; and in order to close the performance gap and create truly sustainable communities.



Appendix

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EPPING FOREST DISTRICT COUNCIL

Declaration: Climate Emergency
Date of Declaration: 19th September 2019
Motion Link: Here
Cllrs: S.Nevile + J.Phillip

Adopted Motion / Commitment:

1. Declare a 'Climate Emergency';
2. Pledge to do everything within the Council's power to make Epping Forest District Council area **Carbon Neutral by 2030**;
3. Call on Westminster to provide the powers and resources to make the 2030 target possible;
4. Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;
5. Continue to work with partners across the district and region to deliver this new goal through all relevant strategies and plans;
6. In the special circumstances of this district, resolves to protect the Special Area of Conservation through the Local Plan and every other means;
7. **Implement** an Air Quality Strategy and bring forward **Sustainability Guidance** on planning; and
8. Engage with young people when considering the issue of climate change and appoint a 'Youth Ambassador' from the Epping Forest Youth Council."

EAST HERTS DISTRICT COUNCIL

Declaration: Climate Change Action
Date of Declaration: 24th July 2019
Motion Link: Here
Cllrs: Graham McAndrew

Adopted Motion / Commitment:

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 5th 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.

HARLOW DISTRICT COUNCIL

Declaration: Climate Emergency
Date of Declaration: 11th July 2019
Motion Link: Here

Adopted Motion / Commitment:

1. Reducing the council's net carbon emissions as far as possible and **reducing the carbon footprint** at a greater rate than it is already committed to do so. Other actions include:
2. Planting 1,000 new trees and hedgerows across the town in the next year.
3. Encouraging the council's trading company HTS (Property & Environment) Ltd to switch over from petrol and diesel vehicles, plant and machinery to electric power vehicles, plant and machinery.
4. Encouraging HTS to source battery technology for its electric vehicles from companies who ensure environmentally friendly lithium mining techniques.
5. Reaffirming the council's commitment to the Garden Town development's principles of sustainable transport.
6. Eliminating the use of single use plastics across all public council buildings by January 2020 ahead of the national implementation date of April 2020.
7. Actively promote schemes to encourage children to walk to school such as the Walking Bus initiative and WOW (walk on Wednesdays).
8. Installing electric car charging points across all council car parks within the next five years where possible.
9. Developing a strategy which looks at the feasibility of:
 - i) Installing photovoltaic panels on all public council buildings within the next two years where possible; and
 - ii) **New council built houses having a minimal carbon footprint**; and
 - iii) An action plan is created to focus on reducing the impact of day-to-day living on the environment beyond that caused by greenhouse gas emissions.

HERTFORDSHIRE COUNTY COUNCIL

Declaration: Climate Emergency
Date of Declaration: 16th July 2019
Motion Link: Here
Cllrs: David Williams

Adopted Motion / Commitment:

Hertfordshire County Council's sphere of influence is broad with the ability to influence carbon emission reductions, improve air quality, promote energy efficiency, seek more sustainable sources of energy, reduce waste production, promote better land use practices, make links to health and wellbeing and influence procurement practices.

The Council's existing initiatives include an Air Quality Strategy, Energy Strategy, a Climate Change Resilient Communities Strategy, a Pollinator Strategy and the Leading by Example working group.

To fortify and coordinate the Council's existing initiatives, contribute to the national imperatives and provide local leadership:

- This Council agrees the declaration of a **"Climate Emergency"**;
- Calls upon the Leader of the Council to commit to the development and implementation of an overarching Sustainable Hertfordshire Strategy. This will set out the policies, strategies, implementation plans and resourcing requirements to embed the values of sustainability into the Council's service delivery, operations, procurement and supplier management as well as the basis for engaging proactively with the County's many stakeholders, including the 10 Local Planning Authorities, who can contribute to a sustainable Hertfordshire; and
- Seek Cabinet approval of an ambitious **Sustainable Hertfordshire Strategy** by the end of 2019."

ESSEX COUNTY COUNCIL

Essex Climate Action Commission

Set up to tackle climate change making recommendations on how to improve the environment and economy of Essex. The Climate Action Commission will:

- Identify ways where we can mitigate the effects of climate change, improve air quality, reduce waste across Essex and increase the amount of green infrastructure and biodiversity in the county
- Explore how we attract investment in natural capital and low carbon growth

APPENDIX 2: PERFORMANCE STANDARDS

This list is not exhaustive and additional documents were used in the creation of this Guidance.

- Energiesprong
- Passivhaus
- BREEAM Communities
- BREEAM Home Qualities Mark (HQM)
- UKGBC Net Zero Carbon Buildings
- First Steps Urban Air Quality
- Mayor of London Energy Assessment Guidance
- London Plan Energy Hierarchy
- RIBA Climate Challenge
- The Future Homes Standard
- National Design Guide
- London Plan: Monitoring - Be Seen
- Transport for New Homes
- GLA: Urban Greening Factor

APPENDICES LIST

Appendix 2a: Whole Life Carbon Assessment Flowchart

RICS Whole life Carbon Assessment Flowchart

<https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf>

Appendix 2b: Whole Life Carbon Assessment

RICS Whole life Carbon Assessment Tables 12 & 13

<https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf>

Appendix X: Overheating Design Assessment: Risk Tool

GHA Overheating in New Homes

<https://goodhomes.org.uk/wp-content/uploads/2019/07/GHA-Overheating-in-New-Homes-Tool-and-Guidance.pdf>

Appendix 8: Post Occupancy Evaluation Report

RIBA Sustainable Outcomes Report:

<https://www.architecture.com/-/media/GatherContent/Test-resources-page/Additional-Documents/RIBASustainableOutcomesGuide2019pdf.pdf>

Appendix X: Circular Economy Statement

GLA Circular Economy Statement:

https://www.london.gov.uk/sites/default/files/ggbd_circular_economy_statement_guidance_2020_web.pdf

Appendix X: Draft Pre-Occupation Planning Condition / Obligation

Wording To Be Agreed

Appendix X: Heat Decision Tree

LETI Climate Emergency Design Guide: Heat Decision Tree (pgs 76 - 77)

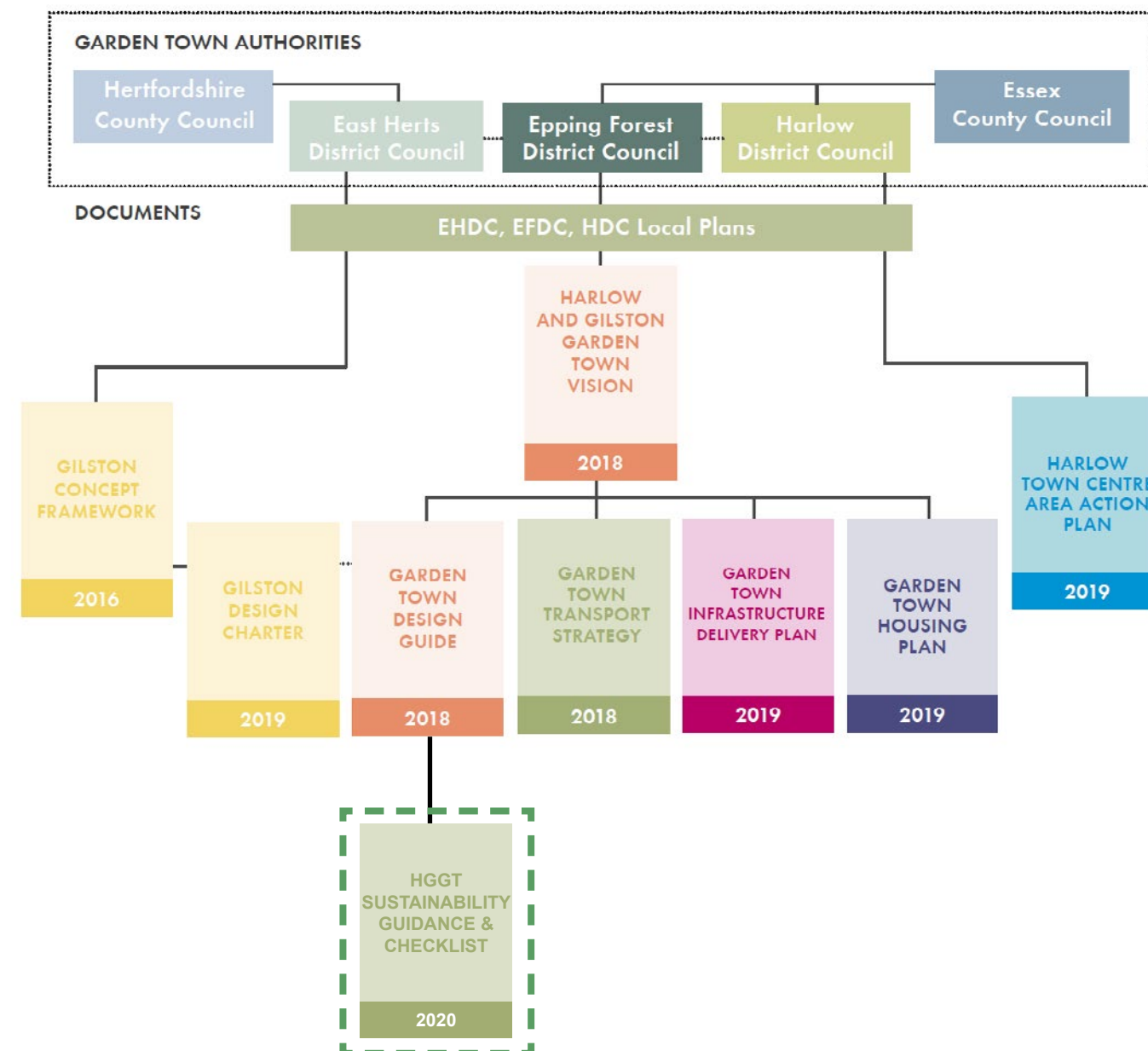
https://b80d7a04-1c28-45e2-b904-e0715cfac93.filesusr.com/ugd/252d09_3b0f2acf2bb24c019f5ed9173fc5d9f4.pdf

Appendix X: List of Net Zero Cost Reports

(See Architects App for list of documents)

APPENDIX X:

FAMILY OF DOCUMENTS



Glossary

Air Quality Action Plan	A document produced by the Council with Natural England setting out the steps that will be taken to reduce pollution within an Air Quality Management Area (AQMA). This could include steps to reduce car usage and promote public transport.
Air Quality Management Areas	Air Quality Management Areas (AQMA) are designations used by DEFRA the Department for Environment, Food and Rural Affairs to manage areas with air pollution. that are unlikely to meet the Government's national air quality objectives.
Airtightness	lots of heat is lost through unintentional gaps in the walls, floors and roofs of buildings creating draughts and so it is extremely important to make sure these are eliminated. This down to good detailing and good site workmanship
Biodiversity	The variety of plant and animal life in the world or in a particular habitat, a high level of which is usually considered to be important and desirable.
Blue Infrastructure	Infrastructure provision relating to water. This includes natural features such as rivers, streams and ponds, semi-natural features such as sustainable drainage systems, bio-swales and canals, and other engineering features such as dams, weirs and culverts. Blue and green infrastructure are often considered together, placing emphasis on the importance of biodiversity and flood risk mitigation.
BREEAM	Building Research Establishment Environmental Assessment Method: a widely recognised environmental assessment method and ratings system.
Carbon Footprint	The amount of carbon dioxide released into the atmosphere as a result of the particular individual, organisation or community. The carbon footprint of a development is counted over its lifetime i.e. the materials used and their sources, construction, lifetime use and demolition.
Carbon Neutral	Carbon neutrality means having a balance between emitting carbon and absorbing carbon from the atmosphere in carbon sinks.
Circular Economy	The circular economy is a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products as long as possible. In this way, the life cycle of products is extended.
Cold Bridge	Occurs when there is a thermal break in the insulating materials between the inside and outside of a building e.g. a gap in the wall or roof insulation, allowing heat to escape
Development	'Development' includes building operations (e.g. structural alterations, construction, rebuilding, most demolition); material changes of use of land and buildings; engineering operations (e.g. groundworks); mining operations; other operations normally carried out by a person operating a business as a builder; subdivision of a building (or any part of it) used as a dwelling house for the use as two or more separate dwelling houses. As defined by section 55 of the Town and Country Planning Act 1990



Embodied Energy

The sum of the energy requirements associated, directly or indirectly, with the delivery of a good or service. This includes: the energy required to initially produce the building (the processing and the manufacture of the materials of the building as well as their transportation and assembly on site), the energy needed to refurbish and maintain the building over its lifetime, and the energy necessary to demolish and dispose of the building at the end of its life.

Environmental Impact Assessment

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.

Fossil Fuel

Fossil fuel is a general term for buried combustible geologic deposits of organic materials, formed from decayed plants and animals that have been converted to crude oil, coal, natural gas, or heavy oils by exposure to heat and pressure in the earth's crust over hundreds of millions of years. The burning of fossil fuels by humans is the largest source of emissions of carbon dioxide, which is one of the greenhouse gases that allows radiative forcing and contributes to global warming

Green Belt

Land protected by a policy and land use designation to protect areas of largely undeveloped or agricultural land surrounding or neighbouring urban areas. Review of Green Belt boundaries is undertaken as part of the production of Local Plans where Green Belt exists.

Green Infrastructure

Green infrastructure is a network of high quality and multifunctional green spaces , both urban and rural, including environmental features such as parks, public open spaces, playing fields, sports pitches, woodlands, and allotments, which are capable of delivering a wide range of environmental and quality of life benefits for local communities. The provision of green infrastructure can provide social, economic and environmental benefits close to where people live and work.

HGGT

The Harlow & Gilston Garden Town; referring to all five partner authorities forming the Graden Town including; Essex County Council, Hertfordshire County Council, East Herts District Council, Epping Forest Dstrict Council, and, Harlow Council

Infrastructure Delivery Plan

This will contain the key infrastructure required to support the homes and commercial development in the Local Plan. This includes physical infrastructure such as transport energy and water; social and community infrastructure such as health, education and emergency services and green infrastructure such as open spaces and allotments. The Infrastructure Delivery Plan (IDP) sits alongside the Local Plan and will contain a programme identifying when items of infrastructure are expected to be in place, funding and costs. It will be regularly updated as more information becomes available.

Local Plan

The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community and stakeholders. Once adopted the Local Plan will legally form part of the Development Plan for the District, superseding the Replacement Local Plan (2006).

National Planning Policy Framework

National Planning Policy Framework (NPPF) sets out the Government's planning policies for England, and provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflects the needs and priorities of their communities.

Net Zero Carbon

net zero carbon building is a building that is highly energy efficient and fully powered from on-site and/or off-site renewable energy sources.

Operational Energy

Operational energy is the energy required during the entire service life of a structure such as lighting, heating, cooling, and ventilating systems; and operating building appliances.

Passivhaus

A Passivhaus is a building in which thermal comfort can be achieved solely by post-heating or post-cooling the fresh air flow required for a good indoor air quality, without the need for additional recirculation of air.

Performance Gap

The difference between predicted performance and the as-built performance of a building.

Post Occupancy Evaluation

Post-occupancy evaluation (POE) of a building demonstrates how well it is performing in use and how far it is achieving against its intended purpose. POE also highlights any gaps in communication and understanding amongst building managers and occupants that my hinder a building's operational performance.

Quality Review Panel

An independent panel of planning, architecture, urban design and construction experts set up by the Council to provide impartial expert advice to both applicants and local authorities on design issues in relation to important new development schemes and proposals for important public spaces including significant minor applications, major planning applications, pre-application development proposals, strategic masterplans and concept frameworks. The Quality Review Panel's feedback is a material consideration for local authorities and the planning inspectorate when determining planning applications. The purpose of the Quality Review Panel is to ensure that new development is of a high quality and contributes to place making.

Renewable Energy

Renewable energy is energy that is collected from renewable resources, which are naturally replenished on a human timescale, such as sunlight, wind, rain, tides, waves, and geothermal heat.

Social Sustainability

The process for creating sustainable, successful places that promote well-being by understanding what people need from the places they live and work; combining design of the physical realm with design of the social world, to support citizen engagement and space for people and places to evolve. - Social Life

Special Area of Conservation

Area given special protection under the European Union's Habitats Directive which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

Strategic Masterplan

A masterplan is the process by which organisations undertake analysis and prepare strategies, and the proposals that are needed to plan for major change in a defined physical area. It acts as a context from which development projects come forward for parts of the area.

Suitable Alternative Natural Greenspace

Suitable Alternative Natural Greenspace (SANG) is the name given to greenspace that is of a quality and type suitable to be used as mitigation to offset the impact of residential development and visitor pressure on Special Protection Areas (SPAs). The purpose of SANGs is to provide alternative greenspace to attract visitors away from SPAs.



Sustainable Drainage Systems	These are drainage systems designed to manage surface water and groundwater to sustainably reduce the potential impact of new and existing developments on flood risk
Sustainable Transport	Efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.
Thermal bridging	It is important to make sure that the gap between the window frame and the wall is well sealed otherwise heat will be lost around the window even if the window itself is very energy efficient
Transport Assessment	A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.
Transport Statement	A simplified version of a transport assessment where it is agreed the transport issues arising out of development proposals are limited and a full transport assessment is not required.
UKGBC	The UK Green Building Council: a membership organisation concerned about the environmental impact of buildings and infrastructure on the environment, in particular the use of water, materials, energy, the impact of greenhouse gas emissions, and the health of building occupants.
Validation Requirements	The information that is required to be submitted with a planning application in order to be considered ‘valid’. This includes particular plans or supporting documents that must be included with a planning application. It includes national requirements and local requirements which are specific to Epping Forest District. The up to date requirements are set out in the ‘Epping Forest District Council Planning Application Validation Requirements Checklist’ document.
Whole Life Carbon	Considering operational as well as embodied carbon emissions together over a project's expected life cycle constitutes the whole life approach.
Zero Carbon	Causing or resulting in no net loss of carbon dioxide into the atmosphere. A zero carbon building is one with zero net energy consumption or zero net carbon emissions on an annual basis.



Acknowledgements

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Consultation Session	Commenter	Commenting on	Date received	No.	Comment	Section	Topic	Saved response	Response
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		What do you think is most important in your future home? (Poll): Low cost energy bills and a structure built to last: 50% Nature and green spaces close by: 10%, Good walking and cycling routes to get and from work, school and activities: 20%, A tight-knit community or neighbourhood:10%, Space to grow by own food and be near healthy activities: 0%, Other: 10%.	General			
EFDC Youth Council	Youth Councillors (13-14 y.o) Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Need green spaces in the home – garden – walk dogs, freedom to play. Private outdoor space important. What do you think is most important to help you to stay healthy? (Poll): High quality health and community centres: 30%, Regular physical activity and good air quality: 30% A home with good light, ventilation and materials: 0%, Great outdoor and green spaces for physical and mental wellbeing: 30% Strong community leadership and support networks: 0%, Other:10%	Environmental General	Green Infrastructure & Biodiversity		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Not just necessary to have high quality health centres but important for combinations – like a GP near a park, near residents. Have to sometimes weigh up options and adjust so it's not biased in any way. Hard to say what is more important.	Environmental	Design Approach: First Principles		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		All / Outdoor and Green Spaces: Prevent ill health from the start – sports injuries might happen. But long-term diseases etc. can be prevented by being active, especially at a young age. Prevent necessity for the other options if you get one right. Street and good air quality	Environmental	Green Infrastructure & Biodiversity		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		How do you want to travel in the future? (Poll): Bus: 0%, Bike: 56% , Walk:11%, Car or Moped: 11%, Car Share: 11%, Taxi: 0%, Train: 11%	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Bike: Good to get you close to local spaces like shops school or work. It's also healthy – good for you. More efficient and can get you to places quicker. If long distance then would choose a bus train or car. Not as good for the environment so would like to cycle more. Would be more likely to cycle if parents also cycled – they use cars	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Not bike: Streets in Loughton and Debden are dangerous, improve roads and pavements and you'll get more people to do that. Putting people at risk by asking people to do this – increases pressure on NHS	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Trains and buses: Becoming more eco-friendly – lots of lines being electrified. Mass transit, eco-friendly and not compromising on the environment	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		How can we help to make communities more fair and equal for everyone? (E.g. different ages, ethnicities, genders, money) (Poll): Responses: Create strong community feeling: 11%, Provide skills, training and job opportunities: 0%, Support local and eco-friendly businesses: 33% Improve residents health and mental wellbeing: 11%, Provide safe, warm and affordable homes: 33% , Other:11%	Socio-Economic			
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Need to educate children from a young age about equality. Teach primary school kids and even earlier that this is how the community should be – reiterate it so it's fair – different genders and lives. This leads to equality in other things. For money – provide skills and job opportunities, but not the most important for society.	Socio-Economic	Community Strength & Social Infrastructure		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Eco-friendly businesses: Helping the council and everyone out as well as making money. Input into community. Win win for everyone	Socio-Economic	Economic Growth & Job Creation		
EFDC Youth Council	Youth Councillors (13-14 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		How are we minimising the noise and visual pollution of the M11? E.g. Environmental waterfalls in the gardens/planting. 24/7 noise, people want their windows open	Environmental	Design Approach: First Principles		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		What do you think is most important in your future home? (Poll): Low cost energy bills and a structure built to last: 34% Nature and green spaces close by: 27%, Good walking and cycling routes to get and from work, school and activities: 36% A tight-knit community or neighbourhood:0%, Space to grow by own food and be near healthy activities: 0%, Other: 0%.	General			
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Low cost bills: Housing needs to be sustainable. Financial security is important for families – although all the answers are important, lots of activities outside the home e.g. school, community.	Environmental	Energy Efficiency & Carbon Reduction		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Low cost bills: Couldn't decide between this and walking/cycling – equally important in terms of mental health and being able to live happily – e.g. stress from high costs of bills.	Environmental	Energy Efficiency & Carbon Reduction		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Nature and green spaces: Green spaces nearby can help you go out and be active – helps with both physical and mental health. Breathing in more oxygen. More motivated if it's closer by to visit immediately to de-stress and regularly.	Environmental	Green Infrastructure & Biodiversity		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Walking and Cycling: Future home – needs easier way to get kids to school and yourself to work means more time for yourself after and therefore less stress. Travelling easier. A good way to get physical exercise outside.	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		What do you think is most important to help you to stay healthy? (Poll):Responses: High quality health and community centres: 0%, Regular physical activity and good air quality: 64% A home with good light, ventilation and materials: 9%, Great outdoor and green spaces for physical and mental wellbeing: 18%, Strong community leadership and support networks: 0%, Other: 9%	General			
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Good healthcare – you can help yourself by going to park and running. Needs to balance where you place things and mix uses	General			
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Quality Homes: Majority of us spent a lot of time in our houses especially during lockdown – need good lighting to focus	Environmental	Design Approach: First Principles		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		How do you want to travel in the future? (poll):Bus: 18%, Bike: 9%, Walk:18%, Car or Moped: 36% , Car Share: 0%, Taxi: 0%, Train: 18%	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Car: Want to be able to take myself to other places – other ones like buses, taxis, trains etc. mean you don't have the same level of independence. Not the best for the environment, but the most efficient to get to places. Acknowledge bikes can also provide but car is preferable. If leisure things were closer then maybe would consider cycling but not everything is going to be that close	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Walk: Helps with stress, and helps focus more. A longer journey – would be happy to walk to station or bus stop. PT is better for the environment. Traffic would make it stressful	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Car: Living in countryside – used to busy areas and traffic so that doesn't stress out. Better for time, can go at own pace – meeting deadlines like getting to work and having to wait for buses. Safer for families in cars – less restricted in own car. Mixing with strangers on the bus	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Train: 10 years in future – going to London without the worry of traffic.	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		Not car: Home and online shopping – one truck reduces wear and tear on the road rather than lots of cars because they only have to go out a couple of times a week and less heavy for people	Environmental	Sustainable Movement		
EFDC Youth Council	Youth Councillors (14-17 y.o)	Draft Oct 2020 (Consultation Version)	10/11/2020		How can we help to make communities more fair and equal for everyone? (E.g. different ages, ethnicities, genders, money) (poll). Create strong community feeling: 10%, Provide skills, training and job opportunities: 50% , Support local and eco-friendly businesses: 10%, Improve residents health and mental wellbeing: 30%, Provide safe, warm and affordable homes: 0%, Other:0%	Socio-Economic			
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020		Sustainable Living: Stability, natural / renewable resources, financially stable, comfortable, not struggling, happiness, renewable energy, the environment	General			
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020		Healthy Living: Exercise, balanced diet, walking, open spaces, belonging, access to healthy food, physical, social and mental health and wellbeing	General			

Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	What do you think is most important in your future home? (poll): 38% good walking and cycling routes to and from work, school or activities . 25% low cost energy bills and a structure built to last, 25% a tight-knit community or neighbourhood, 13% nature and green spaces close by, 0% Space to grow my own food and be near healthy activities, 0% Other	General	
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Important to have convenient and safe routes to work, school and activities	Environmental	Sustainable Movement
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Prices of houses are going up all of the time and so important to have affordable bills (low-cost energy bills).	Environmental	Energy Efficiency & Carbon Reduction
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	It's important to have green spaces nearby for people across all stages of life, from very young children all the way to the elderly.	Environmental	Green Infrastructure & Biodiversity
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	The pandemic also made it evident how important it is to have green spaces near by	Environmental	Green Infrastructure & Biodiversity
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	What do you think is most important to help you stay healthy? (poll): 38% an inclusive and engaged community with neighbourhood activities and groups, 38% a healthy home, with good light, ventilation and materials . 13% high quality health and community facilities, 13% outside spaces such as parks and outdoor gyms, 0% Regular physical activity and good air quality, 0% Other	General	
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Community is still one of the most important factors, as we have seen in the current pandemic	Socio-Economic	Community Strength & Social Infrastructure
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	How do you want to travel in the future? (poll): Bus: 0%, Bike: 29%, Walk: 43% , Car or Moped: 0%, Car Share: 0%, Taxi: 0%, Train: 29%, Other: 0%	Environmental	Sustainable Movement
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Walking because it is good for both the environment and our health	Environmental	Sustainable Movement
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Train is good for longer journeys, and if we encourage trains then there will be less people driving cars	Environmental	Sustainable Movement
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Prefer train to bus even though it might be more expensive, because it is more convenient and pleasant	Environmental	Sustainable Movement
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	How can we help to make communities more fair and equal for everyone? (E.g. different ages, ethnicities, genders, money) (poll): Foster community strength: 0%, Provide skills, training and job opportunities: 75% , Support local and eco-friendly businesses: 0%, Improve residents health and mental wellbeing: 0%, Provide safe, warm and affordable homes: 25%, Other:0%	Socio-Economic	Economic Growth & Job Creation
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Providing skills to those who are struggling can give them a chance to start again	Socio-Economic	Economic Growth & Job Creation
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	Providing job opportunities is a way to ensure everyone has a decent salary and therefore decent living conditions	Socio-Economic	Economic Growth & Job Creation
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	It will help us have a more diverse workforce	Socio-Economic	Economic Growth & Job Creation
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	We should have a level playing field in terms of training and opportunities	Socio-Economic	Economic Growth & Job Creation
Harlow Youth Council	Youth Councillors	Draft Oct 2020 (Consultation Version)	16/11/2020	There are less and less young people buying their first homes, and so it's important to make sure we are also providing affordable homes (especially during the pandemic)	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	What do you think is most important in future homes? (Poll): Low cost energy bills and a structure built to last: 47% . Nature and green spaces close by: 15%, Good walking and cycling routes to get and from work, school and activities: 26%, A tight-knit community or neighbourhood: 9%, Space to grow own food and be near healthy activities: 0%, Other: 3%	General	
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	Low cost energy bills: Build quality is essential, you need to be able to afford to heat them.	Environmental	Energy Efficiency & Carbon Reduction
HGGT All-Member Briefing	Cllr Pope	Draft Oct 2020 (Consultation Version)	18/11/2020	Low cost energy bills, structure built to last - good design of the houses themselves and surrounding area – appropriate of design and character. Houses not crammed in, space between them	Environmental	Design Approach: First Principles
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	Nature and Green space oThe more we build the less green space you have. oYou need to be able to go out and walk or ride oCars are important to this generation as shops aren't close oPersonal green space are very important oYou should be able to grow your own food	Environmental	Green Infrastructure & Biodiversity
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	Close knit community oMental health important oLoneliness is important to address oCommunity spirit is really important oNew developments are soulless at first oYou should be able to connect with your neighbours	Socio-Economic	Community Strength & Social Infrastructure
HGGT All-Member Briefing	Cllr Bolton	Draft Oct 2020 (Consultation Version)	18/11/2020	Tight knit community or neighbourhood – compensates for a lot of other things that can be bad. Important for mental health	Socio-Economic	Health & Wellbeing
HGGT All-Member Briefing	Cllr Eric Buckmaster	Draft Oct 2020 (Consultation Version)	18/11/2020	Nature and green spaces. Grew up in the East End of London on council estate – two big parks in walking distance. Memories of youth = being outside all the time. Good for physical and mental health – formative years is access to green space	Environmental	Green Infrastructure & Biodiversity
HGGT All-Member Briefing	Cllr Sally Newton	Draft Oct 2020 (Consultation Version)	18/11/2020	Nature and green spaces. Born in and benefitted from Welwyn – green space and woods, schooling, ability of shops nearby – beginning to realise invaluable to provide opportunities to get where she is now. Green spaces absolutely essential.	Environmental	Green Infrastructure & Biodiversity
HGGT All-Member Briefing	Cllr Goodeve	Draft Oct 2020 (Consultation Version)	18/11/2020	Good walking and Cycling. Walked to school as a child – more connected with own neighbourhood. Greater sense of belonging. No need to be driven to school and polluting the environment. Didn't used to have fat children. Exercise did them good.	Environmental	Sustainable Movement
HGGT All-Member Briefing	Cllr Ruth Buckmaster	Draft Oct 2020 (Consultation Version)	18/11/2020	Walk and cycle everywhere – intention for modal shift to get people back into sustainable travel. We need safer routes. Better routes to schools, shops everywhere else. We need this in place in new developments and across the town	Environmental	Sustainable Movement
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	What do you think is most important to help people to stay healthy? (Poll): High quality health and community centres: 11%, Regular physical activity and good air quality: 31% . A home with good light, ventilation and materials: 17%, Outdoor spaces such as parks and outdoor gyms: 19%, An inclusive and engaged community with neighbourhood activities and groups 22%, Other: 0%	General	
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	Regular physical activity, good air quality o This is a personal choice, we can only enable people to exercise o You need open spaces which give you the ability to do physical activity o Air quality = control of cars o If you have a design which encourages people to walk and cycle then this builds in physical activity o Good for mental and physical wellbeing	Environmental	Air Quality
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	Healthy homes o Good quality housing is very important as it is the linchpin to good health, both mental and physical o You need to get the housing right to get the community right o You also need really good schools and education o Welwyn Garden City has stood the test of time and we need to emulate this o We need to be able to get out of the home, you need places outside the home like nature and community	Environmental	Energy Efficiency & Carbon Reduction
HGGT All-Member Briefing	Cllr Hill	Draft Oct 2020 (Consultation Version)	18/11/2020	Physical Activity - Incorporates all the other options anyway – an umbrella theme	Environmental	Health & Wellbeing
HGGT All-Member Briefing	Cllr McMullen	Draft Oct 2020 (Consultation Version)	18/11/2020	Physical Activity - Lives in the countryside, and Covid means noticed more people have been walking - importance of getting out and fresh air – healthy mind and healthy body	Environmental	Health & Wellbeing
HGGT All-Member Briefing	Cllr Carter	Draft Oct 2020 (Consultation Version)	18/11/2020	Inclusive and engaged community – requires people to do things themselves. We can facilitate but it's really down to the individual. Thinking of an outdoor gym – what can be designed in to help facilitate, and then down to individual to take the initiative?	Socio-Economic	Community Strength & Social Infrastructure

HGGT All-Member Briefing	Cllrs Buckmaster	Draft Oct 2020 (Consultation Version)	18/11/2020	Inclusive and engaged community linked with high quality facilities. More for older people than younger people there, but using different community, sports groups, can contact any of them if you need anything. Community engagement so important. Tool and engagement linked to infrastructure. Forever Active programme in Sawbridgeworth has kept people healthy and exercising, and people have gone through the programme and got to know each other – a pilot that has moved around the rest of the district	Socio-Economic	Community Strength & Social Infrastructure
HGGT All-Member Briefing	Cllr Sally Newton	Draft Oct 2020 (Consultation Version)	18/11/2020	People are walking and cycling everywhere – danger is that there is going to be a serious accident on the routes and lanes and tracks. Absolutely imperative we make them safe.	Environmental	Sustainable Movement
HGGT All-Member Briefing	Cllr Goodeve	Draft Oct 2020 (Consultation Version)	18/11/2020	What happens when gyms are shut – are paths then overcrowded with runners and cyclists?	Environmental	Sustainable Movement
HGGT All-Member Briefing	Cllr Pope	Draft Oct 2020 (Consultation Version)	18/11/2020	Outdoor spaces – there are people who maybe don't want to be part of a club – outdoor spaces mean they can meet friends or walk without joining anything formal. More inclusive and enables people to choose how they exercise	Environmental	Green Infrastructure & Biodiversity
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	How do you think the Garden Town project could help overcome health, social and economic inequalities and support your local area? (poll): Foster community strength: 24%, Provide skills, training and job opportunities: 24%, Support green and local businesses: 12%, Bolster residents health and mental wellbeing: 15%, Provide safe, warm and affordable homes: 18%, Other: 9%	Socio-Economic	
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	How can the GT project overcome inequalities? You need community spirit	Socio-Economic	Community Strength & Social Infrastructure
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	People need a place to sleep, food etc. before they can look for employment etc. People first need the support to access decent housing and jobs.	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	It's the underlying issues: health, food, water etc. and then working up	Socio-Economic	Health & Wellbeing
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	We haven't mentioned education, good schooling and health centres is what you build the community around	Socio-Economic	Community Strength & Social Infrastructure
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	For some of these it will be different for different ages and genders. Young people want sport and community. Older look for security, people to talk to and how I can help others. People in the middle are looking for where to next. You need to be able to hit all these levels.	Socio-Economic	Community Strength & Social Infrastructure
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	Community strength is going to drive so much of this and the other desirable things that you want. It takes a long time to get cohesion. You need to put the social infrastructure in first	Socio-Economic	Community Strength & Social Infrastructure
HGGT All-Member Briefing	Members	Draft Oct 2020 (Consultation Version)	18/11/2020	Green and local businesses o If you support local business people walk and cycle more they don't need to travel so far o Local business and jobs, skills and training fosters community strength o People create their own communities by talking to each other and building bonds	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Cllr Eric Buckmaster	Draft Oct 2020 (Consultation Version)	18/11/2020	Providing skills training – there is a wider economic area and it's important to sustain the whole area, whatever goes on in Harlow will have wider implications. self esteem that comes from long term employment is so important. The whole community need that security for long term health	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Cllr Goodeve	Draft Oct 2020 (Consultation Version)	18/11/2020	Providing skills training - a believer in life long learning – opportunities to learn new skills like evening classes in an effort to better themselves academically or learn new skills and open up new opportunities. It's not too late to try and fix earlier mistakes or disinterest later on	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Cllr Carter	Draft Oct 2020 (Consultation Version)	18/11/2020	Other – key expressions is health inequalities - big issue is access for those with disabilities – streets and houses design, but also raising the profile so that it becomes the norm. People don't like to be picked out because they are different, want to be absorbed into society. Not impeded by cars on shared surfaces etc. Not helpful for those in wheelchairs or guide dogs. Important, 20% of population have disability and can't be ignored. How many people are in the audience with a disability – not many, so we need to raise within these platforms. Not just best practice, but the norm.	General	Inclusive Design
HGGT All-Member Briefing	Cllr Hill	Draft Oct 2020 (Consultation Version)	18/11/2020	Bolster residents wellbeing – if the development is sympathetic, they will take into account the other options. Also, mental health linked to physical activity. Opportunity to go out into open space.	Socio-Economic	Health & Wellbeing
HGGT All-Member Briefing	Cllr Ruth Buckmaster	Draft Oct 2020 (Consultation Version)	18/11/2020	Skills and training – social and economic inequalities – if we provide the work, opportunities and ongoing training – helps mental wellbeing and career opportunities. Four different parts to the garden town and all of it needs to offer this, view as a whole. Needs to be built in from the start, developers need to think of this.	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Cllr Robert Mitchell	Draft Oct 2020 (Consultation Version)	18/11/2020	Can reduce energy bills through sustainable building materials/provision as you cannot control the energy prices through the suppliers. 20% of calculated power should be installed by developer through renewables at build. Broad agreement that renewable energy should be part of development and an assumption this is already part of the process. Govt have removed the Code for Sustainable Building - if they hadn't, I would have said a significant, if not all properties built to Code level 6.	Environmental	Renewable Energy
HGGT All-Member Briefing	Cllr Tony Stowe	Draft Oct 2020 (Consultation Version)	18/11/2020	should be aiming for Passivhaus type - we want get it right first time without needing to rebuild later	Environmental	Energy Efficiency & Carbon Reduction
HGGT All-Member Briefing	Cllr Nigel Bedford	Draft Oct 2020 (Consultation Version)	18/11/2020	Looking more to sustainable construction - reduction of plastics in the home - using more natural products... e.g. sheep's wool for insulation. Capture the carbon from within the timber itself.	Environmental	Energy Efficiency & Carbon Reduction
HGGT All-Member Briefing	Cllr Robert Mitchell	Draft Oct 2020 (Consultation Version)	18/11/2020	Walking & cycling is revenue in financial terms - need it everyday to go about ones business	Environmental	Sustainable Movement
HGGT All-Member Briefing	Cllr Robert Mitchell	Draft Oct 2020 (Consultation Version)	18/11/2020	Regular activity is something controlled by the family and the environment - we need to encourage the individual	Socio-Economic	Health & Wellbeing
HGGT All-Member Briefing	Cllr Nigel Bedford	Draft Oct 2020 (Consultation Version)	18/11/2020	People want to get outside especially through pandemic - you need good outdoor space to enjoy	Environmental	Green Infrastructure & Biodiversity
HGGT All-Member Briefing	Cllr Mione Goldspink	Draft Oct 2020 (Consultation Version)	18/11/2020	Poor air quality can be really damaging to people's health so this should be prioritised	Environmental	Air Quality
HGGT All-Member Briefing	Cllr Nigel Bedford	Draft Oct 2020 (Consultation Version)	18/11/2020	Focusing on HGGT air quality is not an issue on a harmful scale - harmful emissions are 8-10 meters from roadside - but in the home(s) air quality isn't too bad. Hopefully in 20 years when petrol and diesel cars are phased out we'll notice the impact	Environmental	Air Quality
HGGT All-Member Briefing	Cllr Tony Stowe	Draft Oct 2020 (Consultation Version)	18/11/2020	Mental health should be paid focus to here especially given the current climate	Environmental	Health & Wellbeing
HGGT All-Member Briefing	Cllr Nigel Bedford	Draft Oct 2020 (Consultation Version)	18/11/2020	Mental health - community cohesion and forging closer relationships with neighbours - paying focus to this will aid mental health improvement/prevention	Environmental	Health & Wellbeing
HGGT All-Member Briefing	Cllr Teresa Heritage	Draft Oct 2020 (Consultation Version)	18/11/2020	The community needs to be able to meet in community facilities - also good quality health facilities through new developments are essential. Multi-purposing the local jobs as community assets. Foster community strength by assisting the community to live, work and play together - unless they're brought together then silos will always exist. Accessibility to amenities is one thing but bringing residents together to use these together is important. It helps to provide safety to young people also by doing this well	Environmental	Community Strength & Social Infrastructure
HGGT All-Member Briefing	Cllr Tony Stowe	Draft Oct 2020 (Consultation Version)	18/11/2020	Jobs and skills - unless we have opportunities whereby it attracts young people then we won't tackle inequalities. Apprenticeships and work placements etc are important. History tells us that this works.	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Cllr Nigel Bedford	Draft Oct 2020 (Consultation Version)	18/11/2020	Need skills and job opps to provide the mental stimulus to keep people striving for home ownership. Heavily linked to better mental health too.	Socio-Economic	Economic Growth & Job Creation
HGGT All-Member Briefing	Cllr Nigel Bedford	Draft Oct 2020 (Consultation Version)	18/11/2020	How do you bring existing housing stock up to the quality of the new planned communities. Redevelopment and regeneration likely. Ensuring the existing area of Harlow receives investment through the new planned developments	General	Retrofit
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	National and local ambition to reduce carbon emission etc – but the unit cost for gas vs electricity is massively different. If we do go electric, what is the source of the electricity and how are we going to help people afford these bills? What is the infrastructure that the LA will help people meet these costs?	Environmental	Energy Efficiency & Carbon Reduction

HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Solar panels are a wasted opportunity if not used – heat pumps also give bigger output capacity per unit cost	Environmental	Renewable Energy
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Sustainable drainage - permeable pavements sound great but the footprint of all these new homes is going to be much greater than that of pavements. Flooding is already a concern for us in Gilston. How can you guarantee that sustainable drainage will be enough? Lived in Gilston for 18 years and seen a lot more rainwater – concerns about flooding - how do you anticipate the impact – a formula to work out the drainage systems per the housing units.	Environmental	Water Management
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Rain gardens etc. needed as climate change only going to get worse so we need to plan for this	Environmental	Water Management
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	High land around farms is a big influencer, is there any way for HGGT to influence the land around developments?	Environmental	Water Management
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	What help with be given to existing older buildings in Harlow ours is a victorian house for example. What about existing Harlow sites or old houses to fit the new standards	General	Retrofit
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Digital infrastructure – Swedish fibre – UK is way behind the curve – if you think about fibre infrastructure 30% cheaper at the point of build – for security, for CCTV, charging stations, IoT, drone management, needs fibre to make these things happen – fibre to the cabinet – think more about education – businesses start-ups – new software – 1000mb/s/100 instead of 30/10mb/s	General	Digital
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Any consideration of non-traditional building materials for residential homes? I've been building with super-insulated panels in Florida - works very well, and quickly, there	Environmental	Circular Economy
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Factory construction – you can't get a mortgage on them as non-standard construction	Environmental	Circular Economy
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	What is your ambition for consideration of embodied carbon in future development? The energy in creating the materials – is your ambition about looking at repurposing beyond 60 years of life expectancy – mandate it to make it the norm – are we going to insist on this? Need to almost shame developers in to doing this as they traditionally deliver the very least they can 'get away with'	Environmental	Energy Efficiency & Carbon Reduction
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	How can you protect existing green space for existing residents in the face of the requirements of the new garden town?	Environmental	Green Infrastructure & Biodiversity
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Will HGGT be looking at the latest applications to see how whats been discussed tonight will be addressed in those?	General	
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Where are you proposing these new developments going without taking anymore of our green space?	General	
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	There is likely to be a huge increase in internet shopping and delivery to private addresses. how does the guidance address this?	Environmental	Sustainable Movement
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Community farm – would love to be part of the discussion and this ongoing work – keeping the quality there through mandating it is essential – advocate for community gardens/farms etc – ensuring that the things in the checklist are accessible for all residents of all abilities	Socio-Economic	Community Strength & Social Infrastructure
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	Are there plans to incorporate a music venue in to plans as this would fill the void left behind by the closure of The Square and would secure support of local people	Socio-Economic	Community Strength & Social Infrastructure
HGGT Community Q&A	Member of public	Draft Oct 2020 (Consultation Version)	24/11/2020	We don't want to see this 'us and them' type of perceptions between existing Harlow and the new developments – got to be benefit for Harlow residents	Socio-Economic	Community Strength & Social Infrastructure
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Will viability statement be updated to reflect updated sustainability aspirations? – Need to respond back on this.	General	Viability
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Passivhaus still saying 9% greater cost to deliver, still have economies of scale.	Introduction	Incentives
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Incentives – housebuilders, need to consider cash flow, when you put money in and where you put money out. Timing is really important in terms of targets and what is achievable, is it about whenever is completed, or in the first instance/ first phase	Introduction	Incentives
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Role of garden town – Developers don't want to be presented with something that can be dismissed quickly, viability needs to be based in reality and on garden town aspirations	General	Viability
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Need to ensure futureproofing is taken into account, e.g. developments will run over 10-15 years. Need to be clear on when will targets need to be met? E.g. trigger points.	General	Checklist
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Self assessment approach? How is it used at different stages e.g. Masterplan and pre-app stage = working tool (joint assessment). Planning application submission – self assessment to build sustainability strategy. All of detail isn't going to be there at masterplanning stage, or even at outline application stage, when you drill into detail of quality checklists. It is a process that builds over time, there is a lot there that simply couldn't be answered by even most detailed outline application (esp as most strat sites brought forward by parties not delivering all of the homes)	General	Checklist
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	What can people realistically connect into in 20mins. Getting local people involved in it, ensuring that 5k loop for people to run, 10k for people to go on a longer run, a few small things can make a big difference. STC is crucial for Latton Priory	Environmental	Sustainable Movement
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	STC offering alternatives to the car: 'You will have other ways you can make your journeys easy'. Within the site, walking and cycling is crucial. Balance and good alternatives. How do you prevent car ownership? Balancing alternatives more helpful for marketing purposes rather than 'don't have a car'	Environmental	Sustainable Movement
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Access to open space is absolutely key for marketing – health and wellbeing strategy for Gilston picks up on this. Headline is landscape and landscape setting. Making sure it is retained, accessible, can be used. PROVs, open spaces being accessible but not overcrowded.	Environmental	Green Infrastructure & Biodiversity
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Mental wellbeing – influence decisions that are made – empowering communities to make decisions.	Socio-Economic	Health & Wellbeing
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Danger in some of this that we become so focused on fabric and technologies, simplistically those changes will happen (Part L) development and housebuilding industry nationally across the country will deliver solutions to those. So more granular aspects need to be resolved.	Introduction	Incentives
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Sustainable Transport Corridor, so worrying it's not moving forward with real clarity. Getting the critical links to existing local facilities and ensuring local centre builds on from that. Transport hub needs to fulfil other functions as well, and co-working spaces could feature as a major part of this. Lots of people will continue to change, but there will be lots of people travelling to work, connections to stations.	Environmental	Sustainable Movement
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Making best and most efficient use of land, particularly when taking out of green belt, macro level of sustainability and creating viable sustainable hubs.	Introduction	Incentives
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Disparities between East Herts and Harlow health outcomes (skills, education, health) – how can Gilston address these (within East Herts). Needs to be brought out more in terms of health disparities in document. How will health facilities actually be operated – how will health providers be involved and engage with Developers.	Socio-Economic	Community Strength & Social Infrastructure
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Existing community very much want to be involved. Very positive at open space and SANG. Bridleways were key for connectivity. Local community don't view things in silo, (e.g. this is good as mitigation or sustainability).	Environmental	Green Infrastructure & Biodiversity
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	Routes into the secondary school on the site. How are kids going to get there e.g. from more rural areas in EFDC?	Environmental	Sustainable Movement
HGGT Developer Forum	Developers	Draft Oct 2020 (Consultation Version)	26/11/2020	RAG isn't best way to incentivise developer. When used as way Building for Life use it is more useful, as it allows for debate. But RAG status fixes on quantitative, and becomes stark, and takes away ability to have discussion. Risk is that it pushes developers into us and them situation, want Garden town to sit in middle of that as delivery and policy agency. Will you commit to exceeding building regs, yes or no.	General	Checklist

HGGT Developer Forum	ECC	Draft Oct 2020 (Consultation Version)	26/11/2020	<p>Grateful for points about healthy places and issues with securing healthcare provision (e.g. availability of GPs). I know my Public Health colleagues would concur with that point. Their call however would be to ensure that the design focus for Gilston & other HGGT developments is on creating a healthy place and promoting healthy lifestyles, thus switching the emphasis to a preventative approach with people living more active healthy lifestyles. Gilston has great opportunities for that - to capitalise on - and these can benefit the whole Garden Town, helping to address health inequalities too. The Healthy Town Framework should be treated as a prompt for the above approach / emphasis and the HIA process also promotes that approach and will help with it</p>	Environmental	Design Approach: First Principles
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East Herts Council Report

Council

Date of Meeting: 29 April 2021

Report by: Councillor Peter Boylan (Executive Member for Neighbourhoods)

Report title: Licensing Committee – 10 March 2021

Ward(s) affected: All

Summary

- This report details the recommendations to Council made by the Licensing Committee at its meeting on 10 March 2021.

