



James Ellis

Head of Legal and Democratic Services

MEETING : EXECUTIVE
VENUE : ONLINE MEETING - LIVESTREAMED
DATE : FRIDAY 19 FEBRUARY 2021
TIME : 2.00 PM

MEMBERS OF THE EXECUTIVE

Councillor Linda Haysey	- Leader of the Council
Councillor Peter Boylan	- Executive Member for Neighbourhoods
Councillor Eric Buckmaster	- Executive Member for Wellbeing
Councillor George Cutting	- Executive Member for Corporate Services
Councillor Jan Goodeve	- Executive Member for Planning and Growth
Councillor Graham McAndrew	- Executive Member for Environmental Sustainability
Councillor Suzanne Rutland-Barsby	- Executive Member for Communities
Councillor Geoffrey Williamson	- Deputy Leader and Executive Member for Financial Sustainability

CONTACT OFFICER: Katie Mogan
Email: Katie.Mogan@eastherts.gov.uk

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:

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

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

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.

AGENDA

1. Apologies

To receive any apologies for absence.

2. Leader's Announcements

3. Minutes (Pages 7 - 18)

To approve as a correct record the Minutes of the meeting held on 5 January 2021.

4. Declarations of Interest

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

5. Cultural Strategy (Pages 19 - 74)

6. Sustainability Supplementary Planning Document – Final for Adoption
(Pages 75 - 548)

7. Planning Enforcement Plan – Review and Update (Pages 549 - 572)

8. Treasury Management and Annual Investment Strategy 2021/22 (Pages 573 - 648)

9. Budget 2021/22 and Medium Term Financial Plan 2021-24 (Pages 649 - 720)

10. Capital Strategy and Minimum Revenue Provision Policy 2021/22
(Pages 721 - 784)

11. Noting the decision of the Chief Executive to approve a scheme for the Local Authority Discretionary Grant Fund, taken under the urgency provisions contained within the Constitution (Pages 785 - 792)

12. Update from Overview and Scrutiny Committee

To receive a report of the Committee Chairman.

13. Update from Audit and Governance Committee

To receive a report of the Committee Chairman.

14. Urgent Business

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

MINUTES OF A MEETING OF THE
EXECUTIVE VIRTUAL MEETING - ZOOM ON
TUESDAY 5 JANUARY 2021, AT 7.00 PM

PRESENT:

Councillor L Haysey (Chairman/Leader),
Councillors P Boylan, E Buckmaster,
G Cutting, J Goodeve, G McAndrew,
S Rutland-Barsby and G Williamson

ALSO PRESENT:

Councillors R Bolton, M Brady, B Crystall,
H Drake, M Goldspink, D Hollebon,
M McMullen, S Newton, M Pope, C Redfern,
P Ruffles, A Ward-Booth and J Wyllie

OFFICERS IN ATTENDANCE:

Claire Bennett	- Manager of Housing Services
Lorraine Blackburn	- Scrutiny Officer
Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Jonathan Geall	- Head of Housing and Health
Steven Linnett	- Head of Strategic Finance and Property
Su Tarran	- Head of Revenues and Benefits Shared Service

311 APOLOGIES

There were no apologies for absence.

312 LEADER'S ANNOUNCEMENTS

The Leader welcomed everyone to the Executive meeting for East Herts, the first in 2021.

The Leader reminded everyone that the meeting was being livestreamed via YouTube and that it was a formal meeting of the Council. The Leader asked that the "chat" function not be used and said that 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.

The Leader wished all a Happy New Year.

The Leader commented that the world at the moment, was still challenging and that the county had moved into Tier 5 (Tier 4 plus) and that the numbers for the area were not good including those for the new variant. She said that the only way we could beat it was by following guidance. Although it looked depressing, a vaccination roll out was underway and all of this required us to play our part. The Leader said that hopefully by the summer, we could all meet.

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

313 MINUTES

Councillor Cutting proposed, and Councillor McAndrew seconded a motion that the Minutes of the meeting held on 24 November be approved as a correct record and be signed by the Leader. The motion, on being put to the meeting and a vote taken, was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 24 November 2020 be approved as a correct record and signed by the Leader.

314 DECLARATIONS OF INTEREST

Councillor Boylan declared a new interest which he said he would be reporting to Legal and Democratic Services, in that he had recently been appointed by Herts Community Trust, as a senior clinical manager to manage the mass vaccination programme.

Councillor Wyllie declared an interest in agenda item 7 (Note of a decision of the Chief Executive to approve a scheme for Local Authority Discretionary Grant fund under Urgency Provisions) by virtue of the fact that he was a small business owner.

315 CONTRACTING OUT OF HOMELESSNESS REVIEWS

The Executive Member for Neighbourhoods submitted a report, summarising a proposal to trial the contracting out of the determination and issuing of homelessness reviews requested by those subject to homelessness decisions made by the Council up to 31 March 2022.

The Executive Member for Neighbourhoods explained that

the report provided the background and arrangements for the management of statutory reviews of decisions made by the Council relating to homelessness applicants.

The report proposed moving to an external review process used by many other Councils, but that before committing to a longer term, the review process would be trialled until 31 March 2022. The Executive Member explained that depending on the outcome of the trial, one of the recommendations proposed that the decision be delegated to the Executive Member for Neighbourhoods and Head of Housing to determine the best way forward.

There being no comments, Councillor Boylan proposed and Councillor McAndrew 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) work to determine and issue, in accordance with the relevant legislation, the outcome of reviews requested by those subject to homelessness decisions made by the council up to 31st March 2022 be contracted out to a suitably qualified and experienced independent contractor;

(B) authority be delegated to the Head of Housing and Health to appoint a contractor, in accordance with the Council's Contract Procurement Rules, from the Hertfordshire Framework Agreement for Homelessness Reviews Contracts developed by Three Rivers and Watford Councils; and

(C) authority be delegated to the Executive Member for Neighbourhoods, acting in consultation with the

Head of Housing and Health, to review the outcome of the trial of the contracted out service and determine whether or not to contract out this function beyond the trial period.

316 AFFORDABLE HOUSING RESEARCH AND OVERVIEW AND SCRUTINY REVIEW

The Executive Member for Neighbourhoods submitted a report which explained that the Council had commissioned an important piece of independent research from Housing Quality Network (HQN) nearly a year ago, into the future provision of affordable housing. Their final report had now been received and a presentation had been provided to Members in December 2020. He said that this study would guide the Council's efforts to bring forward a steady supply of affordable homes matched to local need.

The Executive Member said that the report summarised the findings and recommendations in the report and provided an outline on how the Council planned to use that valuable evidence in preparing various strategies and policy documents going forward. This would also be helpful when reviewing the Council's housing strategy this year and how Members would be consulted and involved in that journey. The Executive Member concluded by saying the report also summarised the findings of the Overview and Scrutiny Task and Finish Group's recommendations on how we can better engage with registered providers.

Councillor Goldspink said that she welcomed the report and the report by the HNQ. She was delighted to see the recommendations and also those following on from the

Task and Finish Group and the relationship with housing associations. Councillor Goldspink said she was fully supportive of the recommendations.

The Leader thanked Councillor Goldspink for her comments adding that the report was a good piece of work, thoroughly researched and that the outcome of the report and recommendations were “spot on”.

Councillor Boylan proposed and Councillor Goodeve seconded a motion to support the recommendations in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the report into Affordable Housing produced by the Housing Quality Network be used to inform the identification of options for further enhancing the supply of affordable housing informed by local needs; and

(B) that the Head of Housing and Health, acting in consultation with the Executive Member for Neighbourhoods, draws on the HQN report’s findings when revising the Council’s Housing and Health Strategy and Tenancy Strategy for consideration by Council in due course in 2021/22

(C) the Overview and Scrutiny (O&S) Committee’s recommendations, presented in section 3, for enhancing the Council’s working arrangements with registered providers be approved.

317 NOTE A DECISION OF THE CHIEF EXECUTIVE TO APPROVE A

SCHEME FOR LOCAL AUTHORITY DISCRETIONARY GRANT FUND UNDER URGENCY PROVISIONS

The Executive Member for Financial Sustainability submitted a report which was to note a decision of the Chief Executive to approve a scheme for the Local Authority discretionary Grant Fund under the Council's urgency provisions.

The Executive Member explained that following the second national lockdown, the government announced in November 2020 further grant funding for businesses for those affected by the restrictions then imposed. This included the Additional Restriction Grant (ARG), a discretionary grant for local authorities to design and administer under which funds could be allocated to eligible businesses. To avoid delays the Chief Executive used urgency powers available within the Constitution. It was noted that the Constitution required that it be brought back to the next meeting of the Executive for noting when such decisions were taken under these powers.

The Executive Member also sought Members' support that delegated authority be granted to the Head of Revenues and Benefit in consultation with the Deputy Leader and Executive Member for Financial Sustainability, to revise the scheme, where appropriate.

Councillor Wyllie referred to the information contained in paragraph 2.3 of the report which appeared to conflict with the information on the online form (the date for applications had closed); this asked applicants to state their last date of trading. He felt that this wording may have deterred applicants from applying for a grant that they may have been entitled to and should have asked

applicants if they were still trading as a “Yes/No” answer. If the answer was “yes” they should have been asked the date of their last trading date. Councillor Wyllie suggested that the date for applications should therefore be extended and that the wording on the online form be rephrased to make it clear that if there were still trading; they could still apply for a grant.

The Head of Revenues and Benefits and Shared Services explained that it was always the intention to maximise take up of the grant and that if there was anything unclear, then an approach could have been made by the applicants to the Council for clarification. She appreciated that some might not have wanted to contact the Council and may have excluded themselves. The Head of Revenues and Benefits said that if Members wished to extend the time limit, it was for them to decide but that this may create a delay in paying those who had already applied.

The Chief Executive acknowledged the issue of a lack of clarity and agreed that people could have phoned to seek clarification. He commented that it was possible to extend the scheme for a few days with a caveat that this would delay payments to other applicants.

The Leader sought Members’ views on extending the scheme for a couple of days, suggesting that this could be publicised via social media, and updating the website and to disseminate information as far as possible, so that if people had misconstrued, it gave them an extra opportunity to apply. The Leader said that there was a need to be mindful of the new scheme which the Government had announced on 5 January 2021, to assist businesses through the next period of lockdown and of the pressures this caused to the revenues team.

Councillor Buckmaster agreed that potential applicants could have phoned the Council to query the information if needed. He accepted that the service was under considerable pressure but that this did not stop other applications being validated in the meantime. Councillor Buckmaster said that he didn't think this would affect many, but was happy to support an extension of the scheme.

Councillor Boylan commented that as this issue had been highlighted, the Council had to take appropriate action and that it was only right that the Council should allow some extra time i.e. an extra 48 hours extension of the scheme. He accepted that this would delay some payments, but would rather know that everyone had had an equal opportunity.

Councillor McAndrew suggested that a couple of days would not make any real difference and that applications could be processed as they came in. He supported an extension of the scheme.

Councillor Cutting concurred to a 48 hour extension of the scheme.

Councillor Rutland-Barsby agreed with the proposed extension and thanked the Head of Revenues and her team for all their work.

Councillor Williamson was happy to endorse and extension of the scheme which he suggested was covered by recommendation (B).

The Head of Legal and Democratic Services agreed that a

decision to extend the scheme by 48 hours would be covered by the wording detailed in recommendation (B) of the report.

The Leader asked Members to vote on the two recommendations with an understanding that Officers would work with the Head of Revenues and Benefits to agree a suitable time period extension but that it should not go beyond Thursday night or Friday 8th January (lunchtime). Additionally, that the Communications Team be asked to send out tweets so that it can be retweeted and via the use of Facebook. Additionally that the website be updated to reflect the extended time.

The Leader thanked Councillor Wyllie for bringing the matter to the Executive's attention.

Councillor Williamson proposed and Councillor Rutland-Barsby seconded a motion supporting the recommendations in the report and support for an extension of the scheme. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) the decision to approve the scheme taken by the Chief Executive be noted.

(B) delegated authority be granted to the Head of Revenues and Benefit Service in consultation with the Deputy Leader and Executive Member for Financial Sustainability, to revise the scheme, where appropriate.

Councillor Wyllie, the Chairman of Overview and Scrutiny Committee explained that O&S had had a brief meeting on 8 December 2020 but had nothing to report to the Executive.

319 UPDATE FROM AUDIT AND GOVERNANCE COMMITTEE

Councillor Pope, the Chairman of Audit and Governance said that A&G had not met since the last Executive and that there was nothing to report on.

The meeting closed at 7.26 pm

Chairman
Date

This page is intentionally left blank

Executive

Date of Meeting: 19th February 2020

Report by: Mekhola Ray, Community Wellbeing Programme Officer

Report title: Draft East Herts Cultural Strategy

Ward(s) affected: All

Summary

The report provides background to developing the draft Cultural Strategy. The Executive is asked to consider the draft Strategy, propose any amendments for the Head of Housing and Health and Executive Member to consider prior to consideration by Council and recommend the Strategy, with any amendments, to Council for adoption.

RECOMMENDATIONS THAT:

- (a) The draft Cultural Strategy, incorporating the feedback from the public engagement exercise and the Overview and Scrutiny Committee, be considered and recommended to Council for adoption**
- (b) The Head of Housing and Health incorporates any amendments to the Strategy suggested by the Executive, acting in consultation with the Lead Member for Wellbeing, prior to presentation to Council for adoption.**

1.0 Proposal(s)

- 1.1 It is proposed that the Executive reviews the draft Cultural Strategy and recommends it to Council for adoption having first proposed any amendments they see fit.

2.0 Background

- 2.1 In the run up to the Hertfordshire Year of Culture 2020, senior officers and members identified the need to develop a Cultural Strategy for East Herts. The need

remains despite the Year of Culture having been significantly impacted by the Covid pandemic.

- 2.2 The Cultural Strategy (2021-2025) aims to see statutory bodies, community organisations and individuals come together to grow, adapt to the changing environment, lever in funding by acting in partnership and deliver a thriving cultural offer in East Herts.

3.0 Context

Public engagement in drafting the Strategy

- 3.1 A public engagement exercise was undertaken in November 2020 during which views on the draft Strategy were invited. This exercise elicited a total of 51 responses from a wide range of organisations and individuals as summarised in the following table.

	Number
Local arts and cultural organisations	10
District, town and parish councils and individual councillors	10
Charities, support organisations and community groups with a remit extending beyond arts and culture	8
Local residents and individuals working in the local arts and cultural sector	7
Anonymous responses	16

- 3.2 The public engagement exercise asked respondents which of the six ambitions highlighted in the Strategy (see page 4 of the Cultural Strategy at Appendix A) they most supported. The full results are given in the public engagement analysis report at Appendix B. The three ambitions which garnered the highest levels of support

were:

- strong partnerships resulting in a resilient cultural infrastructure (88% of respondents prioritised this)
- investment in arts and culture contributing to tangible gains (86%)
- interested parties support each other to encourage entrepreneurial and innovative cultural practitioners to invest in East Herts (80%).

3.3 Respondents were asked to highlight their key priorities from the 29 detailed actions listed in the Strategy (see the complete list of detailed actions presented in Section 3 of the Strategy at Appendix A). The top three were:

- provide opportunities for engagement in cultural activity that extends across our communities (90% of respondents prioritised this)
- support all partners to develop cultural opportunities in all corners of our district (90%)
- ensure digital delivery is accessible to all residents (90%).

3.4 The engagement exercise asked a series of question about difficulties and possible barriers partners foresee with regard to making a success of the Strategy. The full results can be seen in Appendix B. In summary, around a quarter of respondents highlighted the following issues:

- lack funding and need for financial support
- limited volunteers and the need to increase volunteers with the right skills, group members, users or participants
- a lack of knowledge about how best to promote activities, including how to encourage the confidence to return to group activities once the Covid pandemic begin to ebb.

3.5 Some individual responses highlighted a need to reflect an increased focus on developing a cultural offer in rural

communities, as well as among residents from more diverse religious, black and minority ethnic backgrounds.

3.6 The feedback from the public engagement exercise has been analysed and incorporated in to the latest draft of the Cultural Strategy. This is summarised in the table below.

Key issue arising from the public engagement exercise	Response
Concerns about lack funding and need for financial support	<p>The Strategy already states in the 'Delivery and measurement of success' section:</p> <ul style="list-style-type: none"> • <i>the efforts and actions of all stakeholders, working together in support of our shared ambitions, are absolutely vital to the success of this Strategy so we will... work in partnership to secure funding to support delivery of cultural activities in East Herts</i> <p>Ways in which the council can use its position as a community leader have been expanded to include:</p> <ul style="list-style-type: none"> • <i>promote funding opportunities facilitated by East Herts Council, for example, East Herts Lottery</i> • <i>explore opportunities to use the wide range of cultural assets in East Herts to enable increased local delivery of cultural activities</i>
Concerns about limited volunteers and the need to increase volunteers with the right skills, group members, users or participants	<p>The actions specifically for East Herts Council have been amended to include:</p> <ul style="list-style-type: none"> • <i>we will work closely with organisations from all communities to promote volunteering opportunities</i> <p>The Strategy already includes that a key outcome will be the:</p> <ul style="list-style-type: none"> • <i>numbers of jobs, traineeships, apprenticeships, internships and</i>

	<p><i>opportunities for volunteering in the sector made available</i></p>
<p>Concerns that a lack of knowledge about how best to promote activities, including how to encourage the confidence to return to group activities once the Covid pandemic begin to ebb</p>	<p>New action to:</p> <ul style="list-style-type: none"> • <i>support residents from all communities, circumstances and abilities to participate in cultural activities across East Herts</i> <p>The Strategy already asks partners to:</p> <ul style="list-style-type: none"> • <i>use social media and other marketing innovations to reach new audiences</i>
<p>The Strategy would benefit from making support for residents from more diverse religious, black and minority ethnic backgrounds more explicit</p>	<p>New clearly worded action to:</p> <ul style="list-style-type: none"> • <i>ensure residents of all religious and black and minority ethnic backgrounds across East Herts are fully involved in the development of cultural opportunities in the district</i>
<p>The Strategy should recognise the district's rural, agricultural and countryside heritage and include a focus on developing a cultural offer to rural communities</p>	<p>The introductory section of the Strategy has been amended to read:</p> <ul style="list-style-type: none"> • <i>the district has a distinct cultural heritage reflecting its market towns and countryside, including its rural and agricultural landscape</i> <p>New actions added to:</p> <ul style="list-style-type: none"> • <i>support the development of local, cultural opportunities working with local community groups and village halls, to reduce the need for travel to participate in cultural activities</i> • <i>encourage communities to establish activities close to home, reducing the barriers to access and supporting residents in rural communities to participate in cultural opportunities</i> <p>The Strategy's actions already include:</p> <ul style="list-style-type: none"> • <i>identify how the potential of the district's assets, such as village and community halls, can be maximised to achieve its</i>

	<p><i>cultural vision, bringing in the relevant partners to identify projects and deliver initiatives that benefit residents in East Herts</i></p> <ul style="list-style-type: none"> • <i>support all partners to develop cultural opportunities in all corners of our district, allowing our residents to participate in a rich cultural life in their own communities, whether in the rural villages or the bustling town centres</i>
--	---

Outcome of consideration by the Overview and Scrutiny Committee

3.7 The Overview and Scrutiny considered the draft Strategy, as amended following the public engagement, at its meeting of 2nd February 2021. The Committee raised a number of points which have been reflected in the further amended version of the Strategy now before the Executive. The amendments are summarised in the following table.

Key issue raised by the Overview and Scrutiny Committee	Response
<p>The Strategy could be clearer about its overall purpose and that there will be an accompanying action plan</p>	<p>Text has been added to the introductory ‘Big Picture’ section to stress the overall purpose of the Strategy. The added wording states:</p> <ul style="list-style-type: none"> • <i>we will use this Strategy to demonstrate to partners and funders alike, how the cultural sector is working together in East Herts. For example, some funding streams require evidence of joint working, while other funds are only available to community groups, rather than statutory bodies. This Strategy provides a means by which all partners can play to their strengths and support each other through the sharing of best practice, lending support to each</i>

	<p><i>other's funding bids or arranging joint initiatives and funding proposals</i></p> <p>Text has been added to the 'Delivery and measurement of success' section to read:</p> <ul style="list-style-type: none"> <i>each year the partners who have come together to deliver this Strategy will devise and agree an action plan for the coming year with clear goals, targets and named lead partners</i>
The Strategy could be more explicit about supporting people with physical and/or learning disabilities	<p>A new action has been added:</p> <ul style="list-style-type: none"> <i>ensure residents with physical and/or learning disabilities participate in the planning and enjoyment of cultural opportunities in East Herts</i>
The Strategy should recognise affordability can be a barrier to accessing arts and cultural	<p>The action about easing access has been amended to:</p> <ul style="list-style-type: none"> <i>support the development of local, cultural opportunities, working with local community groups and village halls, to minimise the cost of and/or the need to travel to participate in cultural activities</i>
A better explanation of the inclusion of Community Voice and references to the night time economy needed	<p>The relevant action has been amended to:</p> <ul style="list-style-type: none"> <i>support initiatives to promote a high quality Night Time Economy in East Herts, for example, by supporting the use of the Police's Community Voice engagement tool</i>

3.8 With the issues listed in the table above addressed, the Overview and Scrutiny Committee endorsed the presentation of the draft Cultural Strategy to the Executive to determine whether to put it forward to Council for adoption.

Structure of the Cultural Strategy and how it will be delivered

3.9 The draft Cultural Strategy under consideration provides

the strategic blueprint for improving the arts and cultural offer in East Herts. It is arranged in the following sections:

- Introduction from the Executive Member Wellbeing and a commitment from a number of organisations to work in partnership. It is acknowledged that the Strategy marks the beginning of the work to be done and also that the number of organisations signing up to the Strategy in continuing to grow
- Section 1 presents the overall vision
- Section 2 provides a high level overview of the socio-demographic context for the Strategy
- Section 3 highlights the priorities for action
- Section 4 explains the different ways in which the partners can act including the additional 'community leadership' role of the council
- Section 5 lays out how the Strategy will be delivered and success measured.

3.10 It is important to note that the detailed actions required to make a success of the Strategy will be drawn up on an annual basis by the partnership overseeing the Strategy's delivery. Delivery against the action plan will, of course, be open to scrutiny and oversight by elected members through the established processes.

Outcome of equalities impact assessment

3.11 An equalities impact assessment (EqIA) has been carried out as part of the Strategy's development. This is included at Appendix C.

3.12 The assessment has identified a number of high priority and medium priority actions – see section 2 of the EqIA for full details. The measures requiring high priority actions by March 2023 are:

- measures to address the limited information about the needs and experience of individuals with the

following protected characteristics – race, religion and faith, lesbian, gay, bisexual, transgender, questioning, gender reassignment and pregnancy/maternity

- measures to increase participation in the Cultural Strategy strategic and delivery groups from those with protected characteristics known to be under-represented – race, religion and faith, people with physical and/or learning disabilities, older people
- measures to counteract low participation in cultural opportunities where this has already been identified – older people, young adults, people with disabilities and people from different faiths and black and minority ethnic.

3.13 The EqIA and the Strategy itself makes provision to keep the diversity of participation under regular review. The annual action plans will be devised to address issues as they become known.

4.0 Options

- 4.1 Do not review the Strategy and results of public engagement and thus do not recommended it to Council for adoption. NOT RECOMMENDED. If the Strategy is to be a success, it will need to have the support and understanding of our whole community. Developing a strong cultural offer in East Herts offers the opportunity to help improve the quality of life for residents in East Herts. Many organisations and individual have participated in drafting the Strategy with a large number signing up to working together on its delivery.
- 4.2 Review the Strategy and identify any gaps or areas for development ahead of the Strategy being submitted to full Council. RECOMMENDED as this will ensure a well-considered Strategy can be put forward to Council for adoption.

5.0 Risks

- 5.1 Responses engagement exercise highlight funding as one of the main areas that might act as a barrier to the success of the Strategy. To mitigate this risk the council shall provide a range of networking opportunities, and where possible, support bids for external funding.
- 5.2 Responses from the public engagement exercise noted a need to have adequate staff and volunteers available to help deliver activities. To mitigate this risk, the council shall help promote activities and opportunities to support organisations. In addition to this, the council is working with Team Herts to promote volunteer opportunities.
- 5.3 Transport links, travel difficulties and lack of suitable venues to hold event have also been highlighted as potential risks. To mitigate this, the council is working with partner organisations including Age UK and Clarion Housing to deliver digital training, giving residents the skills to be able to access online activities. The council will also explore opportunities to map cultural assets in rural locations that can provide suitable venues to deliver cultural activities locally.

6.0 Implications/Consultations

- 6.1 Public engagement on the Cultural Strategy was undertaken in November 2020. A total of 51 responses were received with largescale support for the Strategy. The Overview and Scrutiny Committee has also considered the Strategy. Feedback received has been incorporated into the latest draft of the Strategy as discussed earlier in this report.

Community Safety

Perception and fear of crime and maintaining good community safety is closely connected to enjoyment of civic life and good health and

wellbeing. More targeted arts related programmes in tackling anti-social behaviour will be explored and developed through the rolling action plan.

Data Protection

Data sharing agreements and proportionate sharing of data needs to be considered by the Partnership Steering group.

Equalities

An Equalities Impact Assessment (EqIA) has been conducted. The complete EqIA is presented at Appendix C. The most pressing issues are summarised in section 3 of this report. It is believed that by acting on the findings of the EqIA and keeping the annual action plans under review, all residents in East Herts can benefit from the arts and cultural opportunities in the district.

Environmental Sustainability

The Strategy encourages aims to enable, and encourages the cultural sector, to operate in an environmentally sustainable way, reducing its carbon footprint.

Financial

There may be pressure from partners for the council to support activities financially. The Strategy, however, stresses the need for organisations to work together in a sustainable way, without being dependent on council funding. The council will continue to provide direct funding opportunities through the East Herts Lottery and Community Grants programmes. The council will also provide organisations and individuals with information on grants related to arts, culture and heritage and recommend joining the [grants on line website](#) which advertises grant opportunities from other sources such as the National Lottery and the Arts Council.

Health and Safety

A standard risk assessment will be applied to individual cultural deliveries as appropriate.

Human Resources

The East Herts Community Wellbeing and Partnerships team will support the oversight and delivery of this Strategy.

Human Rights

No direct implications.

Legal

No direct implications.

Specific Wards

Wards are targeted according to specific needs, whilst more universal programmes would focus on district wide communities.

7.0 Background papers, appendices and other relevant material

Appendix A – Draft East Herts Cultural Strategy 2021-25

Appendix B – Analysis of the results of the public engagement exercise

Appendix C – Equalities Impact Assessment

Contact Member

Cllr Eric Buckmaster, Executive Member for Wellbeing

eric.buckmaster@eastherts.gov.uk

Contact Officer

Jonathan Geall, Head of Housing and Health

Contact Tel No: 01992 531594

jonathan.geall@eastherts.gov.uk

Report Author

Mekhola Ray, Community Wellbeing
Programme Officer
Contact Tel No: 01992 531613

This page is intentionally left blank



East Herts Cultural Strategy 2021-2025

DRAFT

Culture is for everyone!

It gives me great pleasure to introduce the Cultural Strategy for East Herts. As a member of East Herts Council's Executive since 2015 I have sampled at first hand many delightful events organised by a variety of organisations across the District. These may have been delivered in educational settings, or through activities arranged by our many enthusiastic community volunteers in our larger towns, as well as performances in the smallest of halls or open spaces in our villages.

Arts and culture is a very broad subject and I am not going to attempt to define or limit it here. That is all part of the challenge and the opportunity. I'm sure that many of those organisations involved in the arts and cultural sector in East Herts aspire to see it become part of the lives of all of our residents with many more participating and contributing.

Our Strategy seeks to share the gifts of our arts, culture, heritage and our creative industries with established and new audiences alike. We know the potential of arts, culture and creativity in enriching people's lives and we all have our part to play to ensure everyone can enjoy and be inspired by the exciting and unexpected cultural opportunities on offer.

This is just the beginning. The pandemic may have to make us think differently but it was always impressed upon me that with every difficulty comes an opportunity. The Strategy will evolve and grow over time, so let's support and encourage each other as we begin this journey of exploration and discovery. Above all, let's all have fun while doing it.



Cllr Eric Buckmaster
*Executive Member for
Wellbeing
East Herts Council*



We will make this Strategy a success

The East Herts Cultural Strategy 2021 – 2025 is a call to action for everyone involved in arts and culture in East Herts.

The following partners have contributed to the development of this Strategy and signed up to drive forward implementation the East Herts Cultural Strategy.

We are thrilled to be part of the 'we':

- Age UK Hertfordshire
- Active in the Community
- Active East Herts
- Bishop's Stortford Library
- Community Development Action Hertfordshire
- Courtyard Arts Community Centre
- Clarion Futures Communities
- East Herts Council
- Hertfordshire Festival of Music
- Hertford Library
- Hertford Theatre
- Hertford Town Council
- Herts Visual Arts
- Home Instead East Herts & Uttlesford
- Local Social
- Much Hadham Community Hub
- Paradance
- Southern Maltings
- Ware Town Council

And we're signing up new partners all the time

Let's be inspired

This Strategy marks the beginning of our new cultural journey that will involve identifying all of the great physical and human assets of the district, seeking out those who currently are not able to access the arts and exploring ways to increase the cultural engagement for all of our residents.



1. The Big Picture

Our vision

// East Herts will lead the way in demonstrating that when residents, community organisations and the creative industries come together extraordinary, surprising and delightful things can happen that enrich and enhance everyone's health, wellbeing and sense of inclusion. //

Our ambitions

Our ambitions are high. We want to make East Herts a place where:

- truly extraordinary things happen throughout the district, all year round
- strong partnerships result in a resilient cultural infrastructure that offers our diverse communities a wide range of cultural opportunities
- residents along with the public, private and voluntary sectors support each other to encourage entrepreneurial and innovative cultural practitioners to invest, live and work in East Herts
- investment in arts and culture contributes to tangible gains in health and wellbeing outcomes, economic resilience and environmental sustainability
- sustainability is at the heart of our cultural infrastructure and activities
- our achievements are recognised far beyond our district's boundaries.

This Strategy is everyone's blueprint

This Strategy is set within the wider policy context and economic growth ambitions of existing district-wide strategies and business plans of East Herts partner agencies. East Herts Council sees itself as part of the community, not apart from it. When we say 'we' or 'us' in this Strategy, it means everyone involved in culture in East Herts.

This Strategy takes the broadest of views of what culture in East Herts covers because inclusion is at its heart. So, arts and culture can be considered to include:

- the performing and visual arts
- festivals
- tourism and leisure
- heritage and historical buildings and resources

- sport and physical activities
- parks and open spaces
- children's play
- voluntary groups where individuals meet to pursue common interests.

We will use this Strategy to demonstrate to partners and funders alike, how the cultural sector is working together in East Herts. For example, some funding streams require evidence of joint working, while other funds are only available to community groups, rather than statutory bodies. This Strategy provides a means by which all partners can play to their strengths and support each other whether through the sharing of best practice, lending support to each other's funding bids or arranging joint initiatives and funding proposals.

The evidence based review of the Value of Arts & Culture to People & Society by Arts Council England (ACE) highlighted that culture and arts have a significant positive impact on people's lives. This Strategy recognises that the outcomes of cultural investment will be seen in local people's health and wellbeing, community safety, and local economic growth. No single organisation, interest group, or industry can deliver this alone; our strength is in our shared impetus to excel.

We recognise that culture can be a key driver for the prosperity of our area. The creative economy is one of the fastest growing sectors in the country and the digital and creative industries are highlighted by government as priorities for growth. Our combined track record of community engagement, high educational attainment and pride in local provision mean we can all contribute to these growing sectors.

Our ambitions haven't been dented by Covid-19

The Covid-19 pandemic has had a serious impact on the ability to hold the events and activities that maintain social engagement in our district. We cannot lose sight of the pleasure that participating in or simply watching a

2. Our new cultural journey starts here

cultural event can bring and must re-think ways to encourage and enable participation in arts and culture.

Before the pandemic, many of our residents found it difficult to access culture whether through living in relatively disadvantaged areas, owing to disabilities or having only limited access to transport. We will tackle existing and Covid-19 related barriers to enjoying culture in East Herts by working together across the district.

Culture brings people together to forge rewarding and stimulating lives, building our resilience and self-esteem in the process.

East Herts may be on London's doorstep but we are certainly not in London's shadow. Though just 30 miles from London's West End, we have a very long history of growing and providing our own cultural offer. Halifax Quality of Life Survey 2020 announced that East Herts is the best place to live in the UK, offering one of the highest qualities of life in the country; our cultural activities are central to this.

The district has a distinct cultural heritage reflecting its market towns and countryside, including its rural and agricultural landscape. The district is home to a number of cultural and creative industries, museums, heritage sites, arts centres, performance companies, sculpture and craft retail, individual craft makers and designers, giving residents a place to relax and enjoy a wonderful range of cultural activities. There are also over 120 parks and open spaces, providing valuable places for all people to play, exercise, meet one another, and hold public events and festivals.

East Herts' population is a vibrant patchwork of people from many different backgrounds and groups. The most recent census showed:

- population projections show the numbers in all age groups are growing in the district, in particular those aged 60+ years
- some 8,700 people are living with a disability
- around 3,200 people have a learning disability
- nearly 1,400 people have dementia
- an estimated 6% of our population are Lesbian, Gay, Bisexual, Transgender or Questioning (LGBTQ)
- the white British population is the largest ethnic group in East Herts but the proportion of non-white British people in the district is steadily growing from the 10% recorded at the time of the 2011 Census.



3. Actions built on need

The Cultural Strategy has been built on a review of the evidence and horizon-scanning to better understand our communities, the gaps in the district’s cultural offer, the opportunities for growth and the actions we thus need to take.

<p>a) East Herts’ population is changing and new neighbourhoods and garden villages are bringing new opportunities</p>	<p>The East Herts District Plan proposes significant new housing growth across the district up to 2033. This, together with an increasingly diverse population, brings new opportunities, new perspectives and new expectations. This is exactly what drives innovation in cultural activities and so cultural enrichment should be a key policy priority from the beginning of the development process.</p> <p>In a context of finite funding for public and community-based arts, new development offers the opportunity to create cultural facilities that can fund themselves in the long term and to establish stewardship structures to oversee the management of these facilities.</p> <p>Thoughtful planning and development can help co-ordinate the provision of new cultural facilities through unlocking developer contributions. An example of this is the new garden town, planned in Gilston, which provides an opportunity to expand culture through, for example, new public artworks, bringing art and design into everyday life.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Support development of a cultural offer in East Herts which takes on board the changing population profile and ensures a widening range of activities that meet the needs of all our residents • Embed arts and culture within new neighbourhoods and garden towns in the district, creating cultural opportunities residents • Provide affordable access to cultural opportunities for East Herts residents especially the over 50s and 12-24 year old young people • Ensure residents of all religious and black and minority ethnic backgrounds across East Herts are fully involved in the development of cultural opportunities in the district • Ensure residents with physical and/or learning disabilities participate in the planning and enjoyment of cultural opportunities in East Herts.
<p>b) Relative deprivation can hamper access to arts and culture</p>	<p>Engagement in cultural activities is influenced by socio-economic background and by where people live. East Herts residents enjoy generally better levels of health and wellbeing than the England average, however, this tends to mask small pockets of deprivation. The Public Health England Local Authority profile 2017 confirms that five of the most deprived wards account for 16% of the population, representing around 23,000 individuals.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Provide opportunities, to be identified through community conversations and needs based research, for engagement in cultural activity that extend across our communities including our more deprived areas • Support the development of local, cultural opportunities, working with local community groups and village halls, to minimise the cost of and/or the need to travel to participate in cultural activities.

<p>c) Arts and culture can alleviate loneliness and so have a positive impact on health and wellbeing</p>	<p>National Quality of Life data published in 2018 underlines that loneliness is a main challenge to individuals' quality of life.</p> <p>Triggers for loneliness vary throughout the different stages of life. Among younger adults, unemployment, financial challenges and raising a family alone have all been found to lead to feelings of isolation. Our older residents may be facing bereavement or disabilities which again can also trigger social isolation and loneliness.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Reach out to communities, going beyond the participants they already know by providing a sensitive approach to drawing in those who have lost their confidence or feel that the arts have little to offer them • Encourage cultural activities that foster physical activity 'by stealth', for example photography clubs that promote walking • Encourage communities to establish activities close to home, reducing the barriers to access and supporting residents in rural communities to participate in cultural opportunities.
<p>d) Arts and culture can promote community safety and civic pride</p>	<p>Arts-related programmes can prove to be key ways of tackling anti-social behaviour and bringing different groups together to achieve a common, community-oriented goal. For example, interventions aimed at offenders can improve communication skills, teamwork and self-awareness which may reduce the later likelihood of reoffending.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Engage with residents and communities to safeguard people, property and individuals • Support initiatives to promote a high quality Night Time Economy in East Herts, for example, by supporting the use of the Police's Community Voice engagement tool • Support residents from all communities, circumstances and abilities to participate in cultural activities across East Herts.
<p>e) Young people thrive when they are involved in arts and culture</p>	<p>The Arts Council England review suggests taking part in drama and library activities has been proven to improve attainment in literacy, while taking part in structured music activities improves attainment in maths, early language acquisition and early literacy for young people.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Work with young people and educational institutions in the district to encourage active participation in cultural activities to enhance confidence, build skills and improve employment opportunities • Work with cultural groups from all East Herts communities to ensure children of all abilities and circumstances have access to, and participate in, enriching cultural experiences • Work is underway to ascertain school needs and assess Hertford Theatre's potential offer in relation to those needs funded by Royal Opera House Bridge programme.

3. Actions built on need... *Continued*

<p>f) Just getting to an arts venue can be a challenge</p>	<p>East Herts has high levels of car ownership reflecting many residents' relatively higher incomes. Car ownership rates may also result from the rural and somewhat dispersed nature of our district and this causes problems for residents without access to their own transport.</p> <p>Despite good rail links into and out of London from the district's major towns, many rural communities still have very limited transport options other than car use. While every ward is served with a bus service, there is great variation in frequency.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Support all partners to develop cultural opportunities in all corners of our district, allowing our residents to participate in a rich cultural life in their own communities, whether in the rural villages or the bustling town centres • Identify how the potential of the district's assets, such as village and community halls, can be maximised to achieve its cultural vision, bringing in the relevant partners to identify projects and deliver initiatives that benefit residents in East Herts.
<p>g) COVID19 has made a big impact</p>	<p>The COVID19 pandemic has demonstrated the value and potential of digital and virtual methods for bringing people together and enabling shared experiences.</p> <p>Social distancing measures have resulted in a number of organisations reaching out through the adoption of digital platforms.</p> <p>Despite the loss of physical human connectivity, digital technology has kept the community alive in East Herts – all from the safety of people's homes.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Build on what we've all learnt from the COVID19 pandemic so that we can harness the potential of digital media to deliver both existing and new cultural activities and opportunities through an invigorating blend delivery of digital and physical platforms • Ensure digital delivery is accessible to all residents wishing to engage with culture through digital platforms • Produce an approach to communications that will enable all partners to publicise opportunities through both digital and traditional methods, such as leaflets, posters and word of mouth.



<p>h) Cultural activities are not immune to the challenges of climate change</p>	<p>Climate change is one of the biggest threats to our planet. East Herts Council has set itself a challenging target of achieving carbon neutrality by 2030. Partners have come together as the East Herts Environmental and Climate Change Forum to work towards the district itself being carbon neutral by 2030 – an extremely challenging aspiration.</p> <p>The entire cultural sector must challenge itself to provide activities that minimise the carbon footprint, by bringing activities closer to where people live to minimise travel, by building reuse and recycling into business-as-usual or by staging events that influence people’s thinking about the environment and encourage them to make for environmentally sustainable choices.</p>
<p>Action</p>	<ul style="list-style-type: none"> • Enable the cultural sector to find ways to reduce its carbon footprint and encourage more environmentally sustainable actions across the entire cultural activity map from event design and production to engagement with audiences.

<p>i) This strategy will be judged by the impact it has</p>	<p>Delivery of the Strategy will be secured through annual action plans devised by the East Herts Cultural Delivery group which will include actions and targets for the council and its partners, not just a few organisations.</p> <p>A wider, inclusive East Herts Cultural Strategic group will fulfil a ‘critical friend’ role to ensure the priorities of the strategy are fulfilled.</p> <p>We recognise that some actions, projects and funding bids will benefit from detailed evidence gained through gap analyses and empirical research. Such future work will be carried out by the partners coming together or by the partners’ pooling financial re-sources to fund external expertise.</p>
<p>Action</p>	<p>We will design and implement different methodologies for collecting and evaluating information including capturing specific data and evidence throughout the life of the Strategy such as:</p> <ul style="list-style-type: none"> • creative outputs and outcomes • local people’s participation as board members of creative organisations • levels of investment in the arts and culture sector in the district • numbers of jobs, traineeships, apprenticeships, internships and opportunities for volunteering in the sector • levels of participation, audience reach and engagement • press coverage, marketing and publicity.

4. How we will work together

This Strategy has been shaped by East Herts' cultural sector. To fulfil our potential, all partners will need to pull together to strengthen our collective voice. The Strategy's ambitions can be met if partners adopt one or more of the following roles.

Type of role	What this will do
<p>Enabler role</p>	<p>An organisation working to support the growth of the East Herts cultural offer will:</p> <ul style="list-style-type: none"> • enable and support the establishment of a cultural social infrastructure • build capacity throughout the sector and expand the tourism offer • facilitate the drafting of innovative, partnership bids for external funding • promote cultural festivals in the district, creating opportunities for everyone.
<p>Innovator role</p>	<p>All partners acting as innovators will:</p> <ul style="list-style-type: none"> • support digital activities that increase community engagement in culture • promote inter-generational engagement and digital inclusion • use social media and other marketing innovations to reach new audiences • Encourage creative use of enhancements in technology • Implement digital assistive technology to open up access to the arts.
<p>Partner role</p>	<p>A proactive cultural partner will:</p> <ul style="list-style-type: none"> • embed culture and the creative economy firmly within the various tiers of civic planning in the district • encourage closer working relationships between the private, public and community sectors • work with external agencies such as Hertfordshire Association of Cultural Officers and Arts Council England to share information, good practice and lever in external funding • link cultural objectives to other agendas, for example, health and wellbeing, and economic growth.
<p>Provider role</p>	<p>In order to deliver the ambitions of this Strategy, each partner will strive to:</p> <ul style="list-style-type: none"> • set an example as a provider of arts and culture that are accessible to a wide variety of service users • identify and channel financial resources and people power into cultural activities • be a provider of support, offer grants, advice, guidance, internships and/or other opportunities to develop the local cultural infrastructure • explore opportunities for wider cultural engagement • target increased opportunities for participation in areas of relative deprivation and/or among those most affected by disadvantage.



The council's privileged community leadership role

East Herts Council is just one participant in the district's rich and varied cultural sector. It is recognised that the council has a privileged community leadership role and so in addition to roles to be played by all partners, the council will:

- provide inspiring leadership to help generate new ideas and conversations
- work jointly with all partners to identify cultural champions, from whichever organisation or background, to maximise opportunities
- promote funding opportunities facilitated by East Herts Council, for example, East Herts Lottery
- help promote cultural activities taking place within East Herts
- work closely with organisations from all communities to promote volunteering opportunities
- explore opportunities to use the wide range of cultural assets in East Herts to enable increased local delivery of cultural activities
- marshal efforts to ensure the actions make a real difference.



5. Delivery and measurement of success

This Strategy has been adopted by East Herts Council and is supported by the East Herts Cultural Peer Support Group.

Each year the partners who have come together to deliver this Strategy will devise and agree an action plan for the coming year with clear goals, targets and named lead partners.

We will know the Strategy has been a success when:

- East Herts is recognised locally, regionally and farther afield as an ambitious and creative locality in the field of arts and culture and
- all East Herts residents are able to say they can access rich cultural experiences as part of their everyday lives.

The efforts and actions of all stakeholders, working together in support of our shared ambitions, are absolutely vital to the success of this Strategy so we will:

- gather and make use of evidence developed through partners' case studies and research
- together foster the continued support and engagement of stakeholders in the public, private and community sectors as key advocates for the cultural and creative industries
- clearly communicate our impact in delivering outcomes for our residents
- use our collective voice to influence decision-makers whoever and wherever they may be.
- identify cultural assets across East Herts that can enable the delivery of cultural activities closer to home
- work in partnership to secure funding to support delivery of cultural activities in East Herts.



**Contact: Community Wellbeing Programme Officer at
Environmental.Health@eastherts.gov.uk**

Results of the Cultural Strategy Public Engagement Exercise, November 2020

Note: The results presented below have been considered during the production of the final draft. The resulting amendments to the earlier draft are summarised in the Executive report.

1. Overall vision for the Cultural Strategy

	Total responses	Of which, agree with this ambition?
Agree with the proposed vision identified for this strategy – yes or no?	49	86%

Free text comments in response to this question.

Emergent theme	Comments
<i>Ambition is unclear</i> – 5 comments	<ul style="list-style-type: none"> • It's not very clear to me what you are trying to achieve, what is your ambition for culture in the district, what you will invest in or facilitate external investment and how you will help everyone to take part. I don't think that vision really does anything other than create a sense of it all being about events. • A vision needs to feel active, aspirational. It needs to express what will change, what difference will be made. At present the ambition is a set of aspirational words which could apply to almost anywhere. • The wording is over the top, posturing nonsense. • Statement has no basis. There is no cultural industry or creative industry or any industry in Bishop's Stortford. • Unlikely. Most non-woke people will not even understand what any of these 11 questions mean. Need to put into plain English for normal people. What is a creative industry?
<i>Concerns about lack of ownership</i> – 4 comments	<ul style="list-style-type: none"> • I feel it needs to reference the unique communities, be they rural, poor socio economic, digitally deprived, poor transport infrastructure, and the challenges they face. Sustainability is only viable if communities feel they can be part of the strategy and can be empowered to make change.

	<ul style="list-style-type: none"> • This can only happen with people with an 'Arts' background who have an understanding of what is needed in the Arts lead the way, good communication where people answer emails and funding which does start and/or is confirmed half way through the year. • As a relative newcomer to the area there appears to be very little cultural leadership or ambition in this area, very few people know what culture and heritage there is in East Herts and very little collaboration.
Doubts about consultation – 1 comment	<ul style="list-style-type: none"> • I don't believe residents are ever listened to

2. Cultural Strategy ambitions

Is the Strategy on right track to achieve the following ambitions?	Total responses	Of which, 'yes, 'on right track'
Strong partnerships result in a resilient cultural infrastructure	48	92%
Investment in arts and culture contributes to tangible gains	48	90%
Interested parties support each other to encourage entrepreneurial and innovative cultural practitioners to invest in East Herts	47	85%
Truly extraordinary things happen throughout the district	48	83%
Sustainability is at the heart of our cultural infrastructure and activities	47	70%
Our achievements are recognised beyond boundaries	47	68%

Free text comments in response to this question.

Emergent theme	Comments
Positive about breadth of ambition – 7 comments	<ul style="list-style-type: none"> • I love the ambition and the sense of energy behind it. I love the 'pursuit of excellence' feel. That 'excellence' must apply to the quality of work in the arts which excites and supports and conveys a sense of worth to those who engage but may not yet produce work of excellence themselves but benefit from and enjoy the journey.

	<ul style="list-style-type: none"> • We employ many local artists who provide wonderful creative entertainment to enhance the health and wellbeing of our service users. Our group also have the opportunity to have new artistic and cultural experiences enhancing their quality of life and enabling them to make informed choices about how they would like to spend their leisure time. • As a social enterprise providing services for adults with learning disabilities, local art centres and artists are vital to our projects. • Encouraging residents to get involved in their community, will help enormously when there are times of stress or hardship for their local area. A network of contacts will have been built up. • People want to do arts and cultural activities themselves. The council needs to focus on facilitating these things, not just selecting the ones it wants. To foster good arts and culture the council needs to provide more community places (for example The Drill Hall in Ware is fantastic) and make them available at reasonable cost. As the population of East Herts grows these spaces, indoor and outdoor, have been staying the same or reducing. • Please please please continue with the Old River Lane project. Town centre regeneration via a landmark cultural venue will do wonders for our town. • While I do agree with all of the above questions, it would have been helpful to have been able to have had a range of answer options from which to choose, from Strongly Agree through to Agree, Neutral, Disagree and Strongly Disagree.
<p>Concerns about the deliverability of the Strategy – 6 comments</p>	<ul style="list-style-type: none"> • Agree completely with the strategy but past experience would suggest that the response by EHC will be less, far less, than suggested. In particular for tourism the three layers of council have worked independently and without an agreed strategy. Hopefully this might be different but I wait to be convinced. • I think the approach is very applaudable, however, I have concerns as to how achievable this is given the consistent decrease of investment in the arts over the last 15 years, particularly in the heritage sector. East Herts is home to several exciting and creative museums however since 2005 when EHDC withdrew core funding and over the

	<p>next few years with the reduction of hours of the museums officer until the post was finally cut, we have seen little in the way of financial support.</p> <ul style="list-style-type: none"> • The objectives are interesting but achieving something special is the challenge. • Whilst I applaud the big ideas and vision of this strategy it does read a bit 'off the peg'. I'll reserve judgement until I've read more of it. • Sorry but I don't really know what you are on about. I may have answered no, when I mean yes, or vice versa. What is investment in culture? Does this only happen in Hertford? Please don't blow our money there, as most of us rarely go there. Does anyone know what an innovative cultural opportunity or an innovative cultural practitioner is. • The first ambition seems to be very scatter gun and event focussed rather than really nurturing our culture and heritage assets to be accessible, sustainable and to deliver wider social goals and impact for example on learning.
<p>Negative comments questioning the need for the Strategy – 3 comments</p>	<ul style="list-style-type: none"> • Neither think it is needed nor appropriate. There are far more important things the council should be focusing on in the current times. Hertfordshire is has much to offer already, promote what exists and leave the rest alone. • What achievements?? (recognised far beyond boundaries) Sustainability? Does this mean profit? Actual investment in health and welfare would be more constructive than 'arts'. Residents getting support? Only developers and the council get the support. Never seen any truly extraordinary things happening. Strong partnerships between council and developers can run roughshod over public opinion!" • If truly extraordinary things were to happen all year round then, by definition, they wouldn't be extraordinary...this sort of statement is complete and utter nonsense. East Herts council should concern itself primarily with providing essential services to its residents rather than trying to impress people outside of the district. Posturing doesn't provide the basic services that residents want.
<p>Concerns about environmental sustainability</p>	<ul style="list-style-type: none"> • If sustainable means being surrounded by wind turbines and solar farms then it's a No from me. • Can't think of any extraordinary things the council has

<p>goals of the Strategy – 3 comments</p>	<p>done ever. No cultural partnerships I am aware of. Almost everyone who lives in Bishop’s Stortford works elsewhere. If you want to improve environmental sustainability. Reduce dependence on cars. One way system half the road for cyclists. Can’t think of anyone who recognises Bishop’s Stortford’s achievements.</p> <ul style="list-style-type: none"> • I feel sustainability is one of the areas we are all working on but I don't think we are quite there yet. Our achievements are most recognised beyond our boundaries; people travel from across the country to attend some of our events in Ware.
<p>Need for more reference on diversity and access – 3 comments</p>	<ul style="list-style-type: none"> • I would like to see something in the Ambitions section about "Celebrating Diversity and difference". It talks about diverse communities but it is not clear what that means, for example it could mean town or rural or blocks of flats or luxury private estates. • Wider recognition is mainly desirable in that it encourages people to invest, live and work in East Herts. I suggest this ambition is not given the same prominence as the others. I suspect most people don't actually want 'truly extraordinary things constantly happening', they want a pleasant place to live and work, and diverse social events on a year round schedule. • The ambitions also need to state it will be inclusive enabling opportunity for people and children of all abilities and circumstances to have access to and participate in enriching experiences.

3. Priority issues for the Cultural Strategy

Do you agree that a new cultural strategy should focus on the following issues/actions?	Total responses	Of which, 'should be prioritised'
Ensure digital delivery is accessible to all residents	46	98%
Provide opportunities for engagement in cultural activity that extend across our communities	48	94%
Support all partners to develop cultural opportunities in all corners of our district	48	94%
East Herts' population is changing	48	92%
Provide affordable access to cultural opportunities	48	92%
Encourage cultural activities that foster physical activity	46	91%
Work with young people and educational institutions in the district to encourage participation in cultural activities	47	91%
Enable the cultural sector to find ways to reduce its carbon footprint and encourage more environmentally sustainable actions	46	89%
Arts and culture can alleviate loneliness	48	88%
Embed arts and culture within new neighbourhoods and garden towns	47	87%
Harness the potential of digital media to deliver cultural activities and opportunities through a blend of digital and physical platforms.	45	87%
Produce an approach to communications so all partners can publicise opportunities through both digital and traditional methods	46	85%
Identify how the potential of the district's assets can be maximised to achieve its cultural vision	45	84%
Design and implement different methodologies for collecting and evaluating information throughout the life of the Strategy	45	82%
Arts and culture can promote community safety and civic pride	48	81%
Support the Hertford at Night Community Voice initiative	47	79%

Free text comments in response to two questions – views on the ambitions and additional issues to cover.

Emergent theme	Views on ambitions in the draft Strategy	Any additional things the Strategy should focus on?
<p>Diversity, access and wider choices – 15 comments across the two questions</p>	<ul style="list-style-type: none"> • The approach fits our wonderfully wide and diverse District. I wonder if there should be a reference to the celebration and learning possible through paying attention to the faith and cultural traditions of many who are first or second generation ethnic minority individuals and families? • There are very many excellent ideas here. I particularly support those enabling equality of access and working with communities • Health and wellbeing are not predicated solely on physical activity - mental stimulation is equally valuable. I do not object to you encouraging activities that foster physical activity but I do object to you concentrating resources solely on them. • I think it should be for all ages! Not singling out the ones above? What is the strategy for that, parents would not fall in those categories and they are the ones setting an example. • It looks brilliant. There are many feasible actions that 	<ul style="list-style-type: none"> • Paying attention to the faith and cultural traditions of many who are first or second generation ethnic minority individuals and families. • Mention of cultural diversity, socio economic diversity, seem to be scarce in the goals. • I feel it's important to provide affordable access to cultural activities for adults with disabilities as they tend to have less disposable income and less opportunities to gain paid employment and therefore have more time at home. There are many lonely and isolated people with disabilities who have really struggled with their mental health through the COVID19 pandemic. • Supporting variety. • Diversity. Engaging minorities. Education. Environment. Doing the right thing. • Single parent families. • Promote small art, comedy clubs, local plays and theatre, walking clubs, photography and nature clubs improve footpaths, make more use of the

	<p>can provide tangible results, ensuring the local community has more opportunities to access cultural activities.</p> <ul style="list-style-type: none"> • Engagement in cultural activity that extend across our communities including our more deprived areas: Encourage cultural activities that foster physical activity 'by stealth', for example photography clubs that promote walking. As stated above, this is in our plan to deliver once covid restrictions allow. We have much experience in delivering stealth initiatives. 	<p>stort, major xmas market, winter lights shows, improve rail, massive increase in secure cycle racks, increased parking charges, cycle lanes, one way systems, 20mph around most of the town, spring garden shows, more allotments, drama and arts workshops in schools.</p> <ul style="list-style-type: none"> • Just do more for all people - don't be ageist. Do much more for the existing villages and not new communities and garden villages (whatever they are). • Ensuring there is a clear information hub to signpost people to the rich variety of community arts organisations across the district. Your website seems to give very little reference to any arts activity at all. How do local residents find out about what is available to them in their local community?
<p>Local lead, ownership and use of local venues – 11 comments across the two questions</p>	<ul style="list-style-type: none"> • Sustainability should be a given, but not divert the focus of the cultural strategy. The council needs to facilitate the local development of culture, not create it. • Provide theatres and venues and let local and commercial groups use them at reasonable cost. 	<ul style="list-style-type: none"> • Make use of the venues we have. • Use privately run venues offering a variety of opportunities to local community. • Supporting Hertford Arts Hub; utilising the splendid old library building in Old Cross, Hertford, as an art gallery worthy of a County

	<p>Don't try to dictate what you want the culture to be. Maintain the libraries. Support things like the Medieval night and Dickensian evening rather than being an obstacle to those things.</p> <ul style="list-style-type: none"> • Provide affordable access to cultural opportunities for East Herts residents especially the over 50s. We would like to work with the social prescribing team at EHC along with other partners to strengthen the process and provide further services at the hub, ensuring those that cannot travel still have access to opportunities. • Arts-related programmes can prove to be key ways of tackling anti-social behaviour. We are looking to provide a Youth Club at the former scout hut as requested by local residents and looking to work with Volunteer it Yourself to provide local teens the opportunity to gain qualifications by helping with decorating and other tasks/activities. 	<p>Town; stop Hertfordshire County Council selling off its art heritage.</p> <ul style="list-style-type: none"> • Listening to people with much experience in this field, supporting them and funding them. • There is a very considerable volunteer effort and input that is here now, but this must be allowed to continue without trying to shoehorn it into bureaucracy as has happened in the past. I have been involved in a number of past initiatives which seemed to point towards volunteers becoming unpaid council officers. • Many of our cultural organisations already have strong community ties and support and have produced creative activities to increase engagement. EHDC need to talk to these organisations who can help identify engagement methods and opportunities. • The strategy should encourage local champions. I feel people respond to someone they know rather than communications from the council.
Concerns that there are too	<ul style="list-style-type: none"> • The danger of the strategy is that it tries to be all things 	<ul style="list-style-type: none"> • It feels like there is too much to focus on and

<p>many actions – 6 comments across the two questions</p>	<p>to all people, all policies and all agendas. As you know it needs to become SMART in its objectives, which need to be honed down. It seems odd to include specifics around crime for instance.</p> <ul style="list-style-type: none"> • Provide affordable access to cultural opportunities for East Herts residents especially the over 50s and 12-24 year old young people': Art is there to be enjoyed by everyone, regardless of their age 'Engage with residents and communities to safeguard people, property and individuals'; 'Support the Hertford at Night Community Voice initiative to reduce crime and anti-social behaviour within the Night Time Economy': I think you are laying too many objectives onto the shoulders of a Cultural strategy • Saying yes is the easy bit but the outcomes will be harder and possibly frustrating. 	<p>there is a danger of spreading focus too widely. I would suggest taking a narrower range of priorities and really consolidating action to make an impact and building greater infrastructure to help support the sector to improve.</p> <ul style="list-style-type: none"> • Too many objectives. • We're a bit lacking a definition of what you (we) mean by culture.
<p>Digital access and delivery – 5 comments across the two questions</p>	<ul style="list-style-type: none"> • It is difficult to reach those without technology. During this pandemic there will be a lot of people, not necessarily just the older population that do not have devices. It will be interesting to find out how the people that were shielding can be reached safely so they feel part of the community. 	

	<ul style="list-style-type: none"> • Some of these ideas are good such as digital delivery, but this should not be limited to culture and arts. • Increase investment in the library as a digital hub, • We must also ensure our residents who are not comfortable with computers have the same opportunities to receive information on what is going on • Build on what we've all learnt from the Covid 19 pandemic so that we can harness the potential of digital media to deliver both existing and new cultural activities and opportunities through an invigorating blend delivery of digital and physical platforms. We will continue to deliver our online calendar of health and wellbeing opportunities for local residents, this will come in the form of a calendar showcasing online opportunities as well as a calendar highlighting the physical offering once covid restrictions allow. 	
<p>Financial aspects of delivering arts and culture – 5 comments across the two questions</p>		<ul style="list-style-type: none"> • Value for money. • Everything must endeavour to be self-financing. • Consider extending rates relief to cultural venues to aid with COVID-19 recovery for the duration

		<p>of the strategy.</p> <ul style="list-style-type: none"> Teaching of the arts and culture - subsidized perhaps - music lessons or art lessons - evening classes in community halls - or the new arts centre. I think the covid 19 pandemic will have impacted badly on the arts, and therefore people need some kind of incentive to return to them. *There is a lack of music provision in Bishop's Stortford for example. *Incentives for music (learning and appreciating)? Building greater infrastructure to help support the sector to improve.
Transport – 3 comments across the two questions	<ul style="list-style-type: none"> Transportation is a challenge in rural areas to get to any cultural event - this needs to be a priority. On getting to a venue this will present challenges. Car use is being discouraged, bus services are not available after e.g. a theatre evening performance, walking or cycling is not practical for over 70s. How will this be solved? 	<ul style="list-style-type: none"> Ensuring that the public transport connections which serve East Herts' cultural venues operate at times that enable trips to be made before and after activities occur to enable sustainable journeys to be made.
Concerns about the overall need for this Strategy – 2 comments		<ul style="list-style-type: none"> This is a waste of my money. Please go back to basics and look as focusing on social care for example which his badly in need of resource/funds.

across the two questions		<ul style="list-style-type: none"> • Something totally different.
Environmental sustainability – 1 comment across the two questions	<ul style="list-style-type: none"> • Reduce climate change and fitness by promoting cycling and walking, introduce one way system on all major roads with the other carriageway for walking and cycling, Promote industry not building houses and a dormitory town. Stop building houses on green belt. 	
Rural focus – 1 comment across the two questions		<ul style="list-style-type: none"> • Although rural and villages are mentioned once I think, the Strategy needs to reflect the fact that the district is 75% farmland and there is a rich agricultural, historical and architectural heritage which is danger of getting overlooked and lost. This is where Village Halls and Churches can contribute but I think they will need support and encouragement.

4. Barriers to and assistance with delivery of the Cultural Strategy

What main the main barriers to your organisation or club assisting in achieving the Strategy's ambition? (up to three)	29 responded, of whom identified this issue
Lack of funding	34%
Not enough staff or volunteers	28%
Individuals are anxious about returning to group activities	28%
Some individuals are at high risk of infection so we are not considering group activities at the moment	24%
Difficult to reach out to audiences	24%
Lack of suitable venues	21%
Lack of knowledge on how to deliver activities for this audience	17%
Difficulties arranging transport	17%
No one willing to take the lead	14%
Covid restrictions	14%
Difficulty in motivating volunteers to get involved in new projects	14%
Delivery of cultural activities not a priority at this time	10%
High costs of this type of delivery	10%
Unsure how to make activities appealing to audiences	10%
Limited experience on how to run public events	7%
No green agenda	3%
Lack of awareness	3%

What main factors does your organisation or club need to assist in achieving the Strategy's ambition? (up to three)	30 responded, of whom identified this issue
Financial support or grant funding	50%
Increased members, users or participants	47%
Increased volunteers with the right skills	37%
Improved/new facilities for training, rehearsing, playing or performing	33%
More people with "creative" ideas	20%
A partnership with like-minded organisations	13%
Increased knowledge on how to generate income and become self-reliant	13%
Improved digital connectivity	13%
Resources and time to work in the community	3%
Information on how to maintain our core services	3%
More knowledge on business planning or marketing	3%
Digital resources and technical support	3%
Increased opportunities for promotion and publicity	3%

The free text questions asked respondents to raise their own organisation's specific goals, ambitions and priorities. The responses contain financial and other information specific to those organisations and so is not listed here. It will be followed with the organisations concerned.

This page is intentionally left blank

Equality Impact Analysis for East Herts Cultural Strategy 2021 to 2025

Created by Mekhola Ray and Jonathan Geall 5th February 2021 and finalised on 9th February 2021

Title of EqIA (policy/change it relates to)	East Herts Cultural Strategy (2021-2025)	Date	February 2021
Team/Department	Community Wellbeing and Partnerships		
<p>Focus of EqIA</p> <p>What are the aims of the new initiative? Who implements it? Define the user group impacted? How will they be impacted?</p> <p>Page 61</p>	<p>The East Herts Cultural Strategy (2021-2025) aims to see statutory bodies, community organisations and individuals come together to grow, adapt to the changing environment, lever in funding by acting in partnership and deliver a thriving cultural offer in East Herts. The aims of the Strategy are to make East Herts a place where:</p> <ul style="list-style-type: none"> • truly extraordinary things happen throughout the district, all year round • strong partnerships result in a resilient cultural infrastructure that offers our diverse communities a wide range of cultural opportunities • residents along with the public, private and voluntary sectors support each other to encourage entrepreneurial and innovative cultural practitioners to invest, live and work in East Herts • investment in arts and culture contributes to tangible gains in health and wellbeing outcomes, economic resilience and environmental sustainability • sustainability is at the heart of our cultural infrastructure and activities • our achievements are recognised far beyond our district’s boundaries. <p>The Strategy will be implemented by a partnership between arts and cultural organisations and community group as well as East Herts Council and other statutory bodies who have all signed up to</p>		

deliver the ambition and vision of the Strategy. The work will be overseen by a multi-agency Arts and Cultural Strategic Steering Group and delivered by a multi-agency Arts and Cultural Delivery group. The 'user group', that is, the intended beneficiaries of the Strategy are all residents in East Herts and the local cultural sector itself. The intended outcomes include having more arts, cultural and sports activities available that enhance physical and mental wellbeing. This Strategy recognises that the outcomes of cultural investment will be seen in improvement in local people's health and wellbeing, community safety and local economic growth.

2. Review of information, equality analysis and potential actions

Please fill in when appropriate to the change. If it does not, please put N/A

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age	Population projections show the numbers in all age groups are growing in the district, in particular those aged 60+ years. The research to develop the Strategy indicated that younger people showed lower level of participation in arts and cultural opportunities in the district.	Older residents and voluntary and community groups supporting older people have said this group finds it difficult to access culture whether through living in disadvantaged areas, having a range of disabilities (many of which are common in older age) or having limited access to transport.	The Community Wellbeing and Programme Officer, Housing and Health Projects Officer and Equality and Diversity Officer have discussed whether a person's age will affect how they can access culture and believe there is a legitimate concern especially around digital inclusion and poor transport infrastructure. This means that the Strategy must take positive action to	<p>High priority actions</p> <p>(a) Seek feedback from Age UK Herts on a regular basis during Strategy delivery</p> <p>Medium priority actions</p> <p>(b) Promote interventions in wards which have the highest proportion of older people</p> <p>(c) Monitor progress on the following actions in the Strategy and act according if they are not being met:</p>

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			ensure activities are inclusive and consider barriers as projects are implemented.	<ul style="list-style-type: none"> • <i>Support development of a cultural offer in East Herts which takes on board the changing population profile and ensures a widening range of activities that meet the needs of all our residents.</i> • <i>Provide affordable access to cultural opportunities for East Herts residents especially the over 50s and 12-24 year old young people</i> • <i>Encourage cultural events to take place locally – closer to where people live</i> • <i>Provide help for groups supporting older people to apply to the council's small grants programme to enable delivery close to home</i>
Disability	Some 8,700 people are living with a disability around 3,200 people have a learning	Residents and voluntary and community groups supporting older people	It is clear that arts and culture is important to individuals with this protected characteristic and	High priority actions (a) Invite organisations that work with people with disabilities and long term

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>disability nearly 1,400 people have dementia.</p> <p>Of the large revenue grants awarded via the council's community grants programme in 20/21, 88% benefitted people with long term conditions and vulnerable groups - the majority of the funded projects were cultural experiences.</p>	<p>and people living with any type of disability have said these groups and individuals can find it difficult to access culture whether through living in disadvantaged areas, having a mobility difficulty or mental health issue or having limited access to transport.</p> <p>Review of the council's discretionary grants awards demonstrates there is an interest and demand for cultural activities and recognition of the benefits of art on health and wellbeing.</p>	<p>so the Strategy must address this need.</p>	<p>conditions to serve on Cultural Strategy Delivery Group. Local Social, group that supports adults with learning difficulties, is already a committed implementation partner.</p> <p>Medium priority actions</p> <p>(b) Deliver specific arts and cultural actions via the East Herts Dementia Friendly Action group has agreed to in order to ensure accessibility for people living with dementia in the district.</p> <p>(c) Provide help for groups supporting people with this protected characteristic to work with Cultural Strategy partners to identify funding sources and make applications.</p>
Gender reassignment	<p>No reliable data at this time</p>	<p>We do not currently have feedback from services users with characteristic.</p>	<p>We acknowledge the lack of data from people with this protected characteristic and whether they face barriers to participation.</p>	<p>High priority actions</p> <p>(a) Foster relationships with groups supporting people with the gender reassignment protected characteristic and individuals.</p> <p>Medium priority actions</p>

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				(b) Monitor progress on the following actions in the Strategy and act according if they are not being met: <ul style="list-style-type: none"> • <i>Provide opportunities, to be identified through community conversations and needs based research, for engagement in cultural activity</i> (c) We will promote positive messages and encourage people from this community to participate in cultural events in a safe and comfortable environment.
Pregnancy and maternity	No reliable data at this time.	We do not currently have feedback from services users with characteristic.	We acknowledge the lack of data from women with this protected characteristic and whether they face barriers to participation. It is suspected that pregnant women and mothers on low income in particular could face barriers to participation.	High priority actions (a) Foster relationships with groups supporting people with the pregnancy and maternity protected characteristic. Medium priority actions (b) Monitor progress on the following actions in the Strategy and act according if they are not being met: <ul style="list-style-type: none"> • <i>Provide opportunities, to be identified through community</i>

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<i>conversations and needs based research, for engagement in cultural activity</i>
Race	<p>The white British population is the largest ethnic group in East Herts but the proportion of non-white British people in the district is steadily growing from the 10% recorded at the time of the 2011 Census.</p> <p>Information from current partner organisations suggests there can be lower participation from individuals from backgrounds others than white British than white British residents. This appears to extend to the traveler communities.</p>	Public engagement has highlighted a need to reflect an increased focus on developing a cultural offer among residents from more diverse backgrounds.	There is great scope for the Strategy to increase participation in arts and culture among all local residents regardless of race background.	<p>High priority actions</p> <p>(a) Engage with people from black and minority ethnic backgrounds to understand any barriers to participation in cultural activities and to build up a better understanding of the needs and interests of people from different backgrounds.</p> <p>(b) Invite feedback from GATE (Gypsy and Travel or Empowerment) charity.</p> <p>(c) Invite organisations that work with minority ethnic groups to serve on Cultural Strategy Delivery Group.</p> <p>Medium priority actions</p> <p>(d) Monitor progress on the following actions in the Strategy and act according if they are not being met:</p> <ul style="list-style-type: none"> • <i>Ensure residents of... black and minority ethnic backgrounds across East Herts are fully</i>

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				<p><i>involved in the development of cultural opportunities in the district.</i></p> <p>(e) Add new action to the council's community grant priorities:</p> <ul style="list-style-type: none"> • <i>Engage with people from different f and black, asian and minority ethnic backgrounds, supporting them to develop cultural opportunities they can enjoy participating in</i>
Religion or belief	No reliable data at this time.	There is no specific information available at this time.	We acknowledge the lack of involvement or direct feedback from individuals with this protected characteristic and thus may be unaware of the barriers that this group faces to participation in arts, culture and sports opportunities. There is great scope for the Strategy to increase participation in arts and culture among all local residents regardless of religion or faith.	<p>High priority actions</p> <p>(a) Work with the Hertfordshire County Council to develop contacts through the countywide faith group and so engage with faith groups to understand any barriers to participation in cultural activities and to build up a better understanding of their needs and interests as it pertains to culture.</p> <p>(b) Invite faith groups to serve on the Cultural Strategy delivery group.</p> <p>Medium priority actions</p>

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
				(c) Add new action to the council's community grant priorities: <ul style="list-style-type: none"> • <i>Engage with people from different faiths and religion supporting them to develop cultural opportunities they can enjoy participating in</i>
Sex/Gender	We have no data at present to suggest that participation is higher in one gender over another or that more cultural opportunities are available to one gender over another in East Herts.	The public engagement did not highlight that there was lower participation by one gender over another or more activities for one gender than another - or inequality in opportunity	There is great scope for the Strategy to increase participation in arts and culture among all local residents regardless of gender.	Medium priority actions (a) Monitor progress on the following actions in the Strategy and act according if they are not being met: <ul style="list-style-type: none"> • <i>Support development of a cultural offer in East Herts which takes on board the changing population profile and ensures a widening range of activities that meet the needs of all our residents.</i>
Sexual orientation	An estimated 6% of our population are Lesbian, Gay, Bisexual, Transgender or Questioning (LGBTQ)	We currently do not have any information on people with these protected characteristic.	We will need to proactively reach out to this community and ensure the benefit of the Strategy is realised for people with this protected characteristic. The Strategy	High priority actions (a) Engage with LGBTQ groups and individuals to understand any barriers to participation in cultural activities and to build up a better

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			provides an opportunity for all to access arts and cultural opportunities in the district.	understanding of their needs and interests as it pertains to culture.
Marriage and civil partnership	No information at this time.	The public engagement via the survey did not highlight that marital status or partnership status was a hindrance to taking part in cultural activities.	We believe our Strategy aims to provide access and opportunities for all and should not be a hindrance to this protected characteristic to get involved.	Medium priority actions (a) Monitor progress on the following actions in the Strategy and act according if they are not being met: <ul style="list-style-type: none"> • <i>Support development of a cultural offer in East Herts which takes on board the changing population profile and ensures a widening range of activities that meet the needs of all our residents.</i>

Protected characteristics groups from the Equality Act 2010	What do you know? Summary of data about your service-users and/or staff	What do people tell you? Summary of service-user and/or staff feedback	What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)	What can you do? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
---	--	---	---	---

Assessment of overall impacts and any further recommendations

The new East Herts Cultural Strategy is committed to ensuring that all individuals or groups of individuals in East Herts can access a range of arts and cultural opportunities which are of interest to them. At all times, the Strategy aims to take an inclusive approach and ensure that any individual or group that wants to is able to fully participate in the implementation of the Strategy or a cultural event.

We acknowledge that the gaps in our knowledge for some protected characteristics groups as identified above could potentially mean these groups will miss out on the benefits of the Cultural Strategy. We propose to mitigate the risk by:

- identifying and inviting representative of those with protected characteristics to sit on the East Herts Cultural Strategic and/or Delivery Group
- working closely with the council's Equalities and Diversity Officer and established countywide consultative groups to identify these protected characteristics and maximise participation and opportunities for engagement
- using our social media platform to send out positive messages to encourage people from these characteristic to participate
- gathering data/information on these particular groups especially with the New Census 2021 when it is available
- regularly monitoring performance of the Strategy so as to tackle any equalities issues that emerge from time-to-time.

The actions proposed above will ensure that people with protected characteristics are consulted further and their views taken into account when an action plan is developed.

Engagement in cultural activities is influenced by socio-economic background and by where people live. The Public Health England Local Authority profile 2017 confirms that five of the most deprived wards account for 16% of the population, representing around 23,000 individuals. To ensure all people can easily access cultural activities we are aspiring to deliver locally as much as possible and any other ways we can make it easier for them to participate,. This will involve working with community partners to jointly tackle the issues.

It is recommended to work with the council's Stewardship and Engagement Officer with the Planning Department to take forward the action of embedding arts and culture within new neighbourhoods and garden towns in the district, creating cultural opportunities for residents.

3. List detailed data and/or community feedback which informed your EqIA (If applicable)

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
East Herts Cultural Strategy Survey	Nov 2020	51 responses showing support for the Strategy. We recognise that some actions, projects and funding bids will benefit from detailed evidence gained through gap analyses and empirical research. Such future work will be carried out by the partners coming together or by the partners' pooling financial re-sources to fund external expertise.	Contact people from black and minority ethnic backgrounds, faith groups and groups supporting the LGBTQ and traveller community to provide feedback on emerging Action Plan.
Analysis of the council's community grants programme	2020/21	Detailed information on the protected characteristics of grant recipients or beneficiaries is not maintained.	Review the approach to grant monitoring.
Consultation with Overview & Scrutiny Committee	Feb 2021	Members identified that we needed to address issues around East Herts' rich natural, cultural and social heritage. We acknowledge that we have gaps in our knowledge especially on our cultural heritage.	Invite people with experience, knowledge and expertise in the district's natural, cultural and/or social heritage to sit on the East Herts Cultural Strategy Delivery group to help develop appropriate actions.

4. Prioritised Action Plan (If applicable)

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
<p>Limited information about the needs and experience of individuals with particular protected characteristics.</p>	<p>Engage with people from black and minority ethnic backgrounds to understand any barriers to participation in cultural activities and to build up a better understanding of the needs and interests of people from different backgrounds.</p> <p>Invite feedback from GATE (Gypsy and Travel or Empowerment) charity.</p> <p>Work with the Hertfordshire County Council to develop contacts through the countywide faith group and so engage with faith groups to understand any barriers to participation in cultural activities and to build up a better understanding of their needs and interests as it pertains to culture.</p> <p>Engage with LGBTQ groups and individuals to understand any barriers to participation in cultural activities and to build up a better understanding of their needs and interests as it pertains to culture.</p> <p>Foster relationships with groups supporting people with the gender reassignment protected characteristic and</p>	<p>A better understanding of the needs and experience of the people with particular protected characteristics.</p> <p>Actions to minimise any barriers to participation identified.</p>	<p>Actions included in future iterations of the Cultural Strategy action plan which specifically address access and participation related to people with these protected characteristics.</p>	<p>March 2023</p>

	<p>individuals.</p> <p>Foster relationships with groups supporting people with the pregnancy and maternity protected characteristic.</p>			
<p>Our understanding already indicates under-representation from people with particular protected characteristics.</p>	<p>Invite organisations that work with minority ethnic groups to serve on Cultural Strategy Delivery Group.</p> <p>Invite faith groups to serve on the Cultural Strategy delivery group.</p> <p>Invite organisations that work with people with disabilities and long term conditions to serve on Cultural Strategy Delivery Group. Local Social, group that supports adults with learning difficulties, is already a committed implementation partner.</p> <p>Seek feedback from Age UK Herts on a regular basis during Strategy delivery.</p>	<p>More diverse participants in the Cultural Strategy strategic and delivery groups so as to maximise the inclusive nature of Strategy delivery.</p>	<p>More diverse groups and individuals on the Cultural Strategy strategic and delivery groups.</p> <p>Actions and arts and cultural opportunities in East Herts.</p>	<p>March 2023</p>
<p>Low participation in cultural opportunities by older people, young adults, people with disabilities and people from different faiths and black and minority ethnic backgrounds.</p>	<p>Provide help for groups supporting people with this protected characteristic to access grants and funding from multiple sources.</p>	<p>More opportunities that are targeted at people with protected characteristics and are delivered by them.</p>	<p>Increased participation by people with these protected characteristics and increased local delivery close to home in villages and neighbourhoods using community assets.</p>	<p>March 2023</p>

EqIA sign-off: (for the EQIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Lead Equality Impact Assessment officer: Corinne Crosbourn

Date: 4th February 2021

Leadership Management Team rep or Head of Service:



Jonathan Geall, Head of Housing and Health

Date: 9th February 2021

Author of Equality Impact Analysis: Mekhola Ray, Community Wellbeing Programme Officer and Jonathan Geall, Head of Housing and Health

Date: 9th February 2021

Executive

Date of Meeting: 19 February 2021

**Report by: Cllr Haysey, Leader of the Council and Cllr Goodeve,
Executive Member for Planning and Growth**

**Report title: Sustainability Supplementary Planning Document-
Final for Adoption**

Ward(s) affected: All

Summary

- To outline the results of the public consultation on the draft Sustainability Supplementary Planning Document (SPD) and seek Members' agreement to adopt a revised document.

RECOMMENDATIONS FOR Executive to recommend to Council:

- (a) That the responses to the consultation be noted and the officer responses and proposed changes to the Sustainability Supplementary Planning Document (SPD) be supported;**
- (b) That the Sustainability Supplementary Planning Document (SPD), as detailed at Appendix A to this report, be agreed for adoption; and**
- (c) That in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the Sustainability Supplementary Planning Document (SPD) is not required as it is unlikely to have significant environmental effects beyond the District Plan policies.**

1.0 Proposal(s)

- 1.1 The Sustainability Supplementary Planning Document (SPD) has been prepared to provide guidance on the implementation of

adopted District Plan (2018) policies related to climate change and sustainable design and construction, in order to improve the environmental sustainability of new development. It will be a material consideration in the determination of planning applications and it will replace the air quality planning guidance (2016).

- 1.2 Following public consultation, the Council has amended the SPD to reflect the issues raised.

2.0 Background

2.1 Climate change is a key challenge facing society. In 2019 the Government amended legislation to adopt a new target for the UK: net zero greenhouse gas emissions by 2050. As Members will recall, this Council demonstrated its commitment to addressing climate change locally in July 2019, when it declared a climate change motion, with the goal that both the Council and East Herts District will be carbon neutral by 2030. The development of a Sustainability Supplementary Planning Document (SPD) is one of the measures identified to help achieve this target.

2.2 Supplementary Planning Documents are documents which add further detail to the policies in the development plan. This SPD has been produced to expand particularly on the District Plan (2018) policies that help ensure new development in the district reduces its environmental impact- minimising carbon emissions, flood risk, pollution and pressure on resources:

- **Design:** DES4 Design of Development
- **Transport:** TRA1 Sustainable Transport;
- **Natural Environment:** NE1 International, National and Locally Designated Nature Conservation Sites; NE2 Sites or Features or Nature Conservation Interest (Non-Designated); NE3 Species and Habitats
- **Climate Change:** CC1 Climate Change Adaption; CC2 Climate Change Mitigation; Policy CC3 Renewable and

Low Carbon Energy

- **Water:** WAT4 Efficient Use of Water Resource; WAT5 Sustainable Drainage
- **Pollution:** EQ2 Noise; EQ3 Light Pollution; EQ4 Air Quality

2.3 The purpose of this SPD is to support the implementation of District Plan (2018) policies by providing technical guidance on sustainable design and construction to improve the environmental sustainability of new development. As such, it will contribute towards both the national and local commitment to addressing climate change.

2.4 The key aims of the SPD are to provide transparent, holistic guidance for applicants, with more detail about District Plan policy requirements and expectations. By requiring submission of a sustainability checklist the SPD will ensure applicants consistently submit relevant information to demonstrate compliance with policy. It will also help officers and councillors assess the environmental credentials of developments and encourage developers to go further than current policy, to demonstrate excellence in sustainable development.

2.5 Members will recall that public consultation on a draft version of the SPD, for a period of four weeks, was agreed at Executive on 1st September 2020. The consultation subsequently took place between 10 September and 8 October 2020.

3.0 Reasons

3.1 Planning has a clear role in helping to deliver climate change targets. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to ensure planning policies are designed to contribute to the mitigation of, and adaptation to, climate change.

3.2 The National Planning Policy Framework (NPPF) states that planning and development should contribute toward the environmental objective of sustainable development, which includes making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising

waste and pollution and mitigating and adapting to climate change. Section 14 makes it clear planning must address climate change.

3.3 The SPD provides guidance on a range of topics, to encourage a more prudent use of resources, protect environmental assets, mitigate the impact of climate change and adapt to its impacts. The eight sections are as follows:

- **Design led approach**- Provides a framework for the SPD by promoting the importance of an overarching, holistic approach to environmental sustainability and the design process, in order to create high quality places.
- **Energy and Carbon**- Explains how to reduce carbon emissions and create more energy efficient developments, incorporating renewable technologies.
- **Climate Change Adaptation**- Explains how to mitigate overheating and increased risk of flooding.
- **Water efficiency**- Explains how to reduce the use of mains water.
- **Pollution**- Explains how to address air, light and noise pollution.
- **Sustainable transport**- Explains how to design development to reduce the need to travel and incorporate sustainable transport options.
- **Biodiversity**- Explains how to conserve and enhance biodiversity.
- **Waste**- Explains how to reduce construction waste and design schemes that allow occupants to manage waste sustainably.

3.4 The SPD's primary focus is to ensure policy requirements are implemented, but it also encourages good practice and compliance with stronger energy targets. Legally, the SPD is subordinate to the adopted District Plan (2018) so cannot introduce new compulsory targets that would change District

Plan policy requirement.

- 3.5 Each section provides an overview of the national and local policy context; practical topic guidance on how to achieve, and where possible exceed, policy requirements; details about the relevant submission requirement (e.g. statement or survey); and a checklist that applicants must submit as part of their application, to demonstrate compliance with District Plan policies and the SPD. A combined checklist for submission is attached as Appendix A of the SPD and will be added to the local validation checklist.
- 3.6 The purpose of the checklist is to provide an overarching framework for assessing the environmental sustainability scheme. It does not replace other application submission requirements but aims to help facilitate the assessment of different, often overlapping, strands of sustainability.
- 3.7 It should be noted, that in addition to this SPD, the developers in the Gilston Area will also be encouraged to meet the aspirations of the Harlow and Gilston Garden Town (HGGT) Sustainability Guidance. Once finalised and following Executive/Council approval the HGGT Guidance will become a material consideration for planning decisions in the Garden Town.

Consultation

- 3.8 The draft SPD was subject to public consultation in accordance with the Town and Country Planning (Local Planning) (England) 2012 (as amended) and the Council's adopted Statement of Community Involvement (2019), as temporarily revised in May 2020 due to Covid-19 restrictions.
- 3.9 A total of 182 responses were received from 38 consultees. Most consultees were supportive of the purpose and scope of the SPD, with 20 comments expressly supporting the document. Thirty four representations raised objections to elements within the SPD and nearly 70% of the responses provided comments on various aspects of the SPD. Many of the comments and objections were seeking amendments.

- 3.10 The main issues raised in the responses are summarised below:
- Minor changes to the topic guidance- most of the comments seek additional detail or clarity about various aspects of the eight topic sections and propose minor amendments to the text.
 - Inclusion of mandatory targets- Some comments would like mandatory targets included in the SPD, although a number recognise why this is not possible.
 - Submission requirements are too onerous- Several developers are concerned that the carbon reduction template and sustainability checklist require too much detail or exceed requirements in the District Plan, particularly for outline planning applications.
- 3.11 Officers have considered these issues in full and made amendments where they add value to the SPD. In a number of cases, changes to the SPD have been made to add detail or clarity about a technical sustainable design and construction principle or submission requirement. More information has also been added in terms of how and when to complete the checklist, to provide applicants with more clarity. Likewise, changes to the carbon template have been made to reflect the practicalities of calculating carbon reduction emissions.
- 3.12 It should also be noted that in January 2021, the Government confirmed its intention to significantly improve energy efficiency standards in building regulations, with the first uplift of 31% above current regulation for new homes, proposed in December 2021 (to be implemented in 2022). These proposals will help reduce the carbon emissions from new development in East Herts and improve the use of the low and zero carbon approaches encouraged in the SPD. The energy and carbon reduction section of the SPD has been updated to include reference to the proposed regulatory changes.
- 3.13 The issues raised as part of the consultation; the officer responses and the proposed amendments to the SPD are included in the statement of consultation, attached as

Appendix B. For clarity, a proposed modification document has also been attached as **Appendix C**, so that it is easier to see where the changes are within the SPD.

- 3.14 Members are therefore invited to agree these officer responses; the proposed modifications; and the adoption of the final document. A copy of the Sustainability SPD is attached as **Appendix A**.

Strategic Environmental Assessment

- 3.15 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment. It is therefore a requirement that the Council undertakes a Screening Assessment to determine whether the draft Sustainability SPD should be subject to a Strategic Environmental Assessment.
- 3.16 The Regulations require that the Council consults three statutory bodies in reaching this determination. Consultation has therefore been carried out with the Environment Agency, Natural England and Historic England. All three organisations have confirmed that they have no comment on the Council's draft Screening Statement.
- 3.17 Therefore, the final Screening Statement is attached in **Appendix D**. It concludes that the draft SPD is unlikely to have significant environmental, social or economic effects beyond those of the District Plan policies it supplements; does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the District Plan policies and therefore does not require a Strategic Environmental Assessment.

4.0 Options

- 4.1 Option 1-Not adopting the SPD - The current approach will continue, where officers rely solely on the District Plan policies to assess the environmental sustainability of new development. These policies set high level principles but don't provide

technical guidance on how these issues should be addressed in practice. As such there can be a wide variation in how the policy is interpreted and the type of evidence submitted to demonstrate policy compliance varies, which lacks consistency and transparency. Choosing not to produce an SPD also fails to support the Council's aim to achieve carbon neutrality in the District by 2030 and essentially mean waiting until revisions to the District Plan are in place.

- 4.2 Option 2- Adopting the SPD – Will support the transition towards carbon neutrality by trying to raise the environmental performance of new development now and not waiting several years for policy revisions in the District Plan to be adopted. The District Plan policies seek to address climate change and protect the environment, but the SPD will support the implementation of these principles in practice. The provision of technical guidance to systematically explain how the policy requirements should be applied will increase transparency. By taking a holistic approach, setting clear expectations about what the Council expects from developers and the type of evidence that must be submitted to demonstrate policy compliance, the SPD will also encourage a more consistent and efficient decision-making process.

5.0 Risks

- 5.1 The SPD will help to increase the environmental sustainability of new development in East Herts and help address climate change.

6.0 Implications/Consultations

- 6.1 The draft SPD was subject to a four week public consultation as detailed above.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes the SPD aims to improve the environmental sustainability

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

The SPD is not introducing new legal requirements.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 East Herts District Plan October 2018:

- Chapter 17 Design and Landscape
- Chapter 18 Transport
- Chapter 20 Natural Environment
- Chapter 22 Climate Change
- Chapter 23 Water

- Chapter 24 Environmental Quality

<https://www.eastherts.gov.uk/districtplan>

7.2 **Appendix A:** Sustainability Supplementary Planning Document

7.3 **Appendix B:** Consultation Statement

7.4 **Appendix C:** Proposed Modification document

7.5 **Appendix D:** Strategic Environmental Assessment Screening Report

Contact Member

Cllr Linda Haysey – Leader of the Council

linda.haysey@eastherts.gov.uk

Cllr Jan Goodeve – Executive Member for Planning and Growth

jan.goodeve@eastherts.gov.uk

Contact Officer

Sara Saunders – Head of Planning and Building Control

Contact Tel No 01992 531656

sara.saunders@eastherts.gov.uk

Report Author

Laura Guy– Principal Planning Officer (Policy & Implementation)

laura.guy@eastherts.gov.uk

Sustainability SPD

March 2021



 @Eastherts

 EastHertsDC

 easthertscouncil

01279 655261

www.eastherts.gov.uk





1 Introduction	5
1.1 Context	5
1.2 What is Sustainability?	5
1.3 Purpose and structure of the SPD	6
1.4 Policy Context	7
1.5 How to use the SPD?	8
2 Design Led Approach	9
2.1 Context	9
2.2 Taking a holistic approach	9
2.3 Historic Environment	12
2.4 Construction Standards	12
3 Energy and Carbon Reduction	16
3.1 Policy Context	16
3.2 Topic Guidance	18
3.2.1 Energy and carbon reduction in East Herts	18
3.2.2 Energy Hierarchy	18
3.2.3 Minimising Energy Use (stages 1 and 2)	19
3.2.4 Supplying Energy More Efficiently (stage 3)	26
3.2.5 Site Wide Approaches to Energy	29
3.2.6 Sustainable Construction	30
3.2.7 Transition to Net Zero carbon	31
3.3 Submission Requirements	33
3.4 Checklist	35

Contents



4 Climate Change Adaptation	37
4.1 Policy Context	37
4.2 Topic Guidance	38
4.2.1 Climate Change Adaptation in East Herts	38
4.2.2 Overheating	39
4.2.3 Green Infrastructure	43
4.2.4 Sustainable Urban Drainage	45
4.3 Submission Requirements	46
4.4 Checklist	47
5 Water Efficiency	49
5.1 Policy Context	49
5.2 Topic Guidance	50
5.2.1 Water efficiency in East Herts	50
5.2.2 Compliance with residential target	50
5.2.3 Non-residential development	51
5.2.4 Rainwater and Greywater Recycling	52
5.3 Submission Requirements	53
5.4 Checklist	53
6 Pollution	55
6.1 Air Quality	55
6.1.1 Policy Context	55
6.1.2 Topic Guidance	57
6.1.3 Submission Requirements	75
6.1.4 Checklist	78
6.2 Light Pollution	80
6.2.1 Policy Context	80
6.2.2 Topic Guidance	81
6.2.3 Submission Requirements	82
6.2.4 Checklist	82
6.3 Noise Pollution	83



7 Biodiversity	85
7.1 Policy Context	85
7.2 Topic Guidance	87
7.2.1 Biodiversity in East Herts	87
7.2.2 Biodiversity Hierarchy	88
7.2.3 Designations	89
7.2.4 Species and Habitats	90
7.2.5 Net Gain	91
7.2.6 Living roofs and walls	94
7.3 Submission Requirements	95
7.4 Checklist	96
8 Sustainable Transport	98
8.1 Policy Context	98
8.2 Topic Guidance	101
8.2.1 Sustainable Transport in East Herts	101
8.2.2 Reducing the overall need to travel, particularly by private car	102
8.2.3 Pedestrian and cycle route provision- making journeys healthier and sustainable	106
8.2.4 Transport Statements, Assessments and Travel Plans	110
8.2.5 Electric vehicle charging provision	110
8.2.6 Contributions towards passenger and community transport initiatives	112
8.3 Submission Requirements	113
8.4 Checklist	114
9 Waste Management	117
9.1 Policy Context	117
9.2 Topic Guidance	119
9.2.1 Waste Management in East Herts	119
9.2.2 Waste Hierarchy	120
9.2.3 Construction Waste	120
9.2.4 Designing Provision for Sustainable Waste Management	122
9.3 Submission Requirements	130
9.4 Checklist	131

Contents



10 Appendix A: Combined Submission Checklist	133
11 Appendix B: Carbon Reduction Template	144
12 Appendix C: Air Quality Neutral Benchmarks	145
13 Appendix D: Advice note - Gas Fired Combined Heat and Power (CHP)	147



1 Introduction

1.1 Context

- 1.1** Significant growth is happening in East Herts, with a minimum of 18,458 new homes being built by 2033 and provision of 19-20 hectares of new employment land. The District Plan (2018) vision sets out the importance of implementing this growth sustainably, to protect the environment and the quality of life of people who live, work and visit the District. Climate change is a key challenge facing society and the Council is committed to tackling its causes and impacts. In July 2019 the Council declared a climate change motion, with the goal that both the Council and East Herts as a district will be carbon neutral by 2030.
- 1.2** This Supplementary Planning Document (SPD) supports the implementation of policies in the District Plan and sets out detailed, technical guidance on how to mitigate and adapt to climate change, to minimise resource use and protect and enhance biodiversity.

1.2 What is Sustainability?

- 1.3** 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. This SPD focuses on the environmental dimensions of sustainability.
- 1.4** Buildings are responsible for almost half of the UK's carbon emissions, half of the water consumption, about one third of landfill waste and about a quarter of all raw materials used in the economy. The design and construction of new buildings, and the spaces around the buildings, therefore has a key role in delivering sustainable development, which is at the heart of the planning system. Designing and constructing development to improve its environmental performance will reduce the environmental impact of new development and address climate change. The true benefits of sustainable design and construction go well beyond simply cutting carbon emissions. There are also economic and social benefits associated with sustainable design and construction including; reduced energy bills, improved health and well-being and more resilience to market fluctuations and climate change adaptation.
- 1.5** For developers and homeowners, there is evidence that higher standards of environmental sustainability increase property values. As public awareness of climate change increases, sustainable design and construction measures can be used by developers as an effective marketing tool to sell



properties. Equally, the capital cost of building sustainably is likely to fall due to increasing demand and consequently the availability of green technologies at lower costs.

1.3 Purpose and structure of the SPD

1.6 The purpose of the SPD is to support the implementation of District Plan policies by providing technical guidance on sustainable design and construction to improve the environmental sustainability of new development. The SPD covers a number of topics to encourage a more prudent use of resources, protect environmental assets, mitigate the impact of climate change and adapt to its impacts:

- **Design led approach**- taking a holistic approach to design
- **Energy and Carbon** – how to reduce carbon emissions and create more energy efficient developments, incorporating renewable technologies.
- **Climate Change Adaptation**- How to mitigate overheating and increased risk of flooding
- **Water Efficiency**- How to reduce the use of mains water
- **Pollution**- How to address air, light and noise pollution
- **Sustainable Transport**- How to design development to reduce the need to travel and incorporate sustainable transport options.
- **Biodiversity**- How to conserve and enhance biodiversity
- **Waste Management**- How to reduce construction waste and design schemes that allow occupants to manage waste sustainably.

1.7 Whilst the SPD cannot introduce new targets or standards that supersede the policies in the District Plan, it will add value in a number of ways:

- By providing transparent, holistic guidance for applicants with more detail about policy requirements and expectations.
- By requiring applicants to consistently submit information to demonstrate compliance with policy. For an application to be validated, a combined checklist will need to be submitted, as detailed below.
- By helping officers and councillors assess the environmental credentials of developments and make decisions.
- Encouraging developers to go further than current policy, to demonstrate excellence in sustainable development.

1.8 The guidance will help transition towards the Council's goal for carbon neutrality by 2030, but further detail will be considered as part of the Review of East Herts District Plan.



1.4 Policy Context

- 1.9** This section provides an overview of the policy context, further details relevant to each topic are provided in each section of the SPD.
- 1.10** The Climate Change Act (2008) established a legally binding target to reduce the UK's greenhouse gas emissions by at least 80% in 2050 from 1990 levels. In May 2019, the Government declared a climate emergency. The Committee on Climate Change recommended that the Government adopted a new emissions target for the UK: net zero greenhouse gas emissions by 2050.⁽¹⁾ This would keep the UK in line with the commitments it made as part of the 2016 Paris Agreement to keep global warming below 2°C. As a result the Government amended the legislation in June 2019 to require the UK to bring all greenhouse gas emissions to net zero by 2050.
- 1.11** The built environment has a clear role in helping to deliver these national targets. Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their Local Plans “policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”.

National Policy

- 1.12** The National Planning Policy Framework (2019) states that planning and development should contribute toward the environmental objective of sustainable development, which includes making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change.
- 1.13** Section 14 makes it clear planning must address climate change. New development should be planned for in ways that minimise vulnerability and improve resilience; help the reduction of greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure.

Local Policy

- 1.14** The adopted District Plan (2018) expects development proposals to incorporate design and construction measures to mitigate and adapt to the impact of climate change, minimise the impact of pollution and reduce pressure on resources such as water.



- 1.15** The East Herts District Plan includes a number of policies which require applicants to ‘take account of’ or ‘demonstrate how’ different aspects of sustainable design and construction are incorporated into proposed development. However, with the exception of water use (WAT4) the Plan does not require compliance with a target.
- 1.16** The Council recognises that mandatory targets in policy, particularly in relation to energy and carbon emissions, are likely to be important to meet the national agenda. This issue will be taken forward as part of the District Plan Review.
- 1.17** In addition to the District Plan, development should comply with relevant Neighbourhood Plan policies.⁽²⁾ Details are provided on East Herts Council’s website . Also a significant proportion of growth in East Herts is within Harlow and Gilston Garden Town. The Council remains the decision-maker for both policy documents and planning applications within East Herts, but current governance and management arrangements have been set up in partnership with Epping Forest and Harlow Districts and Hertfordshire and Essex County Councils to help ensure collaborative working.⁽³⁾ Therefore applications in the Gilston Area will need to consider the relevant policy context, including the Gilston Charter SPD and emerging Harlow and Gilston Garden Town Sustainability Guidance.

1.5 How to use the SPD?

- 1.18** Applicants should use the design guidance in this SPD to inform the design and construction of their scheme. Depending on the scale or type of development proposed, statements or surveys may be required to support an application. Details about the planning application submission requirements are set out in each topic section. Further details about submission requirements are provided on the Council’s website: <https://www.eastherts.gov.uk/planning-building/make-planning-application>
- 1.19** All proposals should apply the principles in this SPD. Applications for new development that result in a residential net gain of 1 plus dwellings or an increase in non-residential floorspace should submit the combined Sustainable Design and Construction checklist in Appendix A. This will demonstrate that the principles of environmental sustainability outlined in the District Plan policies and within this SPD have been considered and addressed. Information provided should be proportionate to the scale and type of development proposed. Once adopted the SPD will be a material consideration in the determination of planning applications. It will replace the Air Quality Planning Guidance (2016).



2 Design Led Approach

2.1 Context

2.1 Good urban design and sustainable design and construction are mutually inclusive. The NPPF (2019) sets out that achieving high quality places and buildings is fundamental to the planning and development process. The National Design Guide emphasises how well-designed places, that are beautiful, enduring and successful can be achieved in practice. The importance of taking account of climate and environmental change is raised as an issue that infiltrates through the whole design process. The guidance identifies 10 urban design characteristics, including the importance of context and identity. Good design is built on a foundation of thorough analysis of a site's relationship to a settlement and its immediate locality and should enhance its surroundings and be attractive and distinctive. Recent Homes England guidance, Building for a Healthy Life, explains how the integration of nature, blue and green infrastructure and pedestrian and cycle connections underpins high quality design and healthy, attractive places.

2.2 Designing and achieving more sustainable forms of development requires consideration at a strategic scale, before moving down to consider the more detailed site and construction aspects. Development sites come in a variety of sizes and level of complexity but in all cases the local context is essential in determining how the site relates to the surrounding environment, for example in terms of its character, visual relationship, proximity to open space, facilities and services and environmental conditions of the local microclimate. The context informs the layout and form of development, which then underpins the sustainability of a development and how it mitigates and adapts to climate change. These principles are explained below in Figure 1.

Further Guidance

- National Design Guide (2019), MHCLG:
<https://www.gov.uk/government/publications/national-design-guide>
- Building for a Healthy Lifestyle (2020), Homes England:
<https://www.designforhomes.org/project/building-for-life/>

2.2 Taking a holistic approach

2.3 The sustainable design considerations set out in this guidance should form an integral part of the design process so that sustainability principles are incorporated and minimum standards met where relevant (and where possible exceeded) in the most timely and cost effective way possible. It is therefore recommended that this guidance is referred to from the very start of the design process, including in early discussions with the client. Early and meaningful collaboration of sustainable design specialists in the design team - including BREEAM or Passivhaus advisors, services engineers,



sustainable drainage specialists and landscape and biodiversity experts- is also strongly encouraged. Integrating sustainable design into the building procurement process will help development move towards net zero carbon.

2.4 If sustainable design is not fully considered from an early stage of the design/procurement process then problems, delays and increased costs can result. For example, if an air quality assessment is not completed until late in the design process and the study reveals a need for changes to the layout, this could raise new planning/design issues. Similarly, if the sustainable drainage strategy is only developed at a late stage rather than as an integral part of site layout and landscape planning then it could result in a need for costly late changes to comply with policy requirements. Sustainability has so much to do with location and connectivity. Engagement of landscape/townscape, ecology, heritage, drainage, transport professionals during early-stage site feasibility work is key and should be encouraged. Equally, capturing the views of the local community can positively shape emerging development proposals and enable a more efficient planning application process.

2.5 Equally if developers want the credibility of achieving best practice associated with meeting BREEAM and Homes Quality Mark requirements this will be far simpler if these standards inform the design process rather than being considered late on as a tick-box exercise. Figure 1 below outlines the different stages of the design process and how it should be a reiterative, holistic process from concept design to construction and end use.

Further Guidance

- RIBA's Green Overlay to the RIBA Outline Plan of Work: www.architecture.com
- Building Hub, Designers Handbook: www.thebuildingshub.co.uk
- LETI Climate Emergency Design Guide: www.leti.london/cedg

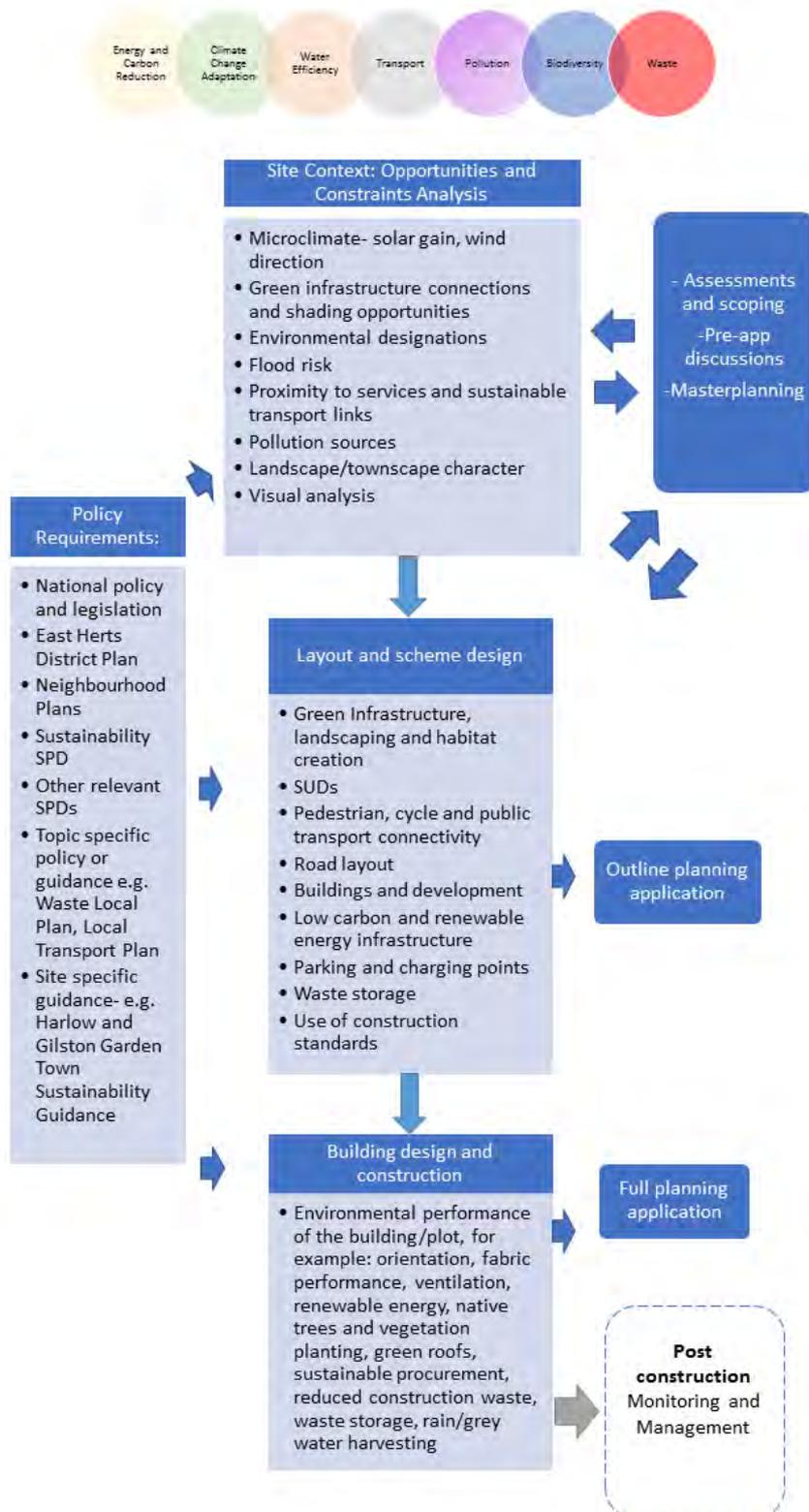


Figure 1: Taking a holistic design approach incorporating environmental sustainability



2.3 Historic Environment

2.6 East Herts historic environment is one contextual issue that must be taken into account to preserve the district's character and distinctiveness. Climate Change can have a range of direct impacts on the historic environment, for example, accelerated weathering to building fabric, erosion of archaeological sites through severe weather and flooding, and harm to historic landscapes or changes in vegetation patterns. Equally, climate change mitigation and adaptation responses can also have unwelcome impacts on the historic environment, such as damage to historic fabric through poorly designed energy-saving measures, or erosion of historic character through inappropriately located micro-generation equipment.

2.7 East Herts has numerous listed building and conservation areas, historic parks and gardens, archaeological sites (scheduled and unscheduled) and scheduled monuments. In accordance with national legislation and policy and the District Plan (2018), proposals should seek to avoid harm to historic assets and preserve and enhance the character and appearance the historic environment. Actions required to limit further damaging emissions and adapt to a changing climate are vital and can be successfully achieved, but need to be balanced with measures to protect the historic environment. Where a historic asset or its setting may be affected, careful consideration of the heritage context throughout the design process is key and the selection of high quality, appropriate design measures is fundamental. Where applicable, advice should be sought from the Council's conservation team and other expert bodies such as Historic England, Hertfordshire County Council and Hertfordshire Gardens Trust.

Further guidance

2.8 Historic England have further advice on how heritage assets can effectively mitigate and adapt to climate change. Further information is set out below::

- Historic England: www.historicengland.org.uk
- Energy efficiency and historic buildings:

<https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/>

- Climate change and sustainability:

<https://historicengland.org.uk/whats-new/statements/statement-on-climate-change-and-sustainability/>

2.4 Construction Standards

2.9 The Council encourage, high quality sustainable development and recommend the use of construction standards to demonstrate excellence in sustainable development. When used, the latest version of standards



should be applied and appropriate evidence must be submitted with a planning application to demonstrate compliance. The following provides a summary and overview of some of the recognised schemes:

- **BREEAM** - Building Research Establishment's (BRE) Environmental Assessment Methodology (BREEAM) is one of the most renowned standards for non-residential development. Credits are awarded across a range of topics and a final accreditation is awarded from good to outstanding. The Council recommend that the higher levels are met where possible, which can only be achieved if it is taken into account early in the design process. To demonstrate the appropriate level can be achieved a pre-assessment certificate should be submitted with an application. There are different BREEAM schemes, including new construction which relates to individual buildings and BREEAM Communities for development on a wider scale. Further details are available on the BREEAM website: <https://www.breeam.com/>
- **Housing Quality Mark (HQM)** - Following the Government's decision to abolish the Code For Sustainable Homes, BRE introduced the HQM as an equivalent to BREEAM to assess the environmental and social performance of new homes. More details are available on the HQM website: <https://www.homequalitymark.com/>
- **Passivhaus**- Highly efficient housing design, using building fabric performance to achieve high levels of insulation and ventilation: <https://www.passivhaustrust.org.uk/>
- **Building futures** is an interactive Hertfordshire guide to promoting sustainability in development, which provides further information on the topics within this SPD. It can be accessed at www.hertfordshire.gov.uk/microsites/building-futures/building-futures.aspx. Exemplar developments in East Herts can achieve recognition at the Building Futures annual awards.
- **BRE SMARTsite and SMARTwaste**- Online construction site monitoring and reporting tools that aim to improve environmental performance, by helping to manage and reduce resource use and waste outputs. Further details are available on the BRE website: www.bregroup.com/products/bresmartsite/



Case Study: Cassiobury Park Hub Building, Watford

Cassiobury Park's multi-purpose community hub building won the Most Sustainable Construction award at the last Building Futures Awards in 2018. The building is integrated within the landscape rather than on it and is designed to have minimal energy consumption. The orientation and layout of the building facilitate solar gain, it is built with high levels of insulation and uses energy generated by solar panels on the roof. A low-energy air-source heat pump maintains a constant temperature and a rainwater-harvesting tank collects water.



Source: Knox Bavan Architects





Case Study: Hertford Theatre- aspiring to BREEAM Excellent

The Council led project to redevelop Hertford Theatre is being designed to achieve BREEAM excellent.

The use of BREEAM has been integrated into the design process and a range of sustainable design and construction principles are being developed in order to achieve the excellent rating:

- Retaining as much of the existing building as possible;
- specifying materials with low embodied energy;
- Upgrading building fabric to increase energy efficiency and reduce carbon;
- Using air source heat pumps;
- Using intelligent building systems to reduce operational energy;
- Creating flexible, adaptable spaces so the building had longevity.

Many of these principles are addressed within this SPD.



3 Energy and Carbon Reduction

3.1 Policy Context

- 3.1 Half of all national carbon emissions come from the energy used in constructing, occupying and operating buildings.⁽⁴⁾ The Government's Clean Growth Strategy⁽⁵⁾ makes it clear that a key government priority is to reduce the energy demand and carbon emissions created by both new and existing homes. It outlines the progress already made by measures such as improved thermal insulation and increased efficiency of boilers, and sets out what more needs to be done to minimise climate impact from buildings and help reduce energy costs.

National Policy

- 3.2 Section 14 of the NPPF clearly sets out the role of planning in addressing climate change. New development should be planned for in ways that minimise vulnerability and improve resilience; help the reduction of greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure. Paragraph 149 retains the link between planning policy and the provision of the Climate Change Act 2008. This means all local plans have a duty to reduce the carbon emissions associated with new development, contributing to England's carbon reduction targets as set out in the Climate Change Act.
- 3.3 Further guidance is provided in the Climate Change section of the National Planning Guidance (NPPG), which has been taken into consideration in the production of this SPD.
- 3.4 Beyond the planning system, the Government is proposing changes to legislation and policy that will promote lower carbon buildings. Responding to its 2019 Future Homes consultation, the Government has committed to changes to building regulations by 2025 to ensure new homes will have CO₂ emissions at least 75% lower than those built to current regulations.⁽⁶⁾ To deliver a phased approach, regulations will be changed in December 2021, to introduce an interim CO₂ emissions reduction target of 31%. This will come into force in 2022 and will result in mandatory improvements to the energy performance of new homes. Similar proposals for new non-domestic buildings are also currently being considered (interim uplift target of an average 27% beyond current regulations in December 2021), alongside energy efficiency improvements to existing homes and buildings.⁽⁷⁾

4 Good practice Guidance: Sustainable Design and Construction, Cross Sector Group on Sustainable Design and Construction, August 2012.