1.0 Items considered and recommended to Council

1.1 Since the last Council meeting, Licensing Committee met on 10 March 2021. At that meeting Licensing Committee considered and supported recommendation for Council on the following item:

1.1.1 Department for Transport (DfT) Statutory Taxi and Private Hire Vehicle Standards – Consultation Responses.

1.2 This report sets out the recommendations for the above items, which were referred with no change. The full reports, including all appendices, may be viewed at [Licensing Committee – 10 March 2021](#).

1.3 The Minutes of the meeting are attached as **Appendix 1**.

2.0 Department for Transport (DfT) Statutory Taxi and Private Hire Vehicle Standards – Consultation Responses

- 2.1 The Licensing Committee considered a report which sought approval of the policy changes detailed in Appendix 1 (a to f), with a commencement date of the 1 June 2021, by Council.

RECOMMENDATION TO COUNCIL:

- (a) **That the policy changes detailed in Appendix 1 (a to f) be approved, with a commencement date of the 1 June 2021.**

3.0 Licensing Committee Decisions

- 3.1 Other matters determined by Licensing Committee are detailed in the Minutes of the meeting, included for information at **Appendix 1** to this report.

4.0 Background papers, appendices and other relevant material

- 4.1 **Appendix 1** – Minutes of the meeting of Licensing Committee on 10 March 2021.
- 4.2 **Appendix 2** - Recommendations for final policy changes.

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MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD AS AN
ONLINE MEETING ON
WEDNESDAY 10 MARCH 2021, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors R Bolton, K Crofton, B Crystall,
M Goldspink, T Page, S Reed, D Snowden,
N Symonds and C Wilson

OFFICERS IN ATTENDANCE:

James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven King	- Finance Management Trainee
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
William Troop	- Democratic Services Officer

408 APOLOGY

An apology for absence was submitted on behalf of Councillor Jones.

409 MINUTES - 25 NOVEMBER 2020

It was moved by Councillor Bolton and seconded by

Councillor Crofton, that the Minutes of the meeting of the Committee held on 25 November 2020 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 Committee meeting held on 25 November 2020 be confirmed as a correct record and signed by the Chairman.

410 CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on Saturday 4 April 2020 to enable councils to hold remote committee meetings during the COVID-19 pandemic period. This was to ensure local authorities could conduct business during the current public health emergency. This meeting of Licensing Committee was being held remotely under these regulations, via the Zoom application and was being recorded and live streamed on YouTube.

411 DECLARATIONS OF INTEREST

There were no declarations of interest.

412 LICENSING SUB-COMMITTEE MINUTES - 20 NOVEMBER, 9
DECEMBER 2020, 8 JANUARY, 5 FEBRUARY 2021

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 20 November, 9 December 2020, 8 January and 5 February 2021, be received.

413 DEPARTMENT FOR TRANSPORT (DFT) STATUTORY TAXI
AND PRIVATE HIRE VEHICLE STANDARDS – CONSULTATION
RESPONSES

The Service Manager for Licensing and Enforcement introduced the report. He said that there had been eight responses during the eight week consultation. Some amendments to policy had been made in response, such as recognising that it might not always be possible for a taxi firm to obtain a passenger's name prior to pick-up, particularly on corporate accounts or where the taxi had been booked for the passenger by someone else. It was also recognised that it might have been too onerous for drivers to demonstrate their English proficiency at each licence renewal, and proof of a suitable English qualification would be accepted instead. There had been broad support for the wider use of CCTV, and further work would be done on this issue and presented to the Committee in due course.

Councillors Wilson and Goldspink asked about the possibility of the Council being challenged on its more stringent standards on drug-related convictions and said this might leave the Council open to challenge if there was no 'compelling local reason' for this.

The Service Manager said that the current standards had been approved by the Committee, but he understood Members' concerns. It was agreed that he would establish the reason for the original decision and respond to Members outside of the meeting. However, the Council's policy on handheld devices was in line with the Department for Transport's (DfT) minimum standards and consultee's responses that the policy seemed harsh would not constitute a compelling reason to amend it.

The Chairman said that he was disappointed with the low level of engagement with the consultation given the careful consideration and work on these matters by Committee and Officers. He was also concerned that the DfT considered taxis to be high-risk environments.

Councillor Crofton said that taxis could potentially be high-risk environments, but he was satisfied that the work of the Committee and Officers had significantly reduced this risk.

The Chairman asked how the Council could regulate firms outsourcing their booking operations. The Service Manager said that the Council had a right of inspection and firms would have to show that any third-party contractor was operating to the same required standards if this was requested. However, it was not mandatory for firms to inform the Council that they were outsourcing work.

Councillor Goldspink asked what the specific suggested

steps to the Council were from response four in the consultation.

The Service Manager referred Members to Appendix B where the full wording of each response could be found and said Officers explained to the respondent the stringent standards the Council upheld and what checks were carried out on each taxi driver.

The Chairman and Councillor Bolton said that they were supportive of the increased use of CCTV within taxis across the District. This would protect both drivers and passengers, and could be gradually phased in alongside the requirement for drivers to have more environmentally friendly vehicles. The cost of in-vehicle CCTV systems was no longer prohibitive and could be used to record images with or without sound, in order to protect the privacy of passengers.

Councillors Crofton and Wilson said that the Council should be cautious not to place financially onerous requirements on firms and drivers, particularly in the current economic climate.

The Service Manager said that there was now a national register of drivers who had had a licence refused or revoked. This required each Council to sign up, but East Herts had been using information from this register and also sharing intelligence. He said that the Council had been championing CCTV for several years, and previously sourced funding to lower the cost of CCTV systems for licence holders. The Committee would receive a report on the possible further expansion of the use of CCTV later in the year.

Councillor Page said that it was clear the Council was doing good work to regulate licensed firms and drivers, but asked what was being done about unlicensed drivers.

The Service Manager said that the Council carried out night-time operations and did other work to discourage unlicensed pick-ups, as well as drivers from other districts touting for fares after a drop-off in East Herts. This was a difficult thing to prevent, but it was being addressed.

The Chairman commented that the Council had led on standardising regulation and enforcement across the county, and Officers had been supported in this by the Committee.

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

RESOLVED – that the Policy changes detailed within Appendix A (a to f) be recommended to Council for adoption with a commencement date of 1 June 2021.

414 REVIEW OF LICENSING ACTIVITY IN QUARTER 3 OF 2020

The Service Manager for Licensing and Enforcement introduced the report and highlighted the main points to the Committee.

The Chairman thanked the Service Manager and Officers for their work. He asked about licenses for scrap metal collection and waste removal within the District and said it may be beneficial for licensed operators to have a badge to display on their vehicles in the same way that taxi drivers did.

The Service Manager said that there was a low level of this activity within the District. However, information was passed on to the police where intelligence was garnered about illegal practises or unlicensed operators. The Council did provide notices for display in operators' windscreens, as well as a badge to prove they were licensed.

Councillor Symonds said she had been unaware of the need for operators to be licensed for waste removal and suggested that awareness was raised amongst residents about this.

The Head of Legal and Democratic Services said that there was a legal obligation on residents to ensure that any operator collecting their waste was appropriately licensed.

Councillor Crystall asked for further details on the settling of the Jungle Bar licence application by a consent order.

The Service Manager and the Chairman explained that a compromise had been struck between the Licensing Authority and the applicant, both having taken a steer from Members of the relevant Sub-Committee. All of the conditions and restrictions had remained, but the

licensed hours had been slightly extended. This was agreeable to the applicant and the appeal had been withdrawn.

RESOLVED – that the report be received.

415 URGENT BUSINESS

There was no urgent business.

The meeting closed at 8.00 pm

Chairman

Date

Appendix 2 – Recommendations for final policy changes

a) That the Licensing Committee recommends to Council the following amendments to the “Taxi Licensing Suitability Policy” for adoption with a commencement date of the 1st June 2021:

- i. paragraph 2.4 of the “Taxi Licensing Suitability Policy” to be amended to read:

Existing holders or those with open applications are required to notify the Council in writing within 48 hours (email is acceptable) of the following matters:

- *driving licence endorsement;*
- *fixed penalty notice, police caution, criminal conviction or other criminal proceedings (including acquittal as part of a criminal case);*
- *arrest and release, charge or conviction for any matter.*

Failing to notify the Council within this time period 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.

- ii. that the table at 4.3 in section 4 (Driving & traffic offences) of the “Taxi Licensing Suitability Policy” be amended to include the following:
 - *that a person who is convicted of drink driving or driving under the influence of drugs will not be granted a licence until at least 7 years have elapsed since completion of any sentence or period of disqualification, whichever is the later. Existing licence holder convicted of drink driving or driving under the influence of drugs to be revoked.*
 - *a person who is convicted for using a hand-held mobile telephone or a hand-held device whilst driving will not be*

granted a licence until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

- b)** That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that that all existing holders of taxi driver licences that are not registered with the Disclosure and Barring Service (DBS) Update Service are required to apply for an Enhanced DBS and sign up to the DBS Update Service before a criminal record check is next due (regardless of whether that check would normally be a basic DBS check).
- c)** That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that taxi driver application requirements be amended so that:
- upon first application an applicant must pass the Council approved test of their proficiency in spoken and written English before a licence can be granted. Such test to be at the applicants own expense; and
 - that existing licensed drivers are required to pass the Council approved test of their proficiency in spoken and written English before their next renewal is granted. Such test to be at the applicants own expense.
- Applicants for renewal can be exempt from this requirement if they can demonstrate (by producing the original certificate and/or examination transcript) that they have previously passed a relevant English language qualification at a suitable level, which was assessed by a recognised and accredited qualification awarding body. Acceptable qualifications are:

- i. GCSE or GCE in English (grade C or above);
- ii. TOEFL – Test of English as a Foreign Language at CEFR level B2 or higher ;
- iii. IELTS – International English Language Test System at CEFR level B2 or higher;
- iv. ESOL – English for Speakers in other languages at CEFR level B2 or higher.

Such test to be at the applicants own expense.

d) That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that the application requirements for holding a vehicle licence be amended so that:

- where an applicant for a vehicle proprietors licence is not already either an East Herts licensed driver or operator they must provide a basic DBS upon application and then annually thereafter.

e) That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that with regard to DBS checks on private hire operators:

- Individual applicants are required to supply a Basic DBS check when making an application (either new or renewal) and then annually throughout the life of the licence; and
- Where the applicant is a company, partnership or other legal entity, all the Directors, partners, etc. are each required to supply a Basic DBS when making an application (either new or renewal) and then annually throughout the life of the licence.

f) That the Licensing Committee recommends to Council for adoption with a commencement date of the 1st June 2021 that the Private Hire Operators licence conditions include the following requirements:

- a register of all staff that will take bookings or dispatch vehicles to be kept either electronically or in hardcopy.
- ensure that annual Basic DBS checks are carried out on every one included in their register of staff. The certificate numbers of the checks to be recorded in the register of staff so that it is clear which individuals have been checked and when.
- the results of the DBS checks must be viewed by the holder of the operator's licence and the time and date that the certificate was viewed must be recorded in the register of staff.
- in the absence of an operator having their own stricter policy in relation to employing ex-offenders East Herts standards which apply to Operators (as detailed in the "Taxi Licensing Suitability Policy") must be applied by the operator to all staff in their register and any other individuals that have contact with the public.
- where booking and dispatch is outsourced operators are required to evidence that the outsourced staff have been vetted to at least the same level as if they worked directly for the operator.
- operators are required to record the following information as a minimum for every booking:
 - i. the name of the passenger (where this is not available then the details of the hirer should be recorded whether this is an individual, company or other legal entity);

- ii. the time of the request;
 - iii. the pick-up point;
 - iv. the destination;
 - v. the name of the driver;
 - vi. the driver's licence number;
 - vii. the vehicle registration number of the vehicle;
 - viii. the name of any individual that responded to the booking request;
 - ix. the name of any individual that dispatched the vehicle.
- where an operator dispatches a public service vehicle (PSV) to undertake a private hire booking they must not do so without the informed consent of the booker/hirer. Such consent must be recorded in addition to the other recording requirements for private hire bookings.

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East Herts Council Report

Council

Date of meeting: 29 April 2021

Report by: Head of Legal and Democratic Services

Report title: Committee Membership and Political
Balance of the Council 2021/22

Ward(s) affected: All Wards

- Council, at its annual meeting, is required to approve the decision-making arrangements for the discharge of functions.

RECOMMENDATIONS that:

- (A) the following Scrutiny Committees, Regulatory Committees and Joint Committee be appointed, with the number of voting Members stated:

<u>Committee</u>	<u>No. of Members</u>
Overview and Scrutiny	14
Audit and Governance	7
Development Management	12
Human Resources	7
Licensing	12
Financial Sustainability	10

Chief Officer Recruitment	5
East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from East Herts)	6
Joint CCTV Executive (3 from East Herts)	12
(B) the membership and Chairmen of Scrutiny Committees, Regulatory Committees, joint Committees be as set out in Appendix A, with Members being appointed in accordance with the wishes of the political group to whom the seats on these bodies have been allocated,	
(C) the Members to the Executive (in addition to the Leader) with the portfolio responsibilities as detailed in Appendix B, be noted;	
(D) the programme of Council meetings, as detailed at paragraph 5.1 of the report submitted, be approved; and	
(E) the Head of Legal and Democratic Services be authorised to make changes in the standing membership of committees, joint committees and panel in (A) above, in accordance with the wishes of the political group to whom seats on these bodies have been allocated	

1.0 The Executive/Leader of the Council

1.1 Under its constitution, in May 2019, Council appointed the Leader of the Council for the “life” of the Council (i.e. until the next District Council elections in 2023). The constitution sets out the circumstances when this post becomes vacant.

1.2 In terms of the appointment of Members to the Executive, the

constitution provides that this is the responsibility of the Leader of the Council once appointed. The Leader determines the size of the Executive and she has advised that the size of the Executive proposed for 2021/22 will remain unchanged at seven members (plus the Leader).

- 1.3 The Leader is also responsible for advising Council on the allocation of executive portfolio responsibilities. These are set out at Appendix B.

2.0 Scrutiny Committees and Regulatory Committees

- 2.1 It is proposed that the following Committees will be established with the same of terms of reference as last year.

Overview and Scrutiny (14 members)

Audit and Governance (7 members)

Development Management Committee (12 Members)

Human Resources Committee (7 Members)

Licensing Committee (12 Members)

Financial Sustainability (10 Members)

Chief Officer Recruitment Committee (5 Members)

- 2.3 Sub-Committees and panels with specific responsibilities relating to licensing and standards matters will be reconstituted by the Licensing and Performance, Audit and Governance Committees respectively (as the 'parent' committees) at their first meetings in the Civic Year immediately after Annual Council.

3.0 Joint Committees

- 3.1 It is proposed that the joint committees relating to Revenues and Benefits (with Stevenage) and CCTV (with Hertsmere, Stevenage, North Herts) be retained on their existing basis.

4.0 Political Groups

- 4.1 Where Members of a Council are divided into political groups, the Local Government and Housing Act 1989 places a duty on the Council to review the allocation between those groups of seats on its scrutiny committees, regulatory committees and joint committees according to certain principles. The aim is to ensure the political composition of those committees reflects the political representation of the Council. The rules of proportionality do not apply to the Executive.
- 4.2 The political groups within East Herts Council will be entitled to an allocation of committee places in proportion to their representation on the Council. The political balance percentage of representation of each relevant group currently remains unchanged from 2020/21 but this could change after the Bishop Stortford All Saints by-election on 6 May 2021 as there is currently a vacancy on the Council. Council will be notified of any amendment to its political balance.
- 4.3 The Council must appoint Members to places on committees in accordance with each group's entitlement. Appendix A sets out the proposed membership.
- 4.4 Members of the Executive may not be appointed to serve on scrutiny committees.

5.0 Calendar of Meetings

- 5.1 A Calendar of meetings for 2021/22 has already been published on the [council's website](#) and Council is invited to confirm the dates of its meetings as follows:

28 July 2021

20 October 2021

15 December 2021

1 March 2022

11 May 2022 (Annual)

6.0 Outside Bodies

- 6.1 Council appoints a significant number of Members as its representatives on outside bodies. The appointment of such representatives is delegated to the Head of Legal and Democratic Services, in consultation with the Leader of the Council.
- 6.2 A separate report on this agenda reviews the work undertaken by outside bodies in 2021/22.

7.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

Background Papers

None

Contact Officer:

James Ellis, Head of Legal and Democratic Services

james.ellis@eastherts.gov.uk

Report Author:

Katie Mogan, Democratic Services Manager

katie.mogan@eastherts.gov.uk

Committee membership 2021/22

Overview and Scrutiny Committee – 14 seats			
Conservative	Liberal Democrat	Labour	Green
John Wyllie	Mione Goldspink	Mary Brady	James Frecknall
Ruth Buckmaster	Sophie Bell		
Alexander Curtis			
Ian Devonshire			
Holly Drake			
Diane Hollebon			
Jonathan Kaye			
David Snowdon			
Mari Stevenson			
Norma Symonds			
Substitutes			
David Andrews		Carolyn Redfern	Ben Crystall
Ian Kemp			
Alastair Ward-Booth			

Audit and Governance Committee – 7 seats			
Conservative	Liberal Democrat	Labour	Green
Mark Pope	Vacancy		
Angela Alder			
Rishi Fernando			
Andrew Huggins			
Tony Stowe			
Alastair Ward-Booth			
Substitutes			
John Burmicz			
Alexander Curtis			

Development Management Committee – 12 seats			
Conservative	Liberal Democrat	Labour	Green
Bob Deering	Terence Beckett	Carolyn Redfern	Ben Crystall
David Andrews			
Ruth Buckmaster			
Rishi Fernando			
Jonathan Kaye			
Ian Kemp			
Tim Page			
Peter Ruffles			
Tony Stowe			
Substitutes			

Stan Bull	Joseph Dumont	Mary Brady	James Frecknall
Ian Devonshire			
Sally Newton			

Licensing Committee – 12 seats			
Conservative	Liberal Democrat	Labour	Green
David Andrews	Mione Goldspink	Carolyn Redfern	
Rosemary Bolton	Chris Wilson		
Ken Crofton			
Antony Hall			
Jeff Jones			
Tim Page			
Stephen Reed			
David Snowdon			
Norma Symonds			
Substitutes			

Human Resources Committee – 7 seats			
Conservative	Liberal Democrat	Labour	Green
Rosemary Bolton	Joseph Dumont		
Angela Alder			
Stan Bull			
Michael McMullan			
Sally Newton			
Peter Ruffles			
Substitutes			
	Mione Goldspink		

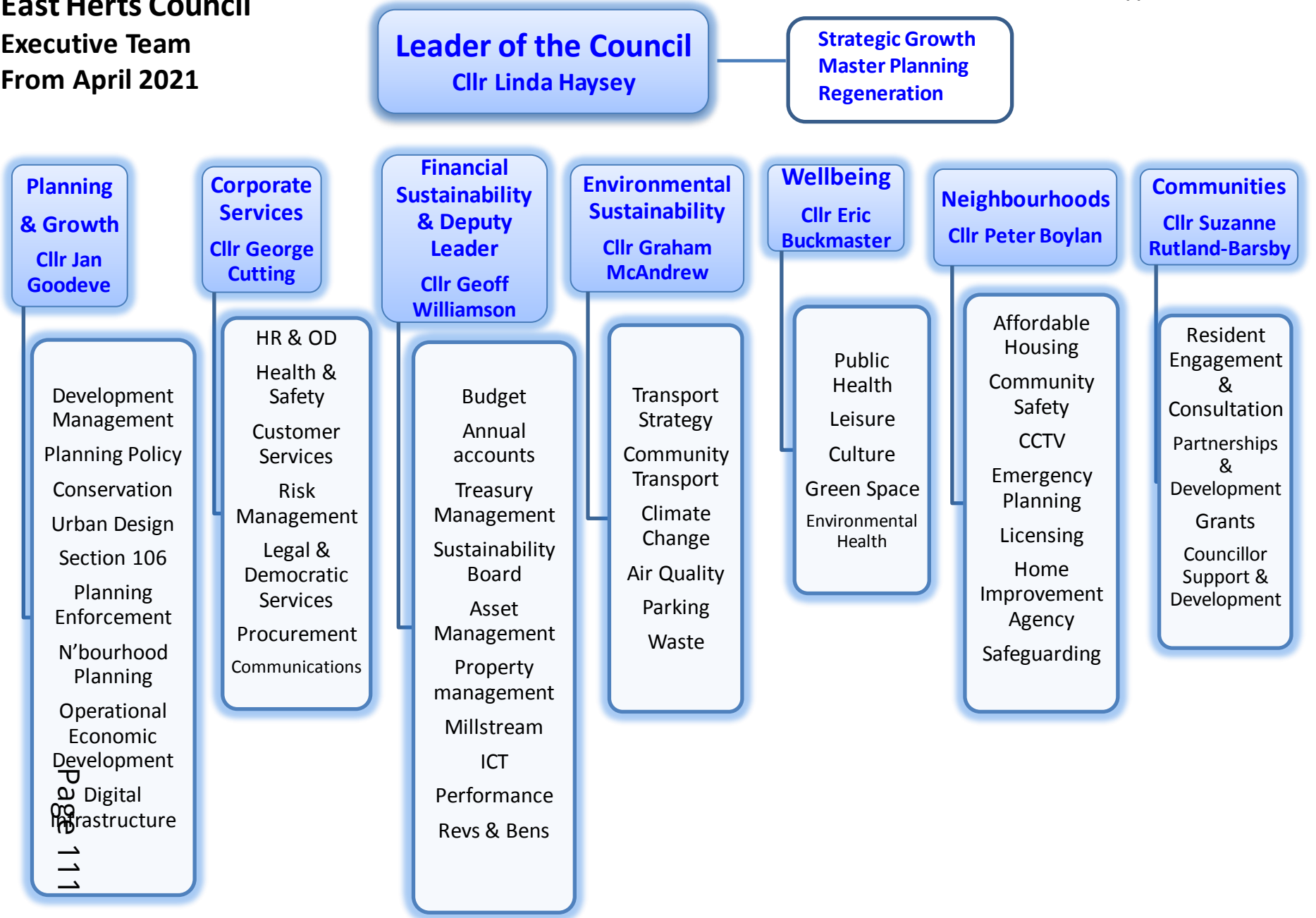
Chief Officer Recruitment Committee – 5 seats			
Conservative	Liberal Democrat	Labour	Green
Linda Haysey	Mione Goldspink		
Peter Boylan			
Geoffrey Williamson			
Eric Buckmaster			

Revenues and Benefits Joint Committee – 3 seats			
Conservative	Liberal Democrat	Labour	Green
Geoffrey Williamson (Chair)			
Peter Boylan			

Mari Stevenson			
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CCTV Joint Executive – 3 seats			
Conservative	Liberal Democrat	Labour	Green
Geoffrey Williamson			
Peter Boylan			
Alexander Curtis			

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East Herts Council Report

Council

Date of Meeting: 29 April 2021

Report by: James Ellis, Head of Legal and Democratic Services

Report title: Reports by Members appointed to Outside Bodies for the civic year 2020-21

Wards affected: All

Summary

RECOMMENDATIONS FOR: Annual Council

- (a) To recommend to Council that the reports of Members appointed to Outside Bodies for the 2020 – 2021 civic year be received and noted.**

1.0 Proposal

That the reports by Members appointed to Outside Bodies for the 2020 – 2021 civic year (attached in Supplementary Agenda No.1) be received and noted.

2.0 Background

At the Annual Council meeting each year Council appoints Members to serve on various outside bodies and the reports review these Members' involvement on these bodies.

3.0 Reasons

In order to increase transparency and improve the process for reviewing activities of Outside Bodies, Members appointed to Outside Bodies compile an annual report on their involvement

and activities on these Outside Bodies. This provides an opportunity for Members to report back and to highlight any issues that might need to be addressed.

To improve consistency in reporting, Members were requested to use a standard report template when compiling their reports.

4.0 Options

No other options considered as this is a requirement in accordance with the Council Constitution.

5.0 Risks

- 5.1 Reputational. Members appointed to an Outside Body could act contrary to East Herts Council policies/guidelines. As this is unlikely, the Risk is classified as minor.
- 5.2 Financial. Members could claim substantial expenses if an Outside Body had a large number of meetings. As most Outside Bodies have a set number of meetings, this was unlikely and the Risk is classified as minor.

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Appendices

Appendix A contains the Reports by Members appointed to Outside Bodies (contained in Supplementary Agenda No.1).

Contact Officer	James Ellis, Head of Legal and Democratic Services james.ellis@eastherts.gov.uk
Report Author	Katie Mogan, Democratic Services Manager katie.mogan@eastherts.gov.uk

East Herts Council

Date of Meeting: 29th April 2021

Report by: Head of Legal and Democratic Services

Report title: Confirmation of Minor Amendments to the Constitution

Ward(s) affected: All

Summary

- This report details the minor amendments which have been incorporated into the Constitution in the last year.

RECOMMENDATIONS that:

- (a) **Council receives this report, as required by the Constitution, outlining the minor amendments to the Constitution made by the Head of Legal and Democratic Services acting in consultation with the Chief Executive.**
- (b) **Council agree a delegation to the Head of Planning and Building Control to “determine any footpath and bridleways matters including their protection, creation, diversion, modification and extinguishment”.**

1.0 Proposal(s)

- 1.1 Under Part 2M Chapter 13.2 (c) of the Council's Constitution, the Monitoring Officer (that is, the Head of Legal and Democratic Services), in consultation with the Chief Executive, has delegated authority to make minor amendments to the Constitution arising from changes to legislation, changes to staffing structures, job descriptions or changes in terminology.
- 1.2 The Constitution requires that such changes be reported annually to Council. This report fulfils this requirement.

2.0 Background

- 2.1 Over the course of the last civic year, several minor amendments to the Constitution were identified as being necessary and were implemented under the Monitoring Officer's delegation to do so, acting in consultation with the Chief Executive. These are mostly minor typographical corrections and changes in terminology. A full list of the changes can be found at Appendix 1.
- 2.2 It was agreed by the HR Committee on 16th February 2021 that the Officer Code of Conduct at Part 5B of the Constitution be replaced with a new Code of Conduct for Employees. This is contained at Appendix 2.
- 2.3 A comprehensive review of the Constitution is currently underway and any amendments will be brought back to a future meeting of the Council.

3.0 Reason(s)

- 3.1 To ensure the Constitution is up to date, correct and free of errors.

4.0 Options

- 4.1 For Council to note the changes.

5.0 Risks

- 5.1 None.

6.0 Implications/Consultations

- 6.1 None.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

Yes. The Code of Conduct for Employees has been updated to be fit for purpose. The HR Committee has considered and approved the new document.

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix 1 – Changes to the Constitution

7.2 Appendix 2 – Code of Conduct for Employees

Contact Member

None

Contact Officer and Report Author

James Ellis – Head of Legal and Democratic
Services

Contact Tel No 01279 502170

james.ellis@eastherts.gov.uk

Report Author

As above

Appendix 1

Part 3C (Page 147)	New paragraph 15.29 allowing the Head of Planning and Building Control “To determine any footpath and bridleways matters including their protection, creation, diversion, modification and extinguishment”
Annex A (Page 158)	Correction of “Health Act 1961” to “Public Health Act 1961”
Part 4F (Page 255)	Paragraph 2.1 – Replace the word “Director” with “Deputy Chief Executive” due to a change in staffing terminology.
Part 4F (Page 256)	Paragraph 4 – Replace the word “Directors” with “Chief Officers” due to a change in staffing terminology.
Part 4F (Page 256)	Paragraph 6.1 – Addition of the words “paragraph 1(e)” for clarity.
Part 4F (Page 256)	Paragraph 6.2 – Replace the word “Director” with “Deputy Chief Executive” due to a change in staffing terminology.
Part 4F (Page 257)	Deletion of paragraph 6.7 stating “The Chief Officer Recruitment Committee will approve the dismissal of a Director” due to there no longer being any directors.
Part 4F (Page 257)	Update paragraph numbers to 6.7 and 6.8 and replace the word “Directors” with “Chief Officers” due to a change in staffing terminology.
Part 5F (Page 343)	Paragraph 2.2 – Replacement of the word “Executive” with “Officer” and the word “Director” with “Head of Service” due to a change in staffing terminology.
Part 5F (Page 345)	Paragraph 2.2 (j) – Removal of errant “(“
Part 5F (Page 345)	Paragraph 2.2 (k) – Pluralisation of the word “interest” to “interests”
Part 5F (Page 345)	Paragraph 2.2 (o) – Addition of “or her” in order to cover both genders.
Part 5F (Page 346)	Paragraph 2.2 (q) – Insert the word “and” to make for easier reading.

Annex (Page 349)	Point 9 – Capitalize the word “Local”
Part 5G (Page 350)	Paragraph 3.3 - Replacement of the word “Executive” with “Officer” and the word “Director” with “Head of Service” due to a change in staffing terminology.
Part 5G (Page 353)	Paragraph 8.1 - Replacement of the word “Executive” with “Officer” and the word “Director” with “Head of Service” due to a change in staffing terminology.

Part 4F - Officer Employment Procedure Rules

1. Recruitment and appointment

1.1 Declarations

- 1.1.1 The council will require any candidate for appointment as an employee to state in writing whether they have any connections to an existing Member or employee of the council or of the spouse or partner of such persons.
- 1.1.2 A candidate who does not disclose such a relationship may be disqualified from consideration, and if appointed, may be liable to dismissal.
- 1.1.3 Every Member and officer of the council will inform the Head of Service concerned when they become aware of an application by a relative.
- 1.1.4 No candidate connected to a Member or an officer will be appointed without the authority of the Head of Paid Service or an officer nominated by him/her.

1.2 Seeking support for appointment.

The council will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the council. The content of this paragraph will be included in any recruitment information.

2. Recruitment of Head of Paid service and Chief Officers

- 2.1 For the purposes of these rules, the term “Chief Officers” shall mean the Chief Executive and the ~~Directors~~Deputy Chief Executive.
- 2.2 Where the council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among existing officers, the council will:

- (a) draw up a statement specifying the duties of the officer concerned and any qualifications or qualities to be sought in the person to be appointed; and
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.

3.0 Appointment of Chief Executive

Before an offer of appointment is made, Council will be required to approve the appointment of the Head of Paid Service following the recommendation of the Chief Officer Recruitment Committee.

4.0 Appointment of ~~Directors~~Chief Officers

4.1 The Chief Officer Recruitment Committee will appoint ~~Directors~~Chief Officers.

4.2 An offer of employment as a ~~Director~~ Chief Officer shall only be made where no well-founded objection from any Member of the Executive has been received.

5.0 Other Appointments

5.1 Officers below Chief Officer. _Appointment of officers below Chief Officer (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Members.

5.2 Assistants to political groups. _Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

6.0 Disciplinary Action

6.1 Disciplinary action for the dismissal of the Head of Paid Service, Chief Financial Officer or Monitoring Officer shall take place in accordance with Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2015. The Chief Officer Recruitment Committee shall be the “Panel” referred to in Schedule 3 paragraph 1(e).

- 6.2 Suspension. The Head of Paid Service, ~~Directors~~, Monitoring Officer or Chief Financial Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months unless the Investigator recommends the suspension should continue beyond that point.
- 6.3 Members will not be involved in disciplinary action against any officer below Chief Officer level, except where such involvement is necessary for any investigation or inquiry into alleged misconduct. Such disciplinary action will be undertaken by the Head of Paid Service or an officer nominated by him/her.
- 6.4 The Chief Officer Recruitment Committee will make recommendations to Council for the dismissal of the Head of Paid Service, Chief Financial Officer or Monitoring Officer and Council must approve that dismissal before notice is given to that person.
- 6.5 The Chief Officer Recruitment Committee shall approve any disciplinary action, short of dismissal, against the Head of Paid Service, Chief Financial Officer or Monitoring Officer.
- 6.6 Subject to the provisions of The Local Authorities (Standing Orders) (England) Regulations 2015 all actions will be in accordance with both the JNC Conditions of Service for Chief Executives/Chief Officers and the council's employment policies.
- ~~6.7 The Chief Officer Recruitment Committee will approve the dismissal of a Director.~~
- 6.87 Notice of the dismissal of the Chief Executive or any ~~Director~~ Chief Officer or assistant to a political group must be given to the Executive in accordance with paragraph 6 of Part II to Schedule I of the Local Authorities (Standing Orders) (England) Regulations 2015.
- 6.98 ~~Directors~~, Chief Officers and the Head of Paid Service have a right of appeal against dismissal to a Joint Chief Officer Appeals Committee specifically appointed for that purpose.

Part 5F - Monitoring Officer Protocol

1.0 General introduction to statutory responsibilities

- 1.1 The Monitoring Officer is a statutory appointment pursuant to section 5 of the Local Government and Housing Act 1989. This protocol provides some general information on how those statutory requirements will be discharged in the Council.
- 1.2 The Monitoring Officer should undertake to discharge these statutory responsibilities in a positive way and in a manner that enhances the overall reputation of the Council. In doing so, the Monitoring Officer will also safeguard, so far as is possible, Members and Officers, whilst acting in their official capacities, from legal difficulties and/or criminal sanctions.
- 1.3 A summary list of the statutory responsibilities appears in the table annexed to this document.

2.0 Working arrangements

- 2.1 Having excellent working relations with Members and Officers will assist in the discharge of the statutory responsibilities of the Monitoring Officer. Equally, a speedy flow of relevant information and access to debate (particularly at the early stages of any decision-making by the Council) will assist in fulfilling those responsibilities. Members and Officers should, therefore, work with the Monitoring Officer to discharge the Council's statutory and discretionary responsibilities.
- 2.2 The following arrangements and understandings between the Monitoring Officer, Members, the Chief ~~Executive Officers~~ and ~~Directors~~ Heads of Service are designed to ensure the effective discharge of the Council's business and functions. The Monitoring Officer will:
 - (a) be alerted by Members and officers to any issue(s) that may become of concern to the Council, including, in particular issues around legal powers to do something or not, ethical standards, probity, propriety, procedural or

other constitutional issues that are likely to (or do) arise;

- (b) have advance notice (including receiving Agendas, Minutes, Reports and related papers) of all relevant meetings of the Council at which a decision may be made (including a failure to take a decision where one should have been taken) at or before the Council, Executive, Committee meetings and Sub-Committee meetings (or equivalent arrangements);
- (c) have the right to attend any meeting of the Council (including the right to be heard) before any Decision is taken (including a failure to take a decision where one should have been taken) at or before the Council, Executive, Committee meetings and Sub-Committee meetings (or equivalent arrangements);
- (d) in carrying out any investigation(s) have unqualified access to any information held by the Council and to any Officer who can assist in the discharge of any functions;
- (e) ensure the other statutory officers (Head of Paid Service and the Chief Financial Officer) are kept up-to-date with relevant information regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;
- (f) meet regularly with the Head of Paid Service and the Chief Financial Officer to consider and recommend action in connection with Corporate Governance issues and other matters of concern regarding any legal, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;
- (g) report to the Council, from time to time, on the Constitution and any necessary or desirable changes following consultation, in particular, with the Head of Paid Service and Chief Financial Officer;
- (h) make a report to the Council, as necessary on the staff, accommodation and resources required to discharge his/her statutory functions;

- (i) have a direct relationship of respect and trust with the Leader, Deputy Leader and the Chairmen of the Regulatory and Scrutiny Committees with a view to ensuring the effective and efficient discharge of Council business;
- (j) develop an effective working liaison and relationship with the External Auditor and the Local Government Ombudsman (including having the authority, on behalf of the Council, to complain to the same, refer any breaches to the same or give and receive any relevant information, whether confidential or otherwise, through appropriate protocols, if necessary and settle any compensation payments for alleged or actual maladministration found against the Council;
- (k) maintain and keep up-to-date relevant statutory registers for the declaration of Members' interests, gifts and hospitality;
- (l) give advice to Members and officers of the Council –and undertake relevant enquiries into allegations of breaches of the Members' Code of Conduct, including such allegations against Town and Parish Councillors;
- (m) in consultation, as necessary, with the Chairman of the Council, the Executive and the Audit and Governance Committee, defer the making of a formal report under Section 5 of the Local Government and Housing Act 1989 where another investigative body is involved;
- (n) make arrangements to ensure effective communication with the Town and Parish Councils within the District on Monitoring Officer and Audit and Governance Committee issues;
- (o) have sufficient resources to address any matters concerning his or her Monitoring Officer functions;
- (p) subject to the approval of the Audit and Governance Committee, be responsible for preparing any training programme for Members on ethical standards and Code of

Conduct issues; and

- (q) appoint a deputy and keep the deputy briefed on any relevant issues that the deputy may be required to deal with in the absence of the Monitoring Officer; ~~and-~~
~~A~~ppoint an appropriate external adviser in cases where the Monitoring Officer is precluded from offering advice and the Deputy is unable to advise.

- 2.3 To ensure the effective and efficient discharge of the arrangements set out in paragraph 5 above, Members and Officers will report any breaches of statutory duty or Council policies or procedures and other legal or constitutional concerns to the Monitoring Officer, as soon as practicable.
- 2.4 The Monitoring Officer is also available for Members and Officers to consult on any issues of the Council's legal powers, possible maladministration, impropriety and probity issues, or general advice on the constitutional arrangements (e.g. Standing Orders, policy framework, terms of reference, scheme of delegations etc).
- 2.5 To ensure the effective and efficient discharge of this Protocol, the Chief Financial Officer will ensure adequate insurance and indemnity arrangements are in place for the same to protect and safeguard the interests of the Council and the proper discharge of the Monitoring Officer role.
- 2.6 The Monitoring Officer or the Deputy Monitoring Officer will record details of any advice given.

SUMMARY OF MONITORING OFFICER FUNCTIONS

	Description	Source
1	Report on contraventions or likely contraventions of any enactment or rule of law.	Section 5 Local Government and Housing Act 1989
2	Report on any maladministration or injustice where Ombudsman has carried out an investigation.	Section 5 Local Government and Housing Act 1989.
3	Appointment of Deputy.	Section 5 Local Government and Housing Act 1989.
4	Report on resources.	Section 5 Local Government and Housing Act 1989.
5	Receive copies of whistleblowing allegations of misconduct.	Code of Conduct
6	Establish and maintain registers of Members' interests and gifts and hospitality.	Section 29 Localism Act 2011
7	Compensation for maladministration.	Section 92 LGA 2000.
8	Advice on vires issues, maladministration, financial impropriety, probity and policy framework and budget issues to all Members.	Government guidance.
9	Maintain a log of member training	<u>H</u> Local requirement

Part 5G - Media Protocol

1.0 Introduction

- 1.1 Communication between the Council and the public is vital for access to services and for local democracy.
- 1.2 Because we recognise the importance of the media to effective public communications, we have produced this protocol which sets out:
 - (a) the professional support offered by the Communications Team
 - (b) the roles of Members and officers in media relations
 - (c) the legal framework for publicity
 - (d) a formal account of media relations practice at East Herts.
- 1.3 It is designed to help everyone in the Council to work more effectively together and with our contacts in the local or national media.

2.0 The Role of the Communications Team

- 2.1 The purpose of the Communications Team is to increase public awareness of the Council's services and functions, to explain to the public and stakeholders what the policies and priorities are and to support the organisation in gathering public views on services, policies and priorities.
- 2.2 It fulfils this role through the production of content via the following printed media and digital media channels:
 - (a) press releases and responses to press enquiries
 - (b) press briefings
 - (c) Link magazine,
 - (d) the hosting of conferences and media events
 - (e) electronic newsletters

- (f) council website
- (g) council social media accounts (including facebook, twitter, Instagram and youtube)

2.3 The Communications Team provides officers and Members with support on any communications matter that relates to the reputation of the Council as a whole, its policies and its services.

3.0 Who speaks for East Herts Council to the Media?

3.1 As democratically elected and publicly accountable representatives, the Members of East Herts are the primary spokesmen for the Authority with the media. Only Members who hold particular positions should be individually identified in publicity.

3.2 These should be taken as:

- Leader and other Committee Chairmen
- Chairman and Vice Chairman (in their ceremonial roles)
- Executive Members

3.3 Therefore:

- The Leader is the main spokesperson on cross cutting policies and issues at national level.
- Executive Members are spokesmen for the Council in their respective portfolios.
- Other leading Members (such as Chairmen of Scrutiny and Development Management) will be quoted and referred to in relation to issues within their own areas of expertise.
- The Chairman will be the spokesman on all matters of a civic or ceremonial nature.
- Officers are also important spokesmen for the Council. Whilst the Communications Team can and will handle many factual enquiries, there will be many occasions when more specialist or technical information will be required.

- In these instances it is expected that senior officers (~~Chief Executive Officers~~ and ~~Directors Heads of Service~~) will handle media interviews.
- Other officers, with the agreement of the respective ~~Director Head of Service~~, may also be the most appropriate person to handle media enquiries and this can be facilitated with support from the Communications Team.

4.0 Other officers

Officers who are contacted directly by the media without advance knowledge, agreement or preparation are advised to politely redirect the request to the Communications Team in the first instance.

5.0 Ward Members

The Communications Team is happy to advise Ward Members who are approached directly by the media for comment/interview but it is not a political resource.

6.0 The Legal Framework

- 6.1 Council resources can only be used for non party-political publicity of the work of the Council – not for criticism of the Council or of Council policies.
- 6.2 All Council publicity and media work is governed by provisions in the Local Government Act 1972, the Local Government Act 1986 and the Government's Code of Recommended Practice on Local Authority Publicity 1988 as Revised 2001.
- 6.3 Collectively these pieces of legislation are intended to ensure that public money is not spent inappropriately on political communications. They require authorities to ensure that "Any publicity describing the Council's policies and aims should be as objective as possible, concentrating on facts or explanation or both." They also forbid Councils from publicity which could in any way be construed as being designed to "affect support for a political party".

- 6.4 Council publicity should focus on publicising the democratically agreed policy.

7.0 Election time

- 7.1 Special restrictions apply during the period prior to elections.
- 7.2 The updated Code of Practice on Local Authority Publicity requires that proactive publicity should be precluded in all its forms for candidates and other politicians involved directly in the election. Publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual Members or groups of Members.