5 <https://www.gov.uk/guidance/climate-change>

6 The Future Homes Standard: 2019 ,Summary of responses received and Government response, January 2021: <https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-buildings>

7 The Future Buildings Standard, January 2021: <https://www.gov.uk/government/consultations/the-future-buildings-standard>.



Local Policy

District Plan policies

- Policy CC2 Climate Change Mitigation
- Policy DES4 Design of Development
- Policy CC3 Renewable and Low Carbon Energy

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability checklist
- Sustainable Construction, Energy and Water Statement
- Carbon reduction template (can be incorporated into the Statement)

Link to Sustainability checklist

- En.01, En.02, EN.03, En04, En05

3.5 Policy CC2 of the District Plan promotes zero and low carbon development by requiring all new developments to demonstrate how carbon emissions will be minimised in accordance with the energy hierarchy by using less energy, increasing energy efficiency and incorporating low and renewable energy (see Figure 2). There are no mandatory targets included within the policy but a reduction in emissions is required and achieving standards beyond the requirements of Building Regulations is encouraged. Carbon reduction should be met on site, unless it can be demonstrated this is not feasible or viable. In such cases offsetting will then be permitted. The policy also expects that the energy embodied in construction materials is reduced through re-use and recycling of existing materials and the use of sustainable materials and local sourcing.

3.6 Policy DES4 reiterates and expands on the requirements for sustainable design and zero and low carbon development in East Herts. The policy expects development to achieve a high standard of design, which includes the use of zero or low carbon energy technologies, sustainable construction methods and electric vehicle charging points.

3.7 Policy CC3 encourages the generation of clean energy, which include schemes to provide low carbon and renewable energy generation to specific developments or wider generation proposals. The policy recognises that renewable, zero and low carbon proposals must be considered within their local context. The policy states the Council will permit the development of



sources of renewable energy generation subject to assessment of the impact on the local environment and amenity. It is vital that any impacts associated with the proposed technology are considered as part of the planning process. Guidance related to this is already available via the national Planning Practice Guidance and as such it is not considered necessary to repeat this guidance in the SPD, although pointers to this guidance will be included in the SPD.

3.2 Topic Guidance

3.2.1 Energy and carbon reduction in East Herts

- 3.8** East Herts has a carbon emission contribution of 675 CO² (kt).⁽⁸⁾ The Council is committed to reducing carbon emissions and has pledged that both the Council and the district will be carbon neutral by 2030.
- 3.9** Some reduction in carbon dioxide emissions from energy use has been achieved already but there remains a need and scope for further reductions. The reductions achieved have largely resulted from the national decarbonisation of electricity supply. As the population of the district increases this reduction may slow. There has been less progress in reducing emissions relating to gas consumption. The Committee on Climate Change has advised the Government that there is now an urgent need to eliminate the use of gas in new buildings. In response, the Government has outlined that the Future Homes Standard will mean by 2025 new homes will not be built with fossil fuel heating, such as gas boilers.

3.2.2 Energy Hierarchy

- 3.10** Central to policy requirements is the hierarchical approach to reducing energy demand and associated carbon emissions. District Plan Policy CC2 requires applicants to demonstrate how carbon dioxide emissions will be minimised across a development site, taking account of the energy hierarchy set out in Figure 2.

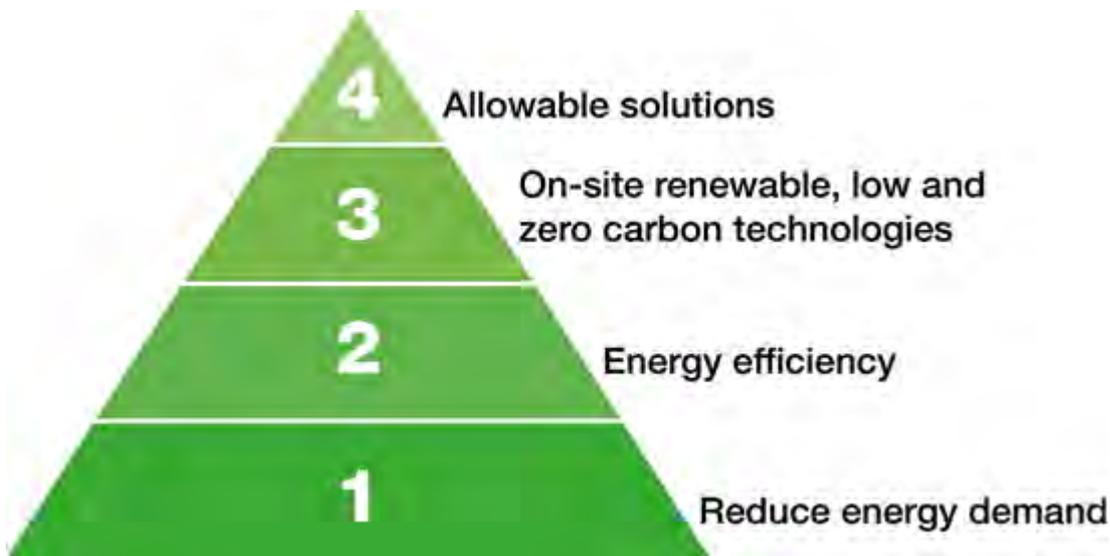


Figure 2: Energy Hierarchy

- 3.11** The energy hierarchy, as set out in the District Plan (Figure 22.1), is a sequence of steps that minimise energy consumption in a building: via passive design and orientation; fabric performance and energy efficiency. Once the demand for energy has been reduced to a minimum in a building the next step is to supply energy efficiently via renewable and low carbon energy and connection to decentralised heat and energy networks.
- 3.12** Buildings designed in line with the energy hierarchy prioritise lower cost passive design measures and fabric improvements over high cost systems such as renewable energy technologies. This will make developments more cost-effective and allows investment costs to be recovered through operational savings. On some developments it may be appropriate to have a mixed approach as the best outcome, drawing on options 1 to 3.
- 3.13** The mix of options selected should be supported in the Sustainable Construction, Energy and Water Statement by evidence of the costs of the options appraised and associated detailed cost information on the chosen option in the viability assessment.
- 3.14** If on site provision is not feasible or viable, on-site carbon emissions may be offset off-site (step 4). These are known as allowable solutions.

3.2.3 Minimising Energy Use (stages 1 and 2)

Passive Design

- 3.15** The first part of the energy hierarchy is addressed by how a building is located, oriented or designed to reduce energy consumption.



Orientation and Layout

3.16 By ensuring passive design elements are optimised to reduce the need for artificial lighting, heating and cooling, the design of buildings can play a significant role in reducing a building's overall energy demand. It is also important to balance this approach by minimising overheating in the summer. This is addressed in Section 4 of this SPD: Climate Change Adaptation.

Key principles of using orientation and layout to reduce energy demand:

3.17 Site layout and relationship between buildings and adjacent uses - All development should maximise the potential for passive solar gain.⁽⁹⁾ Early in the design process the site layout, landscape and relationship between buildings should be considered in relation to the aim to maximise the capture and use of passive solar energy whilst avoiding excessive solar gain in summer. It is important to avoid the over-shadowing of the solar orientation of buildings. Site layout should also use landform and landscape to provide shelter to minimise heat losses in winter and adequate shade in summer.

3.18 Building orientation and form- To minimise heating, lighting and cooling demands, all development should use building orientation, form and the layout of rooms to ensure those spaces that require most warmth and daylight receive most passive solar gain and those spaces that need least warmth/daylight receive least. Use of a simple external building form (minimising surface area in relation to volume) can reduce heat loss. Where site constraints restrict suitable orientation or form, the Council will expect innovative techniques or approaches to be used to maximise daylight and increase solar gain, for example the use of sun pipes.⁽¹⁰⁾

- **Residential solar gain**- If possible building axis should be orientated in an east-west direction to provide optimum solar gain (see Figure 3). This can reduce a home's heating and cooling costs by up to 85%. Where possible, habitable rooms (such as living rooms and bedrooms) should be located on the south elevation to maximise heating and light from the sun, particularly in the winter. Potential for excessive gain in the summer should however be taken into account. On sites where building are orientated on a north-south axis, they should be angled as shown in Figure 4 to maximise heating in the morning and evening when it's needed most. This will also help minimise overshadowing between buildings due to the shadow angle created by the sun's path. It is preferable if habitable rooms are on the west elevation to maximise light and heating later in the day.

9 Making the best use of solar energy to heat and illuminate buildings

10 Sun pipes are a natural lighting system that maximises the concept of renewable energy by channelling natural daylight from roofs to indoor environments

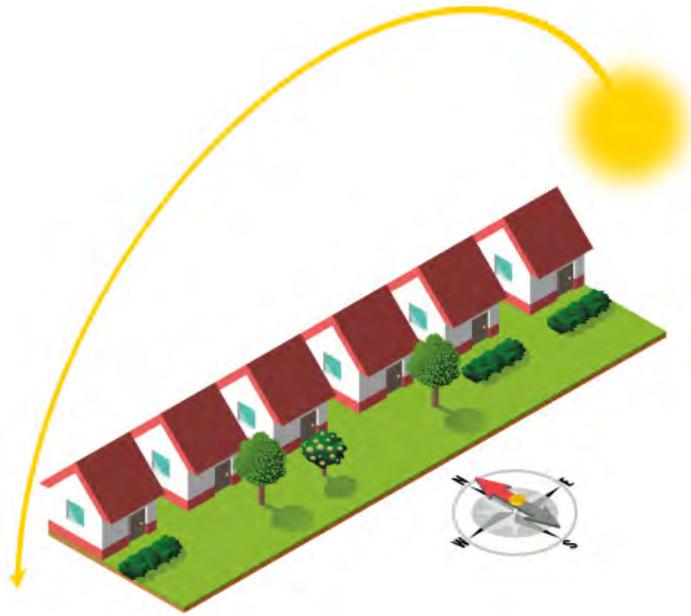


Figure 3: Development orientated on an east-west access

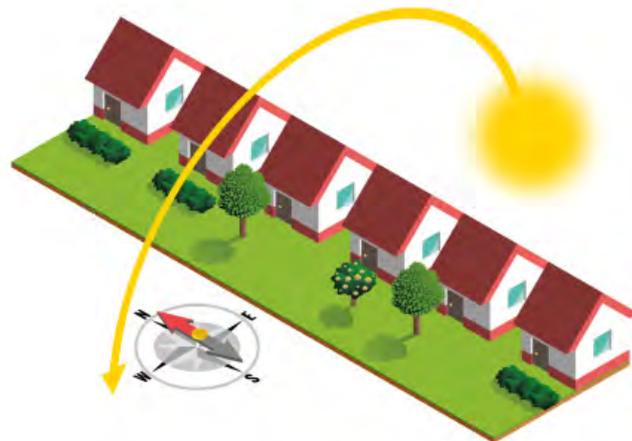


Figure 4: Development orientated on a north-south access



- **Non-residential solar gain-** Commercial properties are usually occupied during the day and often need to minimise solar gain because of heat intensive uses (such as computer use). An east-west axis is preferable with glazing on the north elevation to maximise light and prevent excessive heat gain.
- To avoid overheating in summer months buildings should incorporate eave design to allow shading, support shading devices and use green infrastructure in surrounding spaces to increase shading (see Climate Change Adaptation section of this SPD for cooling advice)

3.19 Provide thermal mass and storage- Thermal mass involves using the mass of the buildings to moderate the temperature. It should not be confused with insulation and u-values; it is a passive design feature, not a method of insulation. Materials have a capacity to absorb and store heat and ultimately release it when it is cooler. It is of most value when there are temperature fluctuations, i.e. between day and night. Materials such as concrete and bricks have a higher thermal mass and others such as timber have a low thermal mass. However, the design and use of thermal mass will depend on context and needs to be considered in relation to the specific building. For example, in highly insulated buildings, with some mechanical ventilation (such as Passivhaus) there will be less temperature fluctuations and high thermal mass could cause potential for overheating. As outlined in the Climate Change Adaptation section of this SPD, this needs to be taken into account.

3.20 Provision of natural ventilation- This is the process of supplying and removing air through an indoor space without using mechanical systems. This enables the flow of external air to an indoor space as a result of pressure or temperature differences. Different options are explored in the Climate Change Adaptation Section of this SPD.

3.21 Planting and soft landscaping- Vegetation, trees, green roofs and green walls are also important for reducing energy required to cool buildings. They provide shade and stabilise microsystems. Trees and hedgerows can also help with CO₂ absorption and they trap particles so have an air quality benefit.

Fabric First approach

3.22 Once the demand for energy has been reduced, measures to make the best use or most efficient use of energy should be considered. The energy efficiency of a building is influenced by the use of space, insulation and materials within a building.

3.23 Making the building fabric perform more efficiently tends to be those measures which fall within building regulation process. This means that proposed buildings should have external walls, roofs, floors, windows and doors that are super insulated, airtight and wind tight. Window and doors should incorporate high performance glazing.



3.24 A good building fabric consists of:

- Continuous insulation (low U-values)
- Minimal thermal bridging (low PSI-values)
- Continuous air barrier (low air permeability)

3.25 It is recommended that buildings should achieve the highest possible standards of thermal insulation, air tightness and energy efficient lighting. The Council recommends the use of good practice standards in residential and non-residential development.



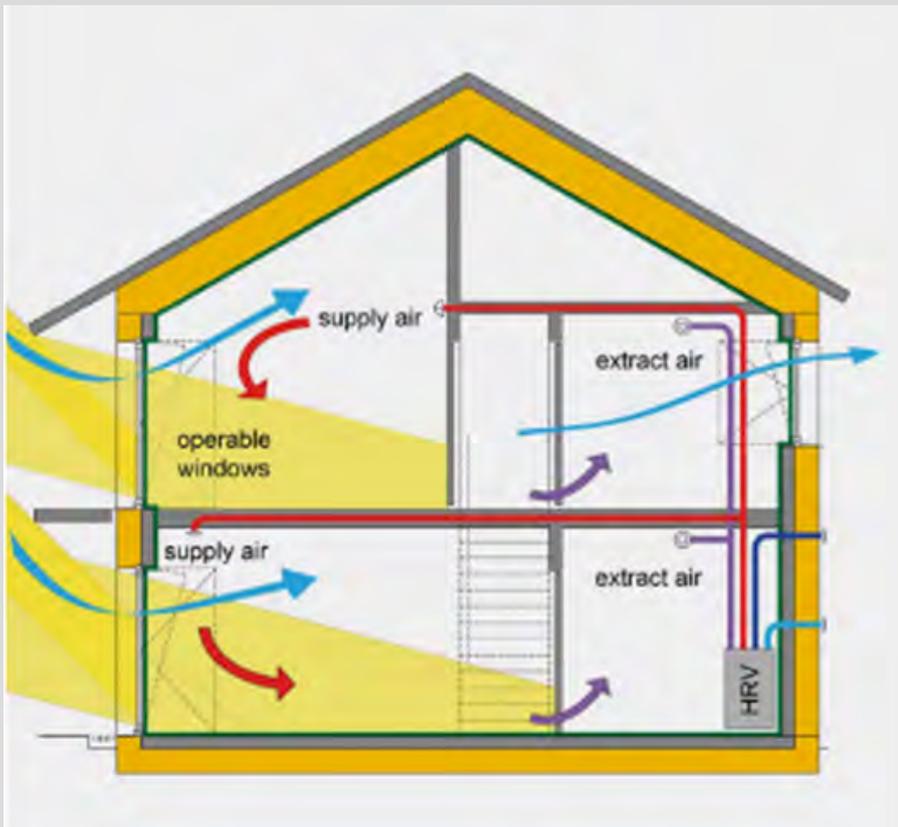
Fact box: Passivhaus

Insulation and airtightness to Passivhaus standards are encouraged by the Council as good practice.

Passivhaus takes a fabric first approach to low energy building. It reduces heating and cooling to a minimum whilst creating excellent air quality. It uses passive principles to their full extent before active systems are explored. Key features include:

- Higher levels of insulation and triple glazing
- High standards of air tightness (20 x more than a standard build)
- Mechanical ventilation with heat recovery

For more information visit the website: <https://www.passivhaustrust.org.uk/>



3.26 Case Study: Johnson Court, West Dene. A small development of rural affordable housing, designed to passivhaus standards in the Hertfordshire village of Gaddesden Row, achieved a shortlist nomination for sustainable construction excellence at the Building Futures awards in 2018. Page 109



Key principles

3.27 Insulation- Thermal insulation is an important way of improving energy efficiency by reducing the heat losses through the fabric of the building. The thermal insulating properties of building structures are compared using U-values.⁽¹¹⁾ The U-value is a measure of how readily heat will flow through the structure and describes how much energy in watts (W) can pass through material from inside to outside. The lower the U-value, the less heat is transferred through it, so the more efficient it is. The most efficient buildings have a continuous insulation around the building envelope.

3.28 Air-tightness and thermal bridging- An airtight building envelope is draught-free, so ensures high energy efficiency and internal comfort. To enable a continuous air tight barrier, gaps in the fabric should be minimised. Measures include sealing joints and gaps around windows and door frames. Reducing the air permeability of the fabric requires controlled ventilation to minimise build-up of moisture, CO₂ and other internal pollutants. For low energy homes an air permeability of 3m³/h.m² @50pa or below should be targeted to enable efficient heat recovery ventilation. Thermal bridging is where heat is lost through a material that is more conductive than the surrounding materials, such as a metal fastener or concrete beam, or where a wall meets an external wall. Significant thermal bridges should be designed out.

Other energy efficiency measures

In addition to changes to the fabric of the building the Council will expect internal lighting, services and appliances to be energy efficient.

Further guidance

- The Buildings Hub Designer's Handbook: <http://thebuildingshub.co.uk>



3.2.4 Supplying Energy More Efficiently (stage 3)

- 3.29** For buildings to maximise carbon reduction and certainly to move beyond building regulations towards net zero carbon, the residual energy requirements (once the design and fabric of new development has minimised the energy needed for heating, cooling and powering) should be supplied as efficiently as possible using renewable and low carbon energy. Policy CC2 Climate Change Mitigation requires carbon reduction on site unless it can be demonstrated that this is not feasible or viable.
- 3.30** Zero carbon technologies are those that harness renewable non fossil fuel energy to create heat or generate electricity. They are called zero carbon because they produce no carbon dioxide (CO₂) emissions when producing heat or power. These technologies are sometimes referred to as micro generation, producing heat or energy locally on a small scale. Low carbon technologies are those that use fossil fuels in a highly efficient way.

Using low carbon heating and cooling systems

- 3.31** Heating is the most essential component of the UK's current residential energy consumption. Gas boilers make a large contribution to the 14% of UK greenhouse gas emissions from homes. The Government intend to exclude gas boilers from new homes by 2025. Alternative heating systems are therefore encouraged, which could include (but are not limited to) electric boilers, solar thermal panels, heat pumps or other energy efficient systems. Heat pumps are generally more energy efficient than standard panel heating, particularly if used on a communal scale (small number of dwellings or a block of flats). The siting of air source heat pumps on buildings should be carefully considered to take account of potential noise impacts. Useful information about the efficiency of different heat pumps is available online: <http://www.bregroup.com/heatpumpefficiency/index.jsp>
- 3.32** On a larger scale, a heat network or district heating distributes heat generated at a central location to a number of residential and non-residential buildings. The Climate Change Committee estimates that if the UK is to meet its carbon targets cost effectively, around 18% of UK heat will need to come from heat networks ⁽¹²⁾ Various sources of heat can be used. A district heating scheme provides heat from a central source and distributes it to multiple buildings. Combined Heat and Power (CHP) is a technology that produces electricity close to the point of use and captures the waste heat that is normally lost to provide heating, hot water and sometimes cooling. The Hertfordshire Renewable and Low Carbon Energy Study (2010), was produced as part of the evidence base to the District Plan. (<https://www.eastherts.gov.uk/evidencebase>) The study identifies the



potential for district heating networks in East Herts towns where heat demand is highest. The heating opportunity areas are set out in figure 6.1 of the study.

27

- 3.33** Gas-fire CHP is currently considered a low carbon technology, so please see the advice note in Appendix D. However, applicants should take account of the Government's intention to ban gas boilers in new homes from 2025 in a bid to tackle climate change.⁽¹³⁾ Likewise, the decarbonisation of mains electricity (proposed changes to the carbonisation of electricity in SAP10,⁽¹⁴⁾ means a long-term view of the carbon emissions associated with gas fired CHP should be taken into consideration. Electric heat pumps or renewable energy are other heat sources that are becoming increasingly popular in heating networks and are key in the move towards net zero carbon buildings.
- 3.34** It is essential that CHP and heat networks are installed and operated appropriately. Design of heat networks should achieve the best practice standards of the ADE & CIBSE Code of Practice for Heat Networks.⁽¹⁵⁾ Impact on air quality must also be taken into account and emissions must not exceed guidance in the Pollution section of this SPD.



Marmalade Lane. Source:
<https://www.buildingfor2050.co.uk/>

- 3.35** **Case Study: Marmalade Lane**, Cambridge- Development of 42 homes built using a fabric first approach, incorporating mechanical ventilation and heat recovery and timber panels constructed off site. Air source heat pumps are used to supply heat and hot water.
- 3.36** In East Herts there are currently no existing district heating networks, so connecting to existing networks is not possible. However, the Council recommend that large-scale development seeks to establish district heating networks and if this is not feasible, applicants should at least consider installing heating and cooling equipment that is capable of connection at a

13 HM Treasury (2019) Spring Statement 2019

14 Standard Assessment Procedure (SAP) is the assessment used in building regulations. SAP10 is the most recent version of this assessment, and was released alongside the Government's consultation on proposed changes to Part L of the Future Homes Standard.

15 <https://www.cibse.org>



later date. Large-scale mixed use development is most suitable because it enables good anchor load and diversity of heat demand. To facilitate the consideration of district heating potential all major new development allocated in the District Plan **or** located in the heat opportunity areas in Figure 6.1 of the Hertfordshire Renewable and Low Carbon Energy Study should assess the feasibility of providing new district heating network. The Council recognises that low temperature, fossil free district heating is the most sustainable option.

Incorporating renewable energy

3.37 The use of onsite renewable technologies is strongly encouraged to decrease CO₂ emissions, particularly for those developments seeking to achieve net zero carbon developments. The Hertfordshire Renewable and Low Carbon Study (2010) explored a range of renewable and low carbon technologies and their feasibility and viability implications. Table 1 sets out a list of renewable energy technologies and their suitability in East Herts. It is acknowledged that the suitability of technologies may change over time and new technologies may also be developed, so the Council will consider all proposals on their merit.



Photovoltaic panels generating electricity. Alternatively solar thermal roof panels can be used to generate hot water.

Renewable Technology	Suitability
Solar PV	Yes
Micro Wind	No, unlikely to be economic because of poor energy yields experienced in practice.
Large scale wind	Yes, in appropriate locations with sufficient wind speeds (see figure 6.1 of Hertfordshire Renewable Study).



Biomass boilers	Yes, however unlikely to be supported within an Air Quality Management Area or where it may impact on residents unless it can be clearly demonstrated that there will be no adverse impact on air quality.
Solar thermal	Yes
Air source heat pumps	Yes, where communal solutions are not possible
Ground source heat pumps	Yes, where communal solutions are not possible
Water source heat pumps	Yes, best suited to large scale communal heating solutions

Table 1: Overview of renewable technologies and suitability in East Herts

- 3.38** The feasibility of the renewable energy proposal should be considered in relation to the site context and the identified considerations in Policy CC3. Likewise, if relevant, appropriate licenses should be sought from the regulation body. For example, water and ground source heat pumps may require licenses from the Environment Agency in some instances. It is recommended that early discussions take place with the relevant organisation to ensure the appropriate technology is selected in the appropriate location.
- 3.39** The Council recognises that renewable and low carbon technologies are not always feasible or viable. However, if this is the case, applicants should provide justification in their Sustainable Construction, Energy and Water Statement (see submission requirements).

3.2.5 Site Wide Approaches to Energy

- 3.40** All significant development proposals, that meet the definition for masterplanning in DES1, offer opportunities to consider site wide approaches to renewable and low carbon energy provision. For example, in some sites the mix of uses and densities may enable the use of district heating, or provide opportunities for the development of large scale renewable energy installations adjacent to new development, for example solar arrays linked to battery storage and electric vehicle charging provision to create a smart grid to energy infrastructure (see the sustainable transport section of this SPD). Such approaches will also help development transition to low and zero carbon in the future as once the infrastructure is in place to support site wide energy approaches, the technologies behind this infrastructure can more easily be upgraded to reflect advances in technology. Therefore,



in the sustainable construction, energy and waste statement, consideration should be given to the technical feasibility and viability of site wide approaches to energy provision. This should include both the technology and associated infrastructure (heat networks and smart energy grids).

- 3.41** At Harlow and Gilston Garden Town (HGGT), the emerging Sustainability Guidance and Checklist will guide a site wide approach to energy and carbon reduction across the Garden Town. Applicants with development within the Gilston Area will also need to take account of the HGGT sustainability guidance as a material consideration.

3.2.6 Sustainable Construction

- 3.42** Another means of reducing the carbon emissions of buildings is minimising the carbon locked in construction materials, known as embodied energy. Policy CC2 requires that the energy embodied in materials is reduced through re-use and recycling and the use of sustainable sources and local sourcing. Consideration of embodied carbon is likely to become increasingly important as society transitions to a low and indeed zero carbon society. It also forms part of achieving a circular economy, which is explained in more detail in the waste management section of this SPD.

- 3.43** The World Green Building Council estimates that, globally construction accounts for 11% of carbon emissions.⁽¹⁶⁾ When sourcing materials for a development, applicants should consider the following principles for improving the environmental performance of materials that should be used:

- Environmental impact- Use materials that have low embodied energy (e.g. lime based products or timber) which have been manufactured through processes with low consumption of energy.
- Responsible sourcing- Use materials from sustainably managed sources.
- Re-use of materials- Re-using materials from the development site and reclaimed or recycled materials for a range of uses.
- Transport- Use local materials to reduce transportation costs

- 3.44** The greatest opportunity for impact on embodied carbon comes at the design stage, in particular in the building structure. If opportunities are not taken at this early stage, the embodied carbon savings are lost for the entire lifetime of the building. The Council recommend early engagement as part of the pre-application process for schemes looking to utilise materials with low embodied carbon. Opportunities for sustainable procurement should also be explored, encouraging the use of contractors and suppliers that have zero and low carbon credentials.



3.45 The Council support the use of modern methods of construction- essentially off-site construction- because it can help reduce embodied energy by reducing waste on site and increasing the speed on construction.

Further guidance

3.46 For further guidance on the responsible sourcing of materials and embodied carbon, please see:

- Green book live. Available online at: <http://www.greenbooklive.com/>
- RICS professional standards and guidance, UK. Whole life carbon assessment for the built environment, 1st edition, November, 2017. Available online at: <https://www.rics.org>
- WRAP Embodied Carbon Database: <http://ecdb.wrap.org.uk/Default.aspx>

3.2.7 Transition to Net Zero carbon

3.47 As set out above, District Plan Policy CC2 Climate Change Mitigation requires development to reduce emissions, encouraging standards above the requirements of Building Regulations and Policy DES4 expects proposals to incorporate sustainable construction techniques including zero or low carbon energy. Policy requirements expect new development to follow the hierarchical approach to reducing energy demand and associated carbon emissions. The submission requirements section outlines the need to provide evidence of carbon reduction. Whilst there are no mandatory reduction targets in current policy, table 2 identifies benchmarks that applicants should work towards, to address the national and local pledges to move towards net zero carbon. The table presents a tiered approach to carbon reduction to explain how the proportionate reductions relate to proposed changes to building regulations and the time frame for achieving net zero carbon development.

Suggested carbon reduction benchmarks	Explanation
19%-34% improvement of 2013 Part L Building Regulations (residential) BREEAM Very Good (non-residential)	A 19% reduction is used as a baseline in many Local Plan policies, ⁽¹⁷⁾ and can be achieved through energy efficiency measures or a combination of energy efficiency and renewables (i.e. photovoltaics). Research suggests it will involve only a modest increase in build costs. ⁽¹⁸⁾ Changes to building regulations in December 2021 will require a 31%



	improvement to current building regulations. Likewise, it is expected that new non-domestic buildings will see also see an uplift in that timeframe by, on average, 27%. So, once these regulations come into force, this level of carbon reduction will become mandatory.
35%-50 improvement of 2013 Part L Building Regulations (residential) BREEAM Excellent (non-residential)	This level of reduction would contribute towards a goal of all buildings being net zero carbon by 2050. The Climate Change Committee indicates that buildings will need to be net zero carbon by 2050 to meet national climate change targets.
50% + improvement of 2013 Part L Building Regulations BREEAM – Excellent (non-residential) Nb. BREEAM outstanding can only be achieved if unregulated energy is reduced, not just energy regulated by Building Regulation (see 'Direction of Travel' section below).	This level of reduction would contribute towards a goal of all buildings being net zero carbon by 2030. The Government's Future Homes Standard indicates that by 2025 homes will need to be built to have 75%-80% less emissions than the 2013 regulations.

Table 2: Carbon reduction benchmarks that applicants are advised to achieve

Direction of travel

3.48 Future planning policies will need to address the reduction in carbon emissions. This Council has a declared aim to be carbon neutral by 2030, a policy that is matched by most other councils in the UK, and follows the UK Government's own declaration of climate emergency and of its own carbon reduction goals. The decarbonisation of the electricity grid (increasing use of renewable energy generating electricity for the grid) offers opportunities to assist in the aspiration for net zero carbon building but this will need to be coupled with increases in the energy efficiency of buildings and renewable sources of energy. Proposed changes to building regulations will significantly help reduce emissions. However, the definition of net zero



carbon is evolving,⁽¹⁹⁾ from considering it simply in terms of emissions controlled by building regulations at the construction stage to net zero carbon in terms of a building's carbon emissions over its whole life-cycle, which effectively includes:

- Embodied energy- Carbon emissions emitted during the manufacture, transport and construction of building materials, together with end of life emissions (as referenced above).
- Operational energy- Energy required to run a building during its entire design life (including all unregulated energy such as lighting and appliances)

3.49 The Council will assess the approach to net zero carbon when it starts to review the District Plan policies within the next year. However, in light of growing efforts to cut carbon emissions, this SPD encourages new development to demonstrate excellence in sustainable development by taking innovative approaches to net zero carbon, including the following:

- Measuring the embodied energy in materials through the life of the development.
- Using tools to calculate whole life-cycle carbon of new developments, such as RICS⁽²⁰⁾
- Monitor the operational carbon use annually
- Develop sustainable procurement processes

3.50 Retrofitting is important to ensuring all buildings contribute to carbon neutrality. Submitting evidence of carbon reduction in household applications, to improve the sustainability of existing buildings/ extensions is encouraged, although it is not a requirement to do so.

Further Guidance

- Energy Saving Trust: www.energysavingtrust.org.uk
- Policy playbook (2020), Driving Sustainability in new homes – a resource for local authorities: <https://www.ukgbc.org>
- LETI (2020) Climate Emergency Design Guide: <https://www.leti.london/cedg>

3.3 Submission Requirements

3.51 To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit:

¹⁹ UK Green Building Council (UKGBC) and London Energy Transformation Initiative (LETI) reports (see further guidance section below)

²⁰ RICS (2017) Whole life carbon assessment, <https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the-built-environment-november-2017.pdf>.



- A completed Sustainability Checklist to ensure all the relevant energy and carbon reduction criteria has been addressed in a development proposal.
- A Sustainable construction, Energy and Water (ScEW) Statement to explain the answers to the checklist in more detail, including how the developer has minimised CO₂ emissions in line with the stages of the energy hierarchy to demonstrate compliance with District Plan Policy CC2 and guidance in this SPD.
- Full and Reserved Matters applications should submit the carbon reduction template in Appendix B, as part of the ScEW Statement. Whilst there is no mandatory target in Policy CC2, developers are expected to minimise carbon emissions. Comparison to existing building regulations is a common metric used in the industry and is a useful tool for quantifying how a development performs in terms of its carbon emissions (see table 2 of this SPD for examples). Alongside details about the proposed development in the checklist and the statement, it will help increase transparency and provide the Council with more understanding of how a development is addressing carbon reduction. The carbon reduction template should:
 - Be applied to each unit or unit type proposed as part of a development.
 - Use the Target Emission Rate (TER) and Dwelling Emission Rate (DER)/ Building Emission Rate for non-domestic (BER), derived from the calculations carried out for Building Regulations compliance (Part L).
 - Major developments should include samples or estimates of Standard Assessment Procedure (SAP) ⁽²¹⁾ calculations appended to the Carbon Reduction template as evidence of compliance. It is recommended that SAP 10 carbon intensity figures are used, to take account of the decarbonisation of electricity. Applicants should be mindful of Government's intention to ban gas boilers in new homes from 2025.
 - Calculations should be shown relative to existing Part L regulations so it is clear if, and how well, the development performs above building regulations.
- Where renewable energy technologies are proposed they should be an integral part of the design and the location and indicative layout of those technologies should be shown on drawings. Final layouts will be secured by planning condition as appropriate.
- Applicants proposing Combined Heat and Power should adhere to admissions advice (see pollution section of this SPD and advice note in Appendix D)



- If carbon reduction is not possible on-site, feasibility and viability evidence should be submitted.
- Outline applications do not need to submit a carbon reduction template, but in the Sustainable construction, Energy and Water Statement should set out the level of carbon reduction the scheme is aiming for and how this will be achieved. A carbon reduction template will then be required at the reserved matters stage

3.4 Checklist

3.52 Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 3 below. The checklist should set out the overarching approach to sustainable design and construction on the site. More detail about the proposed development should be included in the Sustainable Construction, Energy and Water Statement.

Energy and carbon reduction		
Ref	Checklist criteria	Summary of approach to address the criteria
En. 1	<p>Does the Sustainable construction, Energy and Water Statement detail how the proposed development's carbon emissions have been minimised and to what extent?</p> <p>Have full and reserved matters planning applications also included a carbon reduction template within the statement?</p> <p><i>(See SPD section 3.3 and appendix B)</i></p>	
En.2	<p>How have the site layout and building orientation and form been designed to minimise energy use? For example, passive</p>	



	<p>solar gain, natural shade, natural ventilation, thermal mass</p> <p><i>(See SPD section 3.2.3)</i></p>	
En.3	<p>How has the energy hierarchy been applied to prioritise reducing the need for energy and implementing the 'fabric first approach'?</p> <p><i>(See SPD sections 3.2.2 and 3.2.3)</i></p>	
En.4	<p>How will you ensure that where renewable/ low carbon technologies have been included to reduce carbon, that these will be successfully integrated into the design of the development?</p> <p><i>(See SPD section 3.2.4 and 3.2.5)</i></p>	
En.5	<p>How has the energy embodied in construction materials been reduced? (e.g. reuse and recycling/ sustainable materials/ locally sourced)</p> <p><i>(See SPD section 3.2.6)</i></p>	

Table 3: Energy and Carbon Reduction Checklist

3.53 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: the combined checklist. The checklist can also be used as part of the pre-application process.



4 Climate Change Adaptation

4.1 Policy Context

- 4.1 The changing climate means the UK needs to adapt to extreme rainfall events, warmer, wetter winters and hotter, drier summers. The incidence of hazards such as heatwaves, flooding and droughts is increasing and it is essential the built environment adapts to increase resilience to such events.

National Policy

- 4.2 Under section 19 (1A) of the Planning and Compulsory Purchase Act 2004, as amended under the Planning Act 2008, local authorities are required to reduce future climate risks through the planning system. The National Planning Policy Framework (2019) requires local plans to contribute to climate change adaptation and include appropriate measures to ensure future reliance for communities and infrastructure to the impacts of climate change. Paragraph 149 states:
- 'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures'.*
- 4.3 The Climate Change and the Flood risk and Coastal Change sections of the Planning Practice Guidance (NPPG) ⁽²²⁾ provides further guidance about how the design and location of development can contribute towards adaption to climate change.



Local Policy

District Plan policies

- CC1 Climate Change Adaptation
- DES4 Design of Development
- WAT1 Flood Risk Management
- WAT5 Sustainable Drainage

Type of Development

- Residential or non-residential development

Submissions Requirements

- Sustainability Checklist
- Sustainable Construction, Energy and Water Statement
- Flood risk and drainage assessment, when relevant

Link to Sustainability Checklist

- CA.1, CA.2, CA.3, CA.3, CA.5, CA.6, CA.7

4.4 The District Plan includes a range of policies to address the impact of climate change. **Policy CC1** states that all new development should demonstrate how the design, materials, construction and operation of development will minimise overheating and enhance the integration of green infrastructure. **Policy DES4** states that development proposals that create new or have a significant impact on the public realm must maximise opportunities for urban greening. **Policy NE4** promotes the need to protect and enhance green infrastructure networks.

4.5 Addressing the potential for increased flooding, District Plan **Policies WAT1** and **WAT5** require development to assess the risk of flooding when selecting and designing a site, take into account the impacts of climate change and to utilise drainage in accordance with the Sustainable Urban Drainage (SuDs) hierarchy.

4.2 Topic Guidance

4.2.1 Climate Change Adaptation in East Herts

4.6 The Sustainable Hertfordshire Strategy (2020) identifies national statistics about our changing climate that are equally as relevant to Hertfordshire:



Climate Trend	Projections
 Hotter Summers	Heatwaves, like those experienced in 2018, are likely to occur every other year by 2050. The hottest day could also be up to 2.5°C warmer by 2030 and 4.4 warmer by 2050.
 Warmer Winters	Mean winter temperatures could increase by up to 2°C by 2030 and 3°C by 2050. Rising winter temperatures are likely to reduce the amount of snowfall in winter.
 Drier Summers	Projections suggest up to a 28% decrease in summer rainfall in 2030 and a 45% decrease by 2050.
 Wetter Winters	Winter rainfall could increase by up to 14% by 2030s and up to 25% by the 2050s.
 Increased Storminess	We will see heavier downpours leading to local flooding. There may be an increase in the frequency and intensity of storms, which is likely to lead to more flash flooding. However, there is currently uncertainty in projections.

Source: Sustainable Hertfordshire Strategy, 2020

4.7 At a county and district level there is a strong commitment to addressing the impacts of these climate changes. The Sustainable Hertfordshire Strategy encourages partnership working with districts to ensure that planning delivers development that is climate resilient. Tackling flood risk in collaboration with the Environment Agency and delivering sustainable urban drainage is identified as a key issue.

4.2.2 Overheating

4.8 When applicants address the guidance in the Energy and Carbon Reduction section of this SPD to maximise solar gain and improve the fabric performance of buildings, it is essential this is considered alongside measures to reduce overheating. High indoor temperatures can have a detrimental impact on quality of life and excessive or prolonged high temperatures significantly affect the health and well-being of occupants. There are approximately 2,000 heat related deaths each year in the UK. In urban areas summer temperatures are predicted to rise by between 2 and 4 degrees by 2050.⁽²³⁾

4.9 The ‘urban heat island effect’ is a phenomenon whereby urban temperatures are higher than the surrounding rural areas due to heat being stored within the solid materials of urban areas, such as concrete, tarmac, and slate, during daytime and then released slowly. The result is urban centres that can be a lot warmer than the surrounding countryside, especially at night. According to the South East Climate Change Partnership the urban heat



island currently adds up to a further 5-6°C to summer night temperatures and will intensify in the future. Consequently, overheating of the external environment needs also to be addressed and developers must have regard to the heat island effect on any urban development.⁽²⁴⁾

4.10 Air conditioning is often used to cool buildings, particularly offices. However, this increases carbon emissions and is costly for consumers to purchase and maintain. Therefore other mitigation measures should be prioritised.

Cooling hierarchy

4.11 To meet the requirements in Policy CC1 to minimise overheating, applicants are expected to follow the cooling hierarchy set out in Figure 5.



Figure 5: The Cooling Hierarchy- adapted from Cambridge Sustainable Design and Construction SPD, 2020

4.12 The Good Homes Alliance (2019) checklist is a useful tool for identifying and mitigating overheating risks (see paragraph 4.19). It is recommended that thermal modelling is used to understand the performance of a proposed new development, with buildings designed and built to meet CIBSE's (Chartered Institute of Building Service Engineers) latest overheating standards. As part of this, consideration should also be given to future climate scenarios, for example using CIBSE future weather data. Where officers have concerns about the potential for overheating, a planning condition may be used to secure overheating analysis, for example for a sample of units on a site.

Passive Design

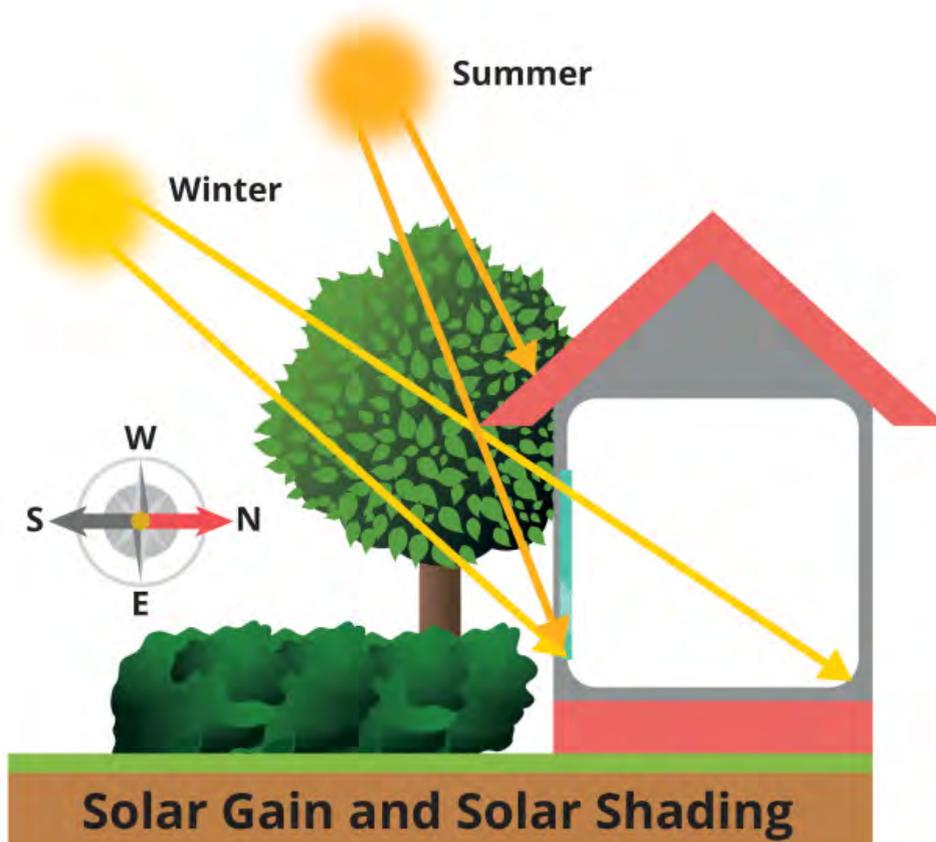
4.13 Whilst solar gain helps minimise energy use (see energy and carbon reduction) it is important it is controlled to prevent overheating. Different measures of solar control include considering the size, type and location of window openings and glazing, the use of shading devices (such as brise soleil⁽²⁵⁾) and the use of green roofs, trees and vegetation for shading and evaporative cooling.

24 Climate Change Adaptation, Building Futures: <https://www.hertfordshire.gov.uk/microsites/building-futures/building-futures.aspx>
 25 A device, such as a perforated screen or louvres, for shutting out direct or excessive sunlight



Shading device at University of Cambridge Primary School. Source: University of Cambridge, Eddington, Cambridge

4.14 Figure 6 shows how roof design and planting of vegetation can reduce solar heating from direct sunlight, whilst still allowing in daylight and warmth from the sun. Building fabric measures (as detailed in the energy and carbon reduction section of this SPD) also help cooling. A well-insulated, airtight building prevents heat penetrating and minimises uncontrolled air permeability. Using materials with high thermal mass, stores heat in the day and dissipate it at night, usually via a ventilation system.





Passive/ natural cooling

4.15 The next stage in the hierarchy is using natural ventilation to circulate natural air around a building, without the use of a mechanical cooling system. It should be noted that there may be circumstances (such as proximity to noise or air pollution sources) where this is not suitable so the local context is important. Some of the different techniques that can be used include:

- Cross ventilation- Simple passive cooling with openable windows.
- Passive stack ventilation- Uses ducts to circulate air around the building. Brings cool air in and expels warm air from the top of the building.

4.16 Single aspect dwellings should be avoided for all schemes as effective passive ventilation can be difficult or impossible to achieve. Windows and/or ventilation panels should be designed to allow effective and secure ventilation. In winter when passive ventilation is not required vents can be closed.

Mixed Mode Cooling

4.17 The third stage of the hierarchy encourages the use of local mechanical ventilation/cooling where required to supplement the above measures using (in order of preference). Firstly low energy mechanical cooling (e.g. fan powered ventilation with/without evaporative cooling or ground coupled cooling or mechanical ventilation with Heat Recovery systems). Secondly, air conditioning, which is not a preferred approach as these systems are energy intensive. This approach provides more control over the internal temperature.

Mechanical ventilation/ cooling system

4.18 This approach involves using a whole building mechanical ventilation/ cooling system, such as using air conditioning throughout an office building. This approach should be the last resort and the lowest carbon systems should be used.

Further guidance

4.19 For further detailed guidance on overheating see:

- Building Futures, Climate Change Adaptation Module. Available online at: <https://www.hertfordshire.gov.uk/microsites/building-futures/building-futures.aspx>
- Good Homes Alliance (2019). Tool and guidance for identifying and mitigating early stage overheating risks in new homes. Available online at: <https://goodhomes.org.uk/overheating-in-new-homes>
- CIBSE Guides (note there is a charge to access these documents for non-members):



- CIBSE Guide A: Environmental Design (2015).
- CIBSE TM52: The Limits of Thermal Comfort: Avoiding Overheating in European Buildings (2013).
- CIBSE TM59: Design Methodology for the Assessment of Overheating Risk in Homes (2017).

4.2.3 Green Infrastructure

4.20 Multi-functional green and blue infrastructure at various scales has an important role to play in enhancing environmental sustainability, as well as wider value in terms of place shaping and health and wellbeing. This section explains how it is essential to the district's resilience to climate change. In accordance with policies CC1 Climate Change Adaptation, DES4 Design of Development and NE4 Green Infrastructure, applicants will need to demonstrate how green infrastructure has been used at different scales to address the impacts of climate change. For green infrastructure to function effectively in the long-term, it is also essential that an appropriate management strategy is put in place.

Urban extension/ neighbourhood scale

4.21 Trees, woodlands, vegetation, landscape and water can provide a significant contribution to helping adapt to climate change. They can help to dissipate the impact of heavy rainfall, reduce urban temperatures, and provide shaded outdoor areas and streets to protect against the detrimental effects of sunlight. The choice of planting stock should seek to promote biodiversity and reflect local provenance as well as resilience to the predicted effects of climate change in the locality, utilising adaptation measures, such as those evidenced by the Forestry Commission.⁽²⁶⁾ It is essential that new provision complements existing green infrastructure. Protecting and enhancing existing green infrastructure is key, mature trees and woodlands should be retained and enhanced wherever possible. More detail is provided in the biodiversity section of this SPD. At a larger scale, landscape across large sites/ urban extensions can help mitigate overheating. For example, in the Harlow and Gilston Garden Town, a landscape-led approach will help increase resilience to climate change in addition to creating a sense of character.⁽²⁷⁾

Buildings

4.22 As outlined in Figure 6 vegetation helps to reduce overheating in buildings by providing shading. Deciduous trees in particular are very beneficial. They allow sunlight to reach buildings during the cooler winter months and protect



from sunlight and overheating during the warmer summer months. Species selection and siting should be carefully considered to maximise the ecosystem benefits of trees on a development site.

- 4.23** When combined with other measures, or integrated as part of sustainable urban drainage schemes, trees have a major role to play in both the development of green infrastructure and reduction of flood risk relating to new development, alongside other landscaping, such as green roofs.

Green roof and walls

- 4.24** Where feasible and appropriate, applicants should integrate green roofs and walls into buildings as they have many benefits that enhance resilience to climate change:

- Reduce surface runoff, which is likely to increase due to increases in extreme rainfall events.
- Green roofs have been shown to have a significant effect in cooling buildings, particularly areas directly under them because they have substantial thermal mass so can provide moderate insulation. They can cool internal temperatures by 2°C. In addition, green roofs work well with solar panels and can increase the panel's efficiency by regulating temperature. As a green roof is more able to maintain a more constant temperature around the panels than a traditional flat roof, their combined use can help to maximise the efficiency and power output of solar panels. Where solar panels are proposed, biosolar (green planting) roofs should be incorporated under and in-between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation.⁽²⁸⁾

- 4.25** Green roofs also have wider benefits; enhancing biodiversity and reducing air pollution. More information about these functions is set out in the biodiversity and pollution sections of this SPD. It is important to consider the maintenance requirements when proposing to use a green wall or roof. As set out in the biodiversity section of this SPD, some types require less management.



An example of an extensive green roof, which requires little management

Further guidance

4.26 For further guidance on Green Infrastructure see:

- East Herts Green Infrastructure Plan: <https://www.eastherts.gov.uk/evidencebase>
- Planning for Green and Prosperous Places. TCPA (January 2018). Available online at: <https://www.tcpa.org.uk>

4.2.4 Sustainable Urban Drainage

Sustainable urban drainage (SuDS) is an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches. In addition to flood reduction benefits it can also help manage pollution and provide landscape and biodiversity benefits.

4.27 Climate change is increasing the risk of flooding due to wetter winters and more intense summer rainfall. Applicants should take account of District Plan Policy WAT1 Flood Risk Management and the East Herts Strategic Flood Risk Assessment, which has considered the changing weather patterns associated with climate change at a strategic scale.

4.28 In accordance with Policy WAT 5 Sustainable Drainage, applicants should use Sustainable urban drainage (SuDs) to manage surface water on site and prioritise the most sustainable forms of drainage systems. Further advice on SUDs should be sought from Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The NPPF requires all major developments to include SUDs (paragraph 165). The LLFA must be consulted so they can assess the suitability of surface water drainage arrangements to ensure the development will not increase the risk of flooding elsewhere. Guidance for developers on the requirements for SUDs in East Herts is available on the County Council website as detailed below. Pre-app



discussions with the County Council (and the Environment Agency if River flooding is an issue) are encouraged to ensure any drainage and flooding issues are addressed early in the design process.



SUDs incorporated into new development in north-west Cambridge. Source: University of Cambridge, Eddington

Further Guidance

Local Flood Risk Management Strategy (2019) Hertfordshire County Council

Guidance for developers, Hertfordshire County Council

Climate Change Allowance note (2016) Hertfordshire County Council

<https://www.hertfordshire.gov.uk>

4.3 Submission Requirements

4.29 To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist and a Sustainable construction, Energy and Water Statement (ScEW) to demonstrate:

- All relevant checklist criteria below relating to climate change adaption have been considered and explained. Any overheating assessments and Green Infrastructure plans and proposals are explained.
- All major development (10 dwellings and over 1000sqm of non-residential floorspace) must submit a Flood Risk Assessment, which includes details of SUDs. The Council will then consult Hertfordshire County Council on proposals.⁽²⁹⁾

29 The Environment Agency should also be consulted if there is potential for flooding from a main river.



4.4 Checklist

4.30 Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in Table 4 below. More detail about the approach should be included in the Sustainable construction, Energy and Water Statement (ScEW).

Climate Change Adaptation		
Ref	Checklist criteria	Summary of approach to address the criteria
CA. 1	How has the site layout and buildings been designed to mitigate overheating, giving priority to measures in line with the cooling hierarchy? <i>(See SPD section 4.2.2)</i>	
CA.2	How has overheating been assessed and what measures are proposed to address it? <i>(See SPD section 4.2.2)</i>	
CA.3	What Green Infrastructure is proposed? <i>(See SPD section 4.2.3)</i>	
CA.4	How have existing landscape features such as trees/woodlands and hedgerows been protected and incorporated within a Green Infrastructure network? <i>(See SPD section 4.2.3)</i>	



CA.5	Where feasible and appropriate, have green roofs or walls been included? Please explain your answer. <i>(See SPD section 4.2.3)</i>	
CA.6	Have measures been included to address surface water runoff? <i>(See SPD Section 4.2.4)</i>	
CA.7	If the application is major development, have details of SUDs been submitted? <i>(See SPD Section 4.2.4)</i>	

Table 4: Climate Change Adaptation Checklist

4.31 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: Combined checklist. The checklist can also be used as part of the pre-application process.



5 Water Efficiency

5.1 Policy Context

- 5.1** Abstracting sufficient water to meet human consumption is likely to become increasingly difficult. Climate change, leading to hotter, drier summers combined with population growth is putting pressure on water availability.⁽³⁰⁾ The Government is committed to reducing water consumption over the next 25 years.⁽³¹⁾

National Policy

- 5.2** Planning has a role to play in improving the water efficiency of new developments. The NPPF requires plans to take into account the implications for water supply when seeking to address the impacts of climate change. Following the technical standards review in 2015, technical standards relating to water efficiency have been incorporated into building regulations. In water stressed areas such as East Herts, compliance with the water consumption standard of 110 litres per person per day in new homes can be applied. This level is in line with the optional water efficiency requirement contained within Part G of Building Regulations and is supported by the Environment Agency.

Local Policy

District Plan policies

- Policy WAT4 Efficient Use of Water Resources

Type of Development

- Residential and non-residential development
- Residential target of 110 litres per person per day

Submissions Requirements

- Sustainability Checklist
- Sustainable Construction, Water and Energy Statement

Link to Sustainability checklist

- Wa.1, Wa.2, Wa.3



5.3 **Policy WAT4** requires development to minimise the use of mains water by incorporating water saving measures and equipment; grey water recycling and natural filtration measures and designing new residential development to meet a target of 110 litres or less per head per day.

5.2 Topic Guidance

5.2.1 Water efficiency in East Herts

5.4 Between 2007 and 2012 the average resident of East Herts consumed 160 litres per person/day of water, which is above the national average. Given that the Environment Agency has identified this area as being particularly water stressed, the high consumption is a key concern, particularly in the context of climate change. One of the water supply companies to the area, Affinity Water, estimates that climate change is likely to reduce the supply of water in its central area by 39 million litres a day by 2080. In this context, there is likely to be less water available and potentially negative impacts on the water environment, as low river flows can impact on ecology. Therefore, there is a greater need for demand management and water efficiency in the area. As a result, designing new developments for optimal sustainable water consumption will become even more important.

5.2.2 Compliance with residential target

5.5 All new residential development should comply with the water consumption target in Policy WAT4 of 110 litres or less per head per day. The Sustainable Construction, Water and Energy Statement should indicate what measures have been used to comply with the target. Water efficient measures (such as meters) and appliances can often be used to meet the target (see submission requirements section).

5.6 Building regulations also allow for a fittings approach to be used to comply with the target. Table 5 replicates the table from Part G of the Building Regulations 2010 (2015 Edition with 2016 amendments), which sets out the values fittings must not exceed to meet the target. Table 5 also includes advanced fitting standards set out in the Housing Quality Mark accreditation as the Council supports the use of good practice.

Water fitting	Building regs Part G2, optimal requirement- max consumption	Advanced consumption, Housing Quality Mark Standard
WCs	4/2.6 litres dual flush	4/2 litres dual flush (max 3 litres effective flushing vol)
Showers	8L/min	6L/min



Baths	170 litres	170 litres
Basin taps	5L/min	5L/m
Kitchen sink taps	6L/min	6L/min
Dishwashers	1.25l/place setting	1.25l/place setting
Washing machines	8.17L/ kilogram	8.17/kiologram

Table 5: Water Fitting Standards

- 5.7** Information on which appliances are water efficient can be accessed via websites such as The Water Label.⁽³²⁾ This website provides one label for all water using bathroom products and covers both water and energy use. It also contains a Water Calculator which provides a working example of the calculator used for Part G of the Building Regulations and information on water consumption for hundreds of products.
- 5.8** In addition to the use of water efficient appliances, water recycling systems (see below) could also be used to reduce mains water consumption. The Council will support good practice design and construction, which exceeds policy requirements and achieves less than 110 litres per head per day.

5.2.3 Non-residential development

- 5.9** Whilst there is no consumption target, Policy WAT4 also requires non-residential development to minimise the use of mains water. The use of water saving measures and equipment, as outlined in table 5, is expected. Rainwater recycling systems (see below) should be incorporated, where possible. Sustainable construction standards, which demonstrate water efficiency are encouraged and are a useful tool for demonstrating the sustainability credentials of a building and delivering good practice. For example, BREEAM credits can be gained for particular improvements on building regulations.

Fact box: Use of BREEAM: Compliance with WAT01

2 credits for WAT01: demonstrates a 25% improvement on building regulation requirements- can be achieved by using water efficient fittings.

All credits for WAT01: demonstrates a 55% improvement on building regulation requirements- the use of water harvesting or recycling technologies will be required, alongside other water efficiency measures.



Further guidance

5.10 For further guidance on the BREEAM Assessment please see <https://www.breeam.com/>

5.2.4 Rainwater and Greywater Recycling

5.11 Typically, less than 20% of domestic water is consumed for drinking and food preparation. Flushing toilets, washing machines and outdoor use account for more than half of domestic water consumption. This wastes energy and resources that is consumed making this water potable. Correctly collected and stored, rainwater can meet all these requirements without further treatment. Re-using grey water (the waste water from baths, showers and washbasins) can save up to 18,000 litres of water a year for each person, or a third of daily household water use. The Sustainable Construction, Energy and Water Statement should include consideration of how to incorporate the following techniques:

- Rainwater Harvesting Techniques – Where possible, harvested rainwater should be substituted for mains water. It can be used for flushing toilets (unless harvested from a green roof), watering plants/ gardens, topping up garden ponds and wetland habitats, and for general cleaning tasks such as car washing. In the simplest form, water butts and rainwater collection tanks can be used to capture rain for reuse in a low-cost way. However, more complex rainwater harvesting systems should be connected to the mains supply to ensure that water is always available, even at times of low rainfall. Where this is not possible, the Council recommend futureproofing development by providing ‘stage 1 fit’ pipework for rainwater harvesting so that residents can purchase their own rainwater harvesting systems without incurring the significant expense of an interior retrofit. SUDS can also be integrated with rain-water harvesting schemes and can be designed to provide water attenuation.
- Grey water recycling – Water that has already been used in washbasins, showers and baths can be filtered using sand or SUDs (i.e. reed filter) and disinfected before being used again in toilet flushing and other non-potable activities (e.g. watering the garden or washing the car).



5.12 Rainwater and grey water harvesting can be used for both residential and non-residential buildings and must be built in accordance with the relevant British Standards.⁽³³⁾



An example of a rainwater harvesting tank

Further guidance

- Building Futures Water Modules:

<https://www.hertfordshire.gov.uk/microsites/building-futures/building-futures.aspx>

5.3 Submission Requirements

5.13 To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist and a Sustainable construction, Energy and Water Statement (ScEW), which demonstrates:

- All relevant checklist criteria below relating to water efficiency have been considered and explained.
- All new residential development demonstrates compliance with the water consumption target in Policy WAT4. This includes submitting assessments of modelled residential consumption using the Government’s Water Efficiency Calculator for New Dwellings⁽³⁴⁾ or the Fittings Approach (replicated in Table 1 above) set out in Part G of the Building Regulations 2010 (2015 Edition with 2016 amendments) or successor documents.

5.4 Checklist

5.14 Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in Table 6 below. More detail about the approach should be included in the Sustainable Construction, Energy and Water (ScEW) Statement.

Water Efficiency		
Ref	Checklist criteria	Summary of approach to address the criteria
Wa. 1	For new residential proposals, have you demonstrated compliance	



	<p>with the target for mains water consumption to be 110 litres or less per head per day in the Sustainable construction, Energy and Water Statement?</p> <p><i>(See SPD section 5.2.2)</i></p>	
Wa.2	<p>For non-residential development, have measures been taken to reduce water consumption in the proposed development?</p> <p><i>(See SPD section 5.2.3)</i></p>	
Wa.3	<p>Have water recycling systems been considered and incorporated? Please explain your approach.</p> <p><i>(See SPD section 5.2.4)</i></p>	

Table 6: Water Efficiency Checklist

5.15 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: the combined submission checklist. The checklist can also be used as part of the pre-application process.



6 Pollution

6.1 Air Quality

6.1.1 Policy Context

- 6.1 The impact of development on air quality is a material consideration and must be regarded at all stages in the planning process. The planning system plays an active role in managing local air quality when considering the impact of new development and finding sustainable solutions.

National Policy

- 6.2 The NPPF (2019) states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, or being put at unacceptable risk by unacceptable levels of soil, air water or noise pollution. Where possible developments should improve environmental conditions.⁽³⁵⁾
- 6.3 The NPPF also emphasises that planning policies and decisions should ensure that development is appropriate for its location with consideration of the cumulative impacts of pollution on health, living conditions and the natural environment. As such mitigation measures will be location specific and proportionate to the likely impact of the development. As outlined in paragraph 181 developers must work with the local authority to ensure that unacceptable risks are prevented and adhere to the following:

' Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.'

- 6.4 In addition, NPPF paragraphs 102 and 105 recognise the impact of traffic on air quality and health and the benefits of sustainable transport modes.



- 6.5** The government has also set out its proposal for tackling air pollution in the UK in the Clean Air Strategy 2019.⁽³⁶⁾ It promises new legislation with a stronger framework for tackling air pollution. The UK has adopted stringent legally binding targets to cut emissions by 2020 and 2030 with the goal to reduce the harm to human health from air pollution by half.
- 6.6** The strategy sets goals for two key relevant issues. It sets goals relating to the emissions from the home, in particular the impact of solid fuel appliances and the consequent personal exposure to pollutants in the home. It also sets goals to reduce emissions from transport supporting a move to lower emission road vehicle and more active forms of travel.

Local Policy

District Plan policies

- Policy EQ4
- Policy CC1
- Policy TRA1
- Policy DES4

Type of Development

- Residential and Non-residential development

Submissions Requirements

- Sustainability Checklist
- Air Quality Impact Assessment
- Air Quality Neutral Assessment

Link to Sustainability checklist

- AQ.1, AQ.2, AQ.3, AQ.4, AQ.5, AQ.6, AQ.7

- 6.7** District Plan **Policy EQ4** requires that development should include measures to minimise air quality impact at the design stage and should incorporate best practice in the design, construction and operation of all developments. Where development (on its own or cumulatively) will have a negative impact on local air quality during either construction or operation, mitigation measures will be sought that will remove overriding impacts, such as an air quality neutral or negative development. Evidence of mitigation measures will be required upfront. Where on-site mitigation is not sufficient, appropriate off-site mitigation measures may be required. Where adequate mitigation cannot be provided, development will not normally be permitted.



6.8 Developments must not:

- lead to a breach or worsening of a breach of UK or EU limit values;
- lead to a breach or worsening of a breach of an Air Quality objective or cause the declaration of an Air Quality Management Area or;
- prejudice the implementation of any Air Quality Action Plan or local air quality strategy

6.9 The Council's overarching aim for developments is to be 'air quality neutral' in operation, not to lead to further deterioration of existing poor air quality, and, where possible, to improve local air quality ('air quality positive') through additional measures on and off site.

6.10 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. Development must not lead to the designation of a new Air Quality Management Area (AQMA) or worsen pollutant levels within an AQMA. For this reason mitigation must achieve an air quality neutral or positive status.

6.11 The Local Transport Plan (2018)⁽³⁷⁾ highlights the role of transport as a major contributor to air pollution in the county and its consequent impact on human health. It states that transport and growth presents a threat to the local environment and that this threat must be understood and minimised. The diesel car is highlighted as the biggest contributor to overall pollution. Both reducing car use and supporting new fuel and energy technologies are recommended as a way to help improve air quality at the point of use. The importance of tackling air quality in Hertfordshire is also outlined in Hertfordshire County Council's Air Quality Strategy 2019.⁽³⁸⁾

6.1.2 Topic Guidance

6.1.2.1 Air Quality in East Herts

6.12 Pollution to air can arise from many sources and activities, including traffic and transport, industrial processes, domestic and commercial premises, energy generation and construction sites. This section relates to air pollution from all potential sources, in any potential form and includes temporary dust pollution from construction sites.

6.13 In East Herts, the main source of air pollution is road traffic. This is influenced by a number of factors:

- The District's population;

³⁷ Hertfordshire County Council (2018) Local Transport Plan: <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/transport-planning/local-transport-plan.aspx>

³⁸ <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/planning-in-hertfordshire/transport-planning/transport-policy-and-supporting-strategies.aspx>



- The distribution of that population, commercial, community and residential centres;
- The road network and its capacity;
- Neighbouring population centres and notable destinations.

6.14 The main pollutants of concern associated with motor vehicle emissions are nitrogen oxides (NO_x), in particular nitrogen dioxide (NO₂), and particulate matter (PM₁₀ & PM_{2.5}). They are generated by the combustion of diesel and petrol fuels within vehicle engines and are released to the atmosphere through vehicle exhaust. Brake pads and tyre friction also release particulates. East Herts Council has a statutory duty to review air quality in its area and focus its resources on the areas where busy roads pass through residential areas as required by Defra.



pollution from exhaust fumes

6.15 Three Air Quality Management Areas (AQMAs) have been declared in East Herts. These are areas within which pollutant levels exceed the national objective for NO₂. Within these areas, greater weight needs to be given to the consideration to the impact of development on air quality. The maps of the AQMAs in East Herts can be found on the Council's website.

6.16 There is no safe level of pollution.⁽³⁹⁾ Exposure to air pollution has been found to have a close relation to cardiovascular and respiratory diseases. Public Health England estimates that 26,000-36,000 deaths are attributable to human made air pollution in the UK every year.⁽⁴⁰⁾ The East Herts Health and Wellbeing strategy 2019-2023⁽⁴¹⁾ sets out a priority to 'create healthy places and sustainable communities'. Good spatial planning can reduce exposure to air pollution and provide wellbeing benefits ensuring East Herts is a healthy and sustainable place to live and work.

Aims

6.17 The overall aims set out in this section:

39 COMEAP (2018) Associations of long-term average concentrations of nitrogen dioxide with mortality: <https://www.gov.uk/government/collections/comeap-reports>

40 PHE (2019) Review of interventions to improve outdoor air quality and public health: <https://www.gov.uk/government/publications/improving-outdoor-air-quality-and-health-review-of-interventions>

41 <https://www.eastherts.gov.uk/community-wellbeing/community-wellbeing-partnerships>



- To achieve as a minimum air quality neutral status
- To aim for air quality positive status
- To follow the minimum standards required for all new development
- To follow the hierarchy of design, mitigate, offset
- To ensure the correct air quality assessment is provided with any application
- To ultimately ensure new developments do not lead to a worsening of local air quality

6.1.2.2 Minimum Standards

6.18 This section sets out recommended minimum standards that apply to all new development in East Herts. The recommended minimum standards are applicable to all development. District Plan Policy EQ4 states that all development should aim to have as little negative environmental impact as possible, taking into account the cumulative effects of local development and to achieve air quality neutral status. Delivering sustainable development should be a key theme from the outset and be demonstrated wherever possible.

6.19 It is expected that planning applications will comply with these recommended minimum standards to ensure development is in line with national and local policy.

- All gas-fired boilers must have low NO_x emissions and meet a minimum standard of 40mgNO_x/kWh.⁽⁴²⁾
- All gas-fired CHP plants are to meet a minimum emission standard of:
 - Spark ignition engine: less than 250 mgNO_x/Nm³
 - Compression ignition engine: less than 400 mgNO_x/Nm³
 - Gas turbine: less than 50 mgNO_x/Nm³⁽⁴³⁾
- New development must be designed to minimise public exposure to pollution sources, for example, by locating habitable rooms away from busy roads.
- Sensitive development (such as schools, hospitals and play grounds) must be sited at least 100m away from busy roads.⁽⁴⁴⁾
- New development must not lead to the creation of a new street canyon,⁽⁴⁵⁾ or a building configuration that inhibits effective pollution dispersion.

42 IAQM (2017) Land-Use Planning & Development Control: Planning For Air Quality: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

43 IAQM (2017) Land-Use Planning & Development Control: Planning For Air Quality. Available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

44 A busy road is defined as a road with an AADT of 10,000 or > as defined in Defra's Local Air Quality Management; Technical Guidance TG16 (2018)

45 A street canyon is defined as a relatively narrow street with buildings on both sides where the height of the buildings is general greater than the width of the road



- Green infrastructure must be integrated into the design from the beginning, for example through the use of appropriate tree planting, green roofs and walls and soft landscaping.
- Comply with the Electric Vehicle specifications outlined in the Council’s emerging Vehicle Parking Supplementary Planning Document.

6.20 Applications will need to be accompanied by additional submissions as set out in the submission requirement of this chapter. All development will need to submit the air quality checklist in Appendix A. Development above the minor classification will need to submit an Air Quality Impact Assessment,⁽⁴⁶⁾ which must include an Air Quality Neutral Assessment. In addition to this, any development in or near to an AQMA must also submit an Air Quality Neutral Assessment. See the submission requirement section below and Figure 9 for further details.

6.1.2.3 Hierarchy

6.21 The air quality hierarchy addresses air quality in the planning process, with a focus on the design stage, providing clarity to developers and defining sustainability in air quality terms. As outlined in Figure 7 there is a hierarchy for the approach to air quality consideration that should be followed by all developments.



Figure 7: Hierarchical process for air quality consideration in development

6.22 Compliance with the recommended minimum standards will ensure that development is in line with national and local policy and guidance. The principles outlined in the design section will provide ways in which to reduce human exposure and limit emissions from the outset of the development. Early on in the planning process it may be necessary to redesign if the original plans are not deemed sufficient by the local planning authority. Where redesign has not provided sufficient air quality consideration, developers must implement mitigation in order to reduce the impact of the development. As a last resort, developers may have to offset, providing planning contributions in the form of Section 106 contributions. East Herts may refuse the application if adequate measures have not been applied. To help navigate the hierarchy, Figure 8 details what is covered in each of the sections.

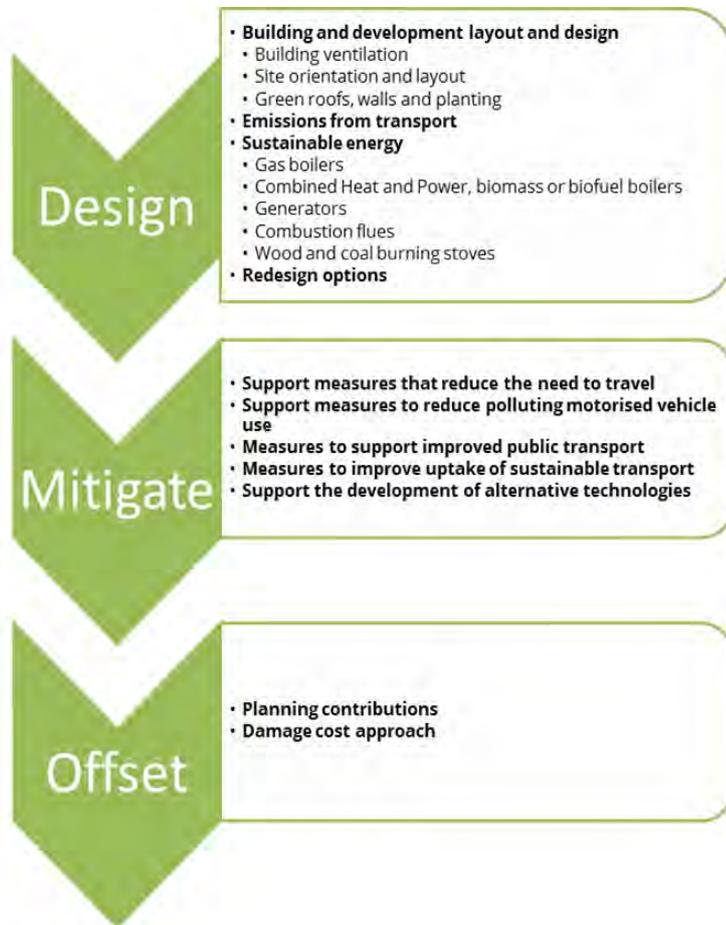


Figure 8. Design, mitigate, and offset content summary

6.1.2.4 Design

6.23 It is important that good design principles are incorporated from the outset in order to avoid costly and problematic alterations further down the line. Careful consideration to building design and layout can assist in minimising exposure to future occupants.

6.24 The design principles outlined in this section are applicable to all development and can be implemented regardless of the outcome of any Air Quality Impact Assessment. These principles should be presented with the planning application to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Adopting good design at an early stage has the potential to reduce the need to mitigate the impact of development.

6.25 All developments should adopt sustainable design principles that reduce emissions, minimise human exposure to pollutants, facilitate a reduction in vehicle movements and contribute to better air quality management. Minimising pollution through design also applies to reducing emissions associated with building operation. Basic good design should result in no



additional exposure to increased air pollution for existing or future occupants. Best practice design should be implemented in all development and aim to achieve at least air quality neutral status as detailed in Policy EQ4.

Building and development layout and design

6.26 Developers should minimise exposure through appropriate building and open space location and design. Suitable layout and building design can increase distances between sources of air pollution and human receptors, thereby reducing the pollution exposure of building occupants and outside space users. Minimising exposure can be achieved through:

- building ventilation
- site layout
- green roofs, walls and planting

Building ventilation

6.27 The impact of outdoor air pollution on indoor air quality in new developments should be taken into account at the earliest stages of building design. This includes:

- Ensuring ventilation inlets and the location of opening windows are on higher floors away from sources of air pollution at the ground level, and away from stationary sources such as combustion plant.
- Fitting air conditioning systems with filters which filter particulates and NO₂. Filters should be maintained following installation.
- Considering mechanical ventilation to overcome potential exposure to poor air quality. This may involve sealed windows/triple glazing with trickle vents and a forced ventilation system.

Site orientation and layout

6.28 The location of outdoor space in relation to sources of air pollution (such as flues and busy roads) should be considered. The distance between sources of pollution and human receptors must be maximised. This is particularly relevant where developments include sensitive uses such as schools, medical centres and residential units.

6.29 Site layout should be designed appropriately, considering the following examples:

- Exposure should be minimised through appropriate positioning and orientation of the space away from sources of air pollution. New developments must not create a new 'street canyon', or a building configuration that inhibits effective pollution dispersion.
- When included in development, the public realm should be considered. The site layout should encourage low pollution routes through



development where people can spend more time away from busy roads where possible.

- Recreational, seating and exercise areas should be positioned away from or screened from sources of pollution.



Use of cycle lanes

Green roofs, walls and planting

6.30 Greening can help trap fine particulates (PM10 and PM2.5) as well as increase biodiversity. While there is conflicting evidence as to whether green infrastructure can help reduce concentrations of NO_x, it is acknowledged that certain types of shrubs and trees are effective for trapping particles. This has been supported by Public Health England in their review of interventions to improve outdoor air quality and public health, stating that measures such as green infrastructure provision should be considered at the planning stage.⁽⁴⁷⁾

6.31 Hedges, green walls and frameworks for climbing plants may offer some protection between a pollution source such as a road and dwellings. Development above the scale of a single household is expected to utilise green walls and hedging as set out in Policy CC1. See the Biodiversity and Energy and Carbon Reduction sections of this SPD for further guidance, including details about the types of plants that may be beneficial.



An example of a green wall

Northstowe, Cambridge

The Northstowe development is a 'Healthy New Town' as identified by NHS England. Creating a low pollution environment is a key component delivered through infrastructure and place shaping. Measures include:

- Traffic free cycle routes;
- Play spaces 'well located' away from pollution sources;
- Hedgerow planting between pollution sources and pedestrian/cycleway environments;
- Pollution filtering green walls and particulate absorbing moss planting to all blank facades facing Primary Routes;
- Integration of open spaces, green corridors and waterways throughout the development.

Emissions from transport

6.32 East Herts promotes infrastructure for modes of transport with low impact on air quality through the District Plan, policies TRA1 and TRA3 apply in particular. Developments should seek to facilitate a reduction in vehicle movements and prioritise modes of transport other than the car to encourage green travel patterns to aid air quality. The layout of new development and the design of the street environment can directly influence activity levels. Development should be designed to promote active travel where possible in order to reduce the impact on the environment and improve the health of occupiers and visitors.

6.33 Prioritising sustainable transport such as cycling and walking improves local air quality and encourages healthy communities. Therefore, strong emphasis will be placed on seeking the provision of new bus, cycle and pedestrian transport routes and networks. Developers are also encouraged to extend and strengthen existing provision, including through supporting community-led transport schemes. More detail on these issues is provided in the Sustainable Transport section of this SPD.

6.34 Development should incorporate the following principles where possible



- Provision of cycling facilities such as secure cycle storage and cycle paths;
- Car clubs (prioritising the use of electric vehicles);
- Sufficient provision of infrastructure for low emission vehicles;
- Encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing;
- Improved infrastructure and layouts to improve accessibility and safety.

6.35 Traffic management schemes may also be utilised to minimise exposure to emissions from traffic, where appropriate, for example:

- Traffic restrictions in areas of high exposure to poor air quality;
- Defined 'engine off' areas, such as bus stands, taxi ranks and tourist coach parking and outside of schools;
- Soothing the flow of traffic by reducing congestion, stop-start traffic and traffic queues and the consequent emission 'spikes';
- Design that separates areas of the public realm from areas of poor air quality such as busy roads;
- Provide alternative 'quiet' cycle and pedestrian routes away from main roads.



An example of shared cycle facilities

Dunsfold Park, Surrey

The masterplan for a new mixed-use development in Surrey promises:

- Cycle routes connecting the park with surrounding villages;
- Personalised travel planning for every household and employee of Dunsfold Park;
- Welcome packs will include free 12 month membership of the car club and vouchers for bike purchases;
- Every home 5 minute walk from a bus stop and investment in enhanced bus services;
- Promotion of electric vehicles, car clubs, ride-sharing, cycle hire and subsidised cycle purchase;
- No need to use a car for journeys within Dunsfold Park due to short distances and attractive routes;
- Internet services, home-working and the clustering of jobs and services at Dunsfold Park reducing need to travel by car at peak times.

Sustainable energy

- 6.36** New development provides an opportunity to reduce and improve overall emissions in the area. This can be done by incorporating new, cleaner technologies from the outset. The adoption of technologies to generate heat and energy from efficient and/or renewable sources, such as solar water heating or air and ground source heat pumps in major developments can help minimise polluting emissions.
- 6.37** Building design should prioritise energy efficiency in order to reduce the need and size of heating plants. This will overall minimise the buildings impact on air quality. The use of low and zero emission technology is encouraged to fulfil the remaining needs as required by Policy DES4.



- 6.38** Giving thought to the wider environmental impacts of the system early on and ensuring the system is optimised for the proposed use not only helps reduce issues later on, but also helps minimise costs. The retrofitting of abatement equipment at a late stage is likely to be far more costly than giving time and consideration at the planning stage. More details on these issues are provided in the Energy and Carbon Reduction section of this SPD.

Gas boilers

- 6.39** Where it is possible, the building design should be so that there is no need for combustion plant. If gas boilers are installed in developments they must be low NO_x boilers, this includes where installation is part of a refurbishment. As a minimum standard, boilers must be less than 40mgNO_x/kWh. The use of ultra-low NO_x technology (less than 15mgNO_x/kWh) is encouraged.⁽⁴⁸⁾

Combined Heat and Power, biomass or biofuel boilers

- 6.40** CHP, biomass and biofuel boilers can have benefits in terms of carbon emissions (as detailed in the Energy and Carbon Reduction section). However, In common with any combustion technology, CHP systems will have an impact on air quality. The feasibility of Combined Heat and Power (CHP) systems should be evaluated.
- 6.41** The impact on air quality will depend upon the emission performance of the CHP plant, dispersion of emissions from the plant and the emissions performance of any existing on-site plant that the CHP system replaces. All development should try to minimise the use and emissions from combustion plant within the building.
- 6.42** The use of biomass combustion is unlikely to be supported within an AQMA or where it may impact on residents unless it can be clearly demonstrated that there will be no adverse impact on air quality. Consideration will also need to be given to the responsible sourcing of biomass fuel and of the transportation impacts of fuel delivery.
- 6.43** Where CHP, biomass or biofuel boilers are proposed, emissions must be evaluated as part of a detailed Air Quality Impact Assessment. The appliance will be required to meet the following minimum standards:
- Spark ignition engine: less than 250 mgNO_x/Nm³;
 - Compression ignition engine: less than 400 mgNO_x/Nm³;
 - Gas turbine: less than 50 mgNO_x/Nm³.⁽⁴⁹⁾

⁴⁸ Applicants should note that the Government has proposed that gas boilers will not be fitted in new development from



6.44 CHPs and biomass boilers will also be required to meet high standards of air pollution control with emphasis on:

- Boiler design and operation;
- Pollution abatement equipment;
- The servicing and maintenance regime;
- Fuel quality, storage and delivery;
- Exhaust stack height.

6.45 The developer or managing agents must ensure that any energy plant installed in a development has arrangements in place to keep it operated in accordance with manufacturer's instructions throughout its functional life.

6.46 More details can be found in the Energy and Carbon Reduction section of this SPD and the guidance note for developers on CHP systems in Appendix D.

Generators

6.47 Diesel generators have high emissions of NO_x and PM₁₀ and their use is strongly discouraged. A secondary electrical power supply should be sourced. Where this cannot be assured, alternative technology generators should be sourced for the building where possible (for example, battery reserve or gas generators). For construction sites, a temporary building supply should be secured prior to the commencement of works in order to avoid the use of diesel generators on site. Where diesel fuelled generators have to be used, they should meet the latest Euro standard and their use limited to emergency situations.

Combustion flues

6.48 All combustion plant must terminate as a minimum 1 metre above the highest point of the building of which the plant serves, or as agreed with the planning authority. The layout of the site should have regard of this requirement, considering the needs of the outside amenity space associated with the development and the surrounding area.

6.49 A Clean Air Act 1993 Chimney height approval needs to be sought where either of the following is met:

- a furnace is burning liquid or gaseous matter at a rate of 366.4 kilowatts or more an hour;
- a furnace is burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour.⁽⁵⁰⁾



- 6.50** Flues associated with this plant should therefore be at the recommended heights above nearby buildings and installed at least 3m above any general access areas and should meet discharge velocities above the recommended minimum.⁽⁵¹⁾



Pollution caused by combustion fumes

Wood and coal burning stoves

- 6.51** New development should ensure that air quality is considered when installing domestic burners. All stoves need to be Defra approved as a minimum. Stoves should comply with the 'EcoDesign Ready' specifications introduced by The Stove Industry Alliance. A list of compliant stoves can be found on the HETAS website.⁽⁵²⁾
- 6.52** Applicants should note the Government's goals in the 2019 Clean Air Strategy relating to emissions in the home. In particular, the following government goals should be taken into account:
- Legislate to prohibit the sale of the most polluting fuels;⁽⁵³⁾
 - Ensure that only the cleanest stoves are available for sale by 2022;
 - Work with consumer groups, health organisations and industry to improve awareness of non-methane volatile organic compounds (NMVOC) build-up in the home, and the importance of effective ventilation to reduce exposure;
 - Consult on changes to Building Regulations standards for ventilation in homes and other buildings, to help reduce the harmful build-up of indoor air pollutants.

Redesign Options

- 6.53** Where redesign is necessary developers should refer to the concepts outlined in this section to identify opportunities for optimising the development to minimise emissions. The design concepts previously mentioned in this section should be applied. Examples of potential further adjustments to the design of a proposed development that may result in a reduced impact on air quality are summarised below:

51 Environmental Protection (2009) Biomass and Air Quality Guidance for Local Authorities: https://www.environmental-protection.org.uk/wp-content/uploads/2013/07/Biomass_and_Air_Quality_Guidance.pdf

52 HETAS, Ecodesign Compliant Stoves & Boilers. Website: <https://www.hetas.co.uk/ecodesign-compliant-stoves/>
 53 From February 2021 the government has proposed a mandatory certification scheme demonstrating that wood sold in volumes under 2m³ is dry (less than 20% moisture) and a ban on the sale of all bagged traditional house coal.



- Reduced car parking provision;
- Consider Home Zones;
- Avoid installation of balconies (particularly at ground and first floor levels);
- Consider placing habitable rooms away from the façade fronting the pollution source e.g. in flats place stairwells and corridors in these locations instead;
- Locate non-residential buildings fronting the pollution source where the development is a mixed use site;
- Consider the use of non-opening front windows in worst affected locations.

6.54 This is not an exhaustive list and further options may be implemented.

6.1.2.5 Mitigation

6.55 Where redesign cannot reasonably reduce the significance of the air quality issue, it may be acceptable to include measures to mitigate the air quality issues that arise. These measures should not be considered as an alternative to fundamental redesign and should be considered alongside additional measures to offset the air quality impact in order to be air quality neutral.

6.56 Many developments will require a mix of design and mitigation measures that have been tailored to be appropriate for the site. Each approach will be location specific, taking into account local air quality issues and assessing the proportional impact of the development. The design and mitigation package should be presented with the planning application.

6.57 Examples of mitigation include:

Support measures that reduce the need to travel

- Alternative work practices – flexitime, teleworking, homeworking, videoconferencing, provision of co-working space;
- Local sourcing of staff, products and raw materials;
- Development and use of hub distribution centres employing low emission deliveries;
- Provision of discounted on-site shopping, eating, child-care, banking facilities.

Support measures to reduce polluting motorised vehicle use

- Development of car clubs and car sharing with financial incentives and promotion;
- Provision of sufficient electric vehicle charging;
- Provision of dedicated low emission shuttle buses / managed pick-up and drop-off;



- Reduced emissions, low emission fuels and technologies for fleet operations;
- Vehicle maintenance, driver training and emissions testing regimes for fleets of cars, lorries or buses associated with the development;
- Restrict vehicle speeds within the development;
- Sponsor public information and monitoring campaigns.

Measures to support improved public transport

- Provision of bus infrastructure including stands, shelters, bus gates, information displays;
- Invest in new and upgraded buses;
- Provision of free ticketing with time limited uptake.
- Measures to improve uptake of sustainable transport
- Provide a bike/e-bike hire scheme;
- Provide a car share scheme/car pool scheme;
- Improved pedestrian links to public transport stops;
- Resident low emission vehicle purchase support with time limited uptake;
- Improved convenient and segregated cycle paths to link to local cycle networks;
- Provision of managed travel plans for the development.



An example of an electric bus

Support the development of alternative technologies

- Contribution to renewable fuel and energy generation projects;
- Support the development of alternative fuel delivery infrastructure.

6.58 The above list provides an example of acceptable mitigation measures but it is not an exhaustive list and further measures may be accepted. Any development that is not suitably redesigned or mitigated will be recommended for refusal on air quality grounds.



6.59 An emissions assessment should be carried out to demonstrate how the development is compliant with the requirement to be air quality neutral and included as part of an air quality neutral assessment. It should:

- Calculate the additional transport emissions associated with a development;
- Determine the appropriate level of mitigation required to help avoid, minimise and/or off-set the impact on air quality;
- Enable an evidence-based and proportionate approach.

6.60 The assessment must include:

- The calculated emission increase and damage cost (see the Damage Cost Approach fact box below);
- Proposed mitigation/compensation measures;
- Estimated mitigation emission and damage cost reduction.

Further Guidance

6.61 Detailed guidelines for undertaking an emissions assessment can be found at the Low Emission Partnership. The latest guidance should be followed, at present this is the EMA-TG-2.0 (2016):

http://www.lowemissionstrategies.org/les_planning_guidance.html

6.1.2.6 Offset

6.62 Where redesign and mitigation measures are not adequate, developers have an obligation to offset their emissions. Offsetting by providing money for schemes that improve overall air quality should be a last resort but may need to be combined with good design and mitigation in some circumstances to be air quality neutral. These obligations will be proportional to the nature and scale of the development proposed and the level of concern about air quality.

6.63 All development above a minor classification will be required to provide an emissions assessment as part of the Air Quality Neutral requirement outlining the emissions produced and what mitigation is being applied. If the mitigation is not deemed adequate, developers must provide the rest in financial contributions.

Planning contributions

6.64 Obligations may go towards funding measures, including those identified in the Air Quality Action Plan, designed to offset the impact on air quality arising from new development. In some cases it may be the case that it is not possible to secure acceptable air quality mitigation and in such cases the local authority may deem the development unacceptable.



Damage cost approach

- 6.65** Offsetting will be based on a quantification of the emissions associated with the development. These emissions can be assigned a value based on the 'damage cost approach' used by Defra (Department for Environment, Food and Rural Affairs). The latest damage cost values can be found on the Defra website.⁽⁵⁴⁾
- 6.66** This value will indicate the level of offsetting required, or may be provided as a financial contribution from the developer. This guidance follows the principle that environmental costs should fall on those who impose them. This is known as the 'polluter pays' principle.
- 6.67** The latest Defra Emissions Factor Toolkit should be used.⁽⁵⁵⁾ This will provide the relevant pollutant emissions outputs for the mitigation calculation which is then multiplied to provide a 5 year exposure cost value. This assessment should be carried out by an air quality consultant. Discussions with the Council's air quality officer may be necessary at this stage.
- 6.68** When the damage cost is calculated, it is the developer's responsibility to implement mitigation to reduce emissions by at least this value and be air quality neutral (or preferably below existing levels to be air quality positive). The mitigation should be approved with the local planning authority to ensure that mitigation is appropriate for the type, size and location of the development. Where this is not possible, the rest should be provided in the form of planning obligations.

54 DEFRA (2020) Air quality appraisal: damage cost guidance
 website: <https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance>

55 DEFRA (2020) Air quality appraisal: damage cost guidance
 website: <https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance>



Damage Cost Approach

The calculation process includes:

- Identifying the additional trips generated by the proposal;
- The emissions calculated for the pollutants of concern (NO_x and PM₁₀) [from the Emissions Factor Toolkit];
- The air quality damage costs calculation for the specific pollutant emissions (from DEFRA IGCB);
- The result is totalled for a five-year period to enable mitigation implementation.

The calculation is summarised as follows:

Road Transport Emission Increase = [Estimated trip increase for 5 years X Emission rate per 10km per vehicle type X Damage Costs]

6.1.2.7 Construction Phase

6.69 It is important that the impact on air quality is considered during any demolition and site preparation phase and during the construction phase. Although these phases will have a defined beginning and end they still have the potential for bringing about exceedances of air quality objectives for particulates (PM₁₀). All construction sites should aim to reduce emissions during the demolition and construction phases through the use of low emission technology and good site management.

6.70 Exhaust emissions from engines powering construction specific activities such as cranes, excavators, generators and diesel-powered trucks involved in the transportation of materials to site can contribute significantly to local air quality.

6.71 Schemes to minimise the production of airborne dust and release of exhaust emissions during the construction period may be required by planning condition. Developers should ensure that the construction phase is compliant with the IAQM Guidance on the Assessment of Dust from Demolition and Construction.⁽⁵⁶⁾

Further Guidance

6.72 Additional best practice can be found from the Greater London Authority: <https://www.london.gov.uk>



6.1.3 Submission Requirements

- 6.73** A single development may have a very small impact on air quality, but many developments will, together, have a larger impact. The following will be considered when reviewing a development proposal:
- 6.74** The 'baseline' local air quality;
- Whether the proposed development worsens the local air quality;
 - Whether the proposed development is located within an AQMA;
 - Whether the proposed development could lead to the declaration of a new AQMA;
 - The potential cumulative effects of local developments on air quality;
 - Whether the development will introduce new public exposure into an area of existing poor air quality;
 - Whether the development will materially affect any air quality action plan or strategy;
 - What mitigation has been provided to try and achieve air quality neutral status.
- 6.75** To ensure compliance with the relevant District Plan policies and the guidance in this SPD, applications for new residential and non-residential developments must submit a sustainability checklist to demonstrate how impact on air quality will be minimised (see Appendix A).
- 6.76** Assessments should be proportional to the nature and scale of development proposed and the level of impact on local air quality. The criteria for the submission of these assessments are set out below and in the flowchart in Figure 9.
- 6.77** Consideration of air quality and air pollution will be relevant during both the operational and the development phase. Development may give rise to air pollution as well as, for example, air quality issues associated with demolition, construction and remediation of contamination. All factors should be considered when assessing the impact of development.
- 6.78** This guidance does not prescribe the measures to be included in the assessments as it is considered more appropriate to take a flexible approach and allow for the continuous technological improvements. Consultation with the Council's air quality officer early on will be beneficial to agree an appropriate method and data set. Assessments should be carried out by an air quality consultant.

Air Quality Impact Assessment

- 6.79** An Air Quality Impact Assessment must be submitted at the application stage for all development above a minor classification.



- 6.80** The scope of an Air Quality Impact Assessment is:
- to assess current baselines in the area;
 - to consider the cumulative impact of known future developments within an area;
 - to predict the future impact, both with and without the proposed development including the proposed mitigation measures by calculating statistics that can be compared with the air quality objectives.
- 6.81** Air Quality Impact Assessments should be carried out in line with the best practice guidance set out in the latest industry-prepared best guidance documents. At present, these are the IAQM's Planning for Air Quality (2017)⁽⁵⁷⁾ and the Defra's Local Air Quality Management; Technical Guidance TG16 (2018).⁽⁵⁸⁾ The latest available emission factors, background maps and conversion factors shall be used.
- 6.82** Given the time required for dispersion modelling and monitoring of air quality for a detailed assessment as well as collection of traffic data to support the planning application, discussions should be sought with the local authority well before submission of a planning application.

Air Quality Neutral

- 6.83** East Herts requires all major developments and any development (above household level) within or adjacent to an AQMA to be 'air quality neutral'. This approach will manage and prevent further deterioration of existing air quality in line with Policy EQ4 Air Quality.
- 6.84** Within the application process, major developments must submit an air quality neutral assessment as part of an Air Quality Impact Assessment. Minor developments in or near to an AQMA must submit an Air Quality Neutral Assessment (they will not be required to submit an Air Quality Impact Assessment). The assessment should take into account the following elements and compare them to the Air Quality Neutral Benchmarks provided in Appendix C.
- 6.85** Determine the relevant emission benchmark for buildings for NO₂ and PM₁₀ at the site, based on its land use class and location. Calculate the site's NO₂ and PM₁₀ emissions from buildings and compare them with the buildings benchmark. The assessment should present the data used in the calculation, including the plant emission data.
- 6.86** Determine the relevant emission benchmark for transport for NO₂ and PM₁₀ at the site. Calculate the site's NO₂ and PM₁₀ emissions from transport and compare them with the transport benchmark. The assessment should present the data used in the calculation.



- 6.87** Both building and transport emission benchmarks should be met in order to achieve air quality neutral requirements. Where the benchmarks cannot be met developers must undertake mitigation in discussion with the Council's air quality officer and/or make a contribution to offsetting their emissions as described in Section 6.1.2 of this SPD.
- 6.88** All developments requiring an Air Quality Neutral Assessment should also demonstrate how air quality impacts will be mitigated. This is done by including an emissions assessment as detailed in Section 6.1.2.
- 6.89** It is acknowledged that there is an emerging requirement for developments to be 'air quality positive' rather than 'air quality neutral'. Developers are encouraged to meet these standards within any size of development.

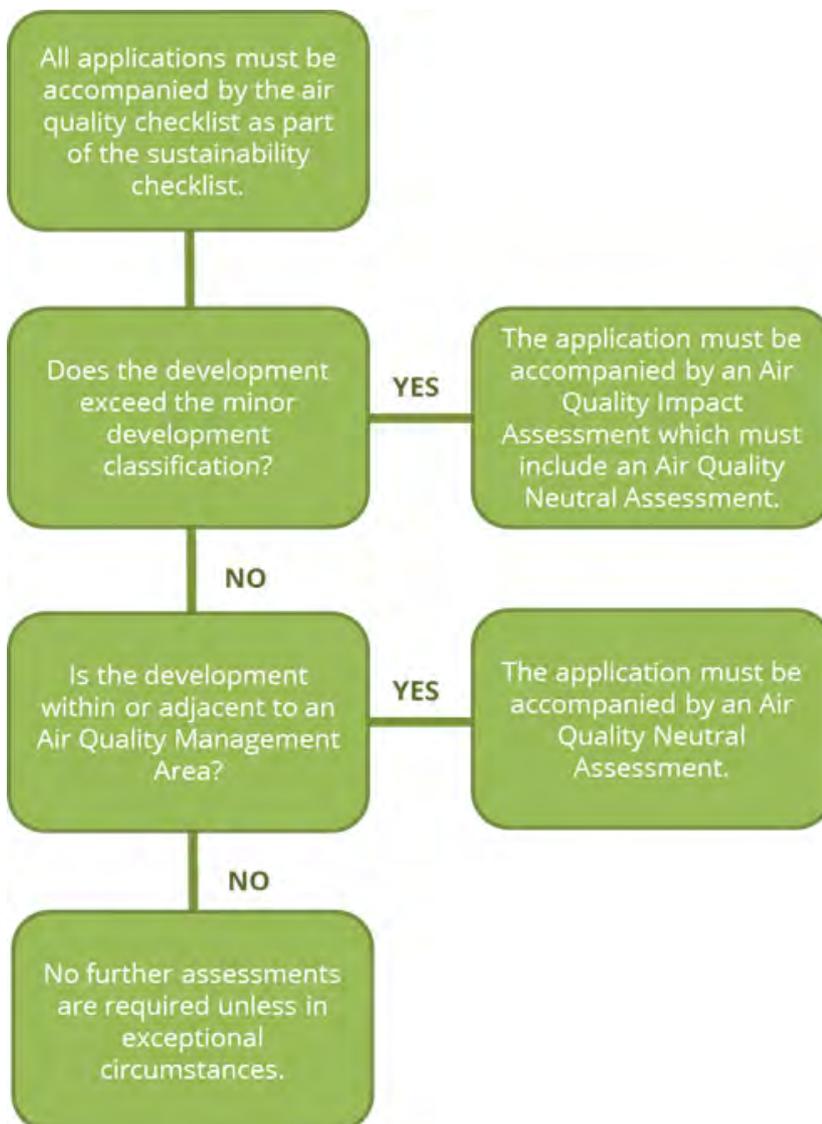


Figure 9: Flow chart- What air quality information to submit with a planning application



6.1.4 Checklist

6.90 Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in Table 7 below. If relevant, more detail about the approach should be included in the Air Quality Impact Assessment or Air Quality Neutral Assessment.

Air Quality		
Ref	Checklist Criteria	Summary of approach to address the criteria
AQ.1	<p>How has the proposal addressed the recommended minimum air quality standards?</p> <p>These apply to all new development as set out in section 6.1.2.2 of the SPD.</p>	
AQ.2	<p>How does the proposal show consideration of air quality in the design of new development?</p> <p>Design should address the following principles :</p> <ul style="list-style-type: none"> • Building and development layout and design • Emissions from transport • Sustainable energy <p>(See SPD section 6.1.2.4)</p>	
AQ.3	<p>How has emissions mitigation been incorporated into the proposal?</p> <p>(See SPD section 6.1.2.5)</p>	



<p>AQ.4</p>	<p>How will emissions be minimised through the construction and demolition phase of the development?</p> <p>Measures should follow the national guidance set out in section 6.1.2.7 of this SPD.</p>	
<p>AQ.5</p>	<p>Has an Emissions Assessment been carried out as part of the Air Quality Neutral Requirement?</p> <p>The assessment should utilise the Damage Cost Approach.</p> <p><i>(See SPD section 6.1.2.6)</i></p>	
<p>AQ.6</p>	<p>Has an Air Quality Impact Assessment been submitted?</p> <p>This must be submitted if the proposal meets any of the criteria listed in section 6.1.3 of this SPD.</p>	
<p>AQ.7</p>	<p>Has an Air Quality Neutral Assessment been submitted?</p> <p>This must be submitted if the proposal meets the criteria listed in section 6.1.3 of this SPD.</p>	

Table 7: Air Quality Checklist



6.91 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: the combined checklist. The checklist can also be used as part of the pre-application process.

6.2 Light Pollution

6.2.1 Policy Context

National Policy

6.92 Section 15 of the NPPF (2019) sets out the role of planning in addressing pollution, in which light pollution is included. It states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In particular, the NPPF states that the planning system should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

6.93 Light pollution has also been deemed a potential statutory nuisance since 2005. An amendment to section 79 of the Environmental Protection Act 1990, contained within the Clean Neighbourhoods and Environment Act 2005 states:

“Artificial light emitted from premises so as to be prejudicial to health and nuisance constitutes a ‘Statutory Nuisance’ and it shall be the duty of every local authority to cause its area to be inspected from time to time to detect any statutory nuisances which ought to be dealt with under section 80 and, where a complaint of a statutory nuisance is made to it by a person living within its area, to take such steps as are reasonably practicable to investigate the complaint”.

District Plan policies

- Policy EQ3 Light Pollution

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist

Link to Sustainability checklist

- LP.1, LP.2, LP.3



- 6.94** **Policy EQ3** in the District Plan requires all external lighting schemes to ensure they do not have an unacceptable adverse impact on neighbouring uses or the wider landscape. Plans must ensure that they minimise harm to the amenity of residents and road users and prevent impacts on the local ecology. Light pollution can cause sleep disturbance and annoyance to neighbours and have an impact on health and wellbeing. Consideration must be given to the impact of light pollution on wildlife as dark night skies are important for the conservation of natural habitats and the behaviour of nocturnal animals and birds.
- 6.95** The policy also states that the light design must minimise the potential glare and spillage. Light pollution is a sign of wasted energy from excessive lighting and it is required that only the minimum required for security and operational purposes is installed. It may be necessary for the council to control the times of illumination where the impact is deemed unacceptable.

6.2.2 Topic Guidance

- 6.96** New lighting schemes should be appropriate to the type of development and its location. Proposals for outdoor lighting should not have an unacceptable adverse impact by reason of light spillage or glare on neighbouring building/uses, amenity of residents or road users or ecology in line with Policy EQ3. Where appropriate, a light impact assessment will be required as part of the application submission.
- 6.97** In order to minimise light and energy wastage is recommended that lights are switched off when not required for safety, security or operational purposes. Large quantities of energy are consumed and vast amounts of greenhouse gases are produced due to the wastefulness of all night shop advertising and display lighting, building illumination, upward flood lighting and permanent domestic and industrial security lights.
- 6.98** Consideration will be given to the relationship between the use of the facility and the benefits to the general public, interests of conservation, amenity and safety. Where the impact of a proposal is considered to be unacceptable or cannot be mitigated through ameliorative measures, the protection of those recognised interests will prevail. The Council may seek to control the times of illumination where appropriate.
- 6.99** Design is key to ensuring compliance with policy and reducing the risk of being a statutory nuisance in the future. The Institute of Lighting Professionals state that 'good design equals good lighting'⁽⁵⁹⁾ and emphasise the importance of design, maintenance and installation. Design should ensure that the intensity and direction of light does not disturb others. This



may be done by ensuring that beams are not pointed directly at windows of other houses. Light should be directed downwards wherever possible to illuminate its target and not upwards.

- 6.100** Schemes will be considered against the latest national guidance and lighting standards. Further technical advice can be found from the Institute of Lighting Professionals ‘Guidance Notes for the Reduction of Obtrusive Light (2020).⁽⁶⁰⁾The most applicable British Standards for lighting that relate to the proposed development is BS EN 12464-2: 2014- Lighting of Work Places (Outdoor work places).

6.2.3 Submission Requirements

- 6.101** To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist as part of the application process. Completion of the checklist must demonstrate how all relevant light pollution checklist criteria have been considered.
- 6.102** A light impact assessment may be required by the Council if it is deemed that there may be an unacceptable impact on the natural surroundings as a result of the development. Where this is required, it is expected that the latest industry guidance is referred to in order to ensure that the assessment is correctly carried out. At present the latest guidance is the Professional Lighting Guide PLG 04 “Guidance on Undertaking Environmental Lighting Impact Assessments” Institution of Lighting Professionals (ILP):2013.

6.2.4 Checklist

- 6.103** Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 8 below. If relevant, more detail about the approach should be included in the Light Impact Assessment.

Light Pollution		
Ref	Checklist criteria	Summary of approach to address criteria
LP.1	Does the proposal materially alter light levels outside the development and/or have the potential to adversely affect the neighbouring uses or	

60 <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>



	<p>amenity of residents and road users or impact on local ecology?</p> <p>(See SPD section 6.2.2)</p>	
LP.2	<p>Is the proposed light design the minimum required for security and operational purposes?</p> <p>(See SPD section 6.2.2)</p>	
LP.3	<p>Does the proposal minimise potential glare and spillage?</p> <p>Please detail the design measures adopted to ensure this</p> <p>(See SPD section 6.2.2)</p>	

Table 8: Light Pollution Checklist

6.104 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: combined checklist. The checklist can also be used as part of the pre-application process.

6.3 Noise Pollution

6.105 The impact of noise on the environment can be detrimental to health and quality of life, so it is important that the planning system controls both the introduction of noise sources into the environment, as well as ensuring new noise sensitive development is located away from existing sources of significant noise. **Policy EQ2** Noise Pollution requires development to be designed and operated to minimise the impact of noise on the surrounding environment and the future occupants of the new development. To address these requirements all residential developments will be required to comply with BS:8233 noise standards as a minimum in line with World Health Organisation guidance. All developments involving industrial or commercial noise sources will be required to undertake an assessment, in line with BS:4142. Consideration must also be given to sufficient ventilation and the prevention of overheating.



- 6.106** This SPD does not address noise issues any further because more detailed noise guidance will be available for applicants in due course. Hertfordshire noise guidance is being developed jointly by a number of Hertfordshire local authorities.



7 Biodiversity

7.1 Policy Context

- 7.1** Biodiversity describes the number and variety of plant species and animals within a habitat and also the diversity of habitats within an ecosystem. Enhancing and conserving biodiversity is an important component of designing and constructing sustainable development. It has benefits for wildlife and ecology, including securing ecosystem services such as pollination, hydrology and pest control, but also more widely in terms of community well-being; carbon capture; reducing flood risk; clean air and water and adaptability to climate change.

National Policy

- 7.2** National Policy sets a clear intent to protect and enhance the natural environment, moving from the past outcomes of development resulting in a net loss of biodiversity to achieving net gains for biodiversity within the development process. Taking forward the objectives of England's Biodiversity Strategy,⁽⁶¹⁾ the NPPF (2019) outlines that new development has a key role in the preservation, restoration and re-creation of priority habitats, ecological networks, green infrastructure and the protection and recovery of priority species populations. International, national and local designations must be protected and enhanced relative to their status and importance. Development should only be permitted if harm to biodiversity is avoided, adequately mitigated or as a last resort, compensated.⁽⁶²⁾
- 7.3** Planning Practice Guidance (PPG) Natural Environment provides further guidance on the role of green infrastructure in new development and how to conserve and enhance biodiversity.
- 7.4** The Environment Bill (2019 - 2021), which is currently progressing through parliament, seeks to further strengthen the role of the planning system in conserving and enhancing biodiversity. It proposes amendments to planning legislation introducing a mandatory requirement for biodiversity net gain.



Local Policy

District Plan policies

- Policy NE1 International, National and Locally Designated Nature Conservation
- Policy NE2 Sites or Features of Nature Conservation Interest (Non-Designated)
- Policy NE3 Species and Habitats
- Policy NE4 Green Infrastructure
- Policy DES4 Design of Development
- Policy WAT3 Water Quality and the Environment

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist
- Biodiversity Checklist
- Ecology Survey
- Protected Species Survey

Link to Sustainability checklist

- Bio.1, Bio.2, Bio.3, Bio.4, Bio.5, Bio.6, Bio.7

7.5 The District Plan policies place a strong emphasis on delivering a net gain in biodiversity across East Herts at various scales, on designated and undesignated sites. **Policy WAT3** aims to preserve or enhance the ecological value of the watercourses. **Policy NE1** requires that development use the mitigation hierarchy to protect and enhance designated sites commensurate with their status, their importance and contribution to ecological networks. **Policy NE2** recognises that there is biodiversity value throughout East Herts and even on non-designated sites applicants should assess the ecological value and aim to enhance it. All proposals should achieve a net gain in biodiversity, where it is feasible and proportionate to do so, by taking into account a locally approved biodiversity metric. **Policy NE3** focuses specifically on protecting species and habitats and ensuring new development facilities opportunities for habitat creation and ecological connectivity. Where appropriate, biodiversity value of a site pre and post development will be determined using a biodiversity metric.



7.6 Expanding on this objective and taking a holistic approach, **Policy NE4** recognises the biodiversity value of Green Infrastructure in East Herts and promotes protecting and enhancing the network: within the built environment and the countryside beyond. **Policy DES4** reiterates this aim, expecting proposals to maximise opportunities for urban greening, for example through planting trees and other soft landscaping where possible.

7.2 Topic Guidance

7.2.1 Biodiversity in East Herts

7.7 The natural environment of East Herts is a key contributor to its character and distinctiveness. The district has a diverse range of green infrastructure and sites of local, national and international importance. This includes the following three international sites:

- Wormley- Hoddesdonpark Woods-Special Area of Conservation (SAC)⁽⁶³⁾
- Rye Meads and Amwell Quarry- part of the Lee Valley Special Protection Area (SPA)⁽⁶⁴⁾
- Rye Meads and Amwell Quarry- part of the Lee Valley Ramsar Site⁽⁶⁵⁾

7.8 There are also 16 Sites of Special Scientific Interest (international sites are also designated SSSIs), a National Nature Reserve (Broxbourne Hoddesdon – Park Woods), 542 local wildlife sites (led and coordinated by Herts and Middlesex Wildlife Trust), a Local Nature Reserve and 14 Herts and Middlesex Wildlife Trust Reserves. More broadly there is a network of ancient woodlands, watercourses, parks, open spaces and trees across the rural and urban areas, which provide opportunities for biodiversity and form part of the wider ecological network. Designated sites and key areas of open space are identified on the Policies Map: <https://www.eastherts.gov.uk/planning-building/planning-policy>

7.9 A number of species found within East Herts are protected under European and National legislation. The protection afforded to these species results in them being a material consideration in dealing with planning applications.

7.10 Information about biodiversity in East Herts is available from a range of sources. Herts Environmental Records Centre (HERC), hosted by Herts and Middlesex Wildlife Trust, manages data on Hertfordshire's habitats,

⁶³ European Union's Habitat Directive of value for species, plants and habitats

⁶⁴ Birds Directive-to protect internationally valuable populations of eligible bird species

⁶⁵ Ramsar Convention for wetlands of international importance



species and sites. The Hertfordshire Biodiversity Action Plan (2006) identifies those habitats and species which are a priority for conservation and is a valuable source of information on the county’s natural assets. ⁽⁶⁶⁾

7.11 There is also a Local Nature Partnership (LNP) which coordinates partners in Hertfordshire and has produced a series of principles and guidance. ⁽⁶⁷⁾

7.2.2 Biodiversity Hierarchy

7.12 When making planning decisions, East Herts Council is required by the NPPF to apply the mitigation hierarchy set out in Figure 10. Development projects should minimise impacts on biodiversity by adhering to the mitigation hierarchy of avoid, mitigate, compensate, with distinctions made between internationally, nationally and locally designated sites.



Figure 10: Mitigation hierarchy

7.13 Stage 1 ‘avoid’ can be achieved by site selection but also by the siting and layout within a development to retain existing habitats. Early engagement of landscape architects and ecologists is important at this stage. The retention of existing natural features will significantly contribute towards the aim of enhancing biodiversity and protecting the landscape character on the development site. The design work for the development should aim to follow a landscape led approach, using the information gained through the survey work to retain as many of the important natural environment features as possible.

7.14 Where avoidance is not possible, mitigation measures should be applied, such as screening and planting. Buffer zones between sensitive areas and development areas can be used to reduce habitat disturbance. Finally, if this is not possible, on-site or off-site compensation measures should be undertaken to help achieve an overall net gain in biodiversity or improvements to the structure and functions of ecological networks. For further clarity about the compensation process seek advice from Hertfordshire Ecology, the Council’s ecological advisors.



7.2.3 Designations

7.15 Planning policies contain clear direction that development should not be permitted on designated sites, as appropriate to their level of significance. This includes full protection for internationally and nationally designated sites - including Special Areas of Conservation, Special Protection Areas, Ramsar Sites and Sites of Special Scientific Interest and effective protection measures for ancient woodland, Local Nature Reserves and Local Wildlife Sites. The range of designated sites within East Herts is set out in Table 9.