Note: It is acceptable for the Council to respond in appropriate circumstances to events and legitimate service enquiries provided that their answers are factual and not party political. Members holding key political or civic positions should be able to comment in an emergency or where there is a genuine need for a Member level response to an important event outside the Council's control. Proactive events arranged in this period should not involve Members likely to be standing for election.

- 7.3 Consequently, no Members will be quoted in news releases produced by East Herts Council in the period leading up to an election.
- 7.4 Wider publicity initiatives also need to be considered carefully during this period.
- 7.5 In the advent of an election, it is possible that prospective candidates (Parliamentary, District, European or County) may request visits to Council services and premises. All candidates must be treated equally and there is no requirement for such requests to be refused. Council staff should not be included in any photographs that may be arranged during such visits.
- 7.6 Within East Herts the Communications Team and/or Legal Services colleagues are best placed to advise and support colleagues on any legal implications of publicity. If in doubt, their advice should also be sought.

8.0 General Media Relations Practice at East Herts

8.1 The Communications Team will promote:

- (a) Agreed service initiatives in liaison with the Leader of the Council, Chief ~~Executive Officers~~ and ~~Directors~~ Heads of Service.
- (b) Agreed service initiatives as requested by senior managers in liaison with the Leader of the Council and appropriate Executive Members.
- (c) The role of scrutiny within the overall democratic process, as the opportunity arises, in liaison with the Chief Executive and the Leader of the Council.
- (d) Other activities and developments of the Council through news releases and publications, quoting officers of East Herts and partner organisations and/or service users, where their contributions add to the relevance and interest of the story.
- (e) Ceremonial and cross-organisational events in liaison with the Chairman of the Council.

9.0 At Full Council and Executive Meetings

9.1 Agendas will have been issued to the media in advance.

9.2 Where appropriate, press releases will be issued following the meeting describing the decision and quoting the Leader or Executive Member as appropriate. Such releases will highlight key issues and will help to explain and publicise Council policies and services.

9.3 Motions and questions from individual members shown on the agenda will not be publicised through press releases.

9.4 The Communications Team will respond to subsequent press enquiries by providing a factual explanation at officer level (either directly or through another officer). Where a matter of policy is in question, the matter will be referred to the Leader of the Council

or the appropriate Executive Member. Interviews and photo opportunities will be facilitated.

- 9.5 Where a reporter wishes to find out what was said by individual Members during a debate, officers will refer the reporter to the Member direct.

10.0 At Other Council Meetings

- 10.1 Communications officers will respond to any press enquiries before the meeting by providing a factual explanation at officer level. Where a matter of policy is in question, they will consult the appropriate Chairman and inform the Chief Executive and/or the Executive Member.
- 10.2 If the meeting (e.g. Scrutiny) collectively agrees to issue a press release on any given topic, this will be prepared and issued by Communications Staff in consultation with and quoting the relevant Chairman following the meeting. These releases will be issued in line with the information item, factually describing the outcome.
- 10.3 Where a matter of policy is in question, Communications Staff will advise the appropriate Chief Officer and/or Executive Member that a release is being issued and will respond to press enquiries following the meeting by providing a factual explanation of the outcome at officer level, in line with the information item.

11.0 Political Communications

- 11.1 The Communications Team can and will only provide professional non party-political communications advice to Members on request.
- 11.2 Nothing in the protocol precludes any political group or individual councillor from issuing their own press information and making any other arrangements for printed or digital media coverage.



East Herts Council

Code of Conduct for Employees

Policy Statement

**Policy Statement No 14 (Issue No 3)
February 2021**

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CODE OF CONDUCT

Policy Statement No 14 (Issue No 3) February 2021

1.0 Introduction

- 1.1 The primary commitment of East Herts Council is to provide excellent services to our service users, visitors and partner organisations. This commitment lies at the centre of the work undertaken by employees with every effort made to achieve these aims.
- 1.2 It is important that all employees (including agency employees, contractors and volunteers) conduct themselves to preserve public confidence in East Herts Council's integrity as an organisation.
- 1.3 Employees should at all times act with due regard to the council's values and behaviours and to show respect to fellow employees, Members, service users, visitors and partner organisations.
- 1.4 East Herts Council believes that the conduct of its employees is of a high standard. The purpose of this code is to provide clear guidance on the standards expected from all. All employees and volunteers should be aware that breaches of this Code will be investigated and, where considered appropriate, disciplinary action taken.
- 1.5 No code of conduct can cover all circumstances that may arise. Emphasis, therefore, is placed on the standards of performance and behaviour which are expected rather than making a complete list of rules or possible breaches.
- 1.6 Any action undertaken by a member of staff as part of a trade union dispute, where this action has been properly and legally

called by a recognised trade union, shall be outside the scope of this policy.

- 1.7 Where 'employees' are referred to in this Code, the principles and conduct expectations also apply to agency staff, contractors and volunteers.

2.0 Standards and General Conduct

- 2.1 The Code of Conduct has been developed to ensure that there are appropriate standards for the way in which the council delivers its services. Each employee is expected to abide by the terms and conditions of their employment and will be expected to conduct themselves in accordance with council policies and the council's values and behaviours.
- 2.2 Employees are expected to report any breach of the council's standards, procedures or expected behaviours to the appropriate manager. If an employee is concerned regarding coming forward in a safe and confidential way they should seek HR, management or union support, another potential avenue to raise concerns is through the Disclosure (Whistleblowing) Code.

3.0 Work Performance and following East Herts Council's procedures

- 3.1 You are expected to carry out the full duties of your job to a high standard of performance, with appropriate support, supervision and training from East Herts Council. You are also expected to carry out reasonable management instructions and comply with East Herts Council rules.

4.0 Attendance and Time Keeping

- 4.1 All absence must be authorised in advance in accordance with East Herts Council's leave booking arrangements except in the case of sickness, injury or exceptional personal complications that could not be foreseen. If you are unable to work for any of these reasons, you must contact your line manager as soon as possible and your absence must be notified and certified in accordance with East Herts Council's absence/sickness notification & certification procedures.
- 4.2 The council operates a flexi-time scheme which allows most employees (where the service and nature of the work allows) to have flexible start and finish times. However if you know that you are going to arrive at work much later than you normally do, please ensure your manager is aware from a health and safety perspective.
- 4.3 If you have a role that has set start times or a meeting time has been arranged, punctuality in attendance for work is expected, barring the most exceptional circumstances.

5.0 Violence, Bullying and Harassment

- 5.1 East Herts Council will not tolerate any acts of violence, threatening behaviour, verbal abuse, malicious cruelty, bullying and/or harassment or any behaviour which can be reasonably determined as intimidating and unwanted.
- 5.2 What does not constitute bullying behaviour is a manager discussing with an employee concerns regarding their performance or behaviour where legitimate and constructive criticism is made (or a reasonable request/instruction given).
- 5.3 Further information can be obtained from the council's Bullying and Harassment Policy.

6.0 Honesty, Integrity and Avoidance of Conflicts of Interest

- 6.1 High standards of integrity and honesty are expected at all times. This includes being truthful and honest when asked appropriate questions by managers and other colleagues about any matters which have a bearing on your employment with and work at East Herts Council.
- 6.2 East Herts Council documents, forms and records should be completed truthfully and accurately. This includes all Human Resources forms, attendance forms, financial forms and records.
- 6.3 Under no circumstances may employees other than the line manager or an appropriate senior manager write a reference on East Herts Council headed paper for East Herts Council employees or ex-employees. Managers must seek guidance from HR before sending a reference to ensure data is in line with employee records and for a copy to be placed on the employee's file. If you choose to write a personal character reference for a colleague/ex-colleague you must do so from your private address, making clear that you are not writing in an official capacity on behalf of East Herts Council, and you must be explicit about the nature of the working relationship that you had with the colleague.
- 6.4 Authority must not be abused in relation to a colleague, service user, Member or applicant for East Herts Council's services. Improper use of your official position for private gain or for the gain of relatives and associates will not be tolerated.
- 6.5 Conflicts of interest arises when an employee has a financial or personal interest, kinship or relationship, or engages in any activity (paid or unpaid) which could:
- enable him/her to secure some personal advantage (other

than salary) or advantage for a close relative or friend as a result of his/her being employed by East Herts Council; or

- influence his/her judgment in relation to the performance of his/her duties on behalf of East Herts Council.

6.6 For a conflict of interest to arise, the advantage does not have to be realised. You have a duty to be aware of and declare any interests or potential conflict of interests and to take steps to resolve any conflicts that may arise.

6.7 Officers must declare to their manager and to the Head of Legal and Democratic Services any interests, financial or non-financial, which could bring about a conflict with the interests of the authority.

6.8 Once applicable at any time during employment by the council, employees must declare to their Head of Service and the Head of Legal and Democratic Services, membership of any organisation or group which:

- is open to the public and requires formal membership and commitment of allegiance and has secrecy about rules and members' conduct; or
- has views which oppose those of the council in a way or to such a degree that this does, or could be seen to, compromise the employee's ability to carry out his or her duties on behalf of the council in an unbiased and impartial way.

6.9 New starters will be asked to confirm they have read and understood this code of conduct and will be required to declare any potential conflicts of interest as part of their new starter process.

6.10 For avoidance of doubt, Freemasonry is an 'organisation' within the meaning of paragraph 6.8.

6.11 You should not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your job.

7.0 Personal Relationships

7.1 In line with Section 6 above you have a duty to be aware of and declare any interests or potential conflict of interests and to take steps with management guidance to resolve any conflicts that may arise. This includes close personal relationships which can affect your ability to perform your role, essentially by declaring and being transparent it allows the council to manage the situation appropriately.

7.2 It is the employee's responsibility to inform their manager (who must then seek advice from HR), in confidence, if they are in a close personal relationship with another employee, a Member, service user, contractor or someone working from a partner organisation.

7.3 This requirement applies equally to relationships that existed prior to employment and to relationships that develop at the council.

7.4 The manager will discuss with the employee the potential impact of the relationship on the council.

7.5 Although the manager will treat the disclosure sensitively and in confidence, HR will be informed and it is possible that other parties will need to be made aware. This will be on a strictly need-to-know basis and this will be discussed with those concerned first.

- 7.6 The manager will be responsible for making appropriate alternative arrangements in relation to recruitment, selection, appraisal, promotion or other situations or processes where there may be a conflict of interest or where unfair advantage may be gained, or perceived to be gained over other employees.
- 7.7 In some cases it may be necessary to consider moving an employee to another service, if the actual or perceived risk of conflict of interest cannot be managed by other means.
- 7.8 Failure to disclose the existence of such a relationship will result in disciplinary action being considered.
- 7.9 It is important to note that where there is a close personal relationship of a romantic or sexual nature between employees or with one of those mentioned in 7.2 above, it is likely that public displays of affection at work may cause discomfort for their colleagues and portray an unprofessional image. Employees are therefore expected to behave professionally at work with each other and intimate contact and/or displays of affection should only be conducted outside of the work environment. Failure to act professionally will lead to disciplinary action being considered.

8.0 Gifts and Hospitality

- 8.1 You should not accept any fee or reward from organisations except for small gifts not exceeding £25 e.g. advertisement materials, calendars, chocolates, diaries etc. You must complete the declaration form in Appendix 2 and submit it to your Head of Service, who can decide whether it should be returned or how it should be used (e.g. a box of chocolates may be appropriate to be shared amongst the team or used with a fundraising raffle). If a more substantial gift is offered it should

always be tactfully refused and your Head of Service informed that the offer was made.

- 8.2 Invitations to working meals, social functions to which other employees are invited, general celebrations or team sporting events are generally acceptable. However, offers of holidays, hotel accommodation, theatre or match tickets should be refused. You must seek advice from your Head of Service.
- 8.3 You should avoid accepting gifts and hospitality that might reasonably be thought to influence your judgement.
- 8.4 The receipt of gifts of money or gift vouchers from any service user, applicant for East Herts Council's services (prospective candidate or service user), or contractor or supplier is absolutely prohibited.
- 8.5 The acceptance of non-monetary gifts or benefits from all those listed above must be actively discouraged at all times. Whilst it is recognised that in a restricted number of situations it may not be possible, without giving offence, to refuse a trivial gift (e.g. a bottle of wine or a box of chocolates from a contractor at Christmas-time, or flowers from a grateful resident). The gift and donor must be reported to your Head of Service, who can decide whether it should be returned.
- 8.6 If an employee is invited to receive hospitality from or wishes to provide hospitality to a contractor, extravagance must be avoided, and permission must be sought from your Head of Service.

9.0 Alcohol, Drugs and Smoking

- 9.1 If an employee has an alcohol or drug related problem the council views this as a serious illness which should be treated. In these circumstances the council will be sympathetic but will

insist that treatment is sought. However, if treatment is not sought for the condition the council may be forced to use the disciplinary procedure. The council has an Alcohol, Drug and Substance Misuse policy.

- 9.2 You should not be under the influence of alcohol or non-prescription drugs whilst at work, prejudicing performance of your duties and affecting the image of East Herts Council detrimentally. Employees on prescribed medication should inform their manager if they have been prescribed drugs which may affect their performance or other people's safety.
- 9.3 Employees whose job it is to work directly with members of the public must refrain from using alcohol before going on duty and whilst on duty until the working period has finished (it is not acceptable to smell of alcohol as this will potentially damage reputation both of the individual and the council).
- 9.4 Alcohol should not be consumed in the workplace.
- 9.5 Bringing onto, taking or possessing illegal drugs whilst on East Herts Council premises is prohibited and will lead to disciplinary action and be treated as gross misconduct within the terms of East Herts Council's disciplinary procedure and brought to the attention of the police.
- 9.6 Smoking (including the use of e-cigarettes and vaping) is not permitted within East Herts Council's buildings. Smoking is only allowed in designated areas as outlined in the council's Smoke-Free Workplace Policy and in line with the law. The time spent taking smoking breaks should be accounted for in your own time (for example included in the time provided for your lunch break on your flexi sheet, or made before the beginning or after the end of the working day).

10.0 Health and Safety

- 10.1 All employees are responsible for ensuring reasonable care for the health and safety of him/herself and other persons who may be affected by his/her acts or omissions at work. Copies of the council's Health and Safety policies and guidance are available from the Council's Health and Safety Officer or on the intranet (as well as being circulated as part of the recruitment process).
- 10.2 You must not intentionally or recklessly interfere with or misuse anything provided by East Herts Council in pursuance of relevant health and safety legislation and good practice.
- 10.3 You should familiarise yourself with and comply with East Herts Council's Health & Safety Guide and procedures at all times including risk assessments that relate to areas of your work.

11.0 Diversity and Equality

- 11.1 It is important that employees create an environment which is supportive of everyone and does not illegally or unfairly discriminate against any anyone because of age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race (including colour, nationality ethnic or national origin), religion or belief, or sexual orientation, or any other form of unfair discrimination.
- 11.2 Employees must be familiar with and actively uphold East Herts Council's Equality policies.

12.0 Maintaining Professional Relationships and Safeguarding

- 12.1 Employees have a professional duty and a responsibility to safeguard the welfare of service users and visitors, maintain

professional relationships especially in relation to children and vulnerable adults. Employees must follow, uphold and comply with East Herts Council's Safeguarding Policy [\(Link to be added\)](#).

12.2 Employees should take steps to protect children, young people and adults at risk so that they are safe when using our services.

12.3 The council is committed to ensuring that the needs and interests of children, young people and adults at risk are considered by Members, employees, volunteers and contractors in the provision of services and decision-making.

12.4 All employees must ensure they are conversant with the council's Safeguarding Policy and Procedure and follow it. Failure to do so may lead to disciplinary action.

13.0 Confidentiality and Processing Information

13.1 Within the council, communication should be open and informative to all. However, certain information should be considered confidential within the council. Information should not be divulged unless required by law and disclosure is expressly authorised. Personal information on anyone is internally confidential unless part of agreed procedures. Any breach of confidence is a serious disciplinary offence. If you are in doubt about such a matter you should consult your manager. In compliance with the General Data Protection Regulations (GDPR), the Council will process personal or "sensitive" data only for legitimate reasons.

13.2 All knowledge of East Herts Council's work, future plans, employees or Members is confidential and should not be divulged other than in the course of proper performance of duties.

- 13.3 Personal information gained about colleagues must not be maliciously spread or allowed to become the subject of gossip.
- 13.4 Employees should not be critical of one another to outside organisations or to individuals with whom we have a professional relationship.
- 13.5 Employees are expected to abide by East Herts Council's confidentiality & data protection policies at all times.

14.0 Use and Monitoring of East Herts Council Property, Equipment and Time

- 14.1 East Herts Council property and equipment should be treated with care and only used for authorised purposes.
- 14.2 East Herts Council property may not be taken off the premises for personal use unless the procedure for loaning equipment has been followed prior to the loan of the equipment.
- 14.3 Work time should be devoted exclusively to carrying out East Herts Council responsibilities not for personal projects or activities.
- 14.4 Unauthorised pamphlets or literature should not be distributed in the workplace.
- 14.5 Unauthorised documents should not be placed on the walls of the East Herts Council offices or managed properties or on East Herts Council or Union noticeboards. Authorised documents mounted in these places should not be removed or defaced.
- 14.6 Whereas East Herts Council recognises that at certain times it is necessary for employees to make personal telephone calls – e.g. emergencies, making arrangements with relatives, friends or medical and professional contacts - these must be kept to a

bare minimum in terms of both quantity and length of time spent on the phone.

14.7 If friends, relatives or medical and professional contacts telephone you in a personal capacity, you may accept such incoming calls provided that:

- they are not given priority over or allowed to disrupt any work, meeting, or service user contact in which you are engaged;
- if the conversation which takes place lasts longer than a few minutes, it must be accounted for in your own time (for example included in the time provided for your lunch break).

14.8 Under no circumstances may employees use East Herts Council mobile telephones for their own personal use.

14.9 Personal mobile phones should be either switched off or put onto silent/vibrate mode during working hours to ensure that others are not disturbed: use of these at work should be restricted to authorised break times unless otherwise agreed by your manager.

14.10 The occasional use of computers, printers and photocopiers for personal use will be permitted under the following conditions:

- such use is occasional, and not regular;
- use of computers in no way contravenes the rules on computer use set out in East Herts Council's ICT Acceptable Use Policy;
- the time spent in producing documents is accounted for in your own time (for example included in the time provided for your lunch break, or made before the beginning or after

the end of the working day).

14.11 You must not use East Herts Council's franking machine for private correspondence.

14.12 With the exception of printing and photocopying paper as above, you must not use East Herts Council stationery or other stock (e.g. staff kitchen supplies, cleaning materials) for private purposes. Unauthorised removal of East Herts Council stationery or other stocks/materials from an East Herts Council site will be treated as theft.

14.13 It should be noted that East Herts Council has the means, automated and otherwise, of monitoring individual usage of property and equipment, including:

- telephones;
- mobile phones;
- e-mail;
- internet
- Overt CCTV
- Card reader entry systems.

14.14 In order to protect East Herts Council's resources, we reserve the right to use appropriate monitoring systems and information, and such information may form part of the evidence in any disciplinary or other management action that may be taken in connection with:

- any breach of our rules relating to personal use of property, equipment and time,
- any other matter upon which individual usage of property, equipment and time has a bearing.

- 14.15 East Herts Council will have due regard to relevant legislation that may impact on monitoring, including the Human Rights Act (1998), the General Data Protection Regulations and the Regulation of Investigatory Powers Act (2016). To this end, we will not use monitoring systems that are excessive for purpose, for example interception/tapping of phone calls.
- 14.16 You must familiarise yourself with the contents of East Herts Council's ICT Acceptable Use Policy and must not use East Herts Council's e-mail/internet facilities other than within the very limited terms set out in the policy.

15.0 Use of Computers

- 15.1 There should be no unauthorised access to or modification of East Herts Council's computer equipment, programmes or data.
- 15.2 No hardware or software (including computer games) should be installed onto East Herts Council's network or stand-alone computers that has not be authorised by the ICT Department or a member of the Leadership Team.
- 15.3 If you wish to carry out any private work on East Herts Council's computer equipment you must seek prior authorisation from your manager.
- 15.4 You must familiarise yourself with the contents of East Herts Council's ICT Acceptable Use Policy and must not use East Herts Council's e-mail/internet facilities other than within the very limited terms set out in the policy.
- 15.5 You must conduct yourself professionally on e-mail and the Internet including social media (please see Social Media Guidelines – Link be added). This conduct includes, but is not

limited to, avoiding use of material with offensive sexual content, profane or vulgar language, racial or ethnic slurs or similarly insulting material.

15.6 You must not use the Internet/e-mail/social media to circulate materials with a political or religious content. This does not apply to materials circulated by East Herts Council's recognised trade union Unison.

15.7 Do not insert any disks/CDs or other storage devices brought in from outside East Herts Council into the East Herts Council computer equipment without prior agreement from a member of the ICT team. A virus check may need to be carried out first.

15.8 Any misuse of East Herts Council's computer resources may result in a criminal prosecution under the Computer Misuse and Cybercrimes Act (2018) as well as East Herts Council's own internal disciplinary action.

16.0 Mobile Phones whilst driving

16.1 All employees must not use hand held mobile phones (East Herts Council issued or personal) for organisational or personal use whilst driving. Stopping at traffic lights or being stuck in traffic jams is still deemed driving under the law unless the traffic jam is "exceptional" and the engine is turned off.

17.0 East Herts Council's Profile and Reputation

17.1 Please ensure at all times that your words and actions do not bring East Herts Council into disrepute, either internally or in any dealings with external agencies or the public.

17.2 All those who work for East Herts Council are expected to be committed to the aims and objectives of the organisation. Those who attend any external meeting or activity on behalf of

East Herts Council are expected to promote the work and policies of the organisation in a positive way.

- 17.3 The Leadership Team have responsibility for communications with the media. No one who works for East Herts Council should give information to the media about the organisation and its work without the agreement of a member of the Leadership Team.

18. Outside Activities

18.1 Secondary Employment: In line with the contract of employment, permission should be sought in writing from your Head of Service using the declaration form in Appendix 3 if you wish to engage in other business or employment outside of East Herts Council. The Head of Service will ascertain whether the activities in question could impair your ability to act at all times in the best interests of East Herts Council and will also refer to the Working Time Directive. Permission will not be unreasonably refused. If it is refused, the reasons will be explained in writing. You will not have the right of appeal. A copy of the declaration form will be placed on your personal file.

- 18.2 In work related social events or in mixing socially with colleagues outside of work you are expected to maintain and be responsible for your own appropriate behaviour in line with the code of conduct. The onus in such situations is on you to avoid behaving in a manner which could lead to a misconduct complaint. Any such complaint will be dealt with under the disciplinary procedure.

- 18.3 With the above stipulation, your off duty hours are your personal concern but your personal activities should not take precedence over your duty or put you in a position where your duty and private interests conflict. Employees should not

engage in any activity which, in East Herts Council view, conflicts with or acts detrimentally to East Herts Council business or in any way weakens public confidence in the conduct of East Herts Council's business.

19.0 Political neutrality

- 19.1 Employees provide services for all Members and must ensure that their individual rights are respected.
- 19.2 Some employees may be required to advise political groups and must do so in ways which do not compromise their political neutrality.
- 19.3 Employees must follow lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.
- 19.4 Any political assistants, appointed in accordance with the Local Government and Housing Act 1989, are exempt from the standards set in 19.1 to 19.3 above.
- 19.5 The council has a list of politically restricted posts within the meaning of the Local Government and Housing Act 1989.
- 19.6 Employees holding politically restricted posts are disqualified from membership of any local authority other than a parish or community council and from being an MP. The council will maintain a list of these posts and advise the postholders concerned.

20. Criminal proceedings, convictions and misconduct or impropriety allegations

- 20.1 For the protection of all parties you are required to notify a member of the Leadership Team in writing in the event that

you are charged with or convicted of a criminal offence. The information will be treated with sensitivity and confidentiality. No action will be taken unless there is a direct impact on your position.

20.2 In the case of criminal proceedings or conviction involving a East Herts Council employee, East Herts Council reserves the right to consider the impact of such proceedings upon itself and the compatibility of the proceedings or offence with the employee's role, and to take appropriate action. In certain circumstances disciplinary action may follow.

20.3 **Allegations/Misconduct outside of the workplace**

In the event that any allegations of impropriety or misconduct are made against you in respect of your conduct outside the workplace, you must notify your manager immediately (who must then consult with HR). This includes any allegations made in the course of any secondary employment, a voluntary role or holding a public appointment. A failure to notify the council through your manager of such allegations could result in disciplinary action being commenced against you, which may result in the termination of your employment.

21.0 Intellectual property rights, copyright etc

21.1 Any inventions, writings or drawings created in the course of an employee's normal duties are considered the 'intellectual property' of the council and should not be passed on to another party without the permission of the employee's manager.

21.2 Employees must not infringe copyright. Downloading, copying and/or distribution of copyright material including literature, text, music, sound, pictures, software and electronic files is prohibited unless the employee has the correct licences or permissions.

22.0 Tendering issues

- 22.1 Employees involved in tendering and dealing with contractors should be clear on the separation of service user and contractor roles within the Council. Employees must follow the procedures and rules incorporated in the Council's Financial Regulations, Financial Procedures, and rules/procedures relating to Contracts and Procurement requirements. Senior employees who have a service user and/or contractor responsibility must be aware of the need for accountability and openness.
- 22.2 Orders and contracts must be awarded on merit, in accordance with the Council's procurement regulations and demonstrating best value has been achieved. Employees must demonstrate impartiality. No part of the community should be discriminated against.
- 22.3 Employees in service user or contractor units must exercise fairness and impartiality when dealing with customers, suppliers, other contractors and sub-contractors.
- 22.4 Employees who have access to confidential information on tenders or costs, for either internal or external contractors, must not disclose that information to any unauthorised party, subject to the Freedom of Information Regulations.
- 22.5 Any employees contemplating a management buy-out should inform their manager as soon as they have formed an intent and withdraw from the contract awarding process.
- 22.6 Employees should ensure that no preferential treatment is shown to current or former employees, or their partners, relatives or assistants, in awarding contracts to businesses run by or employing them in a managerial capacity

23.0 Use of financial resources

- 23.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the community and behave in a way that minimises a risk of legal challenge to the authority.
- 23.2 Employees must comply with the Council's financial regulations and procurement regulations to safeguard assets and the use of financial resources.
- 23.3 Employees should inform a member of the Leadership Team, who will in turn inform the Head of Finance and Property (S151 Officer), the Head of Paid Service and the appropriate Head of Service of any irregularity or suspected irregularity.
- 23.4 The Council has an Anti-Fraud and Anti-Corruption Strategy, and Disclosure (Whistleblowing) Code. All employees must familiarise themselves with the contents of these documents.

24.0 Sponsorship - Giving and Receiving

- 24.1 When an outside organisation wishes to sponsor a council event, the basic conventions concerning acceptance of gifts and hospitality apply (see Section 8). Acceptance of any support must come about through a transparent decision making process and the support accepted must be recorded.
- 24.2 Where the Council wishes to sponsor an event or service, no employee, partner or relative must benefit from the sponsorship in a direct way without there being a full disclosure to a member of the Leadership Team of any such interest.
- 24.3 When the Council gives support in the community, through sponsorship, grant aid or other means, employees should

ensure that impartial advice is given and there is no conflict of interest involved.

25.0 Standards of dress

25.1 The Council considers the way employees dress and their appearance to be of significant importance in portraying a professional image to all users of its services whether they are Councillors, visitors, residents of the district or colleagues.

25.2 All employees are individually responsible for their general presentation, appearance and personal hygiene, and have a responsibility to consider how others may perceive their appearance.

25.3 Employees are expected to dress appropriately for the duties of their post and are encouraged to adopt a common sense approach with regard to the clothing and jewellery that they wear to work. All external business meetings and contact with the public will require business dress, while more casual approach is permissible for employees working in the back office environment.

25.4 The council operates a 'dress down Friday' where employees may wear jeans and t-shirts. However, employees must ensure that casual dress is appropriate for the workplace.

26. BREACHES OF THE CODE OF CONDUCT

26.1 Any breach of the Code of Conduct will be investigated and may lead to disciplinary action. Breaches fall into two main categories:

- (1) Breaches of the Code of Conduct which, if substantiated, constitute gross misconduct and will normally lead to

summary dismissal, i.e. dismissal without notice or pay in lieu of notice and without previous warnings, following investigation and a disciplinary hearing. Gross misconduct is defined by East Herts Council as those acts which are so serious in their nature that they destroy the employment relationship between the employee and the employer and make any further working relationship and trust impossible.

- (2) Breaches of the Code of Conduct which, if substantiated, warrant lesser penalties.

26.2 Further details and examples are incorporated into East Herts Council's Disciplinary Policy.

APPENDIX 1

CODE OF CONDUCT

I have read and understood the procedures:

Name:

Job Title:

Team/Service:

Signature:

Dated:

APPENDIX 2

GIFTS & HOSPITALITY DECLARATION FORM **(Received or declined)**

This form is for employees to declare any gifts or hospitality **whether they have been accepted or not.**

Please give your completed declaration form to your Head of Service for approval.

A signed copy of your decision will be filed in the Gifts and Hospitality Register held by the Executive Support Team and a copy will be returned to you.

Name _____

Job title _____

Date _____ of _____
Declaration _____

Details of the declaration

Nature of gift / hospitality being / has
been offered _____

Date received / to be received _____

Name of company /organisation / individual
offering gift / hospitality _____

Has the gift / hospitality been accepted **or**
declined? _____

Reason for accepting or
declining _____

Signed (Employee) _____

Date _____

Signed (Head of Service) _____

Date _____

One copy to be secured in the Gifts & Hospitality Register maintained by
the Executive Support Team.

One copy to be returned to the employee.

APPENDIX 3

DECLARATION OF SECONDARY EMPLOYMENT

Name: _____

Job Title: _____

Team: _____ Service: _____

Please submit details below

Declaration

I do not believe that this activity conflicts with the business or reputation of East Herts Council. Please outline what controls are in place to prevent any conflicts if there may be possible concerns.

Signed: _____ Date: _____

For Head of Service

I am satisfied that this activity does not conflict with the business or reputation of East Herts Council. ☐

I have made further comments regarding this declaration (page 2) ☐

Request Approved ☐ Request Denied ☐ Further Comments ☐

Signed: _____ Date: _____

Decision confirmed to officer:

Signed: _____ Date: _____

Further comments regarding this declaration:



East Herts Council

Date of Meeting: 29th April 2021

Report by: Head of Legal and Democratic Services

Report title: Local Government Association Model Code of Conduct for Members

Ward(s) affected: All

Summary

- This report details the recommendations to Council made by the Audit and Governance Committee at its meeting on 16 March 2021.

RECOMMENDATIONS that:

- (a) **that Council replaces the Members' Code of Conduct as contained at Part 5a of the Council's Constitution with the LGA Model Councillor Code of Conduct (presented at Appendix 1 of this report) subject to Appendix C of the Model Code of Conduct being replaced with the text contained in Appendix 2 of this report, and**
- (b) **the replacement Member Code of Conduct be adopted with immediate effect.**

1.0 Proposal(s)

- 1.1 It is contained within the terms of reference of the Audit and Governance Committee that the Committee will advise the Council on the adoption or revision of the Members' Code of Conduct¹.
- 1.2 Pursuant to this, and it considering it prudent to do so, the Audit & Governance Committee recommend to

¹ Part 3B, para 5.6.3 (x) of the Constitution

Council that the LGA Model Code replaces the existing Members' Code of Conduct.

2.0 Background

- 2.1 It is believed that the East Herts Council Members' Code of Conduct was left largely unchanged when the Constitution's last major revision was adopted by Council on 16th May 2018. It is, however, the opinion of the Monitoring Officer that it is in need of review and updating.
- 2.2 The Committee in Standards in Public Life ('CSPL') recently published a report into local government ethical standards. This had 26 recommendations and 15 Best Practice recommendations.
- 2.3 Two of the recommendations of specific relevance to this report were:
 - The Local Government Association should create an updated Model Code of Conduct, in consultation with representative bodies of councillors and officers of all tiers of local government; and
 - Best Practice Recommendation 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.
- 2.4 The LGA started a national consultation on a new model Code that ran from 8th June to 17th August 2020. Members were invited to participate in the consultation through the Member Information Bulletin, with reminders sent via e-mail in early August 2020.
- 2.5 A number of consultation events took place with the LGA online and these were attended by Members and Officers alike. A number of Members took the opportunity to respond to the consultation before it closed, with the LGA preparing a draft version for

approval by the LGA Board on 3rd December.

- 2.6 Three updated, albeit very similar, versions have now been produced by the LGA. The most recent being 19th January 2021 attached as Appendix 1.
- 2.7 Were Council to follow the recommendation from Audit and Governance and adopt the model code, it would be the Monitoring Officer's intention to gauge what interest there was amongst the local parish and town councils to likewise adopt the LGA Model Code of Conduct.

3.0 Reason(s)

- 3.1 To ensure good governance within the Council that is reflective of a national governance model.
- 3.2 The LGA model has been produced on the recommendation of CSPL; however it is not mandatory that we, or any other local authority, adopt it.
- 3.3 If the Council decided to retain its own current version, it is the Monitoring Officer's view that given the time that has elapsed since drafting it, it would still need to review its Code and to start doing this annually, which would involve further consideration by officers and Members.

4.0 Options

- 4.1 As referred to in paragraph 3.2 above, it is open to the Council to either adopt the Model Code of Conduct or not. Points in favour and against doing so are set out below;
- 4.2 Points in favour of adopting the Code:
 - The LGA have produced a model Code of Conduct which has been prepared following national consultation;

- It covers most of the elements that one would expect within the Code and goes beyond most basic models and the Council may adopt it as a whole or in part (as indeed the recommendation is to substitute the wording with Appendix C to the Model Code with the council's own wording);
- It provides short guidance below each obligation under the main provisions of the Code – which should assist understanding;
- The LGA have stated that they will keep it under review so that it remains fit for purpose (thereby meeting the CSPL Best Practice recommendation 15) which would enable to Council's Code to remain fit-for-purpose should the Council update its Code in the future in line with the LGA's revisions;
- The LGA are commissioning more detailed Guidance which should be available from April 2021 (although at the time of writing, this is not available);
- Training can be commissioned for new District Councillors (and across the district for local councils) so that this ties into the new municipal year;
- East Herts Council would not have to undertake its own specific work on reviewing its Code at this stage, and given the Best Practice Recommendation 15, this would be yearly. This would amount to an almost ongoing consultation on changes.

4.3 Points against adoption of the Code:

- Three versions of the model code have been produced by the LGA already since December 2020. There are minor differences, however there has been no formal explanation provided as to why these changes have been made and this creates uncertainty;
- It includes the CSPL's Best Practice recommendations Appendix C. They are not,

however, referenced elsewhere in the LGA code and are not enforceable against an individual Councillor. If Members are content with the principle of adoption then these can be corrected by removal as part of the recommendation outlined in recommendation (a).

- It does not include information on how a dispensation is granted to Councillors or by whom. If Members are content with the principle of adoption, then these can be corrected as part of the recommendation outlined in recommendation (a) by replacing Appendix C of the Model Code with a replacement East Herts Appendix C – which would cover who grants the dispensation and the statutory grounds. The proposed replacement Appendix C for the code is attached to this report at Appendix 2;

- 4.4 On balance, whilst the January 2021 LGA version of the Model Code could, as with any document, be further improved, as part of a package with potential Guidance and annual review, it is preferable to undertaking our own bespoke approach on the matter. It offers an opportunity to reach out to local parish and town councils more effectively and give them greater and more consistent support through a national model.

5.0 Risks

- 5.1 Were Council to decide against adoption of the Model Code, this could present the risk of being out-of-step with national best practice and thus compromising the council's ability to demonstrate the highest standards among councillors if challenged. There is no indication currently of what level of take up there is likely to be, however it is understood anecdotally that the majority of Hertfordshire Councils are looking to adopt the Model Code.

6.0 Implications/Consultations

6.1 None

Community Safety

No

Data Protection

Yes – Part 4 of the Model Code deals with confidentiality and access to information. This places an obligation on Members not disclose information in certain circumstance, and corrects the lack of any such obligations in the current code.

Equalities

Yes – Part 2 of the Model Code deal with bullying, harassment and discrimination, with paragraph 2.3 placing an obligation on Members to promote equalities and not discriminate unlawfully against any person.

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes – Under s.28 (12) of the Localism Act 2011, a relevant authority

must publicise its adoption, revision or replacement of a code of conduct in such matter or as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

- 7.1 Appendix 1 – LGA Model Councillor Code of Conduct 2020 (19th January 2021 version)
- 7.2 Appendix 2 – Suggested replacement Appendix C, which includes information regarding Dispensations.

Contact Member

None

Contact Officer and Report Author

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Report Author

As above

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

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REPLACEMENT APPENDIX C FOR THE CODE IF RECOMMENDED FOR ADOPTION

Reference to 'dispensation' in the code means under section 33 of the Localism Act 2011

If you would like the authority to consider granting you a dispensation where you have a DPI or other Interest, you must make a prior written request to the Monitoring Officer. The grounds under which such an application will be considered are detailed below:

Dispensation grounds¹

A dispensation may be granted only if, after having had regard to all relevant circumstances, the Monitoring Officer considers that—

- a) without the dispensation the number of Councillors prohibited from participating in any particular business, would be so great a proportion of the body transacting the business, as to impede the transaction of the business;
- b) without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
- c) granting the dispensation is in the interests of persons living in the authority's area;
- d) without the dispensation each member of the authority's executive would be prohibited from participating in any

¹ The full wording for the statutory grounds for a DPI dispensation can be found under section 33 Localism Act 2011

particular business to be transacted by the authority's executive, or

- e) considers that it is otherwise appropriate to grant a dispensation

A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.

East Herts Council Report

Council

Date of meeting: 29 April 2021

Report by: Scrutiny Officer

Report title: Annual Scrutiny Reports 2019/20 and 2020/21

Ward(s) affected: All Wards

Summary

- This report introduces the Annual Scrutiny reports for 2019/20 and 2020/21 on behalf of the Chairman of Overview and Scrutiny Committee and provides an overview of what Overview and Scrutiny Committee scrutinised during this period. These reports would be normally be reported on an annual basis but the 2019/20 was delayed as a result of Covid-19 and a decision to undertake a review of the scrutiny process here at East Herts. The review was undertaken by the Centre for Governance and Scrutiny in 2020 and their report was presented to the Executive on 30 March 2021.
- Members are asked to note that some of the actions were concluded in 2020 (or may still be ongoing e.g. Environmental Climate Change) so that there may be a consequent overlap of some actions and reports.
- Although Covid-19 has dominated since March 2020, legislation introduced by Parliament has allowed scheduled meetings to be held remotely for the first time, allowing the Council's decision-making processes to continue. These meetings have

been accessible to the public live via the East Herts District YouTube channel.

RECOMMENDATION FOR COUNCIL: that

- a) The Annual Scrutiny Reports covering the civic years 2019/20 and 2020/21 be agreed and published on the Council's website.**

1.0 Proposal(s)

- 1.1 A Scrutiny Annual Report is prepared each year and presented to Council. Reports from previous years are on the council's website.
- 1.2 The Annual Reports for 2019/20 and 2021 are attached as appendices to this report and summarises the work of during these respective periods.

2.0 Background

- 2.1 Once agreed by Council, the reports will be published on the Council's website and notification of the 'e-location' will be made available.
- 2.2 Members of Overview and Scrutiny Committee at their meeting on 23 March 2021 received the report and requested that a minor change be made to the narrative of the Leader's Introduction to acknowledge the role played by Overview and Scrutiny Committee in supporting the work of the Executive. This was as follows:

Annual Scrutiny Report 2019/20

Insert into the Leader's Introduction:

“The Executive thanks Overview and Scrutiny Committee for the Parking Task and Finish group’s substantial piece of work which was set up to examine elements of East Herts’ current parking policies. The Task and Finish group met seven times to consider issues within their terms of reference which resulted in a number of recommendations being made which are being kept under review by the Head of Operations”.

Annual Scrutiny Report 2020/21

Insert into the Leader’s Introduction:

“The Executive is particularly grateful to the work undertaken by the Task and Finish Group in relation to Enhancing the Council’s working arrangements with Registered Providers which made a series of recommendations on how we could work with local registered providers of affordable housing to maximise the quality of housing Services for those wishing or needing to rent or buy an affordable home. This fed into a larger piece of work on Affordable Housing Research undertaken by the Housing Quality Network (HQN) which identified further options for enhancing the supply of affordable housing in line with local needs which the Executive considered on 5 January 2021”.

3.0 Reason(s)

- 3.1 The Council’s Constitution Chapter 7 2g paragraph 7.4. states that Scrutiny Committee *“must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate”* action.
- 3.2 This report complies with the requirements of the Council’s Constitution

4.0 Options

- 4.1 No alternatives have been considered

5.0 Risks

- 5.1 Publication of an Annual Scrutiny report provides a summary of what issues have been reviewed which can be measured against the council's priorities. An Annual Scrutiny report may also help to provide a measure of assurance that democratic processes continue to be adhered to despite the impact of Covid-19 and that they are transparent and the decision-making process is "business as usual".

6.0 Implications/Consultations

- 6.1 N/A in so far as the production of the Annual Scrutiny summary but individual report authors will have consulted prior to their reports to Committee.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes – references are made throughout the report e.g. where Scrutiny has established Task and Finish Groups e.g. in relation to Climate Change, Parking Policies.

Financial

There may be financial implications if the report is published but previous approaches have been to publish the report online. From an equality viewpoint this might necessitate make further adjustments to ensure that this document is made widely available to all groups.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes - Overview and Scrutiny committees are enshrined in law by virtue of the Local Government Act 2000 and the Localism Act 2011.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

Constitution – Updated December 2020

Appendix A – Annual Scrutiny Report

Appendix B - Centre for Governance and Scrutiny (CfGS) – Final Report published December 2020

Overview and Scrutiny Committee 18 December 2018 (Climate Change)

Council – 24 July 2019 (Climate Change motion)

Overview and Scrutiny Committee – 11 June 2019 (Parking Policies : Task and Finish group)

Overview and Scrutiny Committee – 10 December 2019 (Parking Policies: Task and Finish Group)

Overview and Scrutiny Committee – 5 November 2019 (Waste Management)

Overview and Scrutiny Committee – 5 November 2019 (Council Tax empty properties)

Overview and Scrutiny Committee – 3 December 2019 (Council Tax empty properties)

Executive Agenda – 12 February 2019 – Climate Change

Overview and Scrutiny Committee – 4 February 2020 (Cycling Provision in Bishop's Stortford – Work Programme)

Overview and Security Committee – 4 February 2020 (Website satisfaction- Gov.Metric Performance)

Executive Agenda – 11 February 2020 (Parking Policies – Findings of T&FG)

Development Management Committee – 25 June 2020 (Bircherley Green)

Overview and Scrutiny Committee - 15 September 2020 (Social housing event review of relationship between the Council and Social Housing providers)

Development Management Committee – 24 September 2020 (Bircherley Green)

Overview and Scrutiny Committee – 5 November 2019 (Social Housing Event: Review of relationship between the Council and Social Housing Providers; T&FG) Minutes of T&FG 19 December 2019, 10 March 2019, 16 March 2020 , 25 June (adjourned) and 30 June 2020)

Executive – (Social housing event review of relationship between the Council and Social Housing providers) – recommendations to be considered in the context of a report to the Executive on 5 January 2021

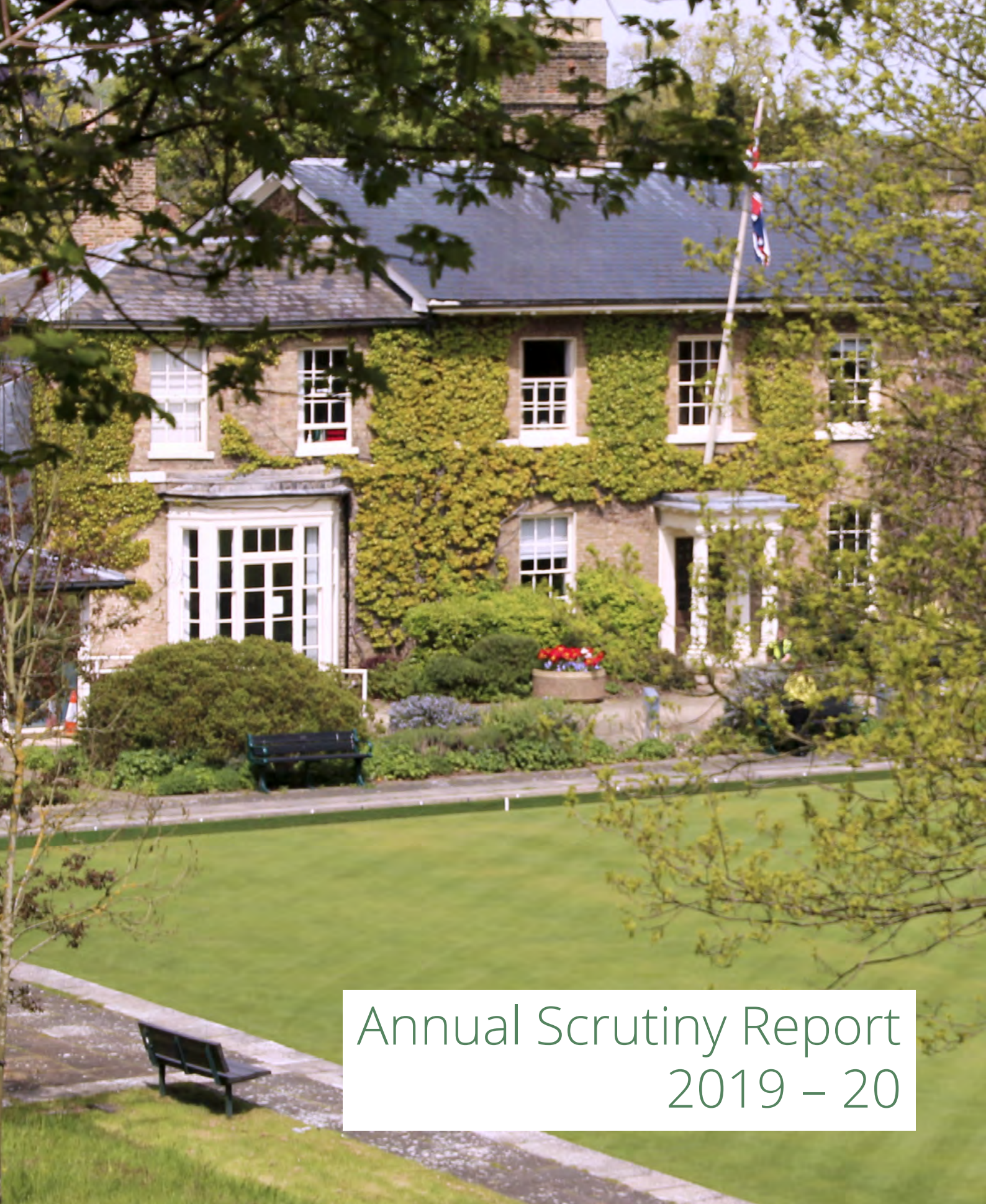
Executive Agenda – 24 November 2020 (Parking Policies – Recommendations)

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Annual Scrutiny Report 2019 – 20

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Introduction from the Leader of the Council - Councillor Linda Haysey

Following the District Elections in May 2019, East Herts welcomed a number of new Councillors on board. To assist Members in their new roles, an intensive induction and ongoing training programme aimed at supporting Members was provided to ensure that all Members had the skills and knowledge to prepare them for their roles and to enable them to work in a supported and all-encompassing environment for the collective good of the District and its residents.