Importance	Statutorily protected designated assets	Non-statutorily protected assets
International	Special Protection Areas Special Areas of Conservation Ramsar Site Other features protected by the Habitats and Birds Directive	None
National	Sites of Special Scientific Interest National Nature Reserve Other features protected by domestic legislation, i.e. Wildlife and Countryside Act	Ancient Woodlands Chalk river habitats Species and habitats of principal importance in domestic legislation e.g. The Natural and Environment and Rural Communities Act (NERC)
Local	Local Nature Reserves	Local Wildlife Sites

Table 9: Assets of international, national and local status and importance in East Herts

7.16 The East Herts Biodiversity Questionnaire (see submission requirements) identifies the distance thresholds to designated sites. Applicants within these thresholds will likely have to submit additional information to inform proposals.

7.17 Applicants must seek advice from Natural England for any proposals that may potentially affect an international or national site. Development likely to affect a European site will need to be accompanied by sufficient



information to enable the LPA, as Competent Authority under the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended), to record its decision with regard to likely significant effect and to undertake Appropriate Assessment where necessary.

7.2.4 Species and Habitats

- 7.18** In accordance with District Plan Policy NE3 Species and Habitats, conserving biodiversity and creating opportunities for wildlife is a key to delivering sustainable development. The mitigation hierarchy should be used in all proposals to prevent harm to all priority species and habitats. Development adjoining rivers or streams will be required to preserve or enhance the water environment in accordance with Policy WAT3.
- 7.19** There are a number of species protected by European and national law. These must be considered to ensure that legislative requirements are met and no offences are committed. This applies to all scales of development from loft conversions to large mixed use developments. The main pieces of legislation protecting species are the European Habitats and Bird Directives, the Natural Environment and Rural Communities Act 2006 (Section 41 lists priority species and habitats), the Wildlife and Countryside Act, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Badgers Act 1992. The Hertfordshire Biodiversity Action Plan identifies 5 Species Action Plans and 8 Habitat Action Plans that guide work on protecting, restoring and re-creating a sustainable level of biodiversity in the county.⁽⁶⁸⁾
- 7.20** Applicants must complete East Herts Biodiversity Checklist (see submission requirements) to assess the likely presence of a protected habitat or species. Where there is a reasonable likelihood of the presence of European or Nationally Protected Species, surveys must be completed and avoidance/ mitigation/ compensation measures agreed before permission can be granted. Surveys should be undertaken at a time of year appropriate to the relevant species.
- 7.21** A check should also be made to determine if any of the trees on the site are protected by Tree Preservation Orders (see the Council's online mapping ⁽⁶⁹⁾) either individually or as groups protected by virtue of their inclusion within a Conservation Area.



Further guidance

7.22 Further guidance on protected species and habitat legislation, including relevant licensing information is available from the following government websites:

<https://www.gov.uk/topic/planning-development/protected-sites-species>

<https://www.gov.uk/topic/environmental-management/wildlife-habitat-conservation>

7.23 Hertfordshire Ecology provides specialist ecological advice to support the planning process in East Herts. It is recommended that applicants use their pre-application service to consider the most effective approach for protecting habitats and species and delivering a net-gain to biodiversity: <https://www.hertfordshire.gov.uk>

7.2.5 Net Gain

7.24 Biodiversity is not limited to designated sites or priority habitats. Biodiversity is often found on non-priority habitats. As outlined in Policy NEC2 all proposals should seek to secure a net gain for biodiversity and enhance ecological networks across the District. The East Herts Green Infrastructure Plan identifies zones and projects to improve multi-functional networks and Ecological mapping work by the Local Nature Partnership in 2014 identifies habitat networks.

7.25 The approach to securing net gain should be assessed by a trained ecologist, using the Defra (version 2, updated by Natural England, or as amended) biodiversity metric, unless advised otherwise by Hertfordshire Ecology. Using the metric provides a mechanism for demonstrating compliance with the biodiversity hierarchy and informs compensation of all habitats. The metric is not designed to measure impacts on species. In order to ensure that mitigation measures are successfully delivered and maintained, financial and other provisions may be sought, where appropriate and necessary, via the use of planning conditions, planning obligations and legal agreements. The process for securing measurable net gain will be a legal requirement if the Environment Bill (2019 -2021) achieves royal ascent in its current form.

7.26 Major development offers the greatest opportunities for delivering large-scale biodiversity net gain and the integration of opportunities for biodiversity into green and blue infrastructure and ecological networks, both on and off-site. Applicants should use the ecological network data set and the Green Infrastructure plan to inform the masterplanning process.

7.27 However, enhancing biodiversity can be delivered at a variety of different scales, from householder applications right up to large urban extensions, albeit the scale of improvement will differ. The Herts & Middlesex Wildlife



Trust publication, How to Build a Living Landscape explains how a habitat network can be 'built into' new development at a range of scales, without significantly impacting on the purpose or functionality of that land use.



Bat and bird bricks on the gable end of new houses in Buckinghamshire Source: Herts and Middlesex Wildlife Trust

7.28 Whilst options will vary depending on the scale of development, the Council will expect all or some of the following measures to be integrated into development proposals:

- Integration of nest boxes for species such as birds, bees and bats, particularly in locations/ buildings adjoining open space. These can be integrated into brickwork.
- Integration of sustainable drainage systems, with ecology/ biodiversity benefits
- Soft landscaping to promote biodiversity
- Tree planting- consider tree health to future proof biodiversity
- Prioritisation of native species
- Habitat creation- i.e. ponds, wildflower grasslands
- Contribution to wider ecological networks and green and blue infrastructure corridors. Consider connectivity of the landscape, enabling species to move around freely, for example creating hedgehog highways.
- Green and brown roofs



- 7.29** These proposals will not only enhance biodiversity on development sites, but also benefit the health and well-being people living and working in these places.



A wildflower meadow integrated into a greenspace within a new development

- 7.30** More information about the different stages to effectively design and implement a scheme is set out in Hertfordshire's Building Futures Biodiversity and Landscape module.

Further Guidance

- East Herts Green Infrastructure Plan (2011): <https://eastherts.gov.uk/evidencebase>
- Hertfordshire Ecological Network Report (2014) and guidance on applying Hertfordshire's ecological networks in the planning system: <https://www.hertswildlifetrust.org.uk>
- Hertfordshire Environmental Records Centre, for data requests: <https://www.hercinfo.org.uk>
- How to Build a Living Landscape, Herts and Middlesex Wildlife Trust: <https://www.hertswildlifetrust.org.uk>



7.2.6 Living roofs and walls

Fact Box: Living roofs and green walls

Green roofs- Created when vegetation is established on a roof structure. There are many variations but typically green roofs are categorised as intensive or extensive.

Brown roofs- Also described as a biodiverse roof, is designed to create a habitat from a specific type of flora or fauna. Useful on brownfield sites where soil and rubble should be able to provide a rooftop habitat for the flora and fauna that inhabited the site before the construction of the building. This is particularly important where habitat is often left to colonise naturally

Green walls- There are different types of green wall. Using climbing plants is the simplest method but it can also include a form of engineered solution, such as trellises or wires. Living wall systems are constructed with planter boxes or felt and do not require climbing plants.

- 7.31** Green or brown roofs should be incorporated into development where feasible. Green and brown roofs have many benefits as identified in the air quality and energy and carbon sections of this SPD, but are a useful way of enhancing biodiversity on sites of all scales, especially in urban areas. Intensive green roofs are effectively roof gardens, with a range of plants or shrubs that can be used for recreation purposes and to grow food. Extensive green roofs and brown roofs provide ecological value rather than recreational. Green roofs involve drought tolerant species of plants, such as sedums or wild flowers that require little maintenance.
- 7.32** Brown roofs are typically left without vegetation, with the growing medium selected to allow indigenous species to colonise an area over time. It is beneficial to use a variety of different local substrates (e.g. gravel in one area, topsoil in another area, crushed concrete in another area, to provide a number of different environments on the roof top, favouring different species.
- 7.33** Climbers and wall shrubs are the simplest way of adding interest to walls. In green wall systems, a range of herbaceous perennials, grasses, herbs, fruit and vegetables can be planted.
- 7.34** The potential for green and brown roofs should be considered early in the design process, to inform the scheme design. Feasibility will depend on the local context and the nature of the building, so it is important professional advice is sought. Consideration should also be given to any management and maintenance implications.



7.3 Submission Requirements

7.35 To ensure compliance with the relevant District Plan policies:

- All new residential and non-residential development must submit a completed Sustainability Checklist to demonstrate that relevant criteria below relating to biodiversity have been considered and explained.
- All applicants (except advertisements) should submit a completed Biodiversity Checklist to assess the likely presence of protected habitats or species within or in close proximity to the site.

7.36 In addition ecological survey(s) will be required, as follows:

- For all major developments;
- If there is a reasonable likelihood of protected species being present and affected by the development;
- If there is a reasonable likelihood of protected habitats being present and affected by the development.

7.37 Ecological information should be undertaken by a trained ecologist and presented in accordance with the British Standard on Planning and Biodiversity- BS42020 2013 Biodiversity- Code of practice for planning and development. Surveys should be up to date and ideally from the most recent survey season. It should include:

- Analysis of likely impact on protected species, if applicable
- A biodiversity impact assessment calculation using the Defra (version 2 updated by Natural England, or as amended) biodiversity metric, unless advised otherwise by Herts Ecology and demonstrating a minimum 10% net gain in ecological units.
- An analysis of the impacts of the development on fauna.
- Definitive avoidance, mitigation or compensation measures sufficient to demonstrate a net gain in biodiversity measures.
- Enhancement measures proposed and marked on plans.

7.38 Details of submission requirements for applications can be obtained via the Council's website at: <https://www.eastherts.gov.uk/planning-building/make-planning-application>.

7.39 As mentioned above, data from Hertfordshire Biological Record Centre (HERC)⁽⁷⁰⁾ is a useful resource that can help inform surveys. Applicants should also consider sharing survey work with HERC to help expand Hertfordshire's environmental record. For further advice about ecological surveys and biodiversity please contact Herts Ecology at Hertfordshire County Council. Herts Ecology offer a pre-application service to applicants and can provide information about charging procedures.



7.4 Checklist

7.40 Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 10 below. If relevant, more detail about the approach should be included in the Ecological survey.

Biodiversity		
Ref	Checklist Criteria	Summary of approach to address the criteria
Bio.1	Have you submitted the East Herts biodiversity checklist? <i>(See SPD section 7.3)</i>	
Bio.2	In accordance with the biodiversity checklist, does the proposal affect a protected species or habitat? <i>(See SPD sections 7.2.4 and 7.3)</i>	
Bio.3	If a protected species or habitat has been identified, has an ecological survey, with sufficient information been undertaken? <i>(See SPD sections 7.2.4 and 7.3)</i>	
Bio.4	If relevant, has an ecological survey, with sufficient information been undertaken to assess the likely ecological impact of the development? <i>See SPD sections 7.2 and 7.3)</i>	



Bio.5	<p>Has the mitigation hierarchy been undertaken, to demonstrate an adverse impact on biodiversity has been avoided? If this is not possible, has the impact been mitigated and then subsequently compensated?</p> <p><i>(See SPD section 7.2.2)</i></p>	
Bio.6	<p>Has a biodiversity net gain been achieved? Please explain</p> <p><i>See SPD section 7.2.5)</i></p>	
Bio.7	<p>Has a suitable biodiversity management and monitoring strategy for the site been proposed?</p>	

Table 10: Biodiversity checklist

7.41 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: the combined checklist. The checklist can also be used as part of the pre-application process.



8 Sustainable Transport

8.1 Policy Context

- 8.1** The role of sustainable transport provision in the development process has gained increased prominence over recent years. Congested roads and associated increased pollution have led to detrimental effects on air quality and knock-on effects on health, which mean that a new approach to achieving journeys is needed to ensure that this situation is not exacerbated. This policy position is recognised at both the national and local level and this section of the SPD seeks to provide advice on how sustainable transport can be achieved through new development going forward. It should be noted that the Council's approach regarding the air quality implications of pollution is covered in further detail in the Pollution Chapter of this SPD where the impacts of vehicle emissions are cited.
- 8.2** In considering new development and ensuring that the transport impacts are less damaging and more sympathetic to the environment, it is important that greater priority is given now to reducing the overall need to travel. Where journeys are necessary, it is vital to make sure that suitable hard and soft infrastructure measures are provided to both mitigate their impact and ensure that they can be undertaken in a more sustainable manner going forward. This section of the SPD discusses specific mechanisms that can be employed to assist in achieving these aims.
- 8.3** It should be noted that parking standards do not form a part of this SPD as they are incorporated within the Council's separate 'Vehicle Parking Provision at New Developments' SPD.

National Policy

- 8.4** The NPPF (2019) sets out the Government's position in respect of its sustainable transport objectives. It states (paragraph 102) that transport should be considered early in development proposals, so that:
- the potential impacts of development on transport networks can be addressed;
 - opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
 - opportunities to promote walking, cycling and public transport use are identified and pursued;
 - the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate



opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

- patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

8.5 Furthermore, in considering development proposals, it should be ensured that “appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location”.⁽⁷¹⁾

8.6 National Planning Practice Guidance (NPPG) expands on the objectives included in the NPPF and provides specific guidance around the need for, and use of, transport evidence bases, travel plans, transport assessments and statements to support sustainable transport provision. These strands also need to be taken into account in bringing forward development proposals and can be viewed on the Government’s website.⁽⁷²⁾



Local Policy

District Plan policies

- Policy TRA1 Sustainable Development
- Policy TRA3 Vehicle Parking Provision
- Policy DES4 Design of Development
- Policy CFLR9 Health and Wellbeing
- Policy DEL2 Planning Obligations

Local Transport Plan 4, Hertfordshire County Council, May 2018

- Policy 1: Transport User Hierarchy
- Policy 2: Influencing land use planning
- Policy 3: Travel Plans and Behaviour Change
- Policy 4: Demand Management
- Policy 5: Development Management
- Policy 6: Accessibility
- Policy 7: Active Travel - Walking
- Policy 8: Active Travel - Cycling
- Policy 9: Buses
- Policy 10: Rail
- Policy 19: Emissions reduction
- Policy 20: Air Quality
- Policy 23: Growth and Transport Plans

Roads in Hertfordshire: A Design Guide, Hertfordshire County Council, 3rd Edition, January 2011 (currently under review)

Scale of Development

- All new development

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist
- Design and Access Statement
- Travel Plans, Transport Assessments and Statements (as appropriate)

Link to Sustainability checklist

- T.1, T.2, T.3, T.4, T.5, T.6



8.7 East Herts District Plan policies **TRA1, TRA2, TRA3, DES4, CFLR9 and DEL2** provide the policy context in relation to the delivery of sustainable transport provision in the development process. Alongside national guidance and the Local Transport Plan (LTP4), produced by Hertfordshire County Council, the policies together promote the need to achieve sustainable development and provide the framework to both assist the formation of development proposals and the decision-taking process.

8.2 Topic Guidance

8.2.1 Sustainable Transport in East Herts

8.8 In seeking to engender modal shift away from private motorised trips to more sustainable means, the Council not only wishes to ensure that these occur in a way that has the least possible impact on the environment, but also to provide the right conditions through development to minimise the amount of journeys that need to be made in the first place. The policies detailed above set the context for achieving these aims.

8.9 In planning for major development, it is important that sustainable movement should be prioritised and proposals should therefore address:

- obviating the need to travel where possible;
- providing walkable neighbourhoods (as part of place-making design);
- delivering cycling, walking and passenger transport networks (facilitating and prioritising non-car borne movement);
- adopting behavioural change initiatives (encouraging modal shift);
- rebalancing car use and parking design (prioritising sustainable modes);
- future-proofing developments (through use of adaptable technology); and,
- facilitating deliveries and servicing (while not disadvantaging non-motorised user groups).

8.10 The following sections discuss how the above aims can be achieved.

8.11 In respect of the procedural aspect of development proposals, it should be noted that, whilst East Herts Council determines most planning applications for development, Hertfordshire County Council (HCC) responds to the transport elements of them in its role as highway authority. While recognising that aspects relating to safe and suitable highway access arrangements and mitigation are key considerations to be taken into account in assessing applications, importantly, HCC also considers the sustainability credentials of development proposals in its responses. LTP4's Transport User Hierarchy, provided at Policy 1, provides the policy context for these considerations and is therefore particularly pertinent for guiding development schemes and informing movement relationships within them.



HCC Local Transport Plan, 2018

Policy 1: Transport User Hierarchy

To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- Opportunities to reduce travel demand and the need to travel
- Vulnerable road user needs (such as pedestrians and cyclists)
- Passenger transport user needs
- Powered two wheeler (mopeds and motorbikes) user needs
- Other motor vehicle user needs

8.2.2 Reducing the overall need to travel, particularly by private car

8.12 In applying LTP Policy 1 and District Plan Policy TRA1 in development proposals, as well as looking at ways in which to mitigate journeys, there are also various measures that can be introduced through development design that can reduce the overall need to travel in the first instance.

8.13 Location is a key determinant in this respect and the District Plan's guiding principles (paragraph 3.3.2) and its Development Strategy hierarchy (outlined in Policy DPS2) therefore seek to direct development to areas that minimise the need to travel, by means such as utilising and supporting existing local facilities and networks that lie in close proximity. To avoid harmful development, policies GBR1 and GBR2 set the context of constraints in Green Belt and other rural locations, while policy TRA1 further states that development proposals should "primarily be located in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction". Where larger scale allocations and developments are proposed which may be more distanced from existing facilities, measures can be introduced that aim to largely self-contain movement within a site, and these can be supplemented by sustainable travel measures where journeys beyond are required.

8.14 A good way of demonstrating that development is indeed putting sustainable transport at the heart of its design is through the production of a movement framework. This should articulate how different modes, including walking, cycling and passenger transport, are prioritised within and across a development to make it easier to use those modes than the private car, while recognising the need to accommodate necessary movements of private vehicles (including servicing and deliveries) where appropriate. The objective of a movement framework should be to make it more attractive



and easier to use sustainable modes than private vehicles through the design of well integrated, safe and connected routes and safe, secure and convenient cycle parking and facilities. In seeking to reduce dependence on private vehicles and focussing on active travel, it is important that services and facilities are planned to make them accessible to the widest number of people through sustainable transport modes.

- 8.15** Therefore, the relationship of the built environment to both new and existing services and facilities, including passenger or community transport services, alongside links to pedestrian and cycle networks, will be a crucial factor in ensuring that well-integrated and well-connected sustainable forms of development are achieved. Design and Access Statements, which are required in support of a planning application, should therefore contain a Movement Framework to demonstrate how these aims will be delivered through proposed development. While not currently HCC formal policy, Active Travel Zone (ATZ) techniques pioneered by TfL may be helpful tools in planning new development, where potential key destinations within and beyond the site are mapped and how movements to these can be facilitated in a sustainable way.
- 8.16** In looking at minimising the need to travel, lessons can be learned from the past, where, prior to mass use of motorised transport, historical development often involved mixed uses in relatively close proximity to each other. Shops and other services were often located within walking distance of much of the population, with movements being largely pedestrian based. Where not unneighbourly, mixed use schemes today can also either negate the need to travel or juxtapose uses within a 'walkable neighbourhood', a modern interpretation of the traditional form.
- 8.17** Increasingly, homeworking is becoming more common and, as has been seen during the Covid-19 pandemic, this can have a significant impact in reducing car borne travel. Internal spaces within new homes therefore need to be designed with the increased demand for this use in mind and the delivery of high speed broadband (FTTP) should be guaranteed to all premises from the outset to help facilitate successful home-working arrangements that minimise the need to travel, as well as for day-to-day living requirements.
- 8.18** Likewise, initiatives involving working at local office hubs can also help reduce the number of motorised trips made outside of a development and should be considered within larger proposals as part of self-containment mechanisms, as appropriate.



Launchpad

East Herts Council operates Launchpad - two thriving co-working, office and meeting space community facilities located in Bishop's Stortford & Ware, where each offer local flexible working environments to fit modern life patterns and reduce the need to travel further afield for standalone office accommodation. Details of the scheme can be found at:

<https://www.eastherts.gov.uk/businesses-support/launchpad-business-centres>

- 8.19** Where car journeys are necessary, the introduction of car clubs can help reduce the number of vehicles at a development and, depending on usage, can also prove cost effective when compared to car ownership. Car sharing schemes can also help reduce the number of vehicles on the road, which helps in mitigating congestion and pollution. Likewise, Mobility-as-a-Service (Maas) can help in consolidating modes of travel. This involves a shift from using personally owned transportation, towards mobility being provided as a service. Further details of Maas is available online:

<https://maas-alliance.eu/the-alliance/> .



Car sharing

Many East Herts and County Council employees are signed up to the Council car sharing schemes



- 8.20** In order to avoid unsustainable mode journey patterns through private motorised trips becoming fixed and engendering behavioural change, it is important that green travel patterns become established at the outset of occupation of major developments through the early implementation of sustainable travel infrastructure, measures and initiatives.
- 8.21** Personalised travel planning is one strand that can be introduced through development delivery to raise awareness of local sustainable travel opportunities on an individual basis, which can have a positive effect in modal choice and behavioural change. Therefore, in combination, a mixture of both hard and soft measures can be very effective in achieving a good uptake of non-car travel modes.
- 8.22** It should be noted that, while the district of East Herts has a dispersed settlement pattern and therefore not all measures will be appropriate for every area, in highly sustainable locations it may be considered suitable to introduce measures which particularly impact on private motorised vehicle journey choices. Measures may include initiatives such as, but not limited to, prioritised junctions and/or carriageway assignment for sustainable modes and reduced parking provision in appropriate locations. For the latter, it should be noted that the Council's approach to parking standards as part of development proposals is covered in the 'Vehicle Parking Provision at New Developments SPD'



8.2.3 Pedestrian and cycle route provision- making journeys healthier and sustainable

- 8.23** In many developments over previous decades, pedestrians and cyclists have often been treated as subordinate to motorised traffic in the movement hierarchy. Therefore, in embracing LTP4's Policy 1 Transport User Hierarchy and seeking to provide sustainable communities with healthy journeys at their heart, it is important that new developments should have their movement networks designed around people, rather than cars, from the outset.
- 8.24** In respect of applying the above, where trips are made through cycle journeys it is important that these users are prioritised and their needs well catered for within the overall design of a development and not bolted on as an afterthought. Not only should routes be well connected and attractive, there must also be consideration of suitable parking arrangements (see more below). The Council will also be keen to support imaginative approaches to encouraging cycling, such as cycle hire and electric assisted bike schemes. Suitable shower and changing facilities should also be provided in appropriate locations to further encourage cycle usage.
- 8.25** The Government published guidance in its Cycle Infrastructure Design Local Transport Note 1/20, July 2020,⁽⁷³⁾ and states that it "aims to help cycling become a form of mass transit in many more places. Cycling must no longer be treated as marginal, or an afterthought. It must not be seen as mainly part of the leisure industry, but as a means of everyday transport. It must be placed at the heart of the transport network, with the capital spending, road space and traffic planners' attention befitting that role".
- 8.26** Similarly, in respect of prioritising walking and cycling, the Government is clear in its July 2020 publication Gear Change⁽⁷⁴⁾, that it "will ensure that all new housing and business developments are built around making sustainable travel, including cycling and walking, the first choice for journeys".
- 8.27** Therefore, planning sufficient and appropriate space to prioritise for cyclists and pedestrians to make their journeys successfully should be an integral part of schemes through the implementation of 'inclusive design' principles, alongside accommodating other modes. Intrinsic to the heart of design, routes for pedestrians and cyclists should be well thought out, making sure that linkages and permeation between existing and new developments can be successfully achieved so that maximum opportunities present themselves to engender green travel behaviours through active travel.



8.28 It is also important that the considerations of both pedestrians and cyclists are taken into account when planning footways and cycle paths within developments so as to avoid potential conflict between user groups.

8.29 Therefore, and in line with the Government's key messages in 'Gear Change', the aim should be to provide segregated provision for each user group where possible. The creation of "Mini-Holland's" in three outer London Boroughs was demonstrated to have had a significant effect where, after the installation of segregated lanes on main roads, low-traffic neighbourhoods were put in, and pedestrians were given thousands of metres of extra space. The results of the scheme in the first of the areas showed a single year increase in cycling by 18%, and 13% for walking. While it is recognised that the scale of London Boroughs' built environments differ markedly from many rural locations in East Herts, there are still parallels to be drawn in respect of how prioritising sustainable user groups in street layout can engender modal shift. The goal should therefore be to segregate pedestrian and cycle movement from each other and both should be removed from motorised traffic where at all possible.

8.30 'Gear Change' further recommends a series of key principles when designing for cycling provision:

- Cyclists must be separated from volume traffic, both at junctions and on the stretches of road between them.
- Cyclists must be separated from pedestrians.
- Cyclists must be treated as vehicles, not pedestrians.
- Routes must join together; isolated stretches of good provision are of little value.
- Routes must feel direct, logical and be intuitively understandable by all road users;
- Routes and schemes must take account of how users actually behave;
- Purely cosmetic alterations should be avoided.
- Barriers, such as chicane barriers and dismount signs, should be avoided.
- Routes should be designed only by those who have experienced the road on a cycle.

8.31 With specific regard to pedestrians and ensuring that walkable neighbourhoods are achieved and to further support and encourage a culture of active and sustainable travel in bringing forward new development proposals, it is also important that the distances that active people are able or prepared to walk to access services and facilities are factored into design proposals.

8.32 The layout of new development should ensure that streets and paths facilitate direct and efficient bus operation and as many homes and workplaces as possible should lie within 400m access of bus services.



Where rail stations are available, the design of development should seek to provide a maximum walking distance of 800m, where achievable. Distances should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies'. While the Council will seek to maximise this approach, in cases where Herts County Council agrees that such distances cannot be achieved, new development proposals should demonstrate alternative measures to maximise sustainable journey opportunities to occupiers of the development.

- 8.33** As discussed in the 'measures to reduce the need to travel' section above, it is important that new developments can facilitate walking and cycling at the forefront of layout and design. Buildings need to be designed with pedestrian and cycle access to and between them as a key requirement.
- 8.34** Bus stops, transport hubs and other facilities for cyclists and pedestrian user groups should be both accessible and attractive for all users and should offer shelter, as appropriate.
- 8.35** Both hard and soft measures throughout a development can also serve to raise the profile of pedestrians and cyclists, for example by introducing priority measures for these user groups in certain situations that would traditionally have been dominated by motorised vehicles e.g. raised tables at junctions where, instead of the usual configuration whereby vehicular traffic dominates, motorists are required to give way to pedestrian and cyclist movements. This rebalancing of priorities can help ensure the feeling of safety by vulnerable user groups and is aimed towards increasing the propensity to travel by non-car modes.
- 8.36** Such initiatives encourage pedestrian and cyclist activity and also improve health outcomes.

Further Guidance

- 8.37** Useful sources of information and examples of healthy place making nationally can be accessed via the Town and Country Planning Association website: <https://www.tcpa.org.uk/healthy-placemaking-external-resources>.
- 8.38** Likewise, the Healthy Streets concept identifies key elements necessary for public spaces to improve people's health through 10 Healthy Street Indicators™, which also serve to deliver urban places which are socially and economically vibrant and environmentally sustainable. Further details of this initiative, which has also been used by TfL in its Transport Assessment approach, are available at: <https://healthystreets.com/home/about/>



Emerging TCPA Initiative- The 20- minute neighbourhood

The Town and Country Planning Association (TCPA) is working with Sports England in developing a 20-minute neighbourhood concept as an effective way of creating healthier, active communities. The 20-minute neighbourhood is “all about living locally, giving people the ability to meet most of their daily needs within a 20-minute walk from home, with safe cycling and local transport options”.

Details of the emerging scheme can be found on the TCPA website:

<https://www.tcpa.org.uk/the-20-minute-neighbourhood>

Fact Box: HCC Guidance

HCC has published guidance aimed at encouraging active travel and also a strategy for sustainable travel to schools:

<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/data-and-information/active-travel-strategy.pdf>

<https://www.hertfordshire.gov.uk/media-library/documents/schools-and-education/admissions/transport-policies-and-documents/sustainable-travel-strategy-for-schools.pdf>

- 8.39** Locally, the HCC ‘Roads in Hertfordshire – Highway Design Guide’ sets out how improvements to the highway network must be designed to follow a philosophy of sustainability, recommending new ideas about shared use and designs with less domination by motorised traffic and incorporates the policy and legal framework for developments⁽⁷⁵⁾
- 8.40** A new ‘Roads in Hertfordshire Design Guide’ is currently under preparation by HCC and is anticipated to be made available by December 2020.
- 8.41** The Gilston Area is being planned to deliver around 10,000 new homes as part of the emerging ‘Harlow and Gilston Garden Town’. The development of the Garden Town is following important Garden City principles and has developed its own transport strategy, aiming to achieve an ambitious target where 60% of all journeys within the new Garden Town Communities, and 50% of all journeys across Harlow, will be undertaken by sustainable modes. While, due to economies of scale, most developments will be unable to



achieve these levels of modal share, many of the measures being brought forward could be transferred to a smaller scale. Details of the Harlow and Gilston Garden Town Strategy can be found at:

<http://www.harlowandgilstongardentown.co.uk/>

8.2.4 Transport Statements, Assessments and Travel Plans

8.42 In March 2020, HCC issued its revised guidance on Travel Plans. This document updated advice in line with current Government guidance in the NPPF and also in respect of LTP4. It sets out requirements for applicants in respect of delivering sustainable transport solutions in bringing forward development.

8.43 The guidance makes it clear that to “ensure a Travel Plan meets the county council’s requirements and is realistic in its expectations, it should be developed in partnership between the developer (together with their consultants), future occupants and the local authorities. The strategy of the Travel Plan, including its measures and targets should be developed to deliver an agreed set of objectives”.

8.44 HCC’s suggested objectives include:

- Improve accessibility by non-car modes
- Reduce the need to travel
- Minimise single occupancy car travel
- Support commercial viability of public transport
- Reduce congestion
- Improve the local environment (including air quality and climate change)
- Reduce the cost of travel
- Improve health and wellbeing
- Improve road safety.

8.45 The full document, including such matters as contents, implementation and monitoring procedures, can be found at: <https://www.hertfordshire.gov.uk>

Further Guidance

8.46 Guidance on what is required to be included within Transport Assessments and Transport Statements is available on the Government’s website at: <https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

8.2.5 Electric vehicle charging provision

8.47 As part of its commitment to cut vehicle emissions, the UK Government gave a commitment, as part of the Zero Emission Vehicle (ZEV) Alliance, at the International Climate Conference in December 2015 that all passenger



vehicle sales by 2050 would be of zero emission vehicles.⁽⁷⁶⁾ In 2018, the Government stated that it wished to “ensure the houses we are building over the coming years are EV ready. It is our intention that all new homes should have a chargepoint available”.⁽⁷⁷⁾

Fact Box: Office for Low Emission Vehicles

The Government has set up the ‘Office for Low Emission Vehicles’ and is offering advice and assistance to aid the support of low emission vehicles and encourage greener travel. The latest updates can be found at:

<https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

- 8.48** Paragraph 110 of the NPPF, 2019, further states that applications for development: “should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.
- 8.49** Therefore, it is important that applications for new developments should recognise that there will be an increasing modal shift towards electric vehicles and that the design of development will need to accommodate them and their charging requirements as a norm. While it is recognised that supplying active electric charging points to every residential or commercial property may not be feasible in the short-term due to current energy network supply availability, the infrastructure to enable future connection should be provided from the outset of development. This would not only allow for the ability to connect in the future without expensive retrofitting, it would also avoid despoiling finished footways and road surfaces, to the detriment of the local environment. Another benefit of accommodating the infrastructure at the outset of development to enable future connection would be to offer occupiers the opportunity to apply for the Government’s OLEV Grant,⁽⁷⁸⁾ which could assist in providing an affordable and relatively simple route to installing electric vehicle charging points for domestic and workplace parking.
- 8.50** Therefore, planning applications should include the delivery of an electric vehicle charging scheme for all developments, where possible. While the Council will seek to maximise provision to encourage the use of lower polluting vehicle technologies (with further details regarding standards provided in the Vehicle Parking Provision at New Developments SPD), it will consider each application on its individual merits, taking into account site specific factors.

⁷⁶ <https://www.gov.uk/government/news/uk-government-pledges-bold-ambition-for-electric-cars>

⁷⁷ HM Government (July 2018). The Road to Zero: Next steps towards cleaner road transport and delivering our Industrial Strategy: <https://www.gov.uk/government/publications/reducing-emissions-from-road-transport-road-to-zero-strategy>

⁷⁸ www.gov.uk/government/collections/government-grants-for-low-emission-vehicles#electric-vehicle-homecharge-scheme



- 8.51** East Herts Council has itself installed electric vehicle parking charging points in various public car parks across the district and also operates a fleet of electric vehicles through an e car club scheme which is available to employees to use on Council business during office hours and is also available for the general public to hire outside of those times.

Electric vehicle car club

Many East Herts Council employees are signed up to the Council's Electric Car Club scheme, available for public use through a car hire scheme out of office hours:

<https://www.eastherts.gov.uk/highways-parking/access-e-cars-east-herts>



8.2.6 Contributions towards passenger and community transport initiatives

- 8.52** In bringing forward proposals, it is accepted practice for contributions to be sought towards measures that are intended to mitigate the transport impacts of development. Current guidance (in the process of being updated) can be found on HCC's website at: <https://www.hertfordshire.gov.uk>
- 8.53** In assessing the level of contributions (and/or provision of services) appropriate for each proposal, the Council will continue to work with HCC to determine the best solutions on a site specific basis, with a focus on obtaining the optimum sustainable measures. Outside of traditional transport provisions, the Council, in conjunction with HCC, is willing to explore innovative sustainable solutions with applicants, such as demand responsive initiatives (e.g. Dial-a-ride, Arriva Click etc.); App based schemes and other emerging technologies; and community transport schemes, etc. Page 197



- 8.54** As new innovations become more accepted practice and affordable, for example anticipated advances in emerging autonomous vehicle technology, such schemes will also be considerations to be taken into account.
- 8.55** An example of a successful community led scheme is the SawboBus, which operates through Sawbridgeworth, connecting to local areas throughout the town. The scheme, which was launched by Sawbridgeworth Town Council in 2009, receives grants from East Herts District Council and some local Essex councils, along with commercial sponsors who also help fund the service. The scheme is an excellent example of a community response to the axing of traditional bus provision and provided over 22,000 passenger journeys in 2015. The scheme may also serve as an example model for potential future community based services that may be brought forward through development.



Sawbobus

8.3 Submission Requirements

- 8.56** To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist to demonstrate that relevant criteria below relating to Sustainable transport have been considered and explained.
- 8.57** Applicants should also submit a Design and Access Statement (to include a movement framework) if development accords with the requirements in the national validation list for Planning and Listed Building Consent Applications:

<https://www.eastherts.gov.uk/planning-building>

- 8.58** Provision of electric charging points must comply with the requirements of the Vehicle Parking Provision at New Development SPD. A scheme for Electric Vehicle Charging Point Provision should therefore be submitted as part of the application submission.



8.59 In addition depending on the scale of development, all developments that will generate significant amounts of transport movement are required to submit the following:

- Travel Plan
- Transport Statement
- Travel Assessment

8.60 Further details of submission requirements for applications (alongside relevant thresholds, where appropriate) can be obtained via the Council’s website at:

<https://www.eastherts.gov.uk/planning-building/make-planning-application>.

8.4 Checklist

8.61 Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in Table 11 below.

Sustainable Transport		
Ref	Checklist Criteria	Summary of approach to address the criteria
T.1	<p>Have you demonstrated that the development includes measures that reduce the overall need to travel, and particularly by private car?</p> <p><i>(See SPD section 8.2.2)</i></p>	
T.2	<p>Have you demonstrated how, as first principles of design, the scheme’s proposals prioritise walking and cycling within the development and link with existing networks beyond the development to deliver healthy and walkable neighbourhoods?</p> <p><i>(See SPD section 8.2.3)</i></p>	



<p>T.3</p>	<p>Where cycling facilities and any bus stops and/or transport hubs are to be provided, have you demonstrated that they accessible and attractive for all users and offer appropriate shelter?</p> <p><i>(See SPD section 8.2.3)</i></p>	
<p>T.4</p>	<p>Have you included measures (traditional and/or innovative) to encourage uptake of more sustainable modes of transport and engender modal shift from the outset of development?</p> <p><i>(See SPD sections 8.2.2 and 8.2.3)</i></p>	
<p>T.5</p>	<p>Have you developed and submitted to HCC an appropriate Travel Plan, Transport Assessment and/or Statement (as appropriate)?</p> <p><i>(See SPD section 8.2.4)</i></p>	
<p>T.6</p>	<p>Where car parking is to be provided, have you provided justification for the number of spaces proposed and made provision for electric vehicle charging in accordance with the Vehicle Parking Provision at New Developments SPD?</p>	



	(See SPD section 8.2.5)	
--	-------------------------	--

Table 11: Sustainable Transport Checklist

8.62 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A :the combined checklist. The checklist can also be used as part of the pre-application process.



9 Waste Management

9.1 Policy Context

- 9.1** There are three main categories of waste in the UK: construction; household; and commercial and industrial. The largest contributor to waste is the construction and demolition industry, which generates a third of all UK waste. Household waste recycling rates in England have risen from around 11% in 2000/1 to about 45%. Recycling rates in construction have also improved over the same period. But since 2013 rates for both have plateaued. The current goal is to ensure 65% of municipal waste is recycled by 2035 and to eliminate food waste from landfill.
- 9.2** Although waste reduction is not solely a planning issue, planning has an important role to play in ensuring all new development is designed to reduce construction waste and to facilitate future occupiers to reduce and recycle waste.

National Policy

- 9.3** A key aim of the Government's 25 year Environment Plan⁽⁷⁹⁾ is to eliminate unavoidable waste by 2050. To help deliver this goal, the national Resources and waste strategy⁽⁸⁰⁾ was published in 2018, focusing on the concept of the circular economy. The strategy seeks to ensure sustainability is at the core of resource management by keeping resources in use as long as possible and recovering and regenerating materials. It highlights the key role the planning system has in taking forward the circular economy concept both in terms of resource use and the integration of design for sustainable waste management.
- 9.4** The principles about the circular economy are reiterated in the Environment Bill (2019- 2021), which is currently progressing through parliament. The Bill includes a range of waste and resource measures to minimise the amount of waste disposed. To support recycling it will stipulate material that must be collected from all households and businesses, including food waste. It will set requirements about the frequency of collection, which will have implications for the Council's collection service.
- 9.5** The NPPF (2019) identifies the need to minimise waste through the planning system. The National Planning Policy for Waste (2014) provides more detail. Paragraph 8 states that when determining planning applications for non-waste development, local planning authorities should ensure new development supports the delivery of the waste hierarchy by making sufficient provision for waste management, promoting good design to secure

79 Greening the Future: A 25 Year Plan to improve the Environment (2018) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf
 80 Waste, Our Resources: A Strategy for England (2018) <https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>



the integration of waste management facilities and by maximising reuse/recovery opportunities for construction and operational waste, which minimise off-site disposal. ⁽⁸¹⁾

Local Policy

District Plan policies

- DES4 Design of Development
- CC2 Climate Change Mitigation

Waste Local Plan

- Policy 12: Sustainable Design and Construction

Waste Local Plan Review

- Strategic Policy 15: Sustainable Design and Resource Efficiency

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist

Link to Sustainability checklist

- W.1, W.2, W.3

9.6 The District Plan outlines that the design and construction of development should help reduce waste. **Policy DES4** expects proposals to make provision for the storage of bins and ancillary household equipment. **Policy CC2** promotes the re-use and recycling of waste and recycling where possible.

9.7 Hertfordshire County Council is the waste planning authority and produces the Waste Local Plan, which forms part of the development plan for East Herts. The Waste Local Plan comprises of the Waste Core Strategy and Development Management Policies and the Site Allocations Document. It is underpinned by the objective to move waste management up the waste hierarchy as follows:

- Reduce the quantity of waste produced.



- Reuse waste materials without further processing
- Recover the value of waste materials through recycling, composting or energy recovery.

9.8 **Policy 12** of the Waste Core Strategy and Development Management Policies Plan relates to the design and construction of new development. It requires proposals to use construction and demolition methods that minimise waste generation and re-use/recycle materials and buildings, as far as practicable on site; minimise the use of primary aggregates and use materials made from recycled and secondary sources. The policy also requires good and innovative design with layout principles that allow for the effective sorting, recycling and composting of waste where appropriate.

9.9 The County Council is currently in the process of reviewing the Waste Local Plan. Strategic **Policy 15** of the draft Waste Local Plan (2021) requires the submission of Circular Economy Statements. Details are available on their website: www.hertfordshire.gov.uk/planning .

9.2 Topic Guidance

9.2.1 Waste Management in East Herts

9.10 Hertfordshire County Council's Capacity Gap Report (2018)⁽⁸²⁾ produced to support the Waste Local Plan review, identifies Construction, Demolition and Excavation waste to be the most significant capacity gap for Hertfordshire (when compared to the other capacity gaps for the other waste streams in Hertfordshire) and therefore every effort must be made to reuse and recycle construction waste for any development.

9.11 In terms of waste management in East Herts, waste and recycling collections are predominantly wheeled bin collections for both residential and commercial developments. At residential developments waste storage and collections must comply with the Council's current waste collection service requirements and take account of any agreed future changes.

9.12 At commercial or industrial premises, adequate provision for waste and recycling storage and management is required; however this is assessed on an individual basis and may require collections from a specialist contractor, and the use of specialist infrastructure such as compactors or skips.

9.13 The household recycling rate in East Hertfordshire is currently around 50% and the Council aims to increase the recycling rate over future years, a reduction in residual bin capacity and an increase in recycling bin capacity should therefore be anticipated by developers.



9.2.2 Waste Hierarchy

9.14 The principles of the waste hierarchy can be applied throughout the life of a development. There are five basic strategies for dealing with waste: reduce, re-use, recycle, recovery and only as a last resort, dispose. This hierarchy is outlined below in Figure 11.



Figure 11: Waste Hierarchy

9.15 Waste prevention sits at the top of the hierarchy, making it the primary objective in any waste strategy. The UK Government has introduced a landfill tax, aggregate levy and other waste management regulations to encourage the diversion of waste from landfill, promote re-use and recycle strategies and emphasise environmental responsibilities. Waste prevention can be built into the design of many developments by using less materials or by using materials with a longer life span, as well as less hazardous materials.

9.2.3 Construction Waste

9.16 In accordance with the Waste Local Plan and District Plan Policy CC2 Climate Change Mitigation, applicants should outline how construction and demolition waste will be reduced and re-use and recycling encouraged.

9.17 The use of secondary and recycled aggregates will reduce reliance on the extraction of primary resources and reduce the waste sent for final disposal and is in line with the Circular Economy. The circular economy relates to the concept of recycling and re-using materials within the built environment sector and essentially aims to reduce the carbon footprint of a development from start to finish. The concept relates to guidance about embodied energy in the Carbon and Energy Reduction section of this SPD.



Reusable construction and demolition materials

- 9.18** There are a range of measures that can be applied at all scales of development, to reduce waste during the construction of development. WRAP (Waste and Resources Action Programme) have identified five key principles to reduce waste during the design process:
- Design for re-use and recovery
 - Design for off-site construction
 - Design for materials optimisation;
 - Design for waste efficient procurement; and
 - Design for deconstruction and flexibility.
- 9.19** Construction standards such as BREEAM or HQM can be used to gain credits under the waste section of the methodology. For larger developments (over 50 homes) conditions may be used to secure submission and implementation of Site Waste Management Plans. Hertfordshire County Council is planning to introduce guidance on these as part of the Local Waste Plan Review.
- 9.20** Resource Management Plans (RMPs) (these are similar to Site Waste Management Plans) can also be encouraged to promote resource efficiency and to prevent illegal waste activities. Resource efficiency includes minimising waste at source and ensuring that clients, designers and principal contractors assess the use, reuse and recycling of materials and products on and off the site. Circular economy statements are also encouraged as good practice. As part of their current Waste Local Plan Review, the County Council are planning to require development proposals to submit circular economy statements. They are currently producing guidance to inform this process.

Further Guidance

- 9.21** For an overview of circular economy statements:
- Mayor of London (2020) Draft Circular Economy Statements:



9.2.4 Designing Provision for Sustainable Waste Management

9.22 The design measures required to facilitate sustainable waste management depend on the scale and type of development.

Waste and Recycling Capacity - Residential Premises

9.23 Experience shows that residents who are responsible for their own individual waste containers are more likely to recycle and cause less contamination. Wherever possible, therefore, individual containers for each dwelling are preferred.

9.24 The Council acknowledge, however, that communal provision is sometimes necessary and can be more advantageous where space is at a premium. It is vital that adequate space and arrangements for the storage and collection of waste and recycling are considered at the earliest stage. The design must take space requirements and the on-going operational arrangements into account. If communal waste storage is likely to be required please refer to the section on flats below.

Internal Storage

9.25 Provision of sustainable waste management solutions requires the provision of internal storage capacity. This is fundamental in ensuring that residential premises have sufficient space to facilitate recycling by the separation of waste streams at the point of production. As a minimum an internal capacity of 40 litres should be provided in the kitchen of each dwelling. This capacity should be divided to allow for the segregation of residual waste and recycling. In addition it is also recommended to allow for the separation of food waste to facilitate the government's vision of separate weekly food waste collections.

External Storage – General

9.26 As a minimum developers are required to provide sufficient, off street, external storage space, for the containers required by the waste collection authority. This can be provided in purpose built bin stores. Waste and recycling collections are made utilising multiple receptacles. Details of the current receptacles and capacity requirements can be found on East Hertfordshire Councils' website.

9.27 The following principles should be taken into account:

- For developments with gardens on site composting facilities should be considered, either in the form of 'home' composting units or wormeries at houses, or garden composting facilities for grounds maintenance activities as part of the developments ongoing maintenance.



- The design of all waste storage areas should take account of additional fire risks associated with the storage of waste and any additional risks should be mitigated by the design. Where waste stores are integrated into the building sprinkler systems should be considered. Waste storage must not present a risk to any escape route in the event of a fire.
- The location of waste storage should also seek to minimise environmental impact i.e. by preventing the escape of litter or waste water runoff, and seek to prevent nuisance to users or residents. i.e. collection points not under windows, in particular bedroom windows which may be impacted by the noise from early morning collections.
- Storage areas should therefore be appropriately located with easy access for residents. Access to external storage areas should be at a distance of no more than 30m from the private entrance door to the property. Residents should not be required to move their waste receptacles more than 25metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.
- The surface from the storage point to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre, with a maximum gradient of 1:12.
- It is not recommended that residents or collection staff are expected to pull bins past parking bays. This often leads to bins being left out on the pavements or grassed areas and interrupts the design of the streetscape

9.28 For large scale developments innovative waste management solutions should be considered and early consultation with the Council (waste collection authority) is required. For areas with high density housing; solutions such as underground bin systems may provide benefits to the streetscape.



An example of underground waste storage



9.29 The design of underground bins varies considerable and in turn so can the collection methodology and impact on the street environment. The designs seen in the UK predominantly fall into three types: those relying on a hydraulic platform to house 'standard' bins, bottom opening crane lifted, and top opening crane lifted.



Top opening crane lift design at Eddington, Cambridge



Hydraulic platform

9.30 Where solutions are proposed which differ from the standard services being provided by the authority, the developer will be expected to fund any infrastructure required to facilitate collections.

External Storage – Flats

9.31 Waste and recycling collections are made utilising multiple receptacles. Details of the current receptacles and capacity requirements can be found on East Hertfordshire Council's website, however as a guide provision should be made for the following as a minimum:

- Mixed dry recycling: 45 litres per person (fortnightly collection) (Up to 1100L bin size)
- Paper: 10 litres per person. (fortnightly collection) (Up to 360L bin size)
- Residual waste: 40-50 litres per person (fortnightly collection) (Up to 1100L bin size)



9.32 Capacity requirements for individual flats should not be considered in isolation but should account for the cumulative total of all capacity requirements for the properties serviced by the bin store.

Number of bedrooms	Assumed capacity	Capacity Requirements per flat
1	2	90L Mixed dry recycling 20L Paper 100L Residual Waste
2	3	135L Mixed dry recycling 30L Paper 150L Residual Waste
3	4	180L Mixed dry recycling 40L Paper 200L Residual Waste

Table 12: Recycling capacities required in flats

Fact box

As an example a flat block containing, 8 x 1 bedroom units, 6 x 2 bedroom units and 2 x 3 bedroom units would accumulate totals of: 1,890L mixed dry recycling, 420L paper, 2100L residual waste.

A bin store layout containing 2 x 1100L bins (mixed dry recycling), 2 x 240L bins (paper) and 2 x 1100L bins (residual waste) would therefore be considered appropriate.

9.33 The following principles should be taken into account:

- Access to external bin stores can be problematic for elderly residents and for those with disabilities. Their design should therefore encompass the needs of all potential residents. Bin stores should either have adequate natural lighting or artificial lighting as necessary to ensure residents can clearly utilise the correct bins and to ensure access does not pose a health and safety risk.



- There is no requirement for separate bin stores for residual and recyclable waste; however sufficient segregation of bins should be possible within the bin store to prevent confusion.
- Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins; this should therefore also give sufficient access space for residents in wheelchairs.
- Management arrangements should be put in place to ensure bin stores are regularly maintained, kept clean and tidy and free from pests.
- In bin stores housing multiple bins, drainage should be provided to allow for the washing down of storage areas and preventing run off. Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available. Doors to bin stores should be sufficient in width to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store. Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs. Roller shutters on bin stores can be considered to save space however the additional noise impacts should be considered.
- The surface from the storage point to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre, for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

Further Guidance

- 9.34** Further guidance on storage design can be found in 'Avoiding Rubbish Design – NHBC Foundation':

<http://www.designforhomes.org/wp-content/uploads/2020/04/NF60-Avoiding-rubbish-design.pdf>

Waste and Recycling Capacity - Commercial Premises

- 9.35** Waste storage capacity in commercial or industrial premises is dependent on the activity taking place at the premises. Alternative treatment, storage and collection methodologies can be considered based on the needs of the business and availability of private contractors to undertake collections.
- 9.36** A minimum of one third of waste storage capacity for recyclable waste is required; however it is advised to consider space to allow for half of waste materials to be recycled. Where food is served or sold on the premises then additional separate space for storage or processing of food waste is required.



- 9.37** In all instances sufficient controls should be put in place to prevent the escape of waste from premises, in particular waste and recycling storage areas. For retail premises, in particular those selling food, sufficient controls should also be in place to prevent the escape of litter created by customers or users of the premises.

Waste Collection

- 9.38** Access for waste collection is required for all developments. It is therefore necessary to ensure that a waste collection vehicle can get access close to any waste collection points. In all instances pull distances from the storage or collection point to the collection vehicle should not exceed 15m for two wheeled bins and 10m for 4 wheeled bins in accordance with BS5906:2005.⁽⁸³⁾ It is expected that where bin stores are proposed in communal flat developments or commercial premises that collection operatives will collect bins from these locations. Bin stores should front onto the highway or vehicle access location where possible.
- 9.39** Applicants should note that waste and recycling collections from houses occur from the kerbside. Should a developer wish to propose an alternative collection point this should be discussed and agreed in advance of any planning application. It is recommended that the developer consider 'communal' kerbside collection points. This prevents cluttering of footpaths on collection days and ensures sufficient access is available for collection staff.
- 9.40** Where new access is proposed for waste collection vehicles it is necessary to demonstrate that a 26t mid-steer refuse collection vehicle can access and leave the site in a forward motion, vehicle tracking diagrams must therefore be provided. Access in residential developments is not usually required more than twice a week and therefore consideration could be given to specialist access routes similarly used by emergency vehicles, where the restriction of vehicular access is the preference. This type of access should be in consultation with the waste collection authority in advance of any planning application and all unadopted road surfaces must have sufficient weight bearing capacity to ensure vehicles do not cause damage during normal collection activities. No liability will be accepted by the Council for damage on unadopted roads where waste collection is required. Reversing manoeuvres should be avoided, however where these cannot be avoided they should be no more than 12m in accordance with BS5906:2005.
- 9.41** Dropped kerbs and gradients of no more than 1:12, should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.



9.42 Consideration should be given to visibility splays and parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited. This may apply to existing parking arrangement not just arrangements associated with the new development.

9.43 Local Authority waste collection will not commence until road surfaces are complete to base layer and access is not unreasonable (refer to Environmental Protection Act S.45) and not hindered by ongoing construction work. Until these criteria are met, and where a development requires a waste collection service, provision will have to be made by the developer at their cost.

Summary of requirements

9.44 Table 13 provides a summary of the design considerations that need to be addressed.

Houses	Flats	Additional requirements for developments requiring vehicle access	Commercial
Full complement of waste and recycling receptacles provided	Full complement of waste and recycling receptacles provided	Vehicle access point is suitable weight bearing standard	Reversing manoeuvres are less than 12m in a straight line
Off street bin storage area provided	Internal (kitchen) waste and recycling storage provision	Roadway has suitable visibility splays	Bins can be moved independently from the bin storage area without having to move other bins
Home composting facilities provided	Off street bin storage area provided	Roadway is drive in and drive out	Bin compounds/stores have keypad entry or fire brigade locks
Bin storage location within 30m of the main dwelling entrance/exit	Bin storage location within 30m of the private dwelling entrance/exit	Reversing manoeuvres are less than 12m in a straight line	Bin compounds/stores have protection strips on doors



Bin storage location within 25m of the kerbside or bin collection point	Bin storage location within 10m of the kerbside or bin collection point	Vehicle tracking is provided	Bin compounds/stores have doorways which are wider than 20cm plus the largest bin width
Bins are not required to be pulled through the house by residents.	Bin collection point is kerbside		Pathways are 1.5m wide
Bin collection point is kerbside	Bins can be moved independently from the bin storage area without having to move other bins		Pathways take the most direct route to the kerbside
Bins are not required to be pulled by collection crews past parked cars	Bin compounds/stores have keypad entry or fire brigade locks		Pathways have a gradient of no more than 1:12
	Bin compounds/stores have protection strips on doors		Pathways are smooth surfaced
	Bin compounds/stores have doorways which are wider than 20cm plus the largest bin width		Bins are not required to be pulled by collection crews past parked cars
	Pathways are 1.5m wide		
	Pathways take the most direct route to the kerbside		
	Pathways have a gradient of no more than 1:12		



	Pathways are smooth surfaced		
	Bins are not required to be pulled by collection crews past parked cars		
	A dropped kerb gives access to the vehicle access point		

Table 13: Summary of design considerations

9.3 Submission Requirements

9.45 To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist to demonstrate that relevant criteria below relating to Sustainable Waste Management have been considered and explained.

9.46 Applicants should also submit a Design and Access Statement (to include access details) if development accords with the requirements in the national validation list for Planning and Listed Building Consent Applications.

9.47 In addition the following information is required:

- Site plans indicating waste and recycling storage locations and collection locations.
- Transition pathways and distances from storage locations to collection locations, where these differ.
- Transition pathways and distances from collection locations to collection vehicle access points.
- Vehicle tracking for 26t mid-steer Refuse Collection Vehicles, where access to the development is required.
- Detail and design information for bin storage locations for flats and commercial or industrial businesses.
- Detail of internal waste and recycling storage provision in kitchens of residential premises.
- Detail of proposals for the ongoing management of litter at retail developments.

9.48 Further details of submission requirements for applications can be obtained via the Council's website at: <https://www.eastherts.gov.uk/planning-building>.



9.49 Further guidance and pre-application advice is available from the Council as the waste collection authority: WasteandRecycling@north-herts.gov.uk

9.50 As relevant, requirements in the Waste Local Plan, to submit a site waste management plan or a circular economy statement should be taken into account. Further details are available on the County Council website: www.hertfordshire.gov.uk/planning.

9.4 Checklist

9.51 Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in Table 14 below.

Waste Management		
Ref	Checklist Criteria	Summary of approach to address the criteria
W.1	<p>Have measures been proposed to reduce, re-use and recycle construction and demolition waste?</p> <p><i>(See sections 9.2.2 and 9.2.3)</i></p>	
W.2	<p>As relevant, how has the internal and external design of the development factored in effective sustainable waste management measures? Has sufficient detail been submitted with the application?</p> <p><i>(See section 9.2.4)</i></p>	
W.3	<p>Have all the relevant criteria identified in Table 13 been addressed?</p> <p><i>(See SPD section 9.2.4)</i></p>	



9.52 The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: the combined checklist. The checklist can also be used as part of the pre-application process.