The Executive is East Herts' principal decision making body for those decisions not reserved for Council and a primary role of Overview and Scrutiny Committee is to ensure that it holds the Executive to account for the decisions it makes by the process of scrutiny. Our scrutiny process allows councillors to look closely at the council's services and issues which affect the lives of local people, reviewing the effectiveness of existing policies by examining, questioning and evaluating what we currently have in place, the aim being to achieve improvement and best value in the provision of services regardless of political allegiances.

Like all authorities, Covid-19 has impacted tremendously on the council's income streams and Medium Term Financial Plan and in line with many

other authorities the council has had to ensure that its commitment to its capital projects can be achieved during these difficult times.

The Executive thanks Overview and Scrutiny Committee for the Parking Task and Finish group's substantial piece of work which was set up to examine elements of East Herts' current parking policies. The Task and Finish group met seven times to consider issues within their terms of reference which resulted in a number of recommendations being made which are being kept under review by the Head of Operations.

Going forward, the council continually endeavours to improve the provision of its services and the way it works and with this in mind we asked the Centre for Public Scrutiny (CfPS), (now called the Centre for Governance and Scrutiny – CfGS) to review our current approach to scrutiny and how we can better serve the needs of our residents when considering on the decisions we, as a council need to make. Having regard to the national health emergency, the review took place in May 2020, with the CfGS virtually interviewing selected Members, from political all groups, and key officers. Their final report was published in December 2020 and a Scrutiny Workshop organised by the CfGS took place on 3 December 2020.

The Workshop provided Members of both Overview and Scrutiny and Audit and Governance Committees with an opportunity to consider the CfGS's final report and ask questions. One particular thread running through the report, and which formed part of the recommendations, was the need to hold the Executive to account for the decisions it makes, focusing on strategic issues rather than having items for discussion. The CfGS said that early intervention and being more closely aligned to what the Executive was doing played an important role in ensuring a strategic approach to Scrutiny, including the need to be the "voice of the public". The CfGS emphasised the importance of the Forward Plan, containing key decisions to be taken by the Executive and stressed that early intervention and challenge was the key to good scrutiny. This as well as understanding the "journey" of the decision which should be started early and a robust Forward Plan which is regularly reviewed by Overview and Scrutiny Committee would place Scrutiny Members in a better position to question and challenge; the aim being to improve the provision of services and make savings. The Officer from the CfGS said that Executive Members should be invited to attend meetings of O&S to answer questions about policies and strategies, not just about performance, guided by both past and future decisions.

The Scrutiny Officer will be liaising with key officers to see how best the council can move forward with the CfGS's recommendations.

It is with this expectation that we continue to move forward to be the best that we can be both as a provider of services, a supportive partner and as a local employer, in the knowledge that our residents will always come first.

Linda Haysey



Introduction from the Chairman of Overview and Scrutiny Committee

I have had the pleasure of being the Chairman of Overview and Scrutiny Committee for 3 years. During that time, I can say without a shadow of a doubt, that the council has continued to strive to provide the best for its residents with vision and ambition, taking on a number of major projects such as the redevelopment of the Old River Lane project in Bishop's Stortford and Hertford Theatre improvements, enhanced leisure facilities throughout the district ensuring East Herts remains a great place to live and work. The Council and the Executive continue to have a positive, open and supportive approach to scrutiny which in my view as Chairman of Overview and Scrutiny Committee, is lead from the top without political bias; the common goal at all times is to provide the best for the district and its residents.

Scrutiny as a process requires time and commitment and I am always heartened by the willingness of both Members and Officers to challenge, review and evaluate. Without their professionalism, enthusiasm and inquiring viewpoint, scrutiny would not be possible. I would therefore like to thank my fellow Members and Officers for their continued support, commitment and positivity in making East Herts a council to be proud of.

John Wyllie

What is Scrutiny?

Scrutiny is about reviewing, challenging and making sure that the policies and services in place are the best that they can be.

Issues for a scrutiny review need to be evidenced based and must affect more than one individual. Reviews are not restricted to council services – they can look at anything that has an impact on the quality of life of people in the district, including those working with the council in partnership such as with North Hertfordshire council in relation to refuse provision and Stevenage Borough Council in relation to revenues and benefits with housing associations. If there is evidence that something is wrong or can be improved, then the process of gathering information can begin, sometimes by a task and finish group for a more “in-depth dive” or by officers gathering relevant information, inviting partners’ and interested / relevant individuals to attend meetings, The aim is to ultimately identify, recognise what and if any , improvements can be made and recommend these to the Executive based on what has been established.

Performance and how well the council’s services are doing is another aspect which can be reviewed to establish whether targets are being met. An assessment of performance can be made in any number of ways; qualitatively, quantitatively or anecdotally. While performance monitoring was previously split between both Overview and Scrutiny Committee and the former Performance Audit and Governance Oversight Committee, (now Audit and Governance committee) this now sits solely within the remit of O&S Committee. This approach was adopted by Council in May 2020 so as to ensure that

there is clarity and to avoid duplication of function. At the heart of all the work is consideration of what impact the Executive’s plans will have on the local community.

In summary, the purpose of Overview and Scrutiny Committee is to:

- hold the Executive to account for the decisions it makes;
- develop new policies and review the effectiveness of existing policies by examining, questioning and evaluating what we currently have in place in order to achieve improvement and best value in the provision of services;
- use research and questioning techniques to make recommendations based on evidence;
- encourage public participation in policy development and review, so that issues of public concern can be examined on any matter which affects the district or its residents and over which the council has a measure of influence or control.

The Overview and Scrutiny function is not meant to be confrontational or seen as deliberately set up to form an opposition to the Executive, rather both Committees should be regarded as ‘different sides of the same coin’. The two should and do complement each other and work in tandem to contribute to the development of the work of the council, ensuring that there is cross party representation of Members on all Panels and Task and Finish Groups.

Overview and Scrutiny Committee

The Overview and Scrutiny Committee consists of 14 Members. The Chairman is a Member of the majority group (Conservative) and the Vice Chairman is a Member of an opposition Group (Liberal Democrat). Its terms of reference are set out in Part 2g Chapter 7 of the Council's Constitution – December 2020



Summary:

Effective overview and scrutiny is essential to enhance the accountability and transparency of the decision-making process. The Council has appointed an Overview and Scrutiny Committee to discharge the functions conferred by section 9F of the Local Government Act 2000 and any regulations. This scrutiny committee will discuss issues in public and take a cross-cutting approach to their work. In accordance with section 9FA of the above Act it may appoint one or more sub-committees to carry out any of their functions. They will seek to improve the delivery of policies and services by:

- (i) holding the Executive to account for its actions;
- (ii) advising on the development and implementation of new policy and corporate projects;
- (iii) testing whether existing policies and practices are effective and efficient and suggesting how they might be improved; and
- (iv) ensuring the rigour and objectivity of performance management and service reviews.

How and what Overview and Scrutiny Committee decided to scrutinise in the 2019/20 (including part of 20/21) civic year

The remit of a scrutiny committee is to be responsive and flexible to change whether this is in the external or internal environment in order to ensure that the topics examined are relevant and meaningful.

Members of Overview and Scrutiny Committee (and the public) are encouraged to submit proposals for scrutiny at any point throughout the year and the development of a work plan starts around January each year. Any decision to review must be driven by clear evidence, and a flow chart has been developed to help guide the process of scrutiny. The topics selected are issues which Overview and Scrutiny Committee believe to:

- be of local public interest or concern;
- be linked to the council's corporate priorities and over which the council has some measure of influence or control;
- have the potential to impact on the lives of residents; and
- not be subject to scrutiny by another body

At East Herts, Members feel that it is important to spend time scrutinising issues that:

- reduce risk for residents and the council;
- might incur significant costs, such as large projects; or
- could create substantial savings to the Council

To aid the process, Overview and Scrutiny Committee uses the council's corporate priorities to focus its work. As the economic environment and local issues change, these are reviewed regularly to keep them relevant. During the 2019/20 civic year, the Council updated its priorities and summarised them in the acronym "SEED":

- Sustainability at the heart of everything we do
- Enabling our communities
- Encouraging Economic Growth
- Digital by Design

In summary, the council has reinforced its commitment to sustainability and being greener; a place where people will want to live and work supplemented by much needed housing supported by proper infrastructure and investment.



What we reviewed in the last civic year – a summary

The following is a summary of some key issues which were submitted for scrutiny during the civic year. Some issues were investigated by officers reporting back to Overview and Scrutiny Committee, some led to the establishment of Task and Finish Groups for a “deep dive” into information and some matters were researched with no further action being taken as there was insufficient evidence to support the need for further action or the use of resources.





East Herts Environmental and Climate Change

Climate Change has long been supported within East Herts' vision of sustainability. East Herts first adopted a Climate Change Strategy and Action Plan in December 2009 which concentrated on internal activities within the council's own estate. This Action Plan was reviewed by Overview and Scrutiny Committee on an annual basis to track progress and the vast majority of the actions have been implemented. These include the introduction of zoned lighting and installation of a voltage regulator at Wallfields and the use of pool covers/new air handling plant at swimming pools.

A subsequent Task and Finish Group, initially established on 13 September 2016 by Environment Scrutiny Committee was superseded by O&S Committee. On 12 February, 2019 the Chairman of the Climate Change Task and Finish Group presented to the Executive a range of actions as well as several key principles relating to potential measures to reduce carbon emissions both within the direct control of the Council and across those areas over which it has influence. This approach was supported by the Executive on 12 February 2019. This reinforced an earlier report to Overview and Scrutiny Committee (on 18 December 2018) to consider ideas and proposals both internally and externally to tackle climate change.

More recently the Council took a decision on 24 July 2019 to agree a Climate Change Motion Link to Motion and Minutes (which acknowledged the Council's new corporate priorities – "SEED"). Officers have been working on progressing actions / decisions based around three strands namely:

- Making changes to the council's own premises, people and services (for example further improving the sustainability of the council's own buildings and investigating a switch to electric corporate vehicles);
- Utilising the council's regulatory powers to promote action by others (e.g. through the effective use of local planning powers / policies);
- Influencing and encouraging others to take action (for example promotion of higher standards for new build and increased engagement with local businesses and the community on carbon reduction activity).

On 23 October 2019 Environment and Climate Change Forum was established to drive forward and oversee action on Climate Change locally. The first meeting of this Forum took place on 15 January 2020 at Fletcher's Lea, Ware.

Over 120 people attended the event including local residents, businesses, political representatives, local community and environmental groups together with third sector organisations. The workshops sessions looked at 5 broad themes:

- waste and recycling,
- transport,
- energy,
- planning and development and
- bio-diversity and resources.

Ideas generated from the event are being included in the council's Environmental Sustainability Action Plan, which is one of the strands of "SEED".

The Forum meets on a quarterly basis, with each meeting considering an individual theme in more depth.



The Sustainability Action Plan has been published with updates on the council's website every month. The plan sets out how the council will seek to deliver its ambitious carbon emission reduction targets which were agreed as part of the Council's Climate Motion. It includes a wide range of activities, which will be continually developed with input from the third sector organisations and the local community to develop and build upon the delivery of the 2030 carbon neutrality aspirations. This is a working document which will be being monitored by the Executive Member for Environmental Sustainability and officers on a monthly basis.





Parking Policy Review – Task and Finish Group

On 11 June 2019 the council's Overview and Scrutiny Committee agreed to examine elements of East Herts' current parking policies and a Task and Finish group was established to move this forward. Its terms of reference were to review:

- Town centre parking policies, focussing on Bishop's Stortford and Hertford, but looking also at the needs of other towns and villages
- Resident Permit Zone (RPZ) policy
- Parking standards within planning policies
- Climate change/sustainability implications of parking policy

This was a substantial piece of work with the Parking Task and Finish Group meeting seven times to consider issues within their terms of reference. The final report of the Parking Task and Finish Group was reported to Overview and Scrutiny Committee on 10 December 2019, which supported a number of recommendations affecting car parks generally, Town Centre Parking Policies in Hertford, improved bicycle parking at all stations, improved public transport, a redesign of RPZ's, Charging Bays /Facilities and car clubs to name some recommendations. A detailed summary of the report can be found contained within the Overview and Scrutiny Committee Agenda - 10 December 2019.

The Executive on 11 February 2020 received the findings of the Parking Task and Finish Group and agreed that the Head of Operations, in consultation with the Chairman of the Overview and Scrutiny Committee, the Chairman of the Parking Task and Finish Group, and the Executive Member for Environmental Sustainability were tasked with assessing the full viability of the recommendations by the Executive and to report back to the Executive setting out cost implications. This matter was included in the context of the council's Medium Term Financial plan in terms of increasing parking income but due to Covid-19 the Council ceased parking charges and lost a significant level of income (approx. £900k). Additionally, as a result of Covid-19 parking behaviour has changed in the short term and there are fewer commuters in the council's Car Parks.

Since the report was published and considered by the Executive in February 2020, the landscape of parking has changed substantially and the council now needs to explore how best to respond to that change. The Executive received a further report on 24 November 2020 and supported a number of recommendations and deferred some recommendations so that the Head of Operations might keep the matter under review.

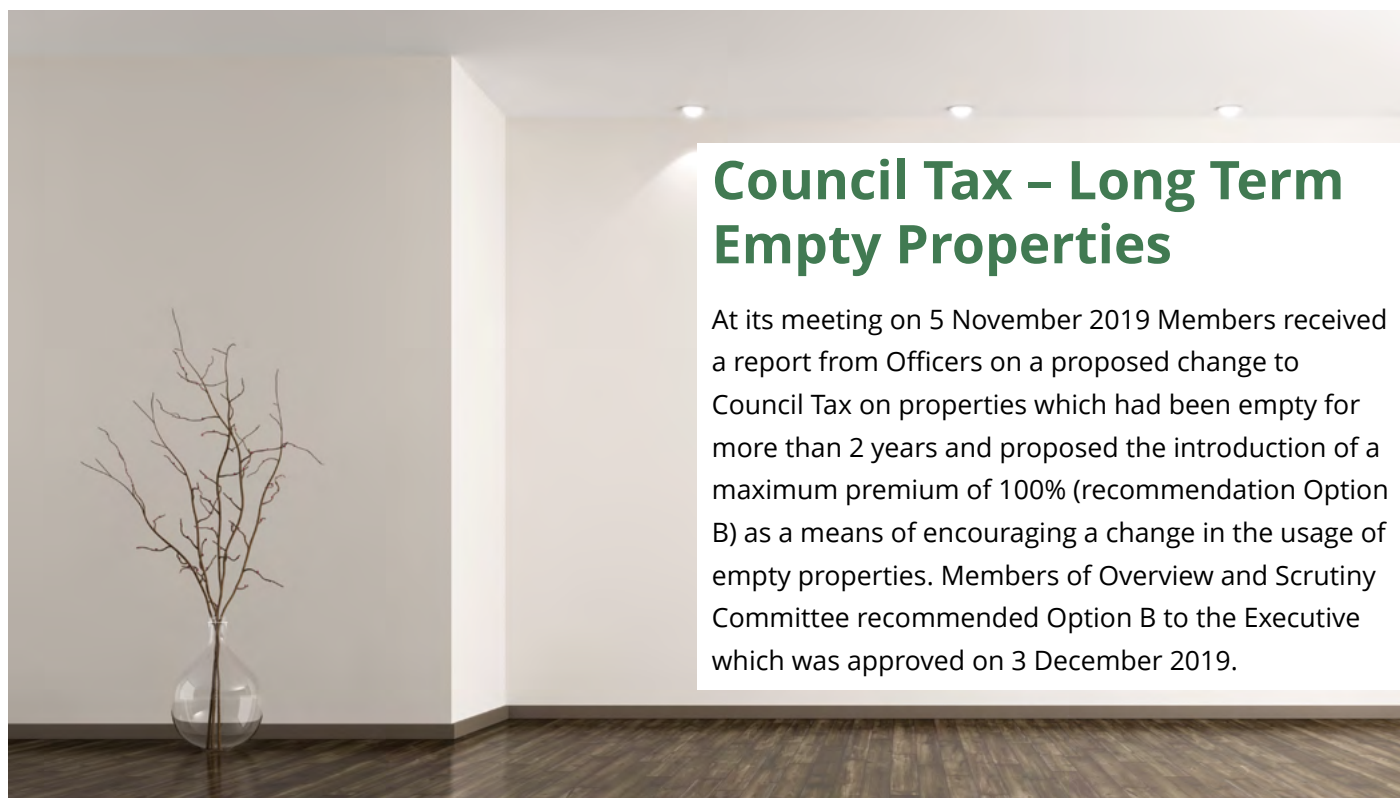
Urbaser and the Waste Management Service

Since the implementation of the new contract to Urbaser in May 2018 some areas of concern were highlighted from the viewpoint of performance and complaints, For example (missed bin collections per 100,000 – 30 or less per month had not been achieved since the start of the contract) and recycling levels which at times, were below average for the county. A report was presented to Overview and Scrutiny Committee on 5 November 2019 (Waste Management Report) when the Contractor was invited to attend. The Head of Operations advised Members that Officers were satisfied with the performance of Urbaser in East Herts and in particular, that the rate of missed bins per 100,000 collections was very good. In terms of the recycling rate of 50%, the Head of Operations said that a future option might be to reduce the bin-size from 240 Litres to encourage an increase in the recycling rate across the District. Members noted the update and agreed that no further action should be taken.



Council Tax – Long Term Empty Properties

At its meeting on 5 November 2019 Members received a report from Officers on a proposed change to Council Tax on properties which had been empty for more than 2 years and proposed the introduction of a maximum premium of 100% (recommendation Option B) as a means of encouraging a change in the usage of empty properties. Members of Overview and Scrutiny Committee recommended Option B to the Executive which was approved on 3 December 2019.





Hertford Town Centre - Economic Viability

Following concerns expressed by one Member about the economic viability of Hertford Town Centre, the issue was scoped as an initial step in the process. Two detailed independent surveys were reviewed by the Scrutiny Officer which concluded that Hertford Town Centre was economically viable and popular (for example there is full occupancy of shops) but that there were strong concerns following site clearance work around Bircherley Green and how this impacted negatively on the local environment. The issue was essentially about residents' perceptions of a lack of progress during ongoing plans to redevelop the site.

The Chairman and Vice Chairman were briefed on the research available and both felt that having reviewed the information available, there was insufficient evidence to support scrutiny of the issue. The Chairman did feel that the new owner of the Bircherley Green site should be allowed time to submit a Planning Application. The initial planning application submitted in December 2019 was refused, a subsequent planning application for a shopping centre at Bircherley Green with mixed use of commercial and residential consisting of 3419 square metres of commercial floor space, 86 bed roomed hotel, 98 residential accommodation units, enhanced car park, and Bus Station, was approved by the Development Management Committee on 25 June 2020.

Cycling Provision in Bishop's Stortford

A Member highlighted residents' concerns about insufficient levels of cycling provision / storage in and around Bishop's Stortford (and the railway station); a review of evidence was initiated as an initial step in the process. Officers from a number of organisations including Hertfordshire County Council, Greater Anglia (Rail Liaison Team) and Bishop's Stortford Town Council were contacted. Additionally, independent research and commissioned studies confirmed that there was ample cycle storage provision at the railway station and locally and of the progressive on-going work by the council's partners, key organisations and the Town Council to provide cycle facilities and routes beyond the town centre. Studies supported the view that cycle storage was not a problem and referred to the comprehensive improvements for cyclists within the town and its environs. Members agreed on 4 February 2020 to take no further action to review the issue.



Social Housing – Review of relationship between the council and social housing providers

Members, at their meeting on 5 November 2019, requested that a Task and Finish Group (T&FG) be set up to evaluate the relationship between the Council and the main social housing providers and how it interacted with the two major providers (i.e. Network Homes and Clarion Housing) within the District and whether there were opportunities for improvement.



The T&FG, comprising four cross-party Members met on 19 December 2019 and agreed an approach going forward which was to convene three meetings: one with tenants' representatives from both Housing Associations (which met on 10 March 2020) and two separate meetings; one with Senior Officers from Network Homes (which met on 16 March 2020) and one with Senior Officers from Clarion Housing (arranged for 25 March 2020) – the latter meeting was subsequently cancelled due to the virus pandemic but was re-scheduled to meet on 25 June, 2020 (adjourned) and then on 30 June 2020. The Minutes of all meetings and any recommendations were reported to O&S Committee on 15 September with a number of recommendations to the Executive on 5 January 2021 in relation to the report on "Affordable Housing Research and Overview and Scrutiny Review."