10 Appendix A: Combined Submission Checklist

133

- 10.1** The sustainable design and construction submission checklist needs to be submitted with applications for all new development (that result in a residential net gain of 1 dwelling and above or an increase in non-residential floorspace) and can also be used as part of the pre-application process.. The purpose of this checklist is to explain and evidence how the proposed development complies with District Plan policies that seek to improve the environmental sustainability of new development. The checklist topics and criteria reflect the sustainable design and construction guidance set out in this SPD.
- 10.2** The checklist should be used as a tool to provide an overview of how a scheme addresses different aspects of sustainability, although each application will be assessed on its own merit, taking account local circumstances. It does not replace other application submission requirements, but aims to provide an overarching framework to help facilitate the assessment of different, often overlapping, strands of sustainability.
- 10.3** Applicants should:
- Briefly summarise/ explain how their proposal complies with the relevant criteria, signposting to other relevant statements/ surveys as appropriate (for example, the transport assessment, biodiversity checklist and Sustainable construction, Energy and Water Statement). The checklist does not need to repeat detailed information submitted elsewhere, but should provide an overview of the approach taken in the scheme.
 - Ensure answers are explained and justified, not simply 'yes' or 'no' or 'not applicable';
 - Use District Plan policies and the relevant sections in the SPD to inform responses;
 - Ensure the level of detail submitted is proportionate to the type of application. For outline applications, the relevance of criteria will depend how many matters are reserved. Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD), the Council think it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.
 - Ensure the level of detail submitted is proportionate to the scale of application. While major applications will require significantly more input than others, it is appropriate that all submissions should consider the sustainable design and construction issues raised and provide a response.
 - Refer to the Council's website for further details about the submission requirements of particular applications:



<https://www.eastherts.gov.uk/planning-building/make-planning-application>.

134

Reference	Checklist Criteria	Summary of approach to address the criteria
Energy and Carbon Reduction		
En.1	<p>Does the Sustainable construction, Energy and Water Statement detail how the proposed development's carbon emissions have been minimised and to what extent?</p> <p>Have full and reserved matters planning applications also included a carbon reduction template within the statement?</p> <p><i>(See SPD section 3.3 and appendix B)</i></p>	
En.2	<p>How have the site layout and building orientation and form been designed to minimise energy use? For example passive solar gain, natural shade, natural ventilation, thermal mass.</p> <p><i>(See SPD section 3.2.3)</i></p>	
En.3	<p>How has the energy hierarchy been applied to prioritise reducing the need for energy and implementing the 'fabric first approach'?</p> <p><i>(See SPD section 3.2.3)</i></p>	



En..4	<p>How will you ensure that where renewable/ low carbon technologies have been included to reduce carbon, that these will be successfully integrated into the design of the development?</p> <p><i>(See SPD sections 3.2.4 and 3.2.5)</i></p>	
En..5	<p>How has the energy embodied in construction materials been reduced? (e.g. reuse and recycling/ sustainable materials/ locally sourced)</p> <p><i>(See SPD section 3.2.6)</i></p>	
Climate Change Adaptation		
CA.1	<p>How has the site layout and buildings been designed to mitigate overheating, giving priority to measures in line with the cooling hierarchy?</p> <p><i>(See SPD section 4.2.2)</i></p>	
CA.2	<p>How has overheating assessment been assessed and what measures are proposed to address it?</p> <p><i>(See SPD section 4.2.2)</i></p>	
CA.3	<p>What Green Infrastructure is proposed?</p> <p><i>(See SPD section 4.2.3)</i></p>	



CA.4	<p>How have existing landscape features such as trees/woodlands and hedgerows been protected and incorporated within a Green Infrastructure network?</p> <p><i>(See SPD section 4.2.3)</i></p>	
CA.5	<p>Where feasible and appropriate, have green roofs or walls been included. Please explain your answer?</p> <p><i>(See SPD section 4.2.3)</i></p>	
CA.6	<p>Have measures been included to address surface water runoff?</p> <p><i>(See SPD section 4.2.4)</i></p>	
CA.7	<p>If the application is major development, have details of SUDs been submitted?</p> <p><i>(See SPD section 4.2.4)</i></p>	
Water Efficiency		
Wa.1	<p>For new residential proposals, have you demonstrated compliance with the target for mains water consumption to be 110 litres or less per heard per day in the Sustainable construction, Energy and Water Statement?</p> <p><i>(See SPD section 5.2.2)</i></p>	



Wa.2	<p>For non-residential development, have measures been taken to reduce water consumption in the proposed development?</p> <p><i>(See SPD section 5.2.3)</i></p>	
Wa.3	<p>Have water recycling systems been considered and incorporated? Please explain your approach</p> <p><i>(See SPD section 5.2.4)</i></p>	
Pollution: Air Quality		
AQ.1	<p>How has the proposal addressed the minimum air quality standards?</p> <p>These apply to all new development as set out in section 6.1.2.2 of the SPD.</p>	
AQ.2	<p>How does the proposal show consideration of air quality in the design of new development?</p> <p>Design should address the following principles:</p> <ul style="list-style-type: none"> • Building and development layout and design • Emissions from transport • Sustainable energy <p><i>(See SPD section 6.1.2.4)</i></p>	



<p>AQ.3</p>	<p>How has emissions mitigation been incorporated into the proposal?</p> <p><i>(See SPD section 6.1.2.5)</i></p>	
<p>AQ.4</p>	<p>How will emissions be minimised through the construction and demolition phase of the development?</p> <p>Measures should follow the national guidance set out in section 6.1.2.7 of this SPD.</p>	
<p>AQ.5</p>	<p>Has an Emissions Assessment been carried out as part of the Air Quality Neutral Requirement?</p> <p>The assessment should utilise the Damage Cost Approach.</p>	
<p>AQ.6</p>	<p>Has an Air Quality Impact Assessment been submitted?</p> <p>This must be submitted if the proposal meets any of the criteria listed in section 6.1.3 of this SPD.</p>	
<p>AQ.7</p>	<p>Has an Air Quality Neutral Assessment been submitted?</p> <p>This must be submitted if the proposal meets the criteria listed in section 6.1.3 of this SPD.</p>	<p>Page 223</p>



Pollution: Light Pollution		
LP.1	<p>Does the proposal materially alter light levels outside the development and/or have the potential to adversely affect the neighbouring uses or amenity of residents and road users or impact on local ecology?</p> <p><i>(See SPD section 6.2.2)</i></p>	
LP.2	<p>Is the proposed light design the minimum required for security and operational purposes?</p> <p><i>(See SPD section 6.2.2)</i></p>	
LP.3	<p>Does the proposal minimise potential glare and spillage?</p> <p>Please detail the design measures adopted to ensure this</p> <p><i>(See SPD section 6.2.2)</i></p>	
Biodiversity		
Bio.1	<p>Have you submitted the East Herts biodiversity checklist?</p> <p><i>(See SPD section 7.3)</i></p>	
Bio.2	<p>In accordance with the biodiversity checklist, does the proposal affect a protected species or habitat?</p>	



	(See SPD sections 7.2.4 and 7.3)	
Bio.3	<p>If a protected species or habitat has been identified, has an ecological survey, with sufficient information been undertaken?</p> <p>(See SPD sections 7.2.4 and 7.3)</p>	
Bio.4	<p>If major development, has an ecological survey, with sufficient information been undertaken to assess the likely ecological impact of the development?</p> <p>(See SPD sections 7.2 and 7.3)</p>	
Bio.5	<p>Has the mitigation hierarchy been undertaken, to demonstrate an adverse impact on biodiversity has been avoided? If this is not possible, has the impact been mitigated and then subsequently compensated?</p> <p>(See SPD section 7.2.2)</p>	
Bio.6	<p>Has a biodiversity net gain been achieved? Please explain</p> <p>(See SPD section 7.2.5)</p>	



Bio.7	Has a suitable biodiversity management and monitoring strategy for the site been proposed?	
Sustainable Transport		
T.1	Have you demonstrated that the development includes measures that reduce the overall need to travel, and particularly by private car? <i>(See SPD section 8.2.2)</i>	
T.2	Have you demonstrated how, as first principles of design, the scheme's proposals prioritise walking and cycling within the development and link with existing networks beyond the development to deliver healthy and walkable neighbourhoods? <i>(See SPD section 8.2.3)</i>	
T.3	Where cycling facilities and any bus stops and/or transport hubs are to be provided, have you demonstrated that they accessible and attractive for all users and offer appropriate shelter? <i>(See SPD section 8.2.3)</i>	
T.4	Have you included measures (traditional and/or innovative) to encourage uptake of more sustainable modes of	



	<p>transport and engender modal shift from the outset of development?</p> <p><i>(See SPD sections 8.2.2 and 8.2.3)</i></p>	
T.5	<p>Have you developed and submitted to HCC an appropriate Travel Plan, Transport Assessment and/or Statement (as appropriate)?</p> <p><i>(See SPD section 8.2.4)</i></p>	
T.6	<p>Where car parking is to be provided, have you provided justification for the number of spaces proposed and made provision for electric vehicle charging in accordance with the Vehicle Parking Provision at New Developments SPD?</p> <p><i>(See SPD section 8.2.5)</i></p>	
Waste Management		
W.1	<p>Have measures been proposed to reduce, re-use and recycle construction and demolition waste?</p> <p><i>(See SPD sections 9.2.2 and 9.2.3)</i></p>	
W.2	<p>As relevant, how has the internal and external design of the development factored in effective</p>	



	<p>sustainable waste management measures? Has sufficient detail been submitted with the application?</p> <p><i>(See SPD section 9.2.4)</i></p>	
W.3	<p>Have all the relevant criteria identified in Table 13 of the SPD been addressed?</p> <p><i>(See SPD section 9.2.4)</i></p>	



11 Appendix B: Carbon Reduction Template

Notes:

- 11.1** The table should be completed for each unit or unit type proposed as part of a development.
- 11.2** The Target Emission Rate (TER) and Dwelling Emission Rate (DER)/ Building Emission Rate (BER) for non domestic development, should be derived from the calculations carried out for Building Regulations compliance (Part L).
- 11.3** For major development, samples or estimates of SAP calculations should be appended to the Carbon Reduction Template as evidence of compliance in addition to submission of the table.
- 11.4** Alongside the table below, the main body of the Sustainable Construction, Energy and Waste (ScEW) Statement should include a summary of the measures proposed to reduce carbon emissions following the energy hierarchy. Where renewable energy technologies are proposed to meet some of the carbon reduction requirement, the location and layout of those technologies should be shown on relevant drawings (for example, roof plans should show the layout of any proposed photovoltaic panels).
- 11.5** Where SAP calculations are yet to be completed, the ScEW Statement should set out the general approach to meeting policy requirements, with an indication of how development performs on relation to building regulations. A planning condition can be used to secure submission of carbon calculations once SAP calculations have been carried out.
- 11.6** Outline applications do not need to submit a carbon reduction template but in the Sustainable construction, Energy and Water Statement should set out the level of carbon reduction the scheme is aiming for and how this will be achieved. A carbon reduction template will then be required at the reserved matters stage.

Unit number/ Unit types	Target Emission Rate (TER)	Dwelling Emission Rate (DER)/ Building Emission Rate (BER)	% improvement on building regulations Part L



12 Appendix C: Air Quality Neutral Benchmarks

12.1 Two good practice Building Emission Benchmarks (BEBs) have been defined for NO_x and for PM_{10} for a series of land-use classes. The benchmarks are expressed in terms of $\text{g/m}^2/\text{annum}$. The gross floor area (GFA) is used to define the area. For less common types of development it will be for the developer to provide convincing evidence for which BEB should be used.

Land Use Class	$\text{NO}_x(\text{g/m}^2)$	$\text{PM}_{10}(\text{g/m}^2)$
Class A1	22.6	1.29
Class A3- A5	75.2	4.32
Class A2 and Class B1	30.8	1.77
Class B2- B7	36.6	2.95
Class B8	23.6	1.90
Class C1	70.9	4.07
Class C2	68.5	5.97
Class C3	26.2	2.28
Class D1 (a)	43.0	2.47
Class D1 (b)	75.0	4.30
Class D1 (c-h)	31.0	1.78
Class D2 (a-d)	90.3	5.18
Class D2 (e)	28.4	16.3

Landuse	
$\text{NO}_x(\text{g/m}^2/\text{annum})$	
Retail	249
Office	68.5
$\text{NO}_x(\text{g/dwelling/annum})$	
Residential	1553
$\text{PM}_{10}(\text{g/m}^2/\text{annum})$	
Residential	42.9



Office	11.8
Residential	267

Source: Sustainable Design and Construction Supplementary Planning Guidance: GLA, April 2014



13 Appendix D: Advice note - Gas Fired Combined Heat and Power (CHP)

Background

- 13.1** Combined Heat and Power (CHP) is the co-production of electricity and heat and is considered to be a low carbon technology. They recover the heat that is a by-product of electricity generation and distribute it alongside electricity in the form of hot water for space heating. CHP systems are located at the point of consumption meaning there is very little loss of energy through transmission and distribution.
- 13.2** District Plan policies CC2 and CC3 are committed to minimising carbon dioxide emissions and developing sources of renewable energy. Gas fired CHP is a low carbon technology and may be a viable solution for meeting these policy requirements. However despite these benefits, CHP can lead to a localised worsening of air quality as fuel combustion gives rise to air pollutants if not correctly specified, installed and maintained.
- 13.3** This appendix adds guidance for applicants including heat and power through on-site low carbon technologies. It is emphasised that the energy hierarchy set out in the Energy and Carbon Reduction chapter of this document encourages developers to optimise options to reduce energy demand and increase energy efficiency in order to reduce carbon dioxide emissions before implementing on-site low carbon technologies.
- 13.4** As part of the planning process it is important to consider impacts on air quality not only within and near the boundary of the AQMA but also considering the cumulative impacts of development, as set out by Policy EQ4. The emissions from CHP should be considered alongside the wider emissions associated with the development such as plant installation, traffic impacts and where relevant the potential for cumulative impact of multiple CHP plants in a small geographical area, which could lead to localised hotspots of poor air quality.
- 13.5** This advice note focuses solely on gas fired CHP and therefore assumes that the pollutants of interest are nitrous oxides (NO^x). If fuel sources other than gas are being considered installations may fall under other regulatory regimes and other pollutants such as particulate matter (PM) and sulphur dioxide (SO²) may need to be considered.
- 13.6** The use of biomass CHP should be very carefully considered due to the potential impact on air quality within the local area. The use of biomass combustion is unlikely to be supported within an AQMA or where it may impact on residents unless it can be clearly demonstrated that there will be



no adverse impact on air quality. Consideration will also need to be given to the responsible sourcing of biomass fuel and of the transportation impacts of fuel delivery.

Minimising Emissions

13.7 It is important to give thought to the design and specification of the system including potential emissions early in the design phase. This will minimise the conflict that CHP can have with wider air quality issues on the area and help overcome any concerns regarding the health impacts of the proposed development. This advice note has been developed to assist with this process.

13.8 All CHP installed must meet the following emissions standards:⁽⁸⁴⁾

- Spark ignition engine: less than $250\text{mgNO}_x/\text{Nm}^3$
- Compression ignition engine: less than $400\text{mgNO}_x/\text{Nm}^3$
- Gas turbine: less than $50\text{ mg NO}_x/\text{Nm}^3$

13.9 Considering the wider environmental impacts of the system early on and ensuring the system is optimised for the proposed use not only helps reduce issues later on, but also helps minimise costs. The retrofitting of abatement equipment at a late stage is likely to be far more costly than giving time and consideration at the planning stage. Once installed it is important that the system is appropriately maintained and serviced throughout its functional life.

13.10 The impact on air quality will depend on many factors including location, emissions, size and type of plant, flue design and dispersion, what it is replacing, whether it represents intensification of site and whether abatement equipment will be installed. The emissions from CHP should be considered alongside other emissions associated with the development and proposed mitigation.

Type and Design of the Plant

13.11 The plant consists of the prime mover which provides the power for the system, electrical generator and heat recovery equipment (this captures waste heat from the prime mover most often for use as heating and hot water (HHW). CHP can also include cooling. In this case it is known as combined cooling, heat and power (CCHP) and the design will then include absorption chillers.

13.12 The type of prime mover has a major impact on the emissions of a system with standards applying to this and not the CHP system as a whole. The two most common prime movers used for gas fired CHP are the internal

84 These standards are set out in the IAQM national air quality guidance available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>



combustion engine and the gas turbine. Gas turbines produce the lowest emissions and are the most electrically efficient of the two, with modern gas turbines typically incorporating low NO_x burners as standard. They are therefore unlikely to require further abatement features to be in line with emission standards. The combustion engine typically has higher NO_x emissions and should be specified with lean burn technology. Catalytic converters can be installed to reduce NO_x emissions but require further capital outlay. Figure 1 below gives an indicative look at common prime movers and relative NO_x emissions.

149



Indicative Relative NO_x Emissions Performance of Common CHP Prime mover Technology/Fuel Combinations

- 13.13** CHP is typically sized to meet base loads; over-specified systems run less efficiently and produce higher emissions. How the system will deal with variable heat loads is also an important part of the design which again will influence emissions. Where peaking plant is installed, emissions should also be considered; and low NO_x boilers should be installed to minimise the emissions of the wider development.

Dispersion of Emissions

- 13.14** Consideration should be given at an early stage to the location and the height of the chimney or flue serving the CHP plant. All combustion plant must terminate as a minimum 1 metre above the highest point of the building of which the plant serves, or as agreed with the planning authority. Ideally the chimney should be designed as high as possible to aid dispersion and consideration should be given to the height of surrounding buildings and the impact they may have on dispersion.



- 13.15** Under the Clean Air Act (CAA) 1993 details of all new 'furnaces' installed should be submitted to the Local Authority. In some cases chimney height approval may need to be sought and along with a chimney height calculation.⁽⁸⁵⁾
- 13.16** Dispersion modelling will be required as part of an Air Quality Impact Assessment where a CHP system is to be incorporated into a development.

Conclusion

- 13.17** It is important to consider the design of the proposed CHP system at an early stage. This should include:
- The type of CHP system proposed, the fuel it will use and system design to minimise emissions;
 - Whether further abatement equipment be required to meet emission standards;
 - Consideration of the flue design and dispersion of emissions;
 - Whether dispersion modelling are required as part of an Air Quality Impact Assessment.
- 13.18** This information is typically available in the manufacturer's specification and as part of the plant design.
- 13.19** The recommended emission standards have been established to minimise the impact of wider development on air quality within the local area. These emissions should be considered alongside other emissions from the development and the location of the development. Where a CHP system is proposed, emissions must be evaluated as part of an Air Quality Impact Assessment.

This page is intentionally left blank

Sustainability Supplementary Planning Document

Consultation Statement

1. Introduction

- 1.1 This statement is the 'Consultation Statement' for the Sustainability Supplementary Planning Document (SPD) as required by the Town and Country Planning (Local Planning) (England) Regulations 2012. This statement sets out the details of the consultation that has informed the preparation of this SPD.
- 1.2 Supplementary Planning Documents (SPDs) provide guidance to supplement the policies and proposals in the District Plan. SPDs do not have to go through the formal examination process, but consultation with stakeholders and the wider community is still a vital part of the preparation process. The scope of consultation and decision on who will be consulted will reflect the nature of the SPD.

2. Town and Country Planning Regulations

- 2.1 The SPD is produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The relevant regulations relating to the consultation process are explained below.
- Regulation 12: Regulation 12(a) requires the Council to produce a consultation statement before adoption of the SPD, this must set out who was consulted, a summary of the issues raised, and how these issues were incorporated in to the SPD.
 - Regulation 12(b) requires the Council to publish the documents for a minimum 4 week consultation, specify the date when responses should be received and identify the address to which responses should be sent.
 - Regulation 35: Regulation 12 states that when seeking representations on an SPD, documents must be available in accordance with Regulation 35. This

requires the Council to make documents available by taking the following steps;

- Make the document available at the principal office and other places within the area that the Council considers appropriate;
- Publish the document on the Council's website.

3. Statement of Community Involvement (SCI)

- 3.1 The SCI explains how the council will involve the community in plan-making and in the consideration of planning applications. In October 2019 the Council adopted a new SCI to replace the previous SCI (adopted in 2013) and take into account changes to legislation and policy. This consultation will be undertaken in accordance with the SCI.
- 3.2 However, as a result of current advice from the Government on Covid 19, making hard copies of the consultation documents available at the Council's offices in Hertford and Bishop's Stortford, and at libraries across the district is not currently mandatory. In line with Government advice, the Statement of Community Involvement has been temporarily updated to clarify that whilst the Council offices and other deposit locations in East Herts remain closed, documents will be available on the website. If the offices and libraries are open at the time of the consultation, copies will be made available at these locations

4. Early consultation

- 4.1 As part of the scoping of the Sustainability SPD, a number of stakeholders have influenced the scope and content of the SPD. Planning and the Sustainability SPD were discussed in January 2020 at the Community and Stakeholder Climate Change Event. Feedback from stakeholders at the event and subsequently made it clear that development must be more sustainable and that planning has a key role

in ensuring that compulsory standards are introduced and enforced. Discussion about the SPD favoured covering a range of topics, with particular emphasis on energy reduction, and ensuring developers were held accountable. Flooding was also raised as an issue to consider. The topics addressed within this SPD have been informed by this feedback. Whilst, the SPD cannot introduce mandatory targets, clear implementation measures have been included.

4.2 Early feedback from developers suggests general support for the topics and themes identified in the SPD, but the following comments were raised:

- Flooding and drainage should be considered;
- Water efficiency is very difficult to enforce as it is not monitored;
- Water efficiency should be governed by building regulations;
- Rainwater harvesting can be associated with hygiene problems;
- Clear air pollution mitigation strategies should be set out;
- Generally flexibility is required to take account of local circumstances
- Guidance is required in relation to electric vehicle charging points, but it needs to include a flexible approach;
- Construction waste should be considered;
- Biodiversity net gain should be addressed.

4.3 These comments have been considered and have helped shape the scope and content of the SPD.

4.4 The emerging SPD has also been informed by a range of East Herts Council's officers and colleagues at Hertfordshire County Council, with expertise in the various topics.

5. Consultation

- 5.1 The draft SPD was published for consultation for four weeks between 10 September and 8 October 2020. Consultation was undertaken in accordance with the Town and County Planning (Local Planning) (England) Regulations 2012 and the Statement of Community Involvement, which was temporarily updated in May 2020. In light of the Covid 19 restrictions, the draft SPD was not available for public inspection. All consultation documents were available to view on the East Herts Council website and advertised using social media. This included information about how to submit a representation.
- 5.2 In September, a presentation was given to the Environment and Climate Change forum via zoom, to inform the range of East Herts stakeholders about the consultation
- 5.3 Consultees were consulted by email; or post where no email address was provided. A list of consultees is provided in Appendix A. Representations could be made via the Council's consultation portal available on the Council's website. Alternatively representations could be emailed to planningpolicy@eastherts.gov.uk, or posted to; Planning Policy, East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.

6. Issues raised in the consultation

- 6.1 A total of 182 responses were received from 38 consultees. Most consultees were supportive of the purpose and scope of the SPD, with 20 comments expressly supporting the document. Thirty four representations raised objections to elements within the SPD and nearly 70% of the responses provided comments on various aspects of the SPD. Many of the comments and objections were seeking amendments.

- 6.2 The main issues raised in the responses are summarised below:
- Minor changes to the topic guidance- most of the comments seek additional detail or clarity about various aspects of the eight topic sections and propose minor amendments to the text.
 - Inclusion of mandatory targets- Some comments would like to see mandatory targets included in the SPD, although a number recognise why this is not possible.
 - Submission requirements are too onerous- Several developers are concerned that the carbon reduction template, sustainability checklist and air quality assessments require too much detail or exceed requirements in the District Plan, particularly for outline planning applications.
- 6.3 Officers have considered these issues in full and made amendments where they add value to the SPD. In a number of cases, changes to the SPD have been made to add detail or clarity about a technical sustainable design and construction principle or submission requirement. More information has also been added in terms of how and when to complete the checklist, to provide applicants with more clarity. Likewise, changes to the carbon template have been made to reflect the practicalities of calculating carbon reduction emissions.
- 6.4 A summary of the consultation responses is set out in the schedule below. This table outlines the comments by topic, the Council's response to these issues and any consequential changes to the SPD. If text is to be deleted from the draft SPD it is shown ~~struck through~~. If new text is to be inserted it is shown underlined.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
21- Dr A Rowe		Object	Believes District Plan is flawed and that the proposed number of houses cannot be built while also protecting the environment. Concerned rivers are already suffering from pollution and many rivers are already the lowest ecological status. Unclear how water will be supplied to new developments without damaging the river quality further.	<p>Outside the scope of this SPD to amend the District Plan because it was adopted in 2018. However, water quality and supply issues were considered as part of its development and advice was sought from relevant statutory consultees. The Environment Agency, water and sewerage companies support the Plan.</p> <p>District Plan policy WAT3 Water Quality and the Water Environment seeks to ensure that new development preserves or enhances the water quality and ecological value of rivers and Policy WAT4 Efficient Use of Water Resources seeks to reduce the demand for water in new development.</p>	No amendment in response to this issue
40- Good Architecture/ Transition Hertford		Object	Believes the lack of mandatory standards and targets to be a flaw. Would like the SPD to have performance and verification requirements to increase its effectiveness. Section/ sub-section/ paragraph numbering system is confusing. Correct notation formula for carbon dioxide is subscript CO ₂ , not superscript CO ² .	<p>Whilst the Council recognises the value of mandatory targets, these cannot legally be introduced in a supplementary planning document. Targets and standards will be taken forward in the review of the District Plan in due course.</p> <p>The SPD is a large document, providing a significant amount of</p>	Amend references to CO ₂ to include correct subscript format.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
				<p>information about a range of topics. The paragraph numbering is generated automatically by the document creation software 'Objective'. The Council considers that the contents page, consistent headings and sub-headings and the logical structure for each section ensure that the document is sufficiently clear and easy to navigate.</p> <p>The references to CO₂ will be amended to the correct subscript format.</p>	
63-	National Grid		National Grid has no comments to make.	Noted	No amendment in response to this issue
67-	Herts Property (Herts County Council)		Hertfordshire Property has no comments to make.	Noted	No amendment in response to this issue
52-	Hertford & Ware Labour Party		Numbering and paragraph system is unclear. Supports the idea of a checklist for developers.	<p>Support for the checklist is noted.</p> <p>The SPD is a large document, providing a significant amount of information about a range of topics. The paragraph numbering is generated automatically by the document creation software</p>	No amendment in response to this issue.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
				'Objective'. The Council considers that the contents page, consistent headings and sub-headings and the logical structure for each section ensure that the document is sufficiently clear and easy to navigate.	
62- F Kilburn		Object	Recommends stopping cutting down trees and building more houses which is increasing CO ₂ emissions and traffic congestion.	The scale of development proposed in East Herts is outside the scope of this document. The SPD emphasises the ecological value of trees and the benefits they have in helping to mitigate and adapt to climate change. Detailed decisions will be made at the planning application stage. Trees on development sites may be protected by Tree Preservation Orders (TPOs) and/or by conditions attached to a planning permission.	No amendment in response to this issue.
64- T White			Supports the motivation behind the SPD, it appears to be well informed and thorough. Emphasised how effective proper design, south facing gardens, solar panels and rainwater use can be. Would suggest more is made of lower roof heights to make buildings less imposing and blocking out less light. Acknowledgement of the effects of climate change in terms of	Support for SPD and the emphasis on how effective simple changes to design can be, is noted. SPD section 4.2.1 Climate Change Adaptation acknowledges the effects of climate change, including drier summers and an increase and frequency of storms. There is currently limited research about the links between climate change and	No amendment in response to this issue.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			long hot dry periods and more frequent storms is missing. Thinks developments have to have predominantly low height with tree borders to offer protection from strong winds, as well as empty barrier strips or wide roads designed in such a way as to prevent fire spreading through them.	<p>higher wind speed in the UK, so it difficult for the SPD to incorporate detailed advice. However, consideration of local context, including the need to avoid wind tunnels, should inform site design as set out in chapter 1 of the SPD.</p> <p>The SPD avoids being too prescriptive about roof heights as lower density development may not be appropriate in all locations, particularly where more efficient use of land may have other benefits to mitigating climate change. Proposed building design should reflect the site's location and context.</p>	
68- Braughing Parish Council		Support	<p>Supports the SPD and its sustainability goals. Agrees with the need for the District Plan to be reviewed and amended as soon as practicable.</p> <p>Welcome the introduction of new technology e.g. grey water, but questions how the expense of these will be weighed against affordability. Also queries if East Herts will offer incentives to improve carbon performance of existing builds. Believes that developers will use S106 instead of complying with</p>	<p>Support noted.</p> <p>The Council recognises that consideration of viability will need to be taken into account as part of the planning application process so allows for flexibility. However, the cost of new technologies in this area is likely to decrease as demand increases.</p> <p>The Council will use appropriate conditions to ensure developer compliance with commitments.</p>	No amendments in response to this issue.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			guidelines, would like rigorous conditions to apply to the use of the offset option to discourage developers from taking it.		
72- T Elmer		Object	The council cannot create a sustainable ecosystem at the current rate of population increase.	The scale of development proposed in East Herts is outside the scope of this document. The objective of the SPD is to provide sustainable design and construction guidance to improve the environmental performance of new development.	No amendment proposed in response to this issue.
81- Hunsdon Eastwick and Gilston NP Group			Missing section - Funding From the above you will see that we have a concern that the strategy asks developers to do or provide 'things' but there is no suggestion that they should have to provide for their long term maintenance. Matters are made worse by EHC's policy approach making new residents pay service charges to cover these requirements. It is equally reasonable to seek Landowners, who are making massive gains in land value, or developer funding. A new section needs to be added to address this.	Funding for schemes, for both initial provision and their maintenance, is largely achieved through specific mechanisms, such as Section 106 legal agreements attached to planning permissions, and it is clearly important that these achieve all that they are intended to. Policies DEL1 and DEL2 seek to ensure such arrangements are achieved and avoid the issues described in the representation. In Gilston, the HGGT ' <i>How to</i> ' <i>Guide for Planning Obligations, Land Value Capture and Development Viability</i> sets out how the Councils in the Garden Town intend to ensure that a consistent approach is adopted to support growth and deliver the necessary infrastructure to ensure	No amendment proposed in response to this issue

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
				the sustainability and long term stewardship of the Garden Town as a whole is in line with the Garden City Principles and the Harlow and Gilston Garden Town Vision. A Stewardship and Community Development Officer has also recently been appointed to take forward the delivery of this issue.	
91- Herts County Council			HCC welcome the Sustainability SPD and broadly endorse the policies that underpin the document. The SPD is a really good document which covers the relevant areas to ensure more sustainable development across East Herts. The checklists are an essential part of the SPD and present questions for applicants to respond to, given the officer valuable information to inform their consideration. Consideration for offsetting could be taken forward for carbon and biodiversity in the future.	Support for the objectives and content of the SPD noted.	No amendment in response to this issue.
97- A Furnace			Believes the document covers the right areas but is concerned it will have no practical effect on developers. SAWB4 was let down by not enough mandated environmental and sustainability	The Council recognises the value of mandatory targets. However, legally, the SPD is subordinate to the adopted District Plan (2018). It cannot introduce new compulsory targets that would change District	No amendment in response to this issue

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			<p>requirements in the District Plan. The SPD should provide the opportunity to adjust policy to context rather than a 'nice to have' approach. Believes the SPD should be mandatory not advisory. There are no new requirements for CO2 reduction, and renewable technologies are merely "encouraged". It is confusing for developers - it lists four different construction standards as guidance; but mandates none. No guarantee is provided for ensuring that existing Air Quality Management Areas (AQMAs) are not made worse by housing development and the associated rise in traffic. Other local authorities are producing Sustainability SPDs with more force, for example the Greater Cambridge Sustainable Design and Construction SPD.</p>	<p>Plan policy requirement otherwise the Council could be at risk from legal challenge. Targets and standards will be considered in the review of the District Plan. The requirement for submission of a qualitative checklist also provides a stronger implementation mechanism. Developers will have to consistently demonstrate how they have addressed each checklist criteria and submitted relevant evidence. This will provide greater transparency about if/how developments comply with, or exceed, policy across a range of environmental topics.</p> <p>With regards to AQMAs, the pollution section of the SPD outlines a robust process to mitigate any negative impact from new development.</p>	
98- East Herts Lib Democrat Cllrs		Support	<p>Believes the SPD is an excellent and comprehensive document. Strongly support the checklists which developers are required to submit for each planning application. Support the detailed and technical recommendations and requirements within the document, does however regret that they are only</p>	<p>Support noted and welcomed.</p> <p>Recognise need for target based local plan policies and will take forward this approach in the review of the District Plan.</p>	No amendment in response to this issue.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			recommendations, and would like to see them made compulsory and incorporated into the Local Plan.		
99- East Herts Green Party			Supports document and has a number of comments and corrections in relation to specific sections	Support noted and welcomed	
100- East Herts Green Party			Generally well written and constructed document that goes some way in an attempt to raise the sustainability standards of the East Herts District Plan. Supports the checklist approach. However the section/ paragraph numbering system needs refining so that each heading and paragraph has a unique reference.	Support for document and checklist approach noted and welcomed. The paragraph numbering is generated automatically by the document creation software 'Objective'. The Council consider that the contents page, consistent headings and sub-headings and the logical structure for each section ensure that the document is sufficiently clear and easy to navigate.	No amendment in response to this issue.
117- M Brady			Agrees with topics covered by the SPD and the promotion of sustainable construction standards. Considers sustainable energy sources (including renewable energy) and green infrastructure must be included in current developments.	Support for the topics covered is noted. The integration of sustainable energy sources and the importance securing on site green infrastructure are both addressed in the District Plan and the SPD.	No amendment in response to this issue.
136- Hertford			Welcomes the SPD but feels it needs to be stronger and more persuasive.	The Council recognises the value of mandatory targets. However, legally,	Insert a new sentence in paragraph 1.4 to strengthen

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
Town Council			<p>Suggests making the business case for sustainability stronger to help developers understand the competitive edge.</p> <p>Overall feels it is an advisory document but needs to be made more prescriptive and clearer for builders to follow.</p>	<p>the SPD is subordinate to the adopted District Plan (2018). It cannot introduce new compulsory targets that would change District Plan policy requirement otherwise the Council could be at risk from legal challenge. Targets and standards will be considered in the review of the District Plan.</p> <p>Agree that that the SPD could make a stronger business case about the benefits of sustainable design and construction for developers.</p>	<p>the emphasis of economic and social benefits: ...environmental impact of new development and address climate change. <u>The true benefits of sustainable design and construction go well beyond simply cutting carbon emissions.</u> There are also economic and social benefits...</p> <p>Add a new paragraph in section 1.2, after paragraph 1.4: <u>For developers and homeowners, there is evidence that higher standards of environmental sustainability increases property values. As public awareness of climate change increases, sustainable design and construction measures can be used by developers as an effective marketing tool to sell properties. Equally, the capital cost of building sustainably is likely to fall due to increasing demand and consequently the availability of green technologies at</u></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
					<u>lower costs.</u>
118- David Lock on behalf of Tarmac			<p>Strongly endorse the high-level aspirations in the SPD to deliver sustainable new development. Sustainability is a key design aspiration for Birchall Garden Suburb.</p> <p>Expresses concern that the level of information requested in the Sustainability SPD is too prescriptive and should be appropriate to the stage in the planning application process:</p> <ul style="list-style-type: none"> It is essential that the details required by any such sustainability checklist, are proportionate to what is deliverable at the Outline planning application stage. Due to the development gestation period of strategic sites, detailed design matters including those related to sustainability are most appropriately addressed at the Reserved Matters stage. Sustainability matters for strategic sites are often confirmed by the masterplanning process Strategic sites that submit an 	<p>The Council welcomes Tarmac's support for the concept of the SPD.</p> <p>The SPD and checklist set out the principles that <i>all</i> applications for new development should consider, to ensure that sustainable design and construction is promoted early in a development's evolution. The Council recognises that depending on the matters reserved, outline applications may not be able to respond to specific requirements or principles. However, all issues should be considered and the applicant can demonstrate if a particular checklist criteria is not applicable to the stage of their application.</p> <p>The submission requirements for each topic area state that information submitted should be proportionate to the application. However, for clarity, additional guidance text will be added to Appendix A (Combined Checklist) to clarify the status of outline applications.</p> <p>Equally text will be added to the SPD to make clear that applicants do not</p>	<p>Add following text to Appendix A: <u>The sustainable design and construction submission checklist needs to be submitted with applications for all new development (that result in a residential net gain of 1 dwelling and above or an increase in non-residential floorspace) and can also be used as part of the pre-application process.. The purpose of this checklist is to explain and evidence how the proposed development complies with District Plan policies that seek to improve the environmental sustainability of new development. The checklist topics and criteria reflect the sustainable design and construction guidance set out in this SPD.</u> <u>The checklist should be used as a tool to provide an overview of how a scheme addresses different aspects of sustainability, although each application will be</u></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			Environmental Impact Assessment (EIA) should not be expected to replicate submission information.	<p>have to replicate existing information in the checklist, but include a brief summary and then signpost existing evidence and supporting document (such as masterplans and EIAs). The aim of the checklist is not to replicate existing information, but provide an overarching framework for assessing the environmental sustainability of a proposal.</p> <p>The SPD and checklist can also be used to inform pre-application discussions and masterplanning.</p>	<p><u>assessed on its own merit, taking account of local circumstances. It does not replace other application submission requirements, but aims to provide an overarching framework to help facilitate the assessment of different, often overlapping, strands of sustainability.</u></p> <p><u>Applicants should:</u></p> <p><u>Briefly summarise/ explain how their proposal complies with the relevant criteria, signposting to other relevant statements/ surveys as appropriate (for example, the transport assessment, biodiversity checklist and Sustainable construction, Energy and Water Statement). The checklist does not need to repeat detailed information submitted elsewhere, but should provide an overview of the approach taken in the scheme.</u></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
					<p><u>Ensure answers are explained and justified, not simply 'yes' or 'no' or 'not applicable';</u></p> <p><u>Use District Plan policies and the relevant sections in the SPD to inform responses;</u></p> <p><u>Ensure the level of detail submitted is proportionate to the type of application. For outline applications, the relevance of criteria will depend how many matters are reserved. Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD), the Council thinks it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.</u></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
					<p><u>Ensure the level of detail submitted is proportionate to the scale of application. While major applications will require significantly more input than others, it is appropriate that all submissions should consider the sustainable design and construction issues raised and provide a response.</u></p> <p><u>Refer to the Council's website for further details about the submission requirements of particular applications:</u></p> <p><u>https://www.eastherts.gov.uk/planning-building/make-planning-application</u></p>
139- Thakeham Homes		Support	Strongly supports the commitment to tackling climate change and promoting sustainability, and the approach taken within this Sustainability SPD to guide new development. Mirrors Thakeham's own commitments to sustainability, biodiversity and climate change across their developments, and would welcome the opportunity to work in partnership with the Council	Support noted and welcomed	No amendment proposed in response to this issue.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			to create benchmark zero-carbon communities.		
148- Pigeon			<p>Support the Council's aspirations for the delivery of high-quality sustainable developments and the general direction of travel set out within the SPD in respect of the more prudent use of natural resources, the protection of environmental assets, mitigating the impacts of climate change and adapting to its impacts. However, this needs to be balanced against the Councils growth requirements and the extent to which the SPD is focussed upon new build homes and buildings that are, on the whole, considerably more energy efficient than existing stock. Given the relatively small scale of new homes versus existing stock, there are therefore limitations to what the SPD can achieve.</p> <p>Focus on new buildings, means SPD also fails to recognise the role of Building Regulations in ensuring that</p>	<p>The Council disagrees that the SPD goes beyond the Policy requirements of the District Plan:</p> <ul style="list-style-type: none"> • Section 1.3 clearly sets out the purpose of the SPD and that it cannot supersede the policies in the District Plan. • It does not introduce new mandatory targets, but provides additional guidance to help support the implementation of the District Plan policies relating to environmental sustainability. It encourages developers to go beyond the current policies but does not mandate it. • Throughout the SPD, in each topic section, there are clear links to the District Plan policies. <p>The checklist requires applicants to consistently and transparently demonstrate how their proposals meet the plan policies. The SPD recognises that each application will</p>	<p>Amend paragraph 3.4 as follows: Government is considering proposing changes to legislation and policy that will promote lower carbon buildings. <u>Responding to its 2019 Future Homes consultation, the Government has committed to changes to building regulations by 2025 to ensure new homes will have CO₂ emissions at least 75% lower than those built to current regulations.</u>¹ improve the energy efficiency of new homes were recently subject to consultation in 2019. Plans for low carbon heating and high levels of energy efficiency will be introduced by 2025. To deliver a phased approach, regulations will be changed in December 2021, to introduce an interim CO₂</p>

¹ The Future Homes Standard: 2019 ,Summary of responses received and Government response, January 2021:
<https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			standards for energy efficiency, for example, are delivered in new buildings. Following the recent consultation on the Future Homes Standard we would strongly suggest that such matters should be controlled through Building Regulations, rather than local planning policy/ guidance. Suggest that the link between policies contained within the District Plan and guidance contained within the SPD should be more clearly set-out. The SPD seeks to introduce matters that go beyond the policies within the District Plan. There is no indication of what benchmark will be used to assess the various criterion set out in the checklist.	<p>be considered on its own merits and if a particular criteria or issue is not applicable then the applicant should demonstrate this in response to the checklist.</p> <p>The SPD recognises the role of building regulations and has updated text in section 2 accordingly. However the first phase of the energy efficiency improvements are not due to come into force for over a year and even when they do, they relate only to the buildings, not the wider site issues associated with energy and carbon reduction.</p> <p>It is considered proportionate to focus on new build not existing buildings in this SPD, given the resource implications of completing and assessing the checklist. The Council will explore policies for changes to existing buildings in the upcoming District Plan review, in light of decisions about changes to building regulations.</p>	emissions reduction target of 31% . This will come into force in 2022 and regulations will be changed and in a phased approach to this change the government has consulted on a potential 20% or 31% reduction in carbon emissions from new homes by the end of 2020. The response to this consultation has not yet been published, but it will result in mandatory improvements to the energy performance of new homes. Similar proposals for new non-domestic buildings are also currently being considered (interim uplift target of an average 27% beyond current regulations in December 2021), alongside energy efficiency improvements to existing homes and buildings.² target proposed in due course. Likewise, another government consultation this year identifies the

² The Future Buildings Standard, January 2021: <https://www.gov.uk/government/consultations/the-future-buildings-standard>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
					importance of using heat networks to decarbonise heating in the UK and proposes regulations and guidance, which may impact planning policies and decisions.
161- S. Chapman			Overall aim of the document is laudable but much room for improvement, particularly in terms of enforcement. East Herts District Council is considered by many to be an easy touch for developers. Recommend energy emission targets are made mandatory.	The Council recognises the value of mandatory targets. However, legally, the SPD is subordinate to the adopted District Plan (2018). It cannot introduce new compulsory targets that would change District Plan policy requirement otherwise the Council could be at risk from legal challenge. Targets and standards will be considered in the review of the District Plan. The Council plans to include the sustainability checklist on its local validation checklist so that it will need to be submitted for the application to be registered.	No amendment in response to this issue.
176- Env Agency			Advise including the protection of groundwater via remediation of contaminated land, in line with Policy WAT3, within this document, perhaps in the pollution section. Makes up an important part of sustainable development and hence	Both the protection of groundwater and the consideration of waste water capacity are key considerations for securing sustainable development. However, it is considered that the District Plan and national policy the guidance provide a robust basis for	No amendment in response to this issue

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			<p>reminding developers to check such constraints early on in their proposals would be beneficial for all. You may wish to integrate this into the pollution section.</p> <p>We would also advise making reference to waste water within the document. It would be beneficial to check whether the applicant is conforming to the relevant local plan policies (Policy WAT6) on waste water and to make sure that sufficient capacity in the network/local treatment works to accommodate the proposal has been established.</p>	<p>addressing these issues. The Sustainability SPD has had to prioritise the topics it has focussed on.</p>	
73/ 179- Hunsdon Eastwick and Gilston NP Group			<p>In general terms we support bringing together the many threads of Sustainability policy into a single document. As a community we have championed the cause that the Gilston development. This ambition needs to be carried through in sustainability policies and given the scale and duration of the project we are surprised that there are no mentions of Gilston and your Local Plan, Policy GA1/GA2 Policy Context –</p> <p>Understand that the Harlow Gilston Garden Town Board are also in the</p>	<p>General support noted and welcomed.</p> <p>The Sustainability SPD applies across East Herts so does not generally refer to site specific policies. However, given its significance within the district, Gilston and the HGGT sustainability guidance is mentioned in para 1.16 and 3.41.</p> <p>This SPD and the HGGT guidance can be used together successfully. They are both underpinned by the same sustainability principles and the</p>	No amendment in response to this issue

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			<p>process of producing a similar document, if that is the case there seems to be an opportunity for cross boundary coordination to avoid having two sets of policy documents on the same subject?</p>	<p>completion of the Sustainability SPD checklist requires sustainability issues to be addressed (and evidence submitted), which is consistent with the HGGT Guidance. However, the Sustainability SPD provides more information about standards and submission requirements than the HGGT Guidance, particularly in some topics, such as biodiversity, air quality mitigation and waste. Therefore, it is important that development in the Gilston Area complies with the Sustainability SPD as well as the HGGT guidance.</p> <p>The SPD's primary focus is to ensure policy requirements are implemented, but it also encourages good practice and compliance with stronger energy targets. The HGGT Guidance will use incentives associated with the scale of development and Garden Town design process to encourage developers to meet the higher quantitative targets in the Guidance.</p>	
180- Hunsdon Parish Council			Fully endorse and support the Hundson, Eastwick and Gilston Neighbourhood Plan Group's responses to the Sustainability SPD	Endorsement and support of the Hundson, Eastwick and Gilston Neighbourhood Plan Group's responses is noted.	No amendment in response to this issue

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			consultation. (ref- see rep ids: 74-81, 179)		
181- Bishop's Stortford Climate Group			<p>We recognise the limits on what can be achieved through a Supplementary Planning Document, and hope that this draft Supplementary Planning Document (SPD) will influence developers. Note that it places few absolute requirements on them to design to standards which achieve a step change to carbon emissions.</p> <p>The introduction and opening section Design-led approach are key to the whole guidance, but District's commitment to change is limp. In particular, the statement that new mandatory targets will be explored and progressed sounds non-committal (1.15).</p> <p>Chapter 2 does not set out clearly the link between the policies established in Chapter 1 and the requirements set out in Chapters 3-9 and comes across as making sustainability recommended and optional.</p> <p>Would like mandatory targets (specifically carbon reduction</p>	<p>Support for the checklist approach is welcomed and the Council recognises the need for mandatory targets in the District Plan review. The SPD does not include specific requirements because decisions about this approach need to be made on the basis or evidence and in light of the outcome of the white paper. However, the Council agrees that the commitment in paragraph 1.15 could be strengthened.</p> <p>As noted, the SPD cannot include mandatory targets and has tried to introduce legally compliant mechanisms that reduce emissions in the absence of specific targets-the sustainability checklist and carbon reduction target. It is noted that the proposed improved to energy efficiency in building regulations will help enforce a higher carbon emission benchmark than is in place currently (and indeed many currently in place at other local planning authorities).</p> <p>It is recognised that developers should explain their proposals in the</p>	<p>Amend the last sentence in paragraph 1.15 (now 1.16):</p> <p>This issue will be explored and progressed <u>explored and progressed taken forward</u> as part of the District Plan Review.</p> <p>Add guidance text to Appendix A Combined Checklist- see proposed amendment to rep 118.</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
			General comments		
			<p>targets) and stress the importance of reviewing the District Plan, but welcome checklist in the meantime. However, concerned that some of the criteria require 'yes' or 'no' answers so do not require an explanation. Also concerned that the approach to be proportionate to the scale of the application could be misused as a reason not to comply/explain. Allowing for a threshold for detail to be provided undermines the checklist.</p> <p>Typos: Some of which are crucial: 3.37-use of renewable technologies to 'increase', should be 'reduce' CO2 emissions. Climate 'adaption' should be 'adaptation'.</p>	<p>checklist and not use it as a tick box exercise. Additional guidance has been included in Appendix A to provide further clarity about a 'proportionate approach' and to ensure developers complete the checklist correctly.</p> <p>Typos noted and corrected.</p>	

Rep. No	Section/ Para number	Subject or Object	Issue	Officer Response	Proposed Amendment
1.			Introduction		
101- East Herts Green Party	Section 1.2 What is Sustainability? Para 1.4		Paragraph 1.2 refers to social and economic benefits of sustainability, but it comes across and afterthought.	Agrees that the SPD could make a stronger business case to developer about the economic benefits of sustainable design and construction. Additional text will be added after	Insert a new sentence in paragraph 1.4 to strengthen the emphasis of economic and social benefits: ...environmental impact of

Rep. No	Section/ Para number	Subject or Object	Issue	Officer Response	Proposed Amendment
1.			Introduction		
			<p>There is no attempt in the SPD to present even a brief convincing economic argument to developers that there are good reasons to build in a more sustainable way. Suggest a new paragraph or section be added on the business case for sustainability:</p> <p>'The true benefits of sustainable design and construction go well beyond simply cutting carbon emissions. Building better insulated, properly ventilated homes also brings significant economic benefits, for the country, the district, for the home owner and for the developer. There is ample evidence that well insulated; better quality (i.e. air tight yet well ventilated using heat exchangers) attracts a premium from buyers'. (cites examples).</p>	paragraph 1.4.	<p>new development and address climate change. <u>The true benefits of sustainable design and construction go well beyond simply cutting carbon emissions.</u> There are also economic and social benefits...</p> <p>Add a new paragraph in section 1.2, after paragraph 1.4: <u>For developers and homeowners, there is evidence that higher standards of environmental sustainability increases property values. As public awareness of climate change increases, sustainable design and construction measures can be used by developers as an effective marketing tool to sell properties. Equally, the capital cost of building sustainably is likely to fall due to increasing demand and consequently the availability of green technologies at lower costs.</u></p>
83- Herts County	Section 1.2 What is		Welcomes the content and detail of SPD. Suggest that the concept of the	The Council recognises the value and importance of the circular economy	No amendment in response to this issue

Rep. No	Section/ Para number	Subject or Object	Issue	Officer Response	Proposed Amendment
1.			Introduction		
Council	Sustainability? Paragraph 1.4		circular economy could be introduced into paragraph 1.4.	and this is discussed in section 9 of the SPD, Waste Management. Paragraph 1.4 focusses generically on the role of sustainable design and construction. It does not refer in detail to particular concepts and measures. Therefore it is not necessary to raise the issue of the circular economy in this paragraph.	
33- Sworders	Section 1.3 Purpose and structure of the SPD	Object	Supports the intentions of the SPD however object because many cases set out targets that go beyond the District Plan.	The Council disagrees that the SPD goes beyond the District Plan. The purpose of this SPD is to support the implementation of District Plan policies by providing technical guidance on sustainable design and construction to improve the environmental sustainability of new development. It adds additional detail and clarity to the District Plan policies but it does not set new compulsory targets.	No amendment in response to this issue
41- Good Architectu re/ Transition Hertford	Section 1.3 Purpose and structure of the SPD, para 1.7		Are 'carbon neutrality' and 'zero carbon' the same thing?	Definitions can vary depending on the context. However, carbon neutrality means carbon emissions are reduced but outstanding emissions can be offset. Zero carbon means no carbon is emitted so there is no need to offset.	No amendment in response to this issue
42- Good Architectu	Section 1.4 Policy		Other organisations recognise the importance of zero carbon policies.	The Council recognises the value of mandatory targets. However, legally,	No amendment in response to this issue

Rep. No	Section/ Para number	Subject or Object	Issue	Officer Response	Proposed Amendment
1.			Introduction		
re/ Transition Hertford	Context		Need mandatory targets now. Unclear what the timetable for District Plan review is.	<p>the SPD is subordinate to the adopted District Plan (2018). It cannot introduce new compulsory targets that would change District Plan policy requirement otherwise the Council could be at risk from legal challenge.</p> <p>The aim is to start the District Plan review within the next year; However, the timescale will depend when the Government report on their response to the Planning White Paper, which was published for consultation in 2020.</p>	
53- Hertford & Ware Labour Party	1.4 Policy Context		The tone of the section does not sufficiently emphasise the economic benefits to developers of taking up sustainability measures. Buyers will increasingly demand eco-friendly homes as the deadlines for zero carbon emissions approach. Primary point of this section should be bringing developers on board.	Agreed the SPD could emphasise the economic benefits for developers more. Additional text has been included in section 1.2 to explain the economic benefits.	<p>Amend paragraph 1.4 as follows:</p> <p>.... more resilience to market fluctuations and climate change adaptation. <u>For developers and homeowners, there is evidence that higher standards of environmental sustainability increases property values. As public awareness of climate change increases, sustainable design and construction measures can be used by developers as an effective marketing tool to sell properties. Equally, the</u></p>

Rep. No	Section/ Para number	Subject or Object	Issue	Officer Response	Proposed Amendment
1.			Introduction		
					<u>capital cost of building sustainably is likely to fall due to increasing demand and consequently the availability of green technologies at lower costs.</u>
69- Braughing Parish Council	Section 1.4 Policy Context, para 1.16	Support	Support the wording that development should comply with relevant Neighbourhood Plan policies.	Support noted and welcomed	No amendment in response to this issue
149- Pigeon	Section 1.5 How to use the SPD?		The checklist also appears to apply to both full and outline applications, as well as schemes of 1 dwelling or more (section 1.5, How to Use this SPD). We would strongly suggest that certain criteria within the checklist will not be applicable to outline planning applications (i.e. W.2 How has the internal and external design of the development factored in effective sustainable waste measurement measures?) where the level of detail required will not be available at the outline stage. Similarly, the requirements set out in the checklist require the same level of information regardless of the scale of the scheme. As such, we would suggest that the use of a one-size fits all approach is inappropriate. In addition, the tick-box nature of the checklist is unlikely	<p>The Council does not consider the checklist is a tick box exercise, applicants are meant to use it to explain and justify their approach to each of the sustainable design and construction criteria.</p> <p>It is recognised that it must be clear that developers should explain their proposals in the checklist. Additional guidance has been included in Appendix A to provide further clarity about a 'proportionate approach' and to ensure developers understand how to complete the checklist correctly.</p> <p>Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD); the Council thinks it is</p>	Add guidance text to Appendix A Combined Checklist- see proposed amendment to rep 118.

Rep. No	Section/ Para number	Subject or Object	Issue	Officer Response	Proposed Amendment
1.			Introduction		
			to be conducive to a holistic approach, despite this being advocated within the draft SPD.	important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.	
102- East Herts Green Party	Section 1.4 Policy Context		This section makes clear the international and national policies driving the move towards more sustainable design and construction. Suggests text should add that the design and construction business will change to supply the new market. Developers and builders should enter this new market as early as possible to gain a competitive edge. EHDC could add incentives for developers such as offering Building Futures awards or a new "quality mark" for developments of the highest sustainability, to aid developers in marketing their properties, it would provide a way to advertise the quality of East Herts housing. This should be stated up front in the SPD.	This section refers to the policy context, so it is not appropriate to discuss the business case for sustainable design and construction in this section. Clarity about the benefits for developers has been added to section 1.2. The SPD (section 2.4) refers to the Building Futures scheme and promotes the annual awards for exemplar developments in East Herts. Additional awards could be taken forward by the Council in the future, but commitment to such schemes is outside of the scope of the SPD.	See proposed amendment in response to reps 53, 101 and 136

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
43 - Good Architecture/ Transition Hertford	Section 2		All the sub-sections within this section are important.	Support noted and welcomed.	
119- David Lock on behalf of Tarmac	Section 2.1 Context		The design-led approach in Section 2 of the SPD and the reference to best practice in paragraph 2.1 is supported.	Support noted and welcomed.	No amendment in response to this issue.
182- Bishop's Stortford Climate Change Group	Section 2.1 Context		Agree that sustainability requirements need to be considered from the outset in design for a site and that they cannot be bolted on afterwards. Likewise community engagement with proposals needs to be properly addressed from the outset and there is no reference to this. This needs to include transparency to the community of the factual evidence supporting any early design decisions put to the Council in principle such as not to include a district heat network	Agree that community engagement is important and should be referenced in Section 2.2.	Add a sentence to the end of paragraph 2.4: <u>Equally, capturing the views of the local community can positively shape emerging development proposals and enable a more efficient planning application process.</u>
103- East Herts Green Party	Section 2.2 Taking a Holistic Approach		Some of the references used are just generic links rather than links to specific documents. Could add the LETI design guide as one of the further guidance references: https://www.leti.london/cedg	Agree that reference to the LETI Climate Emergency Design Guide would be useful in this section.	Add the following reference under the further guidance heading after paragraph 2.5: <u>LETI Climate Emergency Design Guide</u> www.leti.london/cedg
85- Herts County	Section 2.2 Taking a		In reference to Figure 1, prior/opportunistic extraction of	In Figure 1, the policy requirements box refers to topic specific examples	No amendment in response to this issue.

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
Council	Holistic Approach		mineral resources is an opportunity for a site. The reduced need to import materials can increase the sustainability of a project. Therefore, another policy requirement could be included: The Minerals Local Plan.	or guidance. This category applies to the Mineral Local Plan, which is part of the development plan in East Herts. It is not necessary to specifically list it as an example.	
17- C Rowe	Section 2.3 Historic Environment , para 2.6	Object	Suggested wording was too weak. Proposals MUST not damage the historic environment	Agreed that the word should be replaced with the word must to emphasise the importance of preserving the historic environment.	In paragraph 2.6 amend the text as follows: Proposals should <u>must</u> seek to avoid harm to historic assets...
22- Dr A Rowe	Section 2.3 Historic Environment . Para 2.6	Support	The NPPF defines sustainable development as having 3 objectives: economic, social and environmental. Tree planting is considered an important aspect of environmental objective, but care should be taken within historic parks and gardens as they often contain rivers and streams that were modified in the past. The appearance and biodiversity of these important water features are reliant upon a good flow of clean water in our natural watercourses together with a water table at the level typically enjoyed in the past. Suggests that a priority for achieving sustainable development is to restore a flow of clean water to rivers and streams.	Support noted and welcomed. District Plan Policy HA8 Historic Parks and Gardens aims to protect these assets. Section 2 of the SPD emphasises the importance of taking into account local context and paragraph 2.6 specifically reiterates the importance of considering the historic context when making decisions about sustainability. The importance of preserving and enhancing water quality is addressed by District Plan Policy WAT3 Water Quality and the Water Environment and will be taken into account when assessing proposed development.	No amendment in response to this issue.
44 - Good	Section 2.3 Historic	Object	Modern movement in architecture in 1920s-30s produced a shift in design	Section 2.3 focusses on the balance between addressing sustainable	No amendment in response to this issue

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
Architecture/ Transition Hertford	Environment		of buildings away from traditional construction techniques; this would not have been possible if today's policies were in place then. In order to meet net zero targets design of new development might not conform to traditional forms and previous construction techniques. Does East Herts Council have the imagination and design review skills in-house that could contemplate the notion that 'non-conformist' design can make a positive contribution to local character and distinctiveness (as required by NPPF paragraph 192[c]?)	design and construction and protecting the historic environment. It does not mean that new development must be 'traditional and conformist' but that it must consider its local context. This approach still allows for innovative, high quality design and innovation and excellence is encouraged throughout the SPD and demonstrated in the case studies.	
49- Hertford- shire Historic Gardens Trust	Section 2.3 Historic Environment , paragraph 2.6	Support	<p>Outlines that East Herts has many registered parks and gardens and other sites of importance, these are vulnerable to flooding and drought. Likewise ornamental water bodies are affected by changes to water supply due to climate change and housing developments, with low water levels, drying out and other issues.</p> <p>Concerned that park trees are vulnerable with species being affected by new pests and diseases as well as direct impact from climate changes. There needs to be</p>	<p>Support noted and welcomed.</p> <p>District Plan Policy HA8 Historic Parks and Gardens aims to protect these assets. Section 2 of the SPD emphasises the importance of taking into account local context and paragraph 2.6 specifically reiterates the importance of considering the historic context when making decisions about sustainability. This includes consideration of historic parks and gardens.</p> <p>The importance of preserving and enhancing water quality is addressed</p>	<p>Add text to the last sentence of paragraph 2.6:</p> <p>Where applicable, advice should be sought from the Council's conservation team or <u>other expert bodies such as Historic England, Hertfordshire County Council and Hertfordshire Gardens Trust.</u></p>

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
			awareness that new tree planting in historic parks to act as a carbon capture measure could compromise the special character of parks and advice needs to be sought from Historic England or Hertfordshire Gardens Trust.	by District Plan Policy WAT3 Water Quality and the Water Environment and will be taken into account when assessing proposed development. Agrees it would be useful to clarify that advice can be sought from key bodies.	
65- Historic England	Section 2.3 Historic Environment , paras 2.6 and 2.7		<p>Pleased with section on Historic environment however do not think the SPD does enough to address the risks posed to the historic environment.</p> <p>Climate change can impact the historic environment and equally climate change mitigation and adaption responses can have negative impacts such as damage to historic fabric through poorly designed energy-saving measures. A sustainable approach should secure a balance between the benefits that such development delivers and the environmental costs it incurs. . The SPD should therefore seek to limit and mitigate any such cost to the historic environment.</p> <p>Many built heritage assets are given exemptions for compliance with Building Regulations (Part L), where compliance would unacceptably alter</p>	<p>The Council agrees that more information could be included in Section 2.3 about how to balance the delivery of sustainable design and construction and the protection of the historic environment.</p> <p>Additional text is included in the SPD to provide more detail. Also specific Historic England guidance, explaining how to tackle climate change and sustainability effectively, is signposted as further information.</p>	<p>Amend paragraph 2.6 and divide in to two separate paragraphs for clarity as follows:</p> <p>East Herts' historic environment is one contextual issue that should <u>must</u> be taken into account to preserve the district's character and distinctiveness. <u>Climate Change can have a range of direct impacts on the historic environment, for example, accelerated weathering to building fabric, erosion of archaeological sites through severe weather and flooding and harm to historic landscapes or changes in vegetation patterns. Equally climate change mitigation and adaptation responses can also have unwelcome impacts</u></p>

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			<p>Design led approach</p> <p>their character and appearance.</p> <p>Suggests using additional Historic England guidance to inform the SPD.</p>		<p><u>on the historic environment, such as damage to historic fabric through poorly designed energy-saving measures, or erosion of historic character through inappropriately located micro-generation equipment.</u></p> <p>East Herts has numerous listed building and conservation areas, historic parks and gardens, <u>areas of archaeological significance</u> and scheduled monuments. In accordance with national <u>legislation and policy</u> and the District Plan, proposals should... changing climate are <u>vital, but need to be balanced with measures to protect the likely to have important implications for the historic environment.</u> Yet the significance and integrity of historic assets can be threatened by poorly designed interventions. Where a historic asset or its setting may be affected, <u>careful consideration of the heritage context throughout</u></p>

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		<p><u>the design process is key and the selection of and high quality design of measures is therefore fundamental...</u></p> <p>Amend paragraph 2.7 as follows:</p> <p>Further guidance <u>Further information on climate change and the historic environment is available from Historic England-Historic England have further advice on how heritage assets can effectively mitigate and adapt to climate change. Further information is set out below:</u></p> <p>https://historicengland.org.uk/</p> <p><u>Energy efficiency and historic buildings:</u></p> <p>https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/</p> <p><u>Climate change and sustainability:</u></p>

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
					https://historicengland.org.uk/whats-new/statements/statement-on-climate-change-and-sustainability/
74- Hunsdon Eastwick and Gilston NP Group	Section 2.3 Historic Environment		Support the statement on the historic environment. In Gilston historic landscapes are under threat and specific opportunities are not being recognised. Consider that given the importance of the Gilston GA1 policy, these should have a specific mention.	<p>The protection and enhancement of historic landscapes is addressed in District Plan policies HA1 Designated Heritage Assets, HA8 Historic Parks and Gardens and specifically in relation to Gilston in criteria o) of GA1 The Gilston Area.</p> <p>Once adopted the SPD will be a material consideration, so will inform the decision-making process at Gilston. However, the SPD provides district-wide guidance about sustainable design and construction. It is not site specific so it would be inappropriate to mention specific landscapes at Gilston.</p> <p>Further consideration of landscape issues will be taken forward in the strategic and village masterplaning of the Gilston area.</p>	No amendment in response to this issue.
90- Herts County Council	Section 2.3 Historic Environment		The paragraph relates to visible, above ground, heritage assets, and in the main, to designated assets	Agreed that reference to assets of archaeological interest contribute to the character and distinctiveness of	Text inserted into paragraph 2.6 as follows:

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
	, para 2.6		<p>(listed buildings and conservation areas, historic parks and gardens and scheduled monuments are mentioned).</p> <p>East Hertfordshire also contains numerous below ground non-designated assets of archaeological interest, which equally contribute to the character and distinctiveness of the district. Some of these below ground historic assets are very significant and of equivalent importance to scheduled archaeological remains, such iron age, roman and saxon sites.</p> <p>Therefore recommend the guidance should also recognise explicitly that development, however well designed, may have an unsustainable impact on non-designated heritage assets. Should a development have potential to impact on any such remains an appropriate archaeological investigation should take place, as per NPPF para 189, and appropriate steps should be taken to mitigate the impact of development on the identified asset.</p>	the district and should be mentioned.	East Herts has numerous listed building and conservation areas, historic parks and gardens, <u>archaeological sites (scheduled and unscheduled)</u> and scheduled monuments.
105-	Section 2.3		Recommend adding links to specific	Agreed that reference to specific	Insert reference to specific

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
East Herts Green Party	Historic Environment , para 2.7		guidance, instead of Historic England generally, to make the guide more user friendly. Also suggest adding more case studies – there are lots of good examples in the district... e.g. Passivhaus in Tewin, playgroup building at St Joseph’s Catholic Primary School, Hertford.	guidance would be more user-friendly. The SPD is already lengthy and includes a number of case studies so further examples are not considered necessary.	Historic England guidance in paragraph 2.7 as follows: Further guidance Further information on climate change and the historic environment is available from Historic England-Historic England have further advice on how heritage assets can effectively mitigate and adapt to climate change. Further information is set out below: https://historicengland.org.uk/ Energy efficiency and historic buildings: https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/ Climate change and sustainability: https://historicengland.org.uk/whats-new/statements/statement-on-climate-change-and-sustainability/
45-	Section 2.4		Of the standards listed, Passivhaus is	The Council acknowledges the	No amendment in response

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
Good Architectu re/ Transition Hertford	Construction Standards, paragraph 2.8		the only realistic way to achieve zero carbon without massive renewable energy expansion coupled with significant investment in grid capacity. Furthermore, 'unregulated' energy used by appliances, etc., is accounted for, unlike the other standards listed.	benefits of Passivhaus, but wants to ensure the guidance is comprehensive and flexible. Therefore it is considered appropriate for a range of different construction standards to be listed.	to this issue.
54- Hertford & Ware Labour Party	Section 2.4 Construction Standards		The section rightly emphasises the need for consultation at an early stage with landscape, ecology, heritage, drainage, and transport professionals. Landscape advice should be incorporated into the planning process to inform the orientation of housing, rather than a condition agreed later. The proper use of tree shading to moderate temperatures cannot be usefully addressed at the end of the process.	Agreed, the SPD makes it clear that decisions about layout and landscaping should inform the sustainability of the scheme and not 'added on' at the end. Planning legislation allows the of use conditions. However, the requirement for applicants to submit a checklist will ensure the issues that inform the sustainability of a scheme will be considered up front, increasing transparency.	No amendment in response to this issue.
84- Herts County Council	Section 2.4 Construction Standards, Para 2.8		Paragraph 2.8: Suggest that BRE SMARTSite and SMARTWaste tools aid construction sites achieve their overall site performance and environmental site monitoring and should be referenced in the SPD. In particular, the SMARTWaste software is a great tool for construction site to report how they manage and reduce resource use,	The Council recognise these tools have value as possible standards to use and agree reference could be added in paragraph 2.8.	Add a bullet point to the end of paragraph 2.8 as follows: <u>BRE SMARTsite and SMARTwaste - online construction site monitoring and reporting tools that aim to improve environmental performance, by helping to manage and reduce resource use and waste outputs.</u>

Rep. No	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
2.			Design led approach		
			waste outputs. Will guide developers when delivering a Site Waste Management Plan or Circular Economy Statement, which will be a requirement within the Draft Waste Local Plan.		Further details are available on the BRE website: www.bregroup.com/products/bresmartsite/
140- Andrew Martin on behalf of Countryside Properties	Section 2.4 Construction Standards, Para 2.8	Object	<p>Countryside supports the broad purpose and topics set out in the SPD. And supports the commentary at paragraph 1.6 of the document which confirms the SPD cannot introduce new targets or standards that superseded the policies in the District Plan.</p> <p>However, in this context objects to paragraph 8 because it appears to impose a development management policy, against which future planning applications could be refused.</p> <p>Paragraph 2.8 should be amended to recognise that these construction standards are not mandatory: 'The Council encourage high quality sustainable development and recommend the use of construction standards to demonstrate excellence in sustainable development. <u>Where an applicant chooses to use such standards</u>, the latest version should be consulted</p>	<p>Whilst the SPD supports the use of construction standards, particular for large-scale new developments. The paragraph does not state the standards are mandatory because the Council recognises this is not legally compliant. Rather, the text states the Council <i>recommend</i> the use of construction standards.</p> <p>However, for clarity the words 'When used' will be added to the start of the second sentence.</p>	<p>Amend paragraph 2.8 as follows: 'The Council encourages high quality, sustainable development and recommends the use of construction standards to demonstrate excellence in sustainable development. <u>When used</u>, the latest version of standards should be applied used and appropriate evidence must be submitted to demonstrate compliance.</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
18- C Rowe	Section 3 Energy and Carbon Reduction	Object	Suggests wording is too weak. Guidance must be much more direct and backed up by clear targets stated as requirements.	<p>The Council recognises the value of mandatory targets. However, legally, the SPD is subordinate to the adopted District Plan (2018). It cannot introduce new compulsory targets that would change District Plan policy requirement otherwise the Council could be at risk from legal challenge. Targets and standards will be considered in the review of the District Plan.</p> <p>The Government commitment to increase energy efficiency using building regulations will help reduce the carbon emissions of new development. The requirement for submission of a qualitative checklist also provides a stronger implementation mechanism. Developers will have to consistently demonstrate how they have addressed each checklist criteria and submitted relevant evidence. This will provide greater transparency about if/how developments comply with, or exceed, policy across a range of environmental topics.</p> <p>However it is acknowledged that the wording could be strengthened in some places to emphasise the</p>	<p>Amend the text in the following paragraphs to strengthen the wording:</p> <p>Para 3.5: There are no mandatory targets included within the policy but <u>a reduction in emissions is required and achieving standards requirements</u> beyond the requirements of Building Regulations is encouraged.</p> <p>Para 3.37: <i>The use of onsite renewable technologies is <u>strongly encouraged to increase decrease</u> CO₂ emissions, particularly for those developments seeking to achieve net zero carbon developments.</i></p> <p>Para 3.42: <i>Another means of reducing <u>the</u> carbon emissions of buildings is considering <u>reducing</u> the carbon locked in construction materials</i></p> <p>Para. 3.47: <i>'...benchmarks that applicants are advised to <u>should work towards to</u></i></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
				importance of reducing carbon emissions and delivering renewable energy.	<i>address the national and local pledges to move towards net zero carbon'.</i>
46 - Good Architecture/ Transition Hertford	Section 3.1 Policy Context, para 3.5		Concerned that the District Plan Policies are too weak: -The lack of mandatory targets in Policy CC2 and 'encouragement' to achieve requirements beyond the requirements of Building Regulations is a fundamental flaw. -The lack of definition in policy DES4 of what constitutes zero and low carbon development and sustainable construction. Notwithstanding the reference to the RIBA Plan of Work in section 2.2 of the SPD, construction methods and 'procurement' will not often have been determined by the end of work stage 3, the point at which a planning application is made.	Note comments about the District Plan policies. The Council are committed to strengthening these in the District Plan review. It is recognised construction methods will not always have been determined at the planning stage, but commitment and opportunities for sustainable construction methods should be considered earlier in the process to enhance the sustainability of the scheme, even if details need to be confirmed at a later stage.	No amendment in response to this issue
86- Herts County Council	Section 3.1 Policy Context , para 3.13		A mention to Circular Economy Statements here would be welcomed as this covers the whole building life cycle. The district council could consider asking developers to provide life cycle assessments to ensure that sustainability is thought of throughout the whole development; during construction and operational phases.	Circular economy statements are referred to in sub-section '3.2.6 Sustainable Construction' (3.42) of this chapter and also in Section 9 of this SPD: Waste Management.	No amendment in response to this issue.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
47- Good Architectu re/ Transition Hertford	Section 3.2 Topic Guidance, paras 3.9- 3.50		<p>Sets out detailed topic comments to a number of paragraphs:</p> <p>- 3.9 Will East Herts Council ban the use of gas in new buildings?</p> <p>-3.10 The usefulness of the 'Energy Hierarchy' diagram (Figure 2) is limited by the lack of mandatory targets that define minimal energy use.</p> <p>- Supports text on passive solar gain but the diagrams are unnecessarily dogmatic. Seeks design to Passivhaus standards.</p> <p>-3.19 reference 'Provide thermal mass and storage' is dangerous because it could cause overheating. Supports mechanical ventilation with Heat Recovery (MVHR) and natural ventilation.</p> <p>-3.21 Is there any evidence that green roofs and green walls reduce energy required to cool buildings? Fabric first approach.</p> <p>-3.22 Orientation and layout and a fabric first approach are equally important to reduce heating and</p>	<p>The Council cannot ban the use of gas in new buildings as this cannot be enforced by the planning system. However paragraphs 3.33 and 3.51 refer to the Government's intention to ban gas boilers.</p> <p>The Council recognises the value of mandatory targets. However, legally, the SPD is subordinate to the adopted District Plan (2018). It cannot introduce new compulsory targets or standards such as Passivhaus or a target for zero carbon, which would change District Plan policy requirement; otherwise the Council could be at risk from legal challenge. Targets and standards will be considered in the review of the District Plan.</p> <p>The diagrams are to simply explain how the orientation of buildings affects solar gain. They are an illustration to portray a concept, but in practice many issues will inform orientation.</p> <p>Reference to thermal mass is caveated by risk of overheating, which makes it clear that this issue needs to be considered. Further</p>	<p>Add the following reference to paragraph 4.26:</p> <p><i>Green roofs and walls:</i> https://livingroofs.org/</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
			<p>cooling energy demands.</p> <p>-3.23 and 3.28 The weakness here is that Building Regulations are not fit-for-purpose. Planning policy and the SPD would be more effective if the Passivhaus standard could be mandated.</p> <p>-3.24 and 3.27 are important</p> <p>Concerned that 'Low carbon' is not the same as 'zero carbon'. Burning fossil fuels in new development should not be allowed. The transition towards zero carbon should be mandatory.</p> <p>Adopting the approach set out in the LETI (2020).</p> <p>Climate Emergency Design Guide with performance and verification requirements would be much more effective.</p>	<p>detail about avoiding overheating is set out in Section 4 of the SPD Climate Change Adaptation.</p> <p>The SPD outlines in Section 3 and 4 that there are many design factors that influence heating and cooling. National and international research suggests that green roofs have cooling effects, particularly at combatting the heat Island effect. However, recognise a link to detail further guidance could usefully be added to the SPD.</p> <p>Building Regulations is a metric well understood by the industry, carbon reduction is commonly used by local planning authorities.</p>	
55- Hertford & Ware Labour Party	3.2 Topic guidance paras 3.48 and 3.50		<p>3.48 Landscape advice should be properly incorporated into planning rather than a condition to be agreed later.</p> <p>3.50 The statement that it is not a requirement to submit a reduction in household applications undermines the aim of the SPD. It is better to</p>	<p>The checklist should help ensure that decisions about how landscape design can help minimise and adapt to climate change, will be made earlier in the planning process.</p> <p>It is important for the SPD to explain household applications do not have</p>	<p>Amend paragraph 3.50 as follows: It is not a requirement to submit evidence of carbon reduction in household applications, but Retrofitting is important to ensuring all buildings contribute to</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
			state what is encouraged first, then information that it is not a requirement.	to submit the checklist and statement because it provides clarity. However paragraph has been re-worded better for clarity.	carbon neutrality. <u>Submitting evidence of carbon reduction in household applications.</u> As such, applications to improve the sustainability of existing buildings/ extensions are encouraged, although it is not a requirement to do so. <u>As such, applications to improve the sustainability of existing buildings/ extensions are encouraged.</u>
66- Historic England	Section 3.2 Topic Guidance		<p>The SPD should mention that when considering energy efficiency measures the benefits of alternative options should be weighed carefully against the impact upon historic building, their character and their setting. Significant energy savings can be achieved in historic buildings without damaging alterations but the SPD does not make this clear. Small scale changes can result in improved Performance.</p> <p>A balanced well-informed approach is essential to upgrading historic buildings to reduce energy consumption. It is crucial that proposals are based on a 'whole</p>	The Council agrees that the SPD could include more detail about how sustainable design and construction should be considered in relation to the historic environment. Additional text has been included in section 2.3 of the SPD.	<p>Insert additional text to section 2.3 of the SPD as follows:</p> <p><u>Climate Change can have a range of direct impacts on the historic environment, for example, accelerated weathering to building fabric, erosion of archaeological sites through severe weather and flooding and harm to historic landscapes or changes in vegetation patterns. Equally climate change mitigation and adaptation responses can also have unwelcome impacts</u></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
			house' approach. Would advise SPD makes reference to the need to understand historic fabric and make clear that standardised approaches or products may not always be suitable. Energy efficiency measures can have the opposite effect if inappropriately applied to historic buildings. It is important that historic assets are not seen a constraining factor, but as a valuable aid to achieving sustainable development. Encouraging the reuse of existing historic buildings and spaces can help achieve sustainable development. The SPD could recognise that the beneficial re-use of existing buildings is a sustainable approach in its own right.		<u>on the historic environment, such as damage to historic fabric through poorly designed energy-saving measures, or erosion of historic character through inappropriately located micro-generation equipment.....</u> Actions required to limit further damaging emissions and adapt to a changing climate are <u>vital and can be successfully achieved, but need to be balanced with measures to protect the likely to have important implications for the historic environment. Yet the significance and integrity of historic assets can be threatened by poorly designed interventions.</u> Where a historic asset or its setting may be affected, <u>careful consideration of the heritage context throughout the design process is key and the selection of and high quality, appropriate design of measures is therefore fundamental.</u> Where

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
					applicable, advice should be sought from the Council's conservation team or <u>other expert bodies such as Historic England, Hertfordshire County Council and Hertfordshire Gardens Trust.</u>
71- N. Cox	Section 3.2 Topic Guidance, paras 3.31- 3.39		Document fails to take into account high global warming potential (GWP) of the refrigerants commonly used in heat pumps and cooling equipment. UK government recommendations on the use of low GWP refrigerants are generally ignored. Please add the following refrigerant selection policy: 1. Only products with natural refrigerants (hydrocarbon, ammonia, CO2 or other natural refrigerants) will be selected. In cases where RAC products do not exist with natural refrigerants but with various low GWP refrigerants based on HFCs and HFOs, the selection criterion is: 2. Only products using refrigerants with a GWP of 675 or lower will be selected.	The level of refrigerants within technology is outside the requirements of planning permission so beyond the scope of this SPD.	No amendment in response to this issue.
87- Herts County	Section 3.2 Topic		Biomass Boilers are a useful source of renewable energy and tackle the	The Council acknowledges biomass boilers could have benefits but have	Insert the following text in Table 1, next to biomass

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
Council	guidance, Table 1 and para 3.51		<p>issue of energy alongside waste. It is felt as if they are displayed as a non-preferred option in a negative way. Although not suitable in some instances, perhaps the positives could be focused on?</p> <p>Suggest Site Waste Management Plans be included as a submission requirement?</p>	<p>reservations about air quality impacts. Will change the table to make it clear they are an option if air pollution issues can be overcome.</p> <p>Site Waste Management Plans are discussed in Section 9 of the SPD, so it is considered repetitive to discuss them in this section or include as a submission requirement.</p>	<p>boilers: <u>Yes. However....</u></p>
106- East Herts Green Party	Section 3.2 Topic guidance		<p>Set out a number of detailed comments: -3.2.3 Para 3.17: Site layout and building orientation- Advice is sound, but it highlights a contradiction in the local planning process: that at present details of the Landscape design are usually left as a condition at the approval stage of an application. However, for sustainable design – particularly in relation to controlling solar gain, optimal siting of renewable solar PV, use of shade for cooling spaces and use of trees or landscape to shelter buildings from prevailing wind - the design of the landscape should be considered in parallel to the building design and not left as a condition to be agreed later. The two must be designed together.</p> <p>Typos:</p>	<p>Noted that landscape is often dealt with by condition. However, the requirement to submit the sustainability checklist, which includes criteria which raise the importance of layout, orientation and landscaping for sustainable design (notably criteria En.2, CA.1, CA.2), should ensure that these issues are addressed earlier in the planning process.</p> <p>Noted other dense vegetation may also help with CO₂ absorption and trapping particles, but consider it is unnecessarily detailed to provide specific figures.</p> <p>Typos noted and will be corrected.</p> <p>The Passivhaus fact box references the Passivhaus website, this is</p>	<p>Para 3.18- replace eve with eave</p> <p>Para 3.37- replace increase' with 'decrease'</p> <p>Insert following text with paragraph 3.21: <u>Trees and other vegetation</u> can also help...</p> <p>Amend para 3.48 as follows: The zero carbon agenda is an evolving area which future planning policies will need to address in order to address the Council's declaration to aim for carbon neutrality across the district by 2030. <u>Future planning policies will need to address the reduction in carbon</u></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			<p>Energy and Carbon reduction</p> <p>-3.18 'eve' misspelt – eave? 3.37 'increase' CO2 emissions -3.21 Most vegetation, not just trees as stated, trap particles of pollution. Should provide specific figures to convince developers. Section 3.28: Could add a reference to The Passivhaus Handbook, Janet Cotterell and Adam Dadeby, (Green Books). 3.24 para 3.30 could provide examples of "Low carbon technologies" 3.2.7 Para 3.48 opening sentence is confusing - the words 'agenda' and 'evolving' don't aid clarity. Suggest wording "This council has a declared aim to be carbon neutral by 2030, a policy that is matched by most other councils in the UK, and follows the UK Government's own declaration of Climate Emergency and of its own aggressive carbon reduction goals. To meet these goals nationally and locally, future planning policies will need to address the reduction in carbon emissions. " 3.48 wording is confusing, would be clearer to say: "The definition of net zero carbon is evolving ⁽¹⁷⁾ - from</p>	<p>considered sufficient to signpost applicants to further information.</p> <p>Paragraphs 3.31- 3.36 refer to specific low carbon technologies, e.g. CHP or heat pumps (although heat is renewable often require a pump to operate the system so can still have carbon emissions).</p> <p>Agree wording of paragraph 3.48, 3.49 and 3.50 could be refined to provide clarity.</p> <p>Agree the definition of operational energy in paragraph 3.48 is confusing, propose amended wording.</p>	<p><u>emissions. This Council has a declared aim to be carbon neutral by 2030, a policy that is matched by most other councils in the UK, and follows the UK Government's own declaration of Climate Emergency and of its own carbon reduction goals.....</u></p> <p><u>Proposed changes to building regulations will significantly help reduce emissions. However, the definition of net zero carbon varies is evolving, but there is a growing direction of travel⁽¹⁷⁾ from looking at net zero carbon- considering it simply in terms of emissions controlled regulated by building regulations at during the construction of a building stage, towards achieving to net zero carbon in terms of the whole life carbon of a building's carbon emissions over its whole life-cycle, which effectively includes... Operational energy- Energy required to run a building during its entire design life</u></p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
			<p><i>considering it simply in terms of emissions controlled by building regulations at the construction stage, to net zero in terms of a building's carbon emissions over its whole life-cycle, which includes:"</i></p> <p>3.49 confusing wording - "In light of this emerging agenda" should be replaced with "<i>in light of growing efforts to cut carbon emissions</i>"</p> <p>3.50 better not to begin "Retrofitting is important to ensure all buildings contribute to carbon neutrality. Submitting evidence of carbon reduction in household applications to improve the sustainability of existing buildings/ extensions is strongly encouraged, although it is not a requirement to do so."</p> <p>In the Operational Energy para, the definition used is confusing. Should say: "Operational Energy - energy required during the entire service life of a structure such as lighting, heating, cooling, and ventilating systems; and operating building appliances.</p>		<p>buildings are supplied 100% renewable energy and operate fossil free (including all unregulated energy such as lighting and appliances)</p> <p>Amend para 3.49 as follows:</p> <p>However, in light of this emerging agenda <u>growing efforts to cut carbon emissions.</u></p> <p>Amend para 3.50 as follows:</p> <p>It is not a requirement to submit evidence of carbon reduction in household applications, but Retrofitting is important to ensuring all buildings contribute to carbon neutrality. <u>Submitting evidence of carbon reduction in household applications</u> As such, applications to improve the sustainability of existing buildings/ extensions are is strongly encouraged, although it is not a requirement to do so.</p>
120- David Lock on	3.2 Topic guidance		Support the approach in para 3.4, that mandatory carbon reduction	Support for text noted and welcomed.	Amend paragraph 3.37 as follows:

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
behalf of Tarmac	paragraphs 3.4, 3.10, 316, 3.37		<p>targets should be guided by government policy/ legislation and reference to the energy hierarchy in paragraph 3.10.</p> <p>Support approach to Passive design: and the promotion of on-site renewable technologies as part of new development (at paragraph 3.37) However, the use of renewable technologies should be considered on a site-by-site basis and potentially on a phased basis, for strategic sites delivered over a long period of time, where technological changes and innovation are inevitable. Their use should also be considered in the context of wider visual and ecological impacts which could result from their use. The use of such technologies should not compromise the deliverability of site allocations Tarmac consider that reference to the Hertfordshire Renewable and Low Carbon Study (2010) in paragraph 3.37 and Table 1 is outdated and should be deleted.</p>	<p>The Council recognises that applications are determined on a site-by site basis so local context is important. Paragraph 3.39 of the SPD acknowledges that renewable are not always feasible and viable.</p> <p>The information in the Hertfordshire and Low Carbon Study is still relevant, so the evidence has value. However, the Council recognise that innovation in this industry means that new technologies and approaches are constantly evolving and reference to the study shouldn't restrict the approach that applicants' progress. As such additional text is added to reiterate that all technologies and innovation will be considered.</p>	<p>It is acknowledged that <u>the suitability of technologies may change over time and</u> new technologies may also be developed, so the Council will also consider all proposals on their merit. alternative proposals if relevant.</p>
141- Andrew Martin Planning on behalf	Section 3.2 Topic guidance, para 3.31		Draft SPD encourages the use of alternative heating systems to gas boilers. However, it also places considerable emphasis on heat pumps as a generally more energy	The Council agrees that the SPD should avoid being too technology specific so will amend text accordingly.	Amend paragraph 3.31 as follows: Gas boilers make a large contribution to the 14% of UK

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
of Countryside			<p>efficient method of heating. Countryside objects to the emphasis placed on heat pumps on the basis that the SPD should not be or seek to be technology specific. Other alternative heating systems, such as electric boilers or solar thermal panels, may be appropriate or preferable on new development sites.</p> <p>To avoid being technology specific, the third sentence in paragraph 3.31 should be amended to read: 'Alternative heating systems are therefore encouraged, which could include (but are not limited to) electric boilers, solar thermal panels, heat pumps or other energy efficient systems'</p>		<p>greenhouse gas emissions from homes. <u>The Government intend to exclude gas boilers from new homes by 2025.</u> Alternative heating systems are therefore encouraged, <u>such as heat pumps, which could include (but are not limited to) electric boilers, solar thermal panels, heat pumps or other energy efficient systems.</u></p>
166- S. Landon	Section 3.2 Topic Guidance		<p>The Council's policies to promote zero and low carbon development are to be welcomed. However more needs to be done to ensure policies are not just a wish list that can be ignored or side tracked. As far as possible mandatory legislation must be introduced to ensure compliance. In just a few years there has been a massive increase in new developments in East Herts, there is little evidence that the majority of</p>	<p>The Council recognises the value of mandatory targets. However, legally, the SPD is subordinate to the adopted District Plan (2018). It cannot introduce new compulsory targets that would change District Plan policy requirement otherwise the Council could be at risk from legal challenge. Targets and standards will be considered in the review of the District Plan.</p>	<p>No amendment in response to this issue</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
			<p>this has been built sustainably. Concerned that most of these rely on infrastructure in existing villages, encouraging car dependency. Concerned about the lack of solar panels on new developments in East Herts</p> <p>Policies 3.16 - 3.53 and Passive House standards are not just desirable, they're essential and no planning permissions should be granted for anything less.</p>	<p>The Government commitment to increase energy efficiency using building regulations will help reduce the carbon emissions of new development. The requirement for submission of a qualitative checklist also provides a stronger implementation mechanism. Developers will have to consistently demonstrate how they have addressed each checklist criteria and submitted relevant evidence. This will provide greater transparency about if/how developments comply with, or exceed, policy across a range of environmental topics.</p>	
172- Env Agency	Section 3.2 Topic Guidance, para. 3.38		<p>Welcome the principle of contacting the Environment Agency to check if a permit/licence is needed (or if the site is indeed suitable in the first instance) for water and ground source heat pumps has been established.</p>	Support noted and welcomed	No amendment in response to this issue.
34- Sworders	Section 3.3 Submission Requirements	Object	<p>Considers the requirement to complete a carbon reduction template and provide detailed emission rate excessive and unreasonable. It is considered unreasonable for the SPD to require detailed emission calculations that go above and beyond Building</p>	<p>Policy CC2 states that all new development should demonstrate how carbon dioxide emissions will be minimised across the development site and encourages standards above building control. The carbon template is one of the tools (alongside the checklist and</p>	<p>Amend paragraph 3.51 as follows (from the third bullet point): <u>Full and reserved matters planning applications</u> evidence this reduction with a summary of the calculations should submit the carbon</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction Regulation standards.	<p>sustainable construction, energy and water statement) for demonstrating compliance with policy CC2.</p> <p>A percentage reduction in CO2 emissions from existing building regulations is a standard metric used frequently across the industry and by many local planning authorities to measure the energy performance of new buildings. The Council recognises the SPD cannot introduce new, mandatory targets so does not require applicants to secure a particular level of improvement above building regulations. Therefore it is not onerous. Rather the template provides a transparent way of reporting how a building relates to building regulations (which is already submitted by many applicants already) and therefore shows how it is minimising energy in line with Policy CC2. It is one part of a wider overview of how an applicant is minimising emissions in line with the energy hierarchy, so helps the Council assess the scheme. Each application will be judged on its own merits and it is accepted in some circumstances simply meeting current regulations is acceptable.</p>	<p>reduction template in Appendix B, as an appendix to <u>part of the ScEW Statement. This must: Whilst there is no mandatory target in Policy CC2, developers are expected to minimise carbon emissions. Comparison to existing building regulations is a common metric used in the industry and is a useful tool for quantifying how a development performs in terms of its carbon emissions (see table 2 of this SPD for examples). Alongside details about proposed measures in the checklist and the statement, it will help increase transparency and provide the Council with more understanding of how a development is addressing carbon reduction. The carbon reduction template should:</u></p> <ul style="list-style-type: none"> -Be applied to each unit type <u>or residential building envelope</u> proposed as part of a development. -Use the Target Emission Rate (TER) and Dwelling Emission Rate (DER)/ Building Emission

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
				<p>However, given that in 2022 the current regulations will be updated to reduce emissions by 31%, it is becoming increasingly important that applicants need to be looking beyond the current regulations.</p> <p>The Council does agree that the submission of data for all units is onerous, so proposes the template is only completed for building/ dwelling types for full/ reserved matter applications. Only major development needs to submit samples of data.</p> <p>Paragraph 3.51 will be amended to explain the role of the carbon reduction template and to clarify when/ how it should be used.</p>	<p>Rate for non-domestic (BER), derived from the calculations carried out for Building Regulations compliance (Part L).</p> <p><u>-Major development should include sample or estimates of Standard Assessment Procedure (SAP)³ calculations appended to the Carbon Reduction template as evidence of compliance. It is recommended that SAP 10 carbon intensity figures are used, to take account of the decarbonisation of electricity. Applicants should be mindful of Government's intention to ban gas boilers in new homes from 2025.</u></p> <p>-Calculations should be shown relative to existing Part L regulations, so it is clear <u>if, and</u> how well, the development performs above building regulations.</p>
121- David Lock on behalf of	Section 3.3 Submission Requiremen		Consider that the requirement for outline planning applications to be accompanied by a Sustainable	On reflection the Council agrees it is onerous for outline applications to submit the carbon reduction	Amend paragraph 3.51 as follows:

³ SAP is the assessment procedure required by Part L of Building Regulations.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
Tarmac	ts.		Construction, Energy and Water Statement, which includes a completed carbon reduction template is unduly onerous and the template is inappropriate at the outline application stage. This level of detail will simply not be available at this stage in the planning process. The wording of the last bullet point to paragraph 3.51 should therefore be amended as follows: The Sustainable Construction, Energy and Water Statement <u>and checklist must be submitted for outline applications. Detailed and Reserved Matters applications should be supported by a (including carbon reduction template) and checklist must be submitted for outline applications.</u>	template when all the detail may not be available at that stage.	<u>Full and reserved matters planning applications evidence this reduction with a summary of the calculations should submit the carbon reduction template in Appendix B,.....</u> <u>-Outline applications do not need to submit a carbon reduction template but in the Sustainable construction, Energy and Water Statement should set out the level of carbon reduction the scheme is aiming for and how this will be achieved. A carbon reduction template will then be required at the reserved matters stage.</u> -
183-Bishop's Stortford Climate Group	Section 3.3 Submission Requirements		Will look to see that the following provisions stick through into the final SPD and are then complied with: The requirement for developers to submit a Sustainable construction, Energy and Water (ScEW) Statement, including carbon calculations using SAP emission factors, which should provide complete clarity over the carbon emissions consequences of their design choices, which can then be compared to the advisory	Noted. Both provisions remain within the SPD	No amendment in response to this issue.

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction benchmarks in Table 2. The expectation that developers should provide evidence of the costs of the design options appraised (3.13); justification for any statement that renewable and low carbon technologies are not possible on site (3.39); and consideration of the technical feasibility of site-wide approaches to energy provision (3.40).		
107- East Herts Green Party	Section 3.3 Submission Requiremen ts		The use of the checklist approach is excellent and strongly supported, as is the requirement for better clarity in energy efficiency improvement over Part L.	Support noted and welcomed.	No amendment in response to this issue.
142- Andrew Martin Planning on behalf of Countryside	Section 3.3 Submission Requiremen ts, Para 3.51		Countryside supports the objectives behind the submission requirements however objects to the following: <ul style="list-style-type: none"> The checklist should be added to the validation checklist. East Herts Council will need to update and republish its Local Validation Requirements list. On large residential-led sites, where a particular house type may be used on multiple plots, there is no benefit in requiring the carbon reduction template to be applied to each unit. 	The Council is planning to update its local validation checklist to add the sustainability checklist. Support for the principle of the checklist and carbon reduction template is welcomed. The Council acknowledges that the template is onerous in its current form and should be simplified to apply to unit type and only require sample or estimates of SAP calculations.	Amend paragraph 3.51 (and appendix B) as follows: -Be applied to each unit or unit type or residential building envelope proposed as part of the development Be applied to each unit or unit type or residential building envelope proposed as part of a development. -Use the Target Emission Rate (TER) and Dwelling Emission

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			<p>Energy and Carbon reduction</p> <p>Instead it would be more appropriate to require the carbon reduction template to be applied to each unit type.</p> <ul style="list-style-type: none"> The requirement to produce Standard Assessment Procedure (SAP) calculations at the planning application stage is onerous, given that these would normally be completed later on in the design process. It would be more appropriate to request that samples or estimates of SAP calculations are provided at the planning stage. <p>Paragraph 3.51 of the draft SPD also should be amended to read: 'Be applied to each unit type or residential building envelope proposed as part of a development Include samples or estimates of Standard Assessment Procedure (SAP) calculations appended to the Carbon Reduction template as evidence of compliance.'</p>		<p>Rate (DER)/ <u>Building Emission Rate for non-domestic (BER)</u>, derived from the calculations carried out for Building Regulations compliance (Part L). Major development should include samples <u>or estimates</u> of Standard Assessment Procedure (SAP) calculations appended to the Carbon Reduction template as evidence of compliance.</p>
183-Bishop's Stortford Climate Change	Section 3.3 Submissions requirements		<p>Will keenly look to see that the following provisions remain in final SPD and are complied with:</p> <p>-The requirement for developers to</p>	Comments noted. The references mentioned remain in the SPD	No amendment in response to this issue

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
Group			<p>submit a Sustainable construction, Energy and Water (ScEW) Statement, including carbon calculations using SAP emission factors, which should provide complete clarity over the carbon emissions consequences of their design choices, which can then be compared to the advisory benchmarks in Table 2.</p> <p>-The expectation that developers should provide evidence of the costs of the design options appraised (3.13);</p> <p>- justification for any statement that renewable and low carbon technologies are not possible on site</p> <p>-consideration of the technical feasibility of site-wide approaches to energy provision (3.40).</p>		
108- East Herts Green Party	Section, 3.4 Checklist, para 3.53		<p>Concerned that the following phrase is unclear: "The level of detail submitted needs to be proportionate to the scale of application."</p> <p>Could lead to confusion in what is required. Can it be stated more clearly what precisely is required?</p>	<p>The requirement for detail to be proportionate to the scale of application means that the amount of information submitted with a planning application should reflect the scale and significance of the application.</p> <p>The Council does not want to be overly prescriptive to allow flexibility to take account of the site specific circumstances. However, it is agreed that 'proportionate' could be</p>	<p>Amend paragraph 3.51 as follows:</p> <p>The level of detail submitted needs to be proportionate to the scale of application. <u>This statement is explained in Appendix A: the combined checklist. Is included in Appendix A.</u></p> <p>Add guidance text to Appendix A- see proposed</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
				explained in more detail. More guidance about how to complete the checklist has been included in Appendix A and para 3.51.	amendment to rep 118
151- Pigeon	Section 3.4 Energy and Carbon Reduction Checklist		<p>Concerned about the distinction between requirements for an outline and detailed application. Raises a number of comments about checklist criteria:</p> <p>En.1 – Carbon reduction calculations should be addressed at the Reserved Matters stage of the process. The SPD, as currently drafted, seeks a level and detail of information that is unnecessary, inappropriate and disproportionate to the requirements of an outline application submission.</p> <p>En.2- The local validation requirement in relation to a Sustainable Design and Construction Statement is considered proportionate in relation to the Council's adopted policies as referenced. The draft SPD, in contrast, seeks a far greater level of detail and places a higher demand of standards to be achieved than adopted policy requires. Should not be applicable to outline applications.</p>	<p>The checklist requires applicants to consistently and transparently demonstrate how their proposals meet the plan policies. The SPD recognises that each application will be considered on its own merits.</p> <p>Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD); the Council thinks it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.</p> <p>En.1- The Council acknowledges that the template is more applicable to full and reserved planning applications. Therefore outline applications will not need to submit a carbon reduction statement.</p>	<p>Amend the last bullet of para 3.51 as follows:</p> <p>The Sustainable construction, Energy and Water Statement (including carbon reduction template) and checklist must be submitted for outline applications. Outline applications do not need to submit a carbon reduction template but in the Sustainable Construction, Energy and Water Statement should set out the level of carbon reduction the scheme is aiming for and how this will be achieved. A carbon reduction template will then be required at the reserved matters stage.</p> <p>Delete checklist criteria En.3:</p> <p>What proportion of the total number of buildings, are orientated to secure optimum solar gain? (East-</p>

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
			<p>En.3- Provides no indication about what proportion is acceptable to the Council. The SPD should be clearer on how it will assess detailed schemes and what its quantum expectations are in respect to the orientation of buildings to secure optimum solar gain.</p> <p>En.4- Matters for detailed applications, not outline proposals. Notwithstanding, it is considered that this requirement lies outside of the scope of policies contained within the East Herts District Plan 2018 and covered by Building Regulations</p> <p>En.5- Needs to be a distinction between what is required at detailed and outline stage. Also need to provide clearer guidance as to what the Council considers to be successful integration. Perhaps a worked example(s) in the SPD would be helpful?</p> <p>En.6- is to be a requirement of a detailed planning application submission then the SPD needs to provide clearer guidance as to what</p>	<p>En.2- The Council disagrees that the SPD goes beyond the Policy requirements of the District Plan. It does not introduce new mandatory targets, but provides additional guidance to help support the implementation of the District Plan policies relating to how to reduce carbon emissions in new development. It encourages developers to go beyond the current policies but does not mandate.</p> <p>En.3 – Agree delete- too simplistic and not clear how officers will be able to determine an appropriate proportion in practice. More effective and logical to consider solar orientation as part of criteria En.2</p> <p>En.4- Relates to requirements of District Plan Policy CC2 to minimise carbon dioxide in accordance with the energy hierarchy.</p> <p>En.5 and 6- The SPD cannot introduce mandatory targets so does not set out a prescriptive approach. The applicant should use the principles, case studies and references to demonstrate how their proposal can help address the issue</p>	West Axis)

Rep No.	Section/ Para number	Support or Object	Issue	Officer Response	Proposed Amendment
3.			Energy and Carbon reduction		
			the Council considers to be an acceptable level of reduction of the energy embodied in construction materials.	and meet the requirements of District Plan Policy CC2.	

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
56 Hertford & Ware Labour Party	Section 4.1 Policy Context		No mention of the Council's aim to be carbon neutral in nine years. Should be addressed immediately.	The Council's aim to be carbon neutral by 2030 is set out at in the first paragraph of the SPD.	No amendment proposed in response to this issue
57- Hertford & Ware Labour Party	Section 4.1 Policy Context		Pushes changes into the future. No acknowledgement that weather hazards mentioned are continuing to increase, this distancing language does not bring change urgently.	Agree wording could be more proactive.	Amend paragraph 4.1 as follows: The changing climate means the UK will <u>needs</u> to adapt to extreme rainfall events, warmer, wetter winters and hotter, drier summers.
109 East Herts Green Party	Section 4.1 Policy Context, para 4.1		This part of the sentence is unclear and inaccurate. For increased clarity it should say: "The incidence of dangerous events such as heatwaves, flooding and droughts is already increasing..."	Agreed wording add clarity.	Amend paragraph 4.1 as follows: <u>incidence of</u> hazards such as heatwaves, flooding and droughts is will increasing and it is essential the built

4.					
Rep	Section/ para. Number	Support or Object	Climate Change Adaptation Issue	Officer Response	Proposed Amendment
					environment is adapted to increase resilience to such events.
137- Hertford Town Council	Section 4.1 Policy Context		Change the wording from 'will increase' to 'is already increasing'. Section on green roofs and walls referred to 'certain standards to be met'. It would be helpful if the document listed these.	Agreed word should be changed from will to 'is'. Unclear what the 'certain standards to be met' comment is referring too. Reference to living roofs has been added to paragraph 4.24 for additional guidance.	Amend paragraph 4.1 as follows: <u>incidence of hazards</u> such as heatwaves, flooding and droughts is will increasing and it is essential the built environment is adapted to increase resilience to such events.
48- Good Architectu re/ Transition Hertford	Section 4.2 Topic Guidance, 4.2.2 overheating, paras. 4.12- 4.15		Raises a number of detailed comments about the overheating section: -Promotes the Passivhaus standard as it ensures minimal cooling energy demands avoiding conventional air conditioning. -Questions if green roofs aid cooling, except if construction below is inadequately insulated. Asks about evidence -Passive stack ventilation as described in para 4.15 should not be necessary, and would likely result in	The Council recognises the value of Passivhaus and promotes it in sections 2 and 3 of the SPD. However, it cannot be included as a mandatory target. A range of design options are discussed, to allow for flexibility. Passive stack ventilation is simply discussed as one potential. The SPD outlines in Section 3 and 4 that there are many design factors that influence heating and cooling. National and international research	No amendment proposed in response to this issue

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			<p>an unacceptable heat loss in the heating season through thermal bridges and air leakage.</p> <p>Further guidance.</p> <p>- agree CIBSE TM52 and TM59 provide very useful guidance.</p>	<p>suggests that green roofs have cooling effects, particularly at combatting the heat Island effect.</p> <p>Living roofs is a useful source of information.</p>	
75- Hunsdon Eastwick and Gilston Neighbour-hood Plan Group	Section 4.2 Topic Guidance, 4.2 Green Infrastructure, paras 4.21 and 4.24, Section 4.2.4 SuDs		<p>Welcomes the importance of green infrastructure but would like mention of green infrastructure being managed in the future. Green infrastructure should be transferred to the community with a suitable endowment, would like this omission addressed.</p> <p>Welcomes green walls and roofs but they need to be planted to increase pollinators.</p> <p>SuD's value as green infrastructure is not made clear. Needs a developer funded endowment to ensure they are maintained. Amendments should be made accordingly.</p>	<p>The Council recognises that the maintenance of green infrastructure is an important issue so has included reference</p> <p>However detailed discussion about management arrangements are outside the scope of this SPD. See the officer response to rep 81 for more detail on this issue</p> <p>Paragraph 4.20 refers to the multi-functional nature of green infrastructure. The ecological value of green walls/ roofs and SuDs are addressed in section 7 (biodiversity) of this SPD</p>	<p>Insert a new sentence at the end of 4.20: <u>For Green Infrastructure to function effectively in the long-term, it is also essential that an appropriate management strategy is put in place.</u></p>
122- David Lock on behalf of Tarmac	Section 4,2 Topic Guidance, 4.2.1 Green Infrastructure, para 4.21		<p>Support reference to the importance of multifunctional greenspace but express concern regarding the proposed selection of new tree planting solely based on their ability to provide benefits for climate</p>	<p>Agree that the suggested amendment effectively promotes biodiversity and climate change resilience.</p> <p>Support for green roofs and walls</p>	<p>Amend para 4.21 as follows: <u>effects of sunlight. The choice of planting stock should seek to promote biodiversity and reflect local provenance as</u></p>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			<p>adaptation, as proposed at paragraph</p> <p>4.21. Consider paragraph 4.21 should be amended as follows to reflect benefits to biodiversity as well as climate change: effects of sunlight. <u>The choice of planting stock should seek to promote biodiversity and reflect local provenance as well as resilience to the predicted effects of climate change in the locality, utilising adaptation measures, such as those evidenced by the Forestry Commission. The preference will be to, where it is essential....</u></p> <p>The SPDs encouragement towards the use of green roof and walls, where possible is supported, where this would not unduly impact the deliverability of development.</p>	welcomed.	<u>well as resilience to the predicted effects of climate change in the locality, utilising adaptation measures, such as those evidenced by the Forestry Commission. The preference will be to, where it is essential....</u>
92- Herts County Council	Section 4.4 Checklist		There are a number of questions in the checklist that are presented as 'closed' questions, such as: CA2 Has an overheating assessment been undertaken? It would appear that the applicant can simply answer yes and not demonstrate the	<p>Agreed with that checklist CA.2 should be amended to an open question.</p> <p>Open questions are generally preferred unless the checklist criteria, is asking if particular</p>	Amend checklist criteria CA.2 Has an overheating assessment been undertaken? <u>How has overheating been assessed and what measures are proposed to address it?</u>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			conclusions of such a study. Perhaps these questions should be presented as How has overheating been assessed and what measures are proposed to tackle/combat?	information, such as SuDs details have been submitted.	
110- East Herts Green Party	Section 4.2 Topic Guidance, 4.2.2 Overheating		<p>Sets out the following minor wording changes:</p> <p>-Para 4.8 The SPD states what's happening now but doesn't give any idea of the magnitude of the issue going forward: You could add the fact that the: "UK Government's Committee for Climate Change predicts that without action, the number of people dying as a result of heat is expected to reach 7,000 a year by 2040."</p> <p>4.9 should say: "The 'urban heat island effect' is a phenomenon whereby urban temperatures are higher than the surrounding rural areas due to heat being stored <u>within the solid materials of urban areas, such as concrete, tarmac, and slate, during daytime and then released slowly.</u>"</p> <p>4.13 should read: "use of green roofs, and trees and vegetation for shading and evaporative cooling."</p> <p>4.14 should say: ""Figure 6 shows how roof design and planting of vegetation can reduce solar glare</p>	<p>It is considered that paragraph 4.8 outlines the significant impact of overheating and additional text is unnecessary.</p> <p>Agrees with other proposed wording changes, except with regard to para 4.24- information about panels heating up is too detailed.</p> <p>In terms of reference to the passivhaus book and landscaping condition, see the officer response to rep106.</p>	<p>Amend para 4.9 as follows: <u>stored within the solid materials of urban areas, such as concrete, tarmac, and slate, during daytime and then released slowly. And 'trapped' within building structures.</u></p> <p>Amend 4.13 as follows: use of green roofs, <u>and trees and vegetation for shading</u> shading and evaporative cooling</p> <p>Add to para 4.14: <u>and heating by direct sunlight</u></p> <p>Add text to para. 4.17: <u>Mechanical ventilation with Heat Recovery systems</u></p> <p>Amend 4.22: sunlight (IR)</p> <p>Amend 4.23: integral <u>integrated</u></p>

67

4.	Climate Change Adaptation				
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			<p><u>and heating by direct sunlight</u>, whilst still allowing in daylight and warmth from the sun.”</p> <p>4.15: “natural air” – presumably this means “fresh air”</p> <p>4.17 There is no mention of Mechanical ventilation with Heat Recovery systems.</p> <p>4.19 References: could add The PassivHaus Handbook, J Cotterell and A Dadeby 2012 (Green Books)</p> <p>4.20 Advice is sound but highlights a contradiction in the local planning process that at present details of the Landscape design and green infrastructure are usually left as a condition at the approval</p> <p>4.22 should state “protect from sunlight (IR)” since the predominant heating in sunlight is not UV light, it is from infrared portion of the spectrum.</p> <p>4.23 should read “or integrated”</p> <p>4.24 Add that solar panels efficiency falls as they heat up, since this explains why a green roof nearby can help keep them efficient even on hot days.</p> <p>‘biosolar roofs’ means “green planting” – wording should be swapped for clarity. Could add a reference to explain biosolar roofs:</p>		<p>Add reference to: Green planting and www.livingroof.org</p> <p><u>Amend 4.27: Climate change will is increaseing</u></p>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			eg https://livingroofs.org/ Para 4.27 should read "Climate change is already increasing..."		
124 - DLA on behalf of Tarmac	Section 4.2 , 4.2.4 SUDs		Tarmac support the promotion of sustainable urban drainage (SuDS) systems to manage surface water run-off, as set out in section 4.2.4 of the SPD. The illustrative masterplan for BGS has been informed by a sustainable design-led approach, incorporating a range of SuDS.	Support noted and welcomed	
123- DLA on behalf Tarmac	Section 4.3 Submission Req		<p>Tarmac supports the requirement for all applications to be accompanied by a Sustainable Construction, Energy and Water Statement, in principle. However, consider that the level of detail contained within any such Statement should be proportionate to the scale and nature of the application.</p> <p>Tarmac considers that any overheating assessments should only be required where necessary and in support of detailed and Reserved Matters applications. Any requirement for such an assessment to be submitted as part of an outline planning application is considered by Tarmac to be inappropriate. Tarmac suggest that the SPD should provide the following clarification within</p>	<p>The Sustainability SPD sets out that the level of detail should be proportionate to the scale and type of application.</p> <p>Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD); the Council thinks it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.</p> <p>The Sustainability SPD requires that overheating is assessed in line with</p>	<p>Amend checklist criteria CA.2:</p> <p>Has an overheating assessment been undertaken? <u>How has overheating been assessed and what measures are proposed to address it?</u></p>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			<p>paragraph 4.29 and the checklist criteria CA.2:</p> <ul style="list-style-type: none"> All relevant checklist criteria below relating to climate change adaption have been considered and explained. Any overheating assessments and Green Infrastructure plans and proposals are explained. <u>Full applications or reserved matters applications for major development (10 dwellings and over) should submit an overheating assessment.</u> 	<p>District Plan Policy CC1 but it does not mandate a heating assessment for a particular scale or type of development. As such checklist CA.2 will be changed to an open question so that applicants have to explain and justify their approach.</p> <p>A formal overheating assessment may be appropriate. The good home checklist in paragraph 4.19 is recommended as a useful tool for assessing overheating risk.</p>	
143- Andrew Martin on behalf of Countryside	4.2 Topic Guidance, 4.2.3 Green Infra		<p>To be consistent with Policy CC1 of the District Plan, paragraph 4.24 should be amended to read: 'Where feasible and appropriate, the Council encourages the integration of green roofs and walls into buildings, as they have many benefits that enhance resilience to climate change'. While paragraph 7.31 should be amended to read: 'Where feasible and appropriate, the Council encourages the incorporation of green or brown roofs into development'.</p>	<p>It is recognised green roofs and walls are not always appropriate so agree with suggested amendment.</p>	<p>Amend para. 4.24 as follows: <u>Where feasible and appropriate, the Council...</u></p>
162- S. Chapman	Section 4.2, Topic guidance,		<p>Suggests that hedges as well as trees trap particles. They are also homes to many species of bird. The loss of</p>	<p>The retention of existing green infrastructure is supported in paragraph 4.21 and checklist criteria</p>	<p>Add hedgerows to paragraph 3.21:</p>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
	4.2.3 Green Infra		hedgerows is significant in many existing developments (with mature hedges replaced by fencing) and some attempt should be made to quantify this loss and to put in place measures to combat it. Why not find ways to encourage provision of hedges? There should also be a focus on existing mature trees and shrubs, developers should be mandated to keep them.	CA.4 Agree reference to hedgerow should be added to para 3.21	Trees <u>and hedgerows</u> can also help with CO ₂ absorption
163- Sue Landon	Section 4.2, Topic guidance, 4.2.4 SuDs		Climate change causes extremes of weather resulting in both drought and flooding conditions. It is vital that flood alleviation schemes, SUDs, and water harvesting systems can collect and store quantities of excess water during times of flooding so it can be used in times of drought. Natural woodland, ancient trees and vegetation do contribute hugely to managing and stabilizing the climate. They also play an essential role in protecting soil structures from erosion. It is vital therefore that our countryside and natural existing environment is given full protection and new development can enrich it further. No mature trees should be felled since their contribution cannot be replaced with younger trees.	The importance of SUDs is acknowledged in the SPD and water harvesting systems are promoted in section 5 of the SPD. Paragraph 4.21 seeks to retain mature trees and this is reiterated in the checklist: CA.4- How have existing features such as trees / woodlands and hedgerows been protected and incorporated within a green infrastructure network?	No amendment in response to this issue