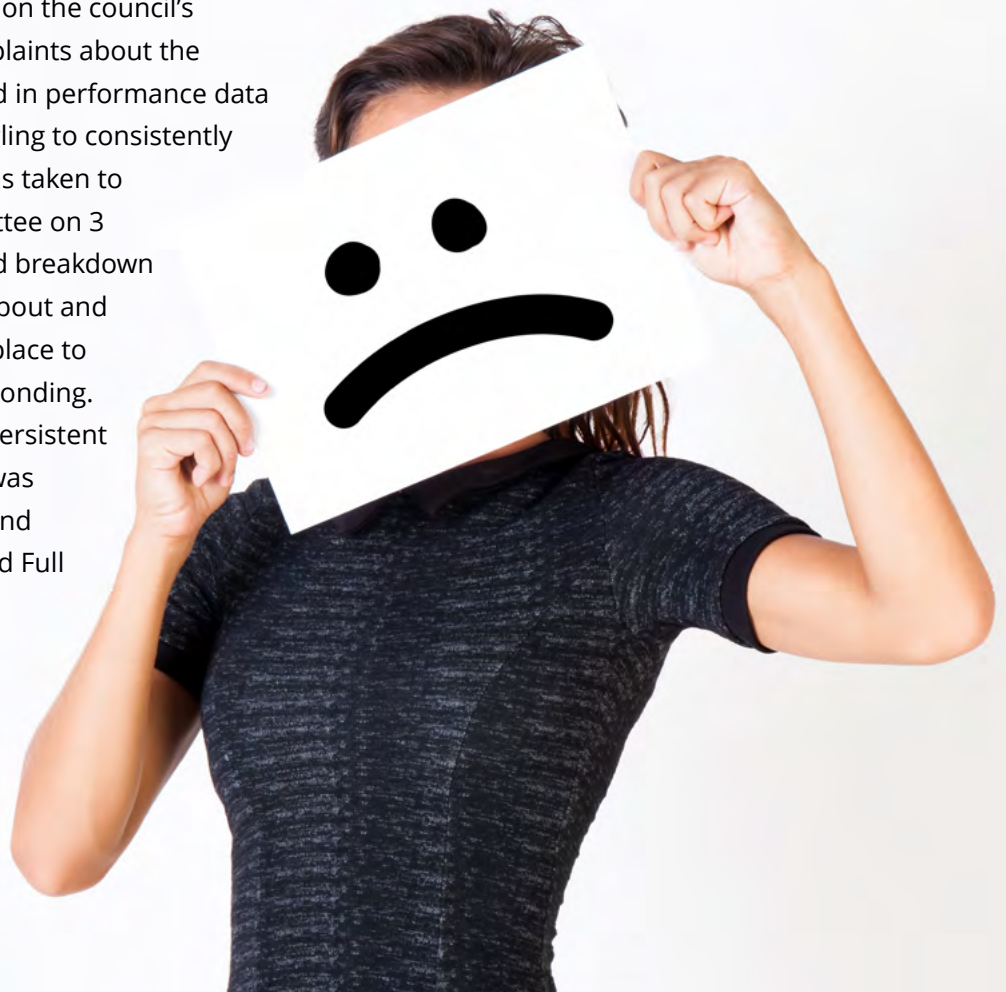
Review of Website Satisfaction

Members asked for a review of the performance of the Council's website at their meeting on 11 June 2019 . This followed on from Members' identifying trends in regular performance reports that website satisfaction scores had been struggling to consistently meet target. This was reported to Overview and Scrutiny Committee on 4 February 2020 when the Head of Communications Strategy and Policy addressed a number of points raised by Members, concluding that he was confident that the newly structured website format (which had been redesigned to address the new 2019 European Union Regulations to achieve the AA accessibility rate) would address past issues of concern. Members agreed that the matter should be kept under review as part of the regular performance reports to Overview and Scrutiny Committee.



Review of Complaints to the Council

Members asked for an update on the council's approach to dealing with complaints about the council after identifying a trend in performance data indicating services were struggling to consistently meet their targets. A report was taken to Overview and Scrutiny Committee on 3 November 2020 with a detailed breakdown of what customers complain about and a number of measures put in place to strengthen the process of responding. A new policy for dealing with persistent and unreasonable behaviour was also considered by Members and recommended to Executive and Full Council for approval.



How can local people get involved?

Scrutiny gives our residents the opportunity to right things which you feel aren't working in your community and there are various ways in which you can get involved.

You can suggest a topic for scrutiny in several ways:

- Firstly there's a form at the back of this report that you can complete and return. Alternatively, forms are available at Council reception areas or you can complete one online here [Scrutiny Referral Form](#)
- You can attend a scrutiny meeting, details of which are on the Council's website. During the current pandemic measures were introduced by the Government to allow for virtual meetings and you can observe the live streams of Overview and Scrutiny Committee meetings via the Council's YouTube Channel.

- Panels quite often seek feedback from local people and partner organisations in connection with specific topics.
- If you're a member of a group, you may be invited to contribute your views on issues related to your areas of interest.
- To keep up to date with what the Council is doing follow us on Facebook and Twitter

<https://twitter.com/EastHerts>

<https://www.facebook.com/eastherts.council>



East Hertfordshire – Best Place to Live! We think so too!!

Scrutiny is important, it can shape and improve all our lives and save money in the process. In the Annual Halifax Quality of Life Survey, East Hertfordshire was ranked No.1 as the best place to live in 2020 - 50 Best Places to live in Britain.

What makes East Hertfordshire such a good place to live, according to the survey?

- Residents feel fit and well with 97 per cent reporting good or fairly good health.
- East Hertfordshire has the 12th highest weekly earnings of any local authority across England, Scotland and Wales.
- The latest ONS figures indicate adults living in East Hertfordshire are among the most happy and content in Britain, with high life expectancies.
- Schools in the area also achieve excellent exam results,

**We think East Hertfordshire is a great place to live; we want to keep it that way.
Be interested and get involved.**



Annual Scrutiny Report 2020 – 21

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Introduction from the Leader of the Council - Councillor Linda Haysey

The Covid-19 pandemic has had an unprecedented impact world-wide, including on the council and local business, not only economically but socially, as the Council continues to work with all its partners in trying to support those in greatest need. I am pleased to report that during these unusual times the Council has worked with partners such as Hertfordshire County Council and numerous support and volunteer groups, to reassure residents that no one will be forgotten. I am also happy to say that East Herts employees have embraced new methods of working mandated by the Government for the protection of all, with professionalism with no diminution in the provision of Council services – they all have my thanks together with those of the Chief Executive.

New legislation has allowed Local Authorities to hold remote meetings so that the democratic process can continue and that decision making remains transparent and publically accountable. Although main meetings of the Council have been live-streamed and available via YouTube, it is difficult to judge whether this has deterred public participation – it is my sincere hope that it has not and for those who feel that their voices have not been heard, I would urge them to maintain close contacts with your elected representatives.

The Executive is particularly grateful to the work undertaken by the Task and Finish Group in relation

to Enhancing the Council's working arrangements with Registered Providers which made a series of recommendations on how we could work with local registered providers of affordable housing to maximise the quality of housing Services for those wishing or needing to rent or buy an affordable home. This fed into a larger piece of work on Affordable Housing Research undertaken by the Housing Quality Network (HQN) which identified further options for enhancing the supply of affordable housing in line with local needs which the Executive considered on 5 January 2021

The report author has explained to Members that many of the actions commenced in 2019 were concluded or may be ongoing in 2020. As a result there may be a consequent overlap of some actions and reports. It may therefore be helpful if this report is read in conjunction with the 2019-20 Annual Scrutiny report, which was itself delayed due to the pandemic.

What follows is a summary of what the Overview and Scrutiny Committee has reviewed during the 2020-21, period commencing with its first meeting on 16 June 2020. All reports and minutes are available from the link below

[Overview and Scrutiny Committee - Browse Meetings](#)

Linda Haysey



16 June 2020

Revised Regulation of Investigatory Powers Act (RIPA) Policy and Use of Social Media in Investigations Policy

The Head of Legal and Democratic Services submitted a report proposing that the Council's Regulation of Investigatory Powers Act (RIPA) Policy, which had not been reviewed since 2010, be revised and updated taking into account significant legislative changes which had occurred in the intervening decade; and that a new Use of Social Media in Investigations Policy be adopted in order to deal specifically with investigations carried out by these means. The proposals followed an inspection of the Council in November 2019 by the Investigatory Powers Commissioner's Office (IPCO), whose resulting report gave a recommendation of 'critical', outlining several areas where the Council was not meeting legal requirement; and actions that were required by June 2020 to address these.

The Overview and Scrutiny Committee agreed that the revised Regulation of Investigatory Powers Act (RIPA) Policy and the new Use of Social Media in Investigations Policy be reviewed and the Executive Member for Corporate Services and the Head of Legal and Democratic Services be requested to give consideration to the matters raised by the Committee prior to the final proposed versions and accompanying report being sent for adoption by the Executive.

This issue has been included on the work programme for Overview and Scrutiny Committee and will be reviewed annually and reported back each June.

Street Cleansing and Verge Maintenance Update

A report was submitted which provided an overview of the street cleansing service (shared with North Herts District Council) and the verge maintenance service (delivered by East Herts Council on behalf of Hertfordshire County Council).

Members sought clarification on a number of issues, including contractor performance, the ecological importance of wild flowers in relation of verge cutting, frequency of street cleansing, ways of improving the service in relation to weed spraying and leaf clearance in rural areas and emptying bins in rural areas.

The Overview and Scrutiny Committee received the update.



Development Management – Pre-Application Advice services

A report provided information on the Council's Development Management Pre-Application Advice Service and of a number of issues with the current operation of the service including fees and performance targets. These were being reviewed with the aim of improving the overall operation of the service and encouraging more customers to use it. The intention was to implement changes from autumn 2020. Members sought clarification on a number of issues including fees for minor and household applications and the nature of pre-application discussions.

The Overview and Scrutiny Committee agreed a number of actions including providing more information on the website to guide applicants, how and whether to involve Members in the pre-application process, to seek survey feedback from applicants on the pre-application advice service and for officers to consider the legal weight of pre-application advice should a planning application be received.

Street Trading Consent Policy

Members considered a report proposing a revision of the Council's existing Street Trading Consent Policy taking into account relevant case law and best practice, and ways in which the policy could further the Council's latest priorities and objectives. Proposed key changes to the existing policy were outlined, the anticipated potential impacts of these changes, the proposed changes to fees and the consultation undertaken.

The Overview and Scrutiny Committee agreed a number of actions including asking the Executive Member for Wellbeing and Head of Housing and Health to consider comments raised by Members prior to drafting the final version of the proposed Street Trading Consent Policy (for agreement by Council) such as: an extension of the new policy to include: Chinese Lanterns, Helium Balloons and Fireworks, to discourage street trading within Air Quality Management Areas and to give existing traders affected by the new policy should be treated with the maximum consideration to avoid any adverse impact on existing businesses.



Hartham Leisure update by the Executive Member for Wellbeing

The Executive Member for Wellbeing provided a verbal presentation on the Development of Hartham Leisure Centre. The Executive Members stated that the planning application for Hartham Leisure Centre had been deferred by the Development Management Committee in January 2019 as Members were concerned at the potential impact of the proposed development on the sensitive setting of the site and regarding environmental sustainability.

The Overview and Scrutiny Committee noted the update and thanked the Executive Member for his presentation.



East Herts Health and Wellbeing Strategy 2019-2023 - Progress Report

Councillor E Buckmaster, Executive Member for Wellbeing, introduced the report which provided a review of progress to date of the Health and Wellbeing Strategy 2019-2023 and the Council's response to Covid-19. The strategy was designed to address nine identified health challenges detailed in the report and referred to a number of successful initiatives introduced by the Council including community grants, dementia-friendly initiatives and the launch of healthy hubs.

The Overview and Scrutiny Committee noted the update and thanked the Executive Member for his presentation. Members asked that the Council should continue to reach out to the volunteer network in response to Covid-19 and support the relaunch of the "Forever Active" Programme.



Housing and Health Strategy 2016-21 – Action Plan Progress Report

A report set out the progress made in 2019/20 in delivering the strategic objectives stemming from the Housing and Health Strategy Action Plan 2016-20 and the proposed new actions for 2020/21.

The Overview and Scrutiny Committee noted the objectives achieved from the Housing and Health Strategy Action Plan 2016-21 and that any suggestions which contributed to the overall strategic objectives be passed to the Executive Member for Neighbourhoods and the Head of Housing and Health for their consideration.



15 September 2020

Enhancing the Council's working arrangements with Registered Providers - Report of the Social Housing Task and Finish Group

The Head of Housing and Health, on behalf of a Task and Finish Group, presented a report that made a series of recommendations on how East Herts Council could enhance the way it worked with local registered providers of affordable housing to maximise the quality of housing services for those wishing or needing to rent or buy an affordable home or who were already an affordable housing tenant in East Herts. A number of meetings were held with social housing providers and residents during 2020.

The Executive considered and supported a number of recommendations on this matter on 5 January 2021 – this is considered further in the Annual Scrutiny Report 2019/20 and in further detail here [Executive - 5 January and draft minutes](#)

Council Tax Reduction Scheme 2021/22

Members of the Overview and Scrutiny Committee were asked to consider the latest available information around the current local Council Tax Support (CTS) scheme at East Herts and whether any changes to the scheme should be considered for 2021/22. The scheme had operated since April 2013 and replaced Council Tax benefit under the provisions of the Local Government Finance Bill. The scheme was required to be confirmed by Council by the 11 March in the preceding financial year.

The Overview and Scrutiny Committee asked that the Executive be advised that Members supported the continuation of the current Council Tax Reduction Scheme for 2021/22 and that alternatives schemes be investigated beyond 2021/22.

Policy for Enforcing Standards for Private Sector Landlords

Members received a report from the Executive Member for Neighbourhoods which set out a policy for the enforcement of standards for private sector landlords in East Herts following new enforcement powers as a result of changes in the Housing and Planning Act 2016 for dealing with landlords and property agents.

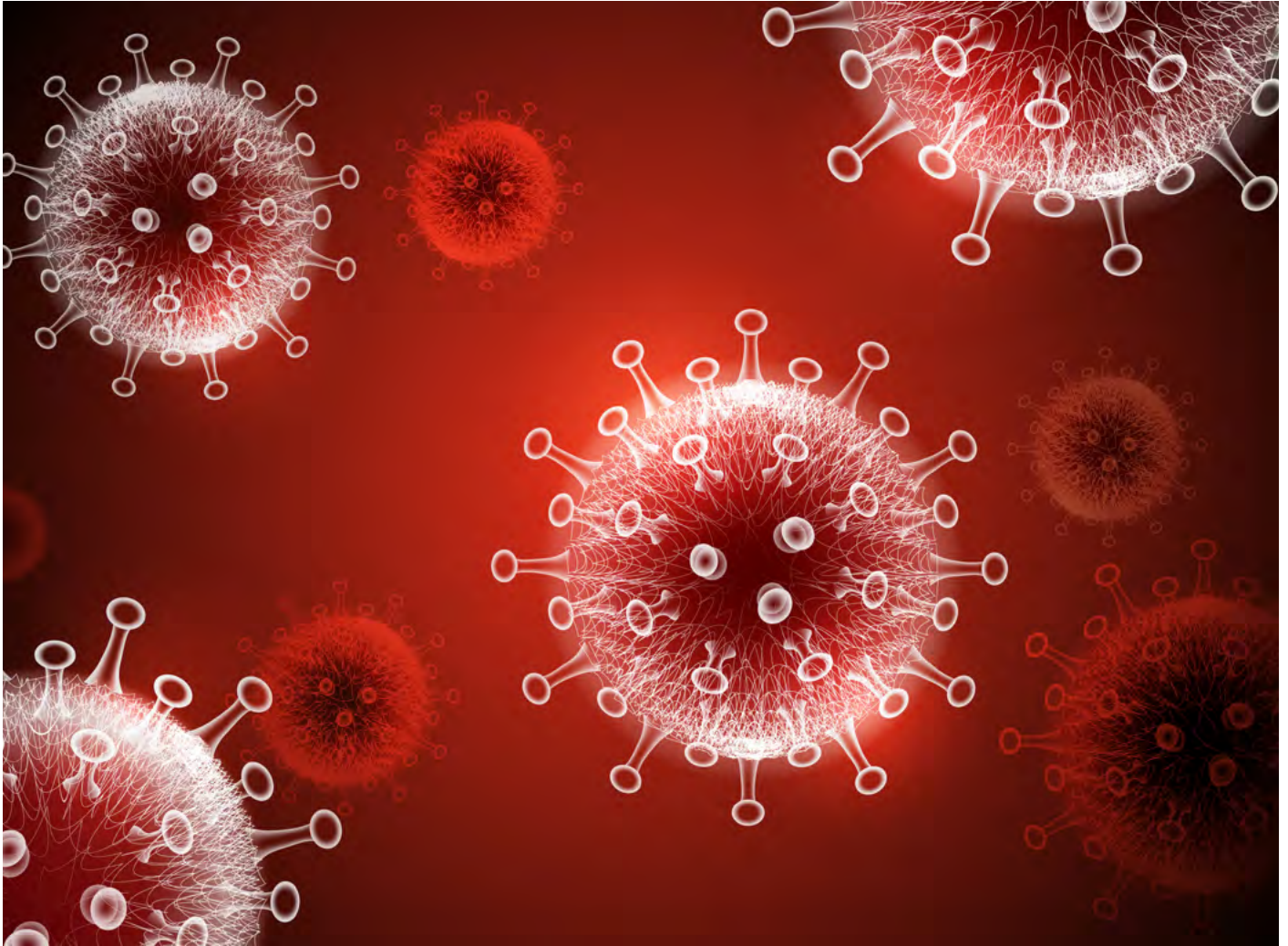
The Overview and Scrutiny Committee requested that the Executive be advised that Members supported the proposed new policies relating to housing standards enforcement and the adoption of the powers introduced in the Housing and Planning Act 2016.

Environmental Climate Change Forum Update

Members were presented with a verbal update on the actions of the Environmental Climate Change Forum; the forum arose from a recommendation of the Task and Finish Group set up by the Overview and Scrutiny Committee to explore this topic.

Much of the work of the Task and Finish Group had been incorporated into both the climate change declaration that had been made at Full Council on 24 July 2019 and the commitments and action flowing from the declaration. For more detailed information this issue please refer to the Annual Scrutiny Report 2019-20 and the Minutes of the Council meeting : link to [Council Minutes 24 July 2019](#)





3 November 2020

Presentation by the Leader and Chief Executive - How the Council reacted to the Coronavirus Pandemic

The Leader and the Chief Executive gave a presentation that detailed the ways that East Herts Council had responded to the ongoing Covid-19 pandemic. The Leader referred to the pandemic milestones and said that the process of moving into phase three and the exit and into recovery would be the subject of a very long discussion. The Leader congratulated Officers on the transition to homeworking in very difficult circumstances.

The Overview and Scrutiny Committee thanked the Leader and Chief Executive and received the presentation.

Corporate Plan Update

Members received a report that provided an update on progress towards meeting the actions and targets set out in the Council's Corporate Plan entitled "East Herts: A Place to Grow".

The Overview and Scrutiny Committee noted the progress against the Corporate Plan.

Revenues and Benefits Annual Report

Members received a report updating them on the Shared Service in terms of performance reporting, other challenges and the budget outturn. Officers had achieved very good average performance figures over the year in respect of processing housing benefit claims and change events. The Head of the Shared Service said that this performance was key to minimising waiting times for customers experiencing financial difficulty and also maximised the subsidy the authority received from the government.

The Overview and Scrutiny Committee received the report.

Update on Sustainability Action Plan

Members received a report setting out the latest version of the East Herts Sustainability Action Plan. The action plan had been prepared in order to respond to the carbon neutrality commitment agreed in the Council's Climate Change Motion of 24 July 2019. Link to [Motion and Minutes](#)

Members' input was encouraged in respect of the proposed actions and whether these were sufficient to meet the broad objective of the Council's Climate Change Motion and that updates would be submitted twice a year with the website being continually updated.

The Overview and Scrutiny Committee confirmed that the current actions included in the initial iteration of the Sustainability Action Plan met the broad objectives of the Climate Change Motion; that reports should be submitted twice a year and to update Members on a reduction in carbon against target annually both in relation to the Council's activities and across the District as a whole.

East Herts Council Complaints 2019-20

Members were presented with a summary of customer complaints which had been submitted to the Council and which included a new vexatious complaint policy "The Unreasonable and Persistent Behaviour Policy" for their consideration and approval by Council.

The Overview and Scrutiny Committee noted the progress made and recommended approval of the Unreasonable and Persistent Behaviour Policy for approval by Council.





8 December 2020

Presentation on Policing in East Herts

At the invitation of Members of the Overview and Scrutiny Committee, the Hertfordshire Police and Crime Commissioner set out a contextual picture for the presentation to be given by Deputy Chief Inspector Stuart Orton and Police Crime Commissioner. Significant reductions in crime during lockdown had been recorded but had then increased following a relaxation of restrictions. The presentation covered a number of issues, including knife crime in the District and “cuckooing” (when homes, sometimes occupied by those who are vulnerable, are taken over by individuals and used for criminal activities).

The Overview and Scrutiny Committee received the presentation.

2 February 2021

Cultural Strategy

Members received a report inviting them to comment on a draft Cultural Strategy ahead of its submission to the Executive and before its determination by Council on 2 March 2021. The Cultural Strategy presented a very broad overview of the role culture played in people's lives and highlighted visions and ambitions that required partnership organisations to work with the Council. The content of the Cultural Strategy was debated at length and a number of observations were made including report successes in funding, the need to work on inclusivity and to ensure that measurable targets and actions were monitored. The Overview and Scrutiny Committee made a number of observations for the Executive's consideration. Council on 2 March 2021 approved the new Cultural Strategy.



Planning Enforcement Plan – review and update

Members received a report setting out a new approach in relation to Planning Enforcement. The Head of Planning explained that the levels of enforcement complaints were high and that a majority of enforcement investigations did not result in any further action being taken and the pressure this placed on the service in terms of its resources. It was felt that that the current system needed to improve and a new “triage” approach was needed to improve the overall effectiveness of the planning enforcement service.

The Overview and Scrutiny Committee debated the issues at length expressing concern at the impact this had on the service and supported a recommendation that this new approach to planning enforcement have an opportunity to “bed-in” and for Members to be provided with an update report in 12 months.

Motion for Annual Council on 29th April 2021

“This Council resolves to reconsider its plans to demolish the URC Hall on the Old River Lane site in Bishop’s Stortford. Instead, it will, either repair and refurbish the Hall or, if it is not practicable to refurbish it, The Council will build a new, equivalent Hall somewhere else on the Old River Lane site. This would be in accordance with policy CFLR8 of the Local Plan.”

Motion proposed by Councillor Mione Goldspink and seconded by Councillor Chris Wilson.

19th April 2021

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