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
2-V Glover-Ward	Section 4.2.4 SUDs	Support	Concerned the SPD does not reference that developments should not be built on existing flood plains or that developments should not be increasing the risk of flooding in existing buildings due to additional drainage requirements.	<p>The role of flood risk in the site allocation process is outside the scope of this SPD. District Plan Policy WAT1 Flood Risk and East Herts Strategic Flood Risk Assessment direct development away from areas of the high risk.</p> <p>Policy WAT1 Flood Risk Management is referenced for context in paragraph 4.4.</p> <p>Paragraph 4.28 outlines the importance of SuDs for ensuring development will not increase the risk of flooding elsewhere.</p>	No amendment proposed in response to this issue
173- Env Agency	Section 4.2 Topic guidance		<p>We would advise that Policy WAT1 is also included within the District Plan policies here. Rivers and fluvial flood risk should be taken into account and included as an important facet of climate change adaption.</p> <p>4.2.3 – We would advise that you make reference to blue infrastructure as well as green infrastructure.</p> <p>4.7 – We are pleased to see that tackling flood risk in collaboration with the Environment Agency and</p>	<p>The SPD recognises in paragraph 4.7 that fluvial flood risk is an impact of climate change. District Plan Policy WAT1 is referenced for context in paragraph 4.4, but could also be included in paragraph 4.27 for clarity.</p> <p>However, the Council considers this is adequately addressed by the District Plan and East Herts Strategic Flood Risk Assessment. Therefore it was not a priority to incorporate detailed</p>	<p>Amend para 4.27 as follows:</p> <p>Applicants should take account of <u>District Plan Policy WAT1 Flood Risk Management</u> and the East Herts Strategic Flood risk Assessment</p> <p>Amend para 4.20 as follows: <u>Multi-functional green and blue infrastructure</u></p>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			<p>delivering Sustainable Drainage Systems are identified as key issues (but as above we advise you expand on the former further).</p> <p>Paragraph 4.2.4 – Sustainable Urban Drainage should be Sustainable Drainage Systems (SuDS)</p> <p>Paragraph 4.28 – We are pleased to see you advise that pre-application advice with regards to fluvial flooding should be sought from the Environment Agency. Our charged pre application advice service could also be mentioned in regard to other areas of our remit e.g. Biodiversity.</p>	<p>guidance in the SPD.</p> <p>The Council recognises the value of blue infrastructure, and ‘water’ is referenced in paragraph 4.21 of the SPD. For clarity, include wording: blue infrastructure in para 4.20.</p>	
184-Bishop's Stortford Climate Group	Section 4.2 Topic Guidance		<p>Concerned thermal modelling is only recommended so developers won't undertake assessments early enough to inform the design. Concerned that Herts SuDs guidance is strong enough, given that examples here are often poor compare to Cambridge example. Will wait to see if provisions for green infrastructure remain in the SPD.</p>	<p>Concerns noted. Although thermal modelling is not mandatory the requirement to demonstrate how overheating has been assessed is set out in the SPD. Checklist criteria CA.2 has been amended to an open question so that applicants have to explain and justify their approach. The SPD encourages the use of the checklist at pre-application stage, which will help to ensure issues are addressed early in the design stage.</p> <p>The County Council is the SuDs approval body so the Council has</p>	No amendment in response to this issue

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
				limited control over the design of SuDs. However, the guidance about the multi-function nature of SuDs and the good practice examples aim to positively enhance the provision of SuDs in East Herts.	
178- Affinity Water	Section 4.2 Topic Guidance, 4.2.3 Green infrastruct ure, paras. 3.21, 4.24		Green walls and roofs need to be managed very carefully particularly on multi-story buildings, as they can become a fire risk if they are allowed to dry out. Where possible they should be watered using rainwater or greywater harvesting systems.	Recognise that green roof and walls may not always be appropriate.	Amend para. 4.24 as follows: <u>When possible Where feasible and appropriate</u>
126- DLA on behalf of Tarmac	Section 4.4 Checklist		In light of Tarmac's consideration that any overheating assessments should only be required where necessary and in support of detailed and Reserved Matters applications, amend checklist CA.2 as follows: <u>For full applications or reserved matters applications has an overheating assessment been undertaken?</u>	Checklist criteria CA.2 has been amended to an open question so that applicants have to explain and justify their approach.	Amend checklist criteria CA.2 Has an overheating assessment been undertaken? <u>How has overheating been assessed and what measures are proposed to address it?</u>
92- Herts County Council	Section 4.4 Checklist		There are a number of questions in the checklist that are presented as 'closed' questions, such as: CA2 Has an overheating assessment been undertaken? It would appear that the applicant can simply answer yes and not demonstrate the conclusions of such a study. Perhaps	Agreed with that checklist CA.2 should be amended to an open question. Open questions are generally preferred unless the checklist criteria, is asking if particular information, such as SuDs details	Amend checklist criteria CA.2 Has an overheating assessment been undertaken? <u>How has overheating been assessed and what measures are proposed to address it?</u>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			these questions should be presented as How has overheating been assessed and what measures are proposed to tackle/combat?	have been submitted.	
152- Pigeon	Section 4.4 Checklist		<p>Comments on a number of the checklist criteria:</p> <p>CA.1 - Whilst the general principle of minimising overheating is understood and supported, there needs to be an acknowledgement that there are many (often competing) factors that will influence site layout and orientation of buildings. Each site is different and has its own constraints and opportunities and whilst important this aspiration needs to be balanced against others as part of a holistic design approach for each site.</p> <p>CA.2- Needs to clarify under which circumstances an overheating assessment / modelling is required. This would not be appropriate for outline applications and would surely be unduly onerous for non-major developments.</p> <p>CA.5- Needs to be greater acknowledgement of the maintenance and structural issues associated with green roofs and that they will not be suitable in all</p>	<p>The Sustainability SPD requires that overheating is assessed in line with District Plan Policy CC1 but it does not mandate a heating assessment for a particular scale or type of development. As such checklist CA.2 will be changed to an open question so that applicants have to explain and justify their approach.</p> <p>A formal overheating assessment may be appropriate. The good home checklist in paragraph 4.19 is recommended as a useful tool for assessing overheating risk.</p> <p>The integration of green roofs and walls is not a mandatory requirement and the Council recognises it may not always be feasible or appropriate.</p>	<p>Amend checklist criteria CA.2 Has an overheating assessment been undertaken? <u>How has overheating been assessed and what measures are proposed to address it?</u></p>

4.			Climate Change Adaptation		
Rep	Section/ para. Number	Support or Object	Issue	Officer Response	Proposed Amendment
			instances, particularly for residential dwellings. It should be encouraged but not a requirement.		

Rep No.	Section / para number	Support or Object	Issue	Officer response	Proposed Amendment
5.			Water Efficiency		
19- C Rowe	General comments	Object	<p>Suggested that due to climate change any additional houses will see water shortages that will cause ecological damage. Chalk streams are already suffering from over-extraction which needs to be reversed.</p> <p>Developments should not be allowed without significant reductions in water use. Suggests using stronger words to direct developers to adopt techniques to reduce water extraction from aquifers to zero.</p>	The water companies and Environment Agency are statutory planning consultees so will advise at the site allocation stage if locations for development are appropriate. District Plan policy WAT4 and this SPD recognises that East Herts is a water stressed area, which is why higher water efficiency targets have been adopted. The Council considers the language used is appropriate	No amendment in response to this issue
27- Dr A Rowe	General comment	Support	EHDC should be concentrating on increasing the efficient management and use of water in the existing housing stock in order to reduce and mitigate existing damage	The Council recognises the importance of improving the sustainability of existing buildings. Many of the sustainability principles set out in the SPD are applicable, but it is outside the scope of this SPD and will be considered as part of the District Plan review.	No amendment in response to this issue
167- S,	General		Fully support the policies for water	Support noted and welcomed	

Rep No.	Section / para number	Support or Object	Issue	Officer response	Proposed Amendment
5.			Water Efficiency		
Landon	comment		efficiency. Rainwater and Grey water harvesting should be mandatory in all new buildings. Many developers currently promote an opulent lifestyle that encourages wastefulness and high water use. This should be stopped.		
58- Hertford & Ware Labour Party	Section 5.2 Topic Guidance		Table under 5.6 advises dual flush toilet cisterns should be used, it has been reported that frequent leaks from these are making them less desirable.	<p>The Council recognises that alternative fittings may be suitable, but it is too detailed for the SPD to refer to alternative technologies, especially as these cannot be enforced by the planning system.</p> <p>The dual flush fitting is only referred to in table 5 as an example because it is referenced in the building regulations and Housing Quality Mark Standard.</p>	No amendment in response to this issue
164- S. Chapman	Section 5.2, section 5.2.1 Water Efficiency in East Herts	Object	Rivers in East Herts are at critically low levels. We may well lose such iconic rivers as the Rivers Ash and Stort. This will be made incrementally worse by development. What plans have you in place to deal with this?	The water companies and Environment Agency are statutory planning consultees so will advise at the site allocation stage if locations for development are appropriate. District Plan policy WAT4 and this SPD recognises that East Herts is a water stressed area, which is why higher water efficiency targets have been adopted.	No amendment in response to this issue
111- East Herts	5.1 Policy Context,		Support strong limits on water use in new builds but how is this monitored	The target is enforced with a planning condition.	No amendment in response to this issue

Rep No.	Section / para number	Support or Object	Issue	Officer response	Proposed Amendment
5.			Water Efficiency		
Green Party	para 5.13		after construction? This requires proper monitoring to implement limits. Can the SPD make recommendations for this?	Recognise it is difficult to monitor post construction as the LPA has no control over how the fittings are used by the building occupant.	
112- East Herts Green Party	5.2 Topic Guidance, 5.2.1 Water Efficiency in East Herts		5.4 is correct but ignores the impact of shortages on drinking water supplies, which is another key consideration. 5.6 New and growing evidence from Thames Water, and Waterwise charity, shows that newer dual flush cisterns are being found to have significant issues with leaks compared to older siphon designs. In light of this, should the SPD recognise the issue and recommend fitting siphon cisterns with water reduction measures in the cistern. Section 5.2.4 Para 5.11 – worth stressing that grey water or rainwater recycling can be especially useful for schools and public buildings with high-use toilets.	Noted. However, the Council considers the text adequately sets out the context in light of guidance from the Environment Agency and the water companies. The Council recognises that alternative fittings may be suitable, but it is too detailed for the SPD to refer to alternative technologies, especially as these cannot be enforced by the planning system. The dual flush fitting is only referred to in table 5 as an example because it is referenced in the building regulations and Housing Quality Mark Standard. Likewise the SPD highlights the value of grey and rainwater recycling to residential and non-residential development. Specific reference to particular building types is unnecessarily detailed,	No amendment in response to this issue
138- Hertford	Section 5.2 Topic		In the section regarding water and installation of toilets, it was	The Council recognises that alternative fittings may be suitable,	No amendment in response to this issue

Rep No.	Section / para number	Support or Object	Issue	Officer response	Proposed Amendment
5.			Water Efficiency		
Town Council	Guidance, Table 5		suggested to promote use of siphon type flushes over dual flushes which have ongoing maintenance issues	but it is too detailed for the SPD to refer to alternative technologies, especially as these cannot be enforced by the planning system. The dual flush fitting is only referred to in table 5 as an example because it is referenced in the building regulations and Housing Quality Mark Standard.	
174 -Env Agency	Section 5.4 Checklist		Pleased to see that the 110 litre consumption target, in line with Policy WAT4, has been included here.	Support noted and welcomed	
177- Affinity Water	Section 5.2 Topic Guidance		Note and welcome the water consumption target (110 litres or less per head per day) and the promotion of rain and grey water harvesting systems. Seeks the inclusion of the following text: <u>Information on which appliances are water efficient can be accessed via websites such as, www.europeanwaterlabel.eu/. This website provides one label for all water using bathroom products and covers both water and energy use. It also contains a Water Calculator which provides a working example of the calculator used for Part G of the</u>	Support for the approach noted and welcomed. Inclusion of text before paragraph 5.7 is agreed. Mandatory targets cannot be introduced in the SPD so the suggested threshold cannot be included. However the checklist asks applicants to explain and justify if they have incorporated rain and grey water harvesting approaches. The Council expects a proportionate response, so larger schemes so there is more emphasis on larger schemes to take forward these systems.	Insert the following text before paragraph 5.7: <u>Information on which appliances are water efficient can be accessed via websites such as, www.europeanwaterlabel.eu/. This website provides one label for all water using bathroom products and covers both water and energy use. It also contains a Water Calculator which provides a working example of the calculator used for Part G of the Building Regulations and information on water consumption for hundreds of</u>

Rep No.	Section / para number	Support or Object	Issue	Officer response	Proposed Amendment
5.			Water Efficiency		
			<p><u>Building Regulations and information on water consumption for hundreds of products</u></p> <p>We would like the last sentence in paragraph 5.10 to be re-worded as follows: <u>The Sustainable Construction, Energy and Water Statement should include the following techniques discussion of how the following techniques have been incorporated into developments of 5 units or more, and how it has been considered for all other development</u></p>		<u>products</u>
185-Bishop's Stortford Climate Group	Section 5.2, Topic guidance		<p>Do not think compliance with the efficiency standard is sufficient to ensure that the lowest possible levels of mains supply water use are built into the fabric of new residential developments, in light of the fact that BREEAM standards show it is possible to design to improve upon the building standards</p> <p>The Sustainable Construction, Energy and Water Statement should include consideration of rainwater harvesting and grey water use. Have typically seen developers simply dismiss such suggestions saying it is not economic, without providing any</p>	<p>The SPD has to comply with the wording within the District Plan, so cannot exceed the water efficiency standard in WAT4.</p> <p>However, the guidance in the SPD encourages the developer to improve upon building standards. The checklist asks developers if they have incorporated water recycling systems and requires applicants to justify their approach. This should ensure more detail is included in the Sustainable construction, Energy and Water Statement.</p>	No amendment in response to this issue.

Rep No.	Section / para number	Support or Object	Issue	Officer response	Proposed Amendment
5.			Water Efficiency		
			<p>evidence to support such statements.</p> <p>It has been reported recently that the drop valve dual flush toilet systems in use do not deliver the water use reductions intended, because they are poorly designed and so do not achieve the intended behaviour change and because they leak. The Council should press developers to use the most modern siphon systems</p>		
135- Thames Water	Section 5.3 Submission Requirements		<p>Support the policies on surface water drainage and water efficiency. Welcomes reference to 110 litres per person per day standard, however is unclear how this is implemented and enforced. 110 litre requirement is only required under the Building Regulations when there is a planning condition requiring that the optional requirement set out in Regulation 36(2)(b) of the Building Regulations must be complied with.</p> <p>It is not clear whether such conditions are applied to planning permissions in the district. If the standards are to be delivered and enforced through the Building Regulations then planning conditions</p>	<p>Planning conditions are used to enforce compliance with the target in East Herts. The condition requires that prior to the first occupation of residential units, measures shall be incorporated within the development to ensure that a water efficiency standard of 110 litre (or less) per person per day is achieved.</p>	<p>No amendment in response to this issue</p>

Rep No.	Section / para number	Support or Object	Issue	Officer response	Proposed Amendment
5.			Water Efficiency		
			are necessary on all permissions for new homes to ensure that the requirement is achieved.		
153-Pigeon	Section 5.4 Checklist		<p>Wa.1- Whilst requirement accords with Local Plan policy WAT4 is not a matter that can be properly addressed at outline stage and this should be clarified in the document</p> <p>Wa.2- The SPD should set out what standard would be acceptable, if requirements in excess of Building Regulations are required. Wa.3- The SPD should set out what standard would be acceptable, if requirements in excess of Building Regulations are required.</p>	<p>Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD); the Council thinks it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.</p> <p>In reference to criteria Wa.2 and 3, the SPD cannot introduce mandatory targets but sections 5.2.3 and 5.2.4 provide examples and benchmarks that can be used to inform compliance with the checklist criteria.</p>	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
35- Sworders	General comment	Object	Section 6.1.2.2 sets out minimum standards in relation to air quality. However there are no standards specified in the adopted District Plan. The minimum standards set out in paragraph 6.19 should therefore be described as recommended or guidelines instead, and the checklist amended accordingly.	The second sentence in 6.18 does state that these are <i>recommended</i> minimum standards. It is agreed that the checklist should be amended to reflect this.	Insert the word recommended into checklist criteria AQ.1
59 - Hertford and Ware Labour Party	General comment		Questions why the use of gas-powered boilers is being recommended at this late stage in the process of decarbonisation.	It is not considered practical or reasonable to ban gas boilers, when they are currently permitted by building regulations and the SPD can't introduce mandatory targets. However, the SPD sets out the national intention to ban boilers by 2025 in both the pollution and the energy and carbon sections. Instead the SPD encourages the use of alternative fuels and where gas is used, high standards should be met.	No amendment in response to this issue
76 - Hunsden, Eastwick and Gilston Neighbourhood Plan Group	General comment		Welcome the general approach but fail to understand why the council does not champion this when it comes to a flagship policy like Local Plan GA1/2 where it is proposed to extend the A414 through the middle of an existing community without providing the community with the sort of information the Policy champions. Can the Council make it clear that it will from now onwards	The Council will assess the air quality implications of each site on its merits, taking account of the District Plan policy, guidance in this SPD, the local context and submitted assessments	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			not support any schemes which are not clear to residents on the impact on air quality?		
97 Annelise Furnace	General comment		No guarantee is provided for ensuring that existing Air Quality Management Areas (AQMAs), including in Sawbridgeworth, are not made worse by housing development and the associated rise in traffic; or how these areas will be monitored and remedial action taken should they get worse.	The measures laid out in this SPD ensure that mitigation for any increases in air pollution within or near to AQMA's must be mitigated against.	No amendment in response to this issue
168- Sue Landon	General comment		Transport contributes greatly to poor air quality. New developments should discourage car use by providing local schools, health centres, welfare and leisure facilities, within easy walking/cycling distance of all residents or a reliable bus service is made available to access facilities elsewhere.	Comment noted.	No amendment in response to this issue
70- Braughing Parish Council	Section 6.1 Air Quality, section 6.1.2 Topic guidance, Para 6.1.7	Object	Do not feel that this is ambitious and we would recommend that a stretch goals is established supporting the improvement of air quality	It is considered that the aspiration for air quality positive developments is ambitious.	No amendment in response to this issue
113- East Herts	Section 6.1.1- Air		The SPD states: "Planning decisions should ensure that any new	It should be noted that both applications are still awaiting S160	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
Green Party	Quality, Policy Context, para. 6.3		<p>development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.”</p> <p>How approval of two recent sites – Manor Links, and North of Sawbridgeworth – consistent with this policy? The Council is breaking its own policies in approving these sites without providing proper mitigation of air pollution from the increase in cars and houses, at the AQMA site nearby. Claims in policies are not matched with actions that are carried out. How is this circle squared by the SPD?</p>	<p>agreements to be signed, so are not formally approved as yet.</p> <p>In relation to SAWB4 the development has been identified as likely to impact on air quality in an Air Quality Management Area (AQMA). However, these figures do not take into account the impact of the proposed travel plan, contributions towards improvements to walking and cycling and provision of electric vehicle charging points. A condition is suggested to secure further information and if necessary to identify further mitigation measures to ensure that there is no worsening of air quality as a result of the development.</p> <p>No objections were raised by Environmental Health officer in relation to Manor Links, so the EV charging and construction management plan were sufficient mitigation measures in this case.</p>	
60-Hertford & Ware Labour Party	6.1.2 Air Quality Topic Guidance, 6.1.2.6		<p>How and when, is any financial contribution, to offset failure to meet requirements going to be used? There are no statements on this matter. Will they be used in other</p>	Each case will be judged on its own merit and the use of contributions will be governed by s106 legislation.	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
	Offset		areas, on other developments or for something else entirely?		
94-Herts County Council	6.1.2 Topic Guidance		<p>HCC would fully support infrastructure for modes of transport with have a low impact on air quality, as reflected by East Herts Local Plan, policies TRA1 and TRA3.</p> <p>Paragraph 6.33 – HCC supports prioritising transport such as cycling and walking which is zero carbon and improves local air quality and encourages healthy communities. The SPDs strong emphasis on the provision of new bus, cycle and pedestrian transport routes and networks is positive. Requiring developers to extend and strengthen community-led transport schemes should continue.</p> <p>Paragraph 6.34 – The overall principles as set out in the SPD, of providing cycling facilities, car and EV car clubs, infrastructure for low emission vehicles, encouraging public, cycling and walking, as well as the restriction of traffic to minimise exposure to emissions from traffic is supported.</p>	Support noted and welcomed	
114 -East Herts	6.1.2 Air Quality		Provides a number of technical comments on the following number	Whilst the SPD acknowledges the move away from gas, CHP is	Amend errors in para 6.47: within the third and fourth

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
Green Party	Topic Guidance, para 6.19-6.57		<p>of aspects of the topic guidance:</p> <ul style="list-style-type: none"> Para 6.19 – does not think SPD should recommend gas-fired CHP and considered green infrastructure advice is sound but highlights a contradiction in the local planning process: that at present details of the Landscape design and green infrastructure are usually left as a condition at the approval stage of an application. However, for sustainable design, the design of the landscape should be considered in parallel to the building design 6.27 -in relation to mechanical ventilation states: “This may involve sealed windows/triple glazing with trickle vents and a forced ventilation system” presumably that should read “without trickle vents” since with them present, forced ventilation will be less effective. 6.35: states “Defined ‘engine off’ areas, such as bus stands, taxi ranks and tourist coach parking and outside of schools” This is positive but surely the SPD should go further and add any areas where people congregate 	<p>currently still a potential technical solution so prudent to include emission guidelines.</p> <p>Comment in relation to para 6.27 is too detailed, each application will assessed on its own merits, do not want to restrict technology.</p> <p>6.35- These are examples, not a definitive list</p> <p>Typos are noted and changed.</p>	<p>sentences, the word ‘sure’ should be ‘use’ and be-needs to be-deleted.</p> <p>6.57: add co-working to first bullet point Replace LEV with low emission vehicle.</p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			<p>outside – i.e. outside local shops, by neighbourhood centres, by day centres, nurseries, hospitals...</p> <ul style="list-style-type: none"> 6.47 – two typos within the third and fourth sentences, the word ‘sure’ should be ‘use’ and there should be deleted. 6.57: add ‘co-working space in or close to residential building’ to the measures that reduce the need to travel section? Under third sub-heading, should reference to LEV be EV? 		
76 Hunsdon Eastwick and Gilston Neighbour- hood Plan Group	6.1 Air Quality		Welcomes air quality approach (6.10) but does not understand why EHDC does not champion it when it comes to GA1/2. Would like the Council to make it clear they will not support schemes where residents are not clear on the impact on air quality.	The Council will assess the air quality implications of each site on its merits, taking account of the District Plan policy, guidance in this SPD, the local context and submitted assessments	No amendment in response to this issue
127 -DLA on behalf of Tarmac	6.1 Air Quality. 6.1.2 Topic Guidance		Tarmac endorse the importance of air quality especially in the context of a garden suburb but do not support the proposed blanket requirement for an Air Quality Neutral (emissions) Assessment (or damage cost assessment) to be required for all developments. Currently, this is a Greater London-based requirement for tackling air pollution, particularly	<p>Clean air is critical to health and well-being and quality of life and is an important issue in East Herts.</p> <p>In accordance with the NPPF and District Plan Policy EQ4, the SPD takes a proactive approach to ensuring that new development (on its own or cumulatively) mitigates against any detrimental impacts on</p>	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			<p>Pollution: Air Quality</p> <p>associated with Air Quality Management Areas (AQMAs), of which transport is a significant source of emissions.</p> <p>Within the context of the Capital, the balance of priority needs, and opportunity is different to East Hertfordshire where a more nuanced approach should be considered balancing wider transport, infrastructure and sustainability objectives.</p> <p>Tarmac consider that an Air Quality Neutral Assessment should only be required for development proposed in or near to Air Quality Management Areas (AQMAs) and where it can be demonstrated that this would not compromise a development's deliverability. Therefore, the SPD should be amended as follows:</p> <p><i>6.19 It is expected that planning applications for development in or near to an AQMA will comply with these recommended minimum standards unless it can be demonstrated this is not feasible or viable. To ensure development is in line with national and local policy.</i></p>	<p>air quality.</p> <p>It is therefore considered proportionate for all major development to submit an Air Quality Impact Assessment which include as air quality neutral assessment. Paragraph 6.87 states that where benchmarks cannot be met developers must undertake mitigation in discussion with the Council's air quality officer or make a contributing to offsetting their emissions. Specific caveats about viability are not necessary because the planning application process considers each application on its own merits. Any feasibility or viability concerns will be considered as part of the decision-making process.</p> <p>In terms of the requirement that assessments should only be carried out at detailed / reserved matter application stages, the Council recognises that it may be difficult to fully mitigate the air quality impacts if detailed design issues are not addressed in the application. However, given the variation in the scope of outline applications, the</p>	

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			<p><i>6.20 Applications will need to be accompanied by additional submissions as set out in the submission requirement of this chapter. All development will need to submit the air quality checklist in Appendix A. Development above the minor classification will need to submit an Air Quality Impact Assessment which must include an Air Quality Neutral Assessment. In addition to this, any Any development in or near to an AQMA must also submit an Air Quality Neutral Assessment at the detailed or Reserved Matters application stage. See the submission requirement section below and Figure 9 for further details.</i></p> <p><i>6.56 Many developments will require a mix of design and mitigation measuresThe design and mitigation package should be presented with the planning application with an Air Quality Neutral Assessment required only for development proposed in or near to an AQMA.</i></p> <p><i>6.59 An emissions assessment should be carried out at the detailed/ Reserved Matters application stage for any development in or near to an AQMA, to</i></p>	<p>SPD favours a flexible approach and does not definitively exclude outline applications. The Council does not want miss opportunities to address air quality early in the decision process, if appropriate. The applicant should use the guidance and checklist to consider the appropriateness of measures in relation to their application and liaise with the Council.</p>	

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			<p><i>demonstrate how the development is compliant with the requirement to be air quality neutral and included as part of an air quality neutral assessment, <u>unless it can be demonstrated this is not feasible or viable</u>. It should: ...</i></p> <p><i>6.63 All development <u>in or near to an AQMA above a minor classification at the detailed/ Reserved Matters application stage</u>, will be required to provide an emissions assessment as part of the Air Quality Neutral requirement outlining the emissions produced and what mitigation is being applied, <u>unless it can be demonstrated this is not feasible or viable</u>. If the mitigation is not deemed adequate, developers must provide the rest in financial contributions.</i></p>		
191 - DLA on behalf of Tarmac	6.1 Air Quality. 6.1.2 Topic Guidance. Para 6.19		Tarmac support the Council's proposed requirement (at paragraphs 6.19 and 6.53) for new development to be designed to minimise public exposure to pollution sources, for example, by locating habitable rooms away from busy roads. This is consistent with the approach taken at BGS, in relation to adjacent land uses.	The Council recognises that more clarity is needed about the definition of busy roads and this should be included in the SPD.	Insert the following reference to paragraph 6.19: ¹ <u>A busy road is defined as a road with an AADT of 10,000 or > as defined in Defra's Local Air Quality Management; Technical Guidance TG16 (2018).</u>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			<p align="center">Pollution: Air Quality</p>		
			<p>Tarmac support the general intention of draft paragraph 6.19 in siting sensitive development (such as equipped play areas for children) away from busy roads, in the interests of minimising public exposure to pollution sources. However, Tarmac consider the proposed requirement for such sensitive development to be sited at least 100m away from busy roads to be unreasonable and impracticable. The proposed 100m requirement is not evidence-based, and the SPD provides no definition as to what is implied by a 'busy road' in this context and is therefore not justified.</p> <p>Uses such as schools and hospitals require adequate vehicular access, particularly in providing bus accessibility, which would typically be provided by a primary road within a new development. This proposed requirement could have the unintended consequence of creating unsustainable new communities which are not adequately served by sustainable transport.</p> <p>Suggests the Play areas should be</p>		

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			<i>sited away from busy roads, without restricting the ability of such green spaces from being accessible by sustainable modes of transport. Sensitive development (such as schools, hospitals and play grounds) must be sited at least 100m away from busy roads.</i>		
144- Andrew Martin on behalf of Countryside Properties	6.1 Air Quality. 6.1.2 Topic Guidance. Para 6.19	Object	<p>Paragraph 6.19 in the Draft SPD requires all gas-fired boilers to have low NOx emissions and meet a minimum standard of 40 mgNOx / kWh.</p> <p>Wherever feasible, Countryside will seek to comply with this approach and standard, including at its site to the north of Sawbridgeworth. However, a blanket may not be appropriate on all sites, in all locations and for all suppliers. Instead, it would be prudent to allow for some flexibility and to apply the above figure as a 'target'.</p> <p>Countryside submits that paragraph 6.19 would be more appropriate and flexible if amended to read:</p> <p><i>"... All gas fired boilers must have low NOx emissions and should seek to meet a minimum standard of 40</i></p>	<p>Paragraph 6.18 states that the minimum standards are <i>recommended</i>, so the SPD is not introducing mandatory targets</p> <p>However it should be noted these are not onerous but best practice standards this is minimum best practice that has been advised for years in national air quality guidance</p>	No amendment in response to this issue.

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			<i>mgNOx / kWh, where feasible..."</i>		
165- S. Chapman	6.1 Air Quality. 6.1.2 Topic Guidance		<p>Car use is the main cause of air pollution. A huge increase in building such as is proposed will inevitably increase the amount of cars on our roads without drastic measures. Weakly hoping to achieve a modal shift in transport use will make no difference unless strong and concerted efforts are made to reduce car use with the provision of higher and better public transport such as buses combined with penalties for car use. Relying on individuals to change their behaviour without putting in the necessary infrastructure combined with a carrot and stick approach to getting people out of their cars, simply will not work.</p> <p>Overall, there is little joined up thinking going on between relevant departments here. The county council is intending to put a huge quarry right next to an existing development in Stanstead Abbots, which in combination with the vast development close by of Gilston East (with all the concomitant increase in car use) which is likely blow all your attempts to achieve better air quality</p>	<p>The Council acknowledge the need to reduce car use in East Herts to lower emissions from transport, as stated in paragraph 6.32- 6.35 of the air quality section of this SPD. Further detail is set out in Section 8 of the SPD: Sustainable Transport</p> <p>This text, in combination with District Plan Policy TRA1 (c) and other national and local policies will help promote new development that is designed to reduce reliance of the car.</p> <p>All applications will consider transport implications as part pf the decision making process.</p>	No amendment in response to this issue.

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			out of the window.		
186-Bishop's Stortford Climate Change Group	6.1 Air Quality. 6.1.2 Topic Guidance		<p>Will look to see that the provisions for developments to be quality neutral and, where possible, to improve local air quality (air quality positive) are retained in the final SPD and are then fully complied with (6.9).</p> <p>The air quality assessment provisions and damage cost calculations are key to demonstrating delivery and so should be referenced at the beginning of the Air Quality section.</p> <p>Concerned that the provisions, including the transport provisions in the separate section, will not deliver the overarching policy. There is confusion between the mitigation requirements and offsetting requirements. We support the commitment that proposals will be recommended for refusal, which have not been suitably redesigned or mitigated (6.58). All development sites involving buildings accommodating more people/business users are likely to add to air quality pressures it is unlikely that 100% of occupants will</p>	<p>The approach taken is considered a proportionate approach to address air quality in accordance with national and local policy. The SPD proactively prioritise the design and mitigation measure which will be used to reduce the impact of new development on air quality. Offset will only be used as a last resort, on the basis on the local circumstances.</p> <p>Air quality positive is supported and as outlined in the SPD will be encouraged. It could be achieved prioritising design and mitigation measures in sect 6.1.2. However, it goes beyond the policy requirements of the District Plan.</p> <p>Will add two new case studies to demonstrate exemplar schemes</p>	Add examples of best practice at Duns fold Park in Surrey and Northstowe in Cambridge- see section 6.2 in Proposed Modification version of the SPD

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			<p>only walk or cycle. This is recognised in the Damage Cost Calculations and needs to be fully mitigated to deliver air quality neutrality. The proposal to allow offsetting undermines this and should be omitted.</p> <p>Consider that development in, an impacting on AQMAs should be air quality positive, not neutral. There is no discussion about what can be done to deliver air-quality positive. Diesel generators should be banned.</p>		
128 - Tarmac	6.1.3 Submission Requirements		<p>Tarmac consider that an Air Quality Neutral Assessment should only be required for development proposed in or near to Air Quality Management Areas (AQMAs) and where it can be demonstrated that this would not compromise a developments deliverability. Therefore, the SPD should be amended as follows:</p> <p>6.84 Within the application process, major developments <u>at the Outline planning application stage must submit an Air Quality Impact Assessment. Any development in or near to an AQMA should must</u> submit an air quality neutral assessment as part of an Air Quality Impact Assessment. Minor</p>	See response to rep 127 above	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			developments in or near to an AQMA must submit an Air Quality Neutral Assessment <u>at the detailed/ Reserved Matters application stage, unless it can be demonstrated this is not feasible or viable</u> (they will not be required to submit an Air Quality Impact Assessment). The assessment should take into account the following elements and compare them to the Air Quality Neutral Benchmarks provided in Appendix B.		
154-Pigeon	6.1 Air Quality. 6.1.4 Checklist		<p>Raise a series of concerns about the air quality checklist criteria:</p> <p>With regard to the sustainability checklist, the level of detail required to demonstrate compliance with the minimum standards cannot be provided at outline planning stage. The SPD needs to make clear this should only to be addressed as part of a Full or Reserved Matters Application.</p> <p>AQ.3 A summary of potential measures as part of the 'Emissions from transport' element will be outlined as part of a 'Framework Travel Plan', with the full travel plan being conditioned. The sustainable</p>	In terms of the requirement that assessments should only be carried out at detailed / reserved matter application stages, the Council recognises that it may be difficult to fully mitigate the air quality impacts if detailed design issues are not addressed in the application. However, given the variation in the scope of outline applications, the SPD favours a flexible approach and does not definitively exclude outline applications. The Council does not want to miss opportunities to address air quality early in the decision process, if appropriate. The applicant should use the guidance and checklist to consider the appropriateness of measures in	No amendment in response to this issue.

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			<p>energy elements of this section will be considered as part of The Building Regulations emergence of the 'Future Homes Standards' in the near future will set higher standards ensuring compliance with this element.</p> <p>AQ.6- 6.1.3 (6.79) states an AQIA is required for all development above a minor scale. It is excessive for this to be required for all sites of 10+ dwellings / a site area over 0.5 Hectares or with a floorspace of over 1,000sqm / an area of 1 hectare. A higher threshold should be considered linked to vehicle trip generation and whether or not the site is within an AQMA's.</p> <p>AQ.7 - 6.1.3 (6.83) states all development above a minor scale and all development adjacent an AQMA must be 'air quality neutral' and provide an Air Quality Neutral Assessment (AQNA). As part of this, emissions need to be calculated and reviewed against the benchmarks included within Appendix C If these figures are exceeded mitigation is required. Whilst 'air quality neutral' is acceptable it encourages</p>	<p>relation to their application and liaise with the Council.</p> <p>In accordance with the NPPF and District Plan Policy EQ4, the SPD takes a proactive approach to ensuring that new development (on its own or cumulatively) mitigates against any detrimental impacts on air quality.</p> <p>It is therefore considered proportionate for all major development to submit an Air Quality Impact Assessment which include as air quality neutral assessment. Paragraph 6.87 states that where benchmarks cannot be met developers must undertake mitigation in discussion with the Council's air quality officer or make a contributing to offsetting their emissions. Specific caveats about viability are not necessary because the planning application process considers each application on its own merits. Any feasibility or viability concerns will be considered as part of the decision-making process.</p>	

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			development to be 'air quality positive'. The SPD should identify the appropriate stage for information to be provided relative to the stage in the planning application process. Whilst mitigation may be provided at outline application stage via a framework for the delivery of the necessary measures, detailed commitments will not be possible without a fixed layout (i.e. at the Full or Reserved Matters stage).		
129 Tarmac	6.1.4 Checklist		Amend checklist criteria AQ.5 and AQ.7 as follows: <i>AQ5. For any development in or near an AQMA, has Has an Emissions Assessment been carried out as part of ...</i> <i>AQ7. For any development in or near to an AQMA, has Has an Air Quality Neutral..... This must be submitted if the proposal meets the criteria listed in section 6.1.3 of this SPD, unless it can be demonstrated this is not feasible or viable</i>	See response to rep 127	No amendment in response to this issue
Pigeon	Appendix C		The criteria set out in Appendix C are directly extracted from the 'London Plan' SPD based upon an assessment of what is considered neutral for buildings and transport. Developments that are brought	Air quality is a key issue in East Herts. In accordance with the NPPF and District Plan Policy EQ4, the SPD takes a proactive approach to ensuring that new development (on its own or cumulatively) mitigates	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
6.1			Pollution: Air Quality		
			forward are air quality neutral or better and do not degrade air quality in areas where EU limit values (or air quality objectives) are not currently achieved. It is therefore inappropriate to apply these criteria as blanket approach to all development within East Herts, the implication being that all developments should improve air quality.	<p>against any detrimental impacts on air quality.</p> <p>It is considered proportionate for all major development to submit an Air Quality Impact Assessment which include as air quality neutral assessment against benchmark targets. Paragraph 6.87 states that where benchmarks cannot be met developers must undertake mitigation in discussion with the Council's air quality officer or make a contributing to offsetting their emissions. Specific caveats about viability are not necessary because the planning application process considers each application on its own merits. Any feasibility or viability concerns will be considered as part of the decision-making process.</p>	

Rep No.	Section/Para. number	Support or Object	Issue	Officer Response	Proposed Amendment
---------	----------------------	-------------------	-------	------------------	--------------------

6.2		Pollution: Light			
36- Sworders	Section 6.2 Light Pollution		Paragraph 6.102 refers to the need for a Light Impact Assessment; however neither the District Plan nor the current Local Validation Requirements checklist set out any such requirement. The Local Validation checklist will also need to be updated in relation to the Sustainable Construction, Energy and Water Statement as this currently only refers to Policies CC1, CC2 and WAT4 in relation to a few specific matters. It makes no reference to other relevant policies	Noted. Changes to the validation will be made in due course in light of the requirements in this SPD	No amendment in response to this issue.
77- Hunsdon Eastwick and Gilston NP Group	Section 6.2 Light Pollution		Supports light pollution points as it is important for the Gilston Project and the aim to create seven small villages without light pollution linking them. Would like indication of how light pollution will be controlled post development.	Lighting standards are required on planning applications in order to try and prevent nuisance and disturbance to both the built and natural environments. Should disturbance be found after the development is in place, providing all the planning conditions have been met then disturbance to other properties with respect to light can be investigated under the statutory nuisance legislation.	No amendment in response to this issue.
115- East Herts Green Party	6.2 Light Pollution, para 6.94		6.94: states "the behaviour of nocturnal animals and birds". Add insects.	This section is summarising the policy context in the District Plan. As such it is considered that specific reference to insects in this context does not add value to the SPD.	No amendment in response to this issue.
150- Pigeon	6.2 Light Pollution		Considers that there is inconsistent referencing in the document. This section makes reference to the Institute of Lighting Professionals but	Hertfordshire County Council's approval of public street lights does not inform this Council's assessment of a development's light impact.	No amendment in response to this issue

Rep No.	Section/ Para. number	Support or Object	Issue	Officer Response	Proposed Amendment
6.2			Pollution: Light		
			provides no reference to Highway Authority standards who will be responsible for approving street lighting design, which in reality will account for a high proportion of external public lighting.	Therefore it is not considered necessary to reference the highway authority standards in this case	
155-Pigeon	6.2 Light Pollution, 6.2.4 Checklist		<p>For the checklist criteria there needs to be a distinction in the SPD as to what details are required to support an outline application in contrast to a detailed submission.</p> <p>The SPD needs to advise that County Council public street lighting design standards satisfy the requirements of the SPD.</p> <p>There needs to be a distinction in the SPD as to what details are required to support an outline application in contrast to a detailed submission.</p> <p>LP.3- If 'Does the proposal minimise potential glare and spillage?' is to be a requirement of a detailed planning application submission then the SPD needs to provide clearer guidance as to what light design is considered</p>	<p>Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD) the Council thinks it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide details about the lighting proposals. If this is the case the applicant simply needs to explain and justify this in the checklist.</p> <p>As street lighting is approved by the County Council and not a matter assessed at the district level, compliance with Herts County Council would be an appropriate. It does not need to be reiterated in the checklist</p>	No amendment in response to this issue

Rep. No	Section / para	Support or Object	Issue	Officer Response	Proposed Amendment
---------	----------------	-------------------	-------	------------------	--------------------

6.3		Noise Pollution		
130- DLA on behalf of Tarmac	6.3 Noise Pollution	<p>Tarmac support the Council's requirement for all residential developments to be required to comply with BS:8233 noise standards, as proposed at paragraph 6.105 of the draft SPD. With regards to BGS, a noise assessment has been undertaken which demonstrates compliance with BS:8233 standards, with respect to both internal and external amenity.</p> <p>Tarmac also support the proposed wording of the SPD which requires all developments involving industrial or commercial noise sources to undertake an assessment, in line with BS:4142 guidance. However, the wording contained at paragraph 6.105 of the draft SPD should be amended as follows, to clarify that BS:4142 is a method of assessment, rather than providing standards for a development to comply with:</p> <p><i>... All developments involving industrial or commercial noise sources will be required to <u>undertake an assessment, in line comply with BS:4142 standard.</u> Consideration must also be given to sufficient ventilation and the prevention of overheating.</i></p> <p>Tarmac reserves the opportunity to provide further comment on emerging noise guidance, as part of any future consultation on the</p>	Agree the wording should be changed for clarity.	<p>Para 6.105 should be amended as follows:</p> <p><i>All developments involving industrial or commercial noise sources will be required to <u>undertake an assessment, in line comply with BS:4142 standard.</u> Consideration must also be given to sufficient ventilation and the prevention of overheating.</i></p>

Rep. No	Section / para	Support or Object	Issue	Officer Response	Proposed Amendment
6.3			Noise Pollution		
			anticipated forthcoming Hertfordshire noise guidance being developed jointly by several the Hertfordshire local authorities.		
78 - Hunsden, Eastwick and Gilston NP	6.3 Noise Pollution		Believe that this should be addressed in this draft SPD rather than deferred with the vague promise that "noise guidance will be available for applicants in due course. Hertfordshire noise guidance is being developed jointly by a number of Hertfordshire local authorities".	The Council has committed to the production of joint guidance on noise with a number of Hertfordshire local authorities. Joint-working is beneficial both in term of sharing knowledge and resources. It would inappropriate to pre-empt this work and address noise in the SPD at this stage.	No amendment in response to this issue

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
1- Dr B Lovell	General comment	Support	Welcomes the biodiversity section but would like guidance strengthened to enhance protection of wildlife corridors. Concerned that Hertford's green fingers are being eroded by adjoining development.	Hertford's green fingers are designated as Local Green Spaces by Policy CFLR2 of the District Plan so protected from development. In terms of the guidance in this SPD, If new development is built adjacent to the green fingers biodiversity net gain could help create connectivity However, the Council has no control	No amendment in response to this issue

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
				if the encroaching development is permitted development.	
3 V Glover-Ward	General comment	Support	Would like incorporation of hedgehog highways and bee bricks.	Support noted and welcomed. Agree hedgehog highways and bee bricks could be included in SPD to promote good practice.	Amend para 7.28 as follows: Integration of nest boxes for species such as birds, bees and bats, particularly in locations/ buildings adjoining open space. <u>These can be integrated into the brickwork.</u> Amend the 7 bullet point in para. 7.28 as follows : Contribution to wider ecological networks and green and blue infrastructure corridors. <u>Consider connectivity of the landscape, enabling species to move around freely, for example creating hedgehog highways</u>
79- Hunsdon Eastwick and Gilston NP Plan Group	General comment		Supports this section however feels that the Gilston area, Stort Valley, and its floodplain should be identified as priority areas for attention, they represent opportunities to make positive and strategic gains, including supporting pollinators who are in serious	The SPD provides district-wide guidance so it not appropriate to refer to specific areas. The guidance in this SPD will however be relevant to development at Gilston, alongside the green infrastructure and landscaping work being taken forward by HGGT.	No amendment in response to this issue

105

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			decline – ‘green’ alone does not address the needs of reversing pollinator decline.	Section 7.2.5 refers net gain initiatives supporting pollinators e.g. wildflower meadows and reference to bee bricks	
82-A Burgess	General comment		Noted the work done as leader of Roydon parish council as well as original masterplan drawing for Harlow as sources. Original Harlow surveys noted preservation of local area which could only be carried out on the ground opposed to from a desk. In Roydon indigenous species of tree were planted. Suggests that oak, hornbeam, ash, wild cherry and field maple are suitable for new developments instead of fast growing trees which could be short-lived. Recommends that trees should have a management plan. The principle of net gain in biodiversity should be respected with some areas left to grow wild with the correct minimal management. Effort must be made to lessen the impact on the surrounding land. The main way to achieve this is by substantial tree planting, not just a boundary hedge or a single row of trees but by the introduction of shaws, a relatively local feature.	Noted. Sections 4 and 7 outline the importance or retaining existing green infrastructure and of using indigenous species where possible.	No amendment in response to this issue

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
93- Herts County Council	General comment		With regard to Biodiversity Net Gain – EHDC may wish to wait for the Environment Bill or state that an early review may be required, similarly in relation to the Planning White Paper and any subsequent amendments to the building regulations	<p>Section 7.2.5 of the SPD expands on the District Plan policy context by setting out the approach to net gain and specifically refers to the use of the Defra metric (or the latest version as revised by Natural England). Paragraph 7.37 states ecological surveys should include a 10% biodiversity net gain using a biodiversity metric.</p> <p>However, the Council recognises that the SPD is unable to provide further clarity about the process until it has more information from Herts Ecology's about how it will be progressed and resourced, in light of the emerging Environment Bill.</p> <p>The implications of other national policy and legislation will be kept under review</p>	No amendment in response to this issue
169- S. Landon	General comment		Concerned about the devastating loss of the natural environment in East Herts in recent years. Large scale developments and massive road building schemes, such as the Little Hadham Bypass, have obliterated vast swathes of countryside, including many ancient trees and hedgerows. This has resulted in a terrible loss of habitat.	<p>In order to meet the district's Objectively Assessed Need (OAN) for housing via the delivery of the District Plan's strategic sites, it is inevitable that there will be an impact on the natural environment.</p> <p>However, all schemes have had to mitigate their impact on local biodiversity, taking account of the</p>	No amendment in response to this issue.

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			Such destruction cannot be mitigated. You cannot replace 300 year old trees. Recent research has found that ancient oak trees can support over 2000 species, while new young trees will not for many decades. East Herts is home to many rare and protected species, such as the barbastelle bat. Their habitats must be protected, no mitigation schemes can safeguard their existence. Policies 7.28 /7.29 The suggested schemes for 'Net Gain ' are very encouraging but what requirement does the home owner have to maintain/ retain the proposed habitat enhancements?	<p>local context and particularly in relation to protected species and habitats. New developments will need to demonstrate in the sustainability checklist how they have addressed biodiversity holistically.</p> <p>Welcome support for the net gain approach. Maintenance is key, hence the reference about management in the checklist (criteria 7).</p>	
4- Herts Middlesex Wildlife Trust	Section 7.1 Policy Context	Object	States that the list of submission requirements for the biodiversity section should be amended to include the need for a biodiversity net gain assessment using the Defra biodiversity metric.	<p>The policy box refers to the submission of ecology surveys. Paragraph 7.37 details the information that need to be submitted within these surveys- including a net gain assessment.</p> <p>It is unnecessary to list it as a separate requirement in the policy box</p>	No amendment in response to this issue
5- Herts Middlesex Wildlife Trust	Section 7.1 Policy Context, para 7.5	Object	The link to the requirement for a Defra metric net gain assessment must be made more explicitly. Amend para 7.5 to include: ... East Herts at various scales, on	The District Plan policies do not refer specifically to the Defra biodiversity metric, but NE1 and NE2 do refer to a 'locally approved biodiversity metric' but the Council agree this	Amend paragraph 7.5 as follows: Policy NE2 Sites or Features of Nature Conservation

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			designated and undesignated sites. <u>Net gain must be verified by using the Defra biodiversity metric which must show a 10% gain in biodiversity units.</u> Policy WAT3 Water Quality and the Environment aims to preserve or enhance the ecological value of the watercourses..... Policy NE2 Sites or Features of Nature Conservation recognises that there is biodiversity value throughout East Herts, even on non-designated sites. <u>Applicants should assess the ecological value of development by using the Defra biodiversity metric and aim to increase the biodiversity unit score by 10% to demonstrate net gain.</u>	should be mentioned in the SPD's policy context text for clarity. Paragraph 7.25 of SPD specifically refers to using the Defra biodiversity metric (or the latest version as revised by Natural England).	(Non designated) recognises that there is biodiversity value throughout East Herts, even on non-designated sites <u>Applicants should measure net the ecological value of development, by taking into account a locally approved biodiversity metric.</u> Policy NE3 Species and Habitats focuses specifically on.... and ecological connectivity. <u>Where appropriate biodiversity value of a site pre and post development will be determined using a biodiversity metric.</u>
7- Herts and Middlesex Wildlife Trust	Section 7.2 Topic Guidance, para 7.14	Object	Considers measurable net gain by reference to the Defra biodiversity metric is a requirement of the local plan and the NPPF. EHDC should not wait until the environment bill has been produced to provide a structure for the delivery of biodiversity net gain. It must provide a procedure now to help developers and planners understand the process that is required to deliver net gain. HMWT have produced a SPD that shows this process	It is acknowledged that the District Plan promotes the use of a biodiversity metric to measure biodiversity net gain. Section 7.2.5 of the SPD expands on the policy context by setting out the approach to net gain and specifically refers to the use of the Defra metric (or the latest version as revised by Natural England). Paragraph 7.37 states ecological surveys should include a 10% biodiversity net gain	Amend the last sentence of paragraph 7.14 as follows: For further clarity about the compensation process, will be provided one the Environment Bill and associated government guidance is finalised seek advice from Hertfordshire Ecology, the Council's ecological advisors.

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			<p>As such, amend section 7.14 as follows:</p> <p>7.14 Finally, if this is not possible on-site, compensation measures will be needed off-site to achieve an overall net gain in biodiversity - a biodiversity offset. This must be a measurable and fully accountable system that provides the necessary number of biodiversity units and management to achieve a 10% net gain in perpetuity. Further clarity about the process is available on request from EHDC ecological advisors.</p>	<p>using a biodiversity metric. It is unnecessary to reiterate this guidance again in paragraph 7.14.</p> <p>However, the SPD is unable to provide further clarity about the process because it will pre-empt the decisions by Hertfordshire Ecology. East Herts Council relies on Hertfordshire Ecology Advisory Service to provide them with specialist ecology advice, to inform the planning process, as has been the case with this SPD. Further detail about the process and delivery of biodiversity net gain will be informed by Herts Ecology's operational decisions as soon as possible. As such paragraph 7.37 should refer to the need to seek further clarity from Herts Ecology.</p> <p>It is agreed reference to the Environment Bill in paragraph 7.14 is unnecessary.</p>	<p>Amend the first bullet point of paragraph 7.37 as follows:</p> <p>A biodiversity impact assessment calculation using the <u>Defra (version 2 updated by Natural England, or as amended) locally approved</u> biodiversity metric, <u>unless advised otherwise by Herts Ecology</u> and demonstrate a minimum 10% net gain in ecological units.</p>
8- Herts Middlesex Wildlife Trust	Section 7.2 Topic Guidance, para 7.18 and 7.19	Object	<p>Raises a number of minor corrections to the topic guidance:</p> <p>7.18 In accordance with District Plan Policy NE3 Species and Habitats.... The mitigation hierarchy should be used in all proposals to prevent</p>	Proposed minor corrections to the text agreed.	<p>Amend paragraph 7.18 as follows:</p> <p>The mitigation hierarchy should be used in all proposals to prevent harm to all priority and non-priority species and habitats.</p>

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity harm to all priority and non-priority species and habitats. Development adjoining rivers or streams will be required to preserve or enhance the water environment in accordance with Policy WAT3. 7.19 There are a number of species protected by European and national law....The main pieces of legislation protecting species are the European Habitats and Bird Directives, the Natural Environment and Rural Communities Act 2006 (Section 41 lists priority species and habitats), the Wildlife and Countryside Act, the Conservation of Habitats and Species Regulations 2010 <u>2017 (as amended)</u> and the Badgers Act 1992.....		Amend text in paragraph 7.19 as follows: the Conservation of Habitats and Species Regulations 2010 <u>2017 (as amended)</u> and the Badgers Act 1992
9- Herts and Middlesex Wildlife Trust	Section 7.2 Topic Guidance, para 7.24	Object	Proposes a small amendment to paragraph 7.24: Biodiversity is not limited to designated sites or priority habitats. Biodiversity is also found on non-priority habitats. As outlined in Policy NE2, all proposals should seek to secure a measurable net gain for biodiversity <u>by using the Defra biodiversity metric</u> , and to enhance ecological networks across the District.	It is repetitive to refer to the biodiversity metric in paragraph 7.24. Paragraph 7.5 has been amended (see response to rep5) to make the policy intention clear and paragraph 7.25 sets out that securing net gain should use the Defra/ Natural England biodiversity metric.	No amendment in response to this issue.
10-	Section 7.2	Object	Propose amendments to paragraph	The Defra metric has been amended	Biodiversity net gain should

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
Herts and Middlesex Wildlife Trust	Topic Guidance, para 7.25		<p>about the Defra biodiversity metric 7.25:</p> <p>'Biodiversity net gain should be assessed by a trained ecologist, using the Natural England Defra biodiversity metric (v2 <u>or as amended</u>), unless advised otherwise by Herts Ecology <u>EHDC ecological advisors</u>. Using a metric demonstrates compliance with the biodiversity hierarchy and informs compensation of all habitats the metric <u>provides an objective, consistent and transparent mechanism for assessing net gain on a development site</u>. The metric is not designed to measure impacts on species.... Further details about the process for securing measurable net gain will become more certain once the Environment Bill (2020) achieves royal ascent and the Government provides additional clarity. on how to provide a net gain offsite are available from EHDC on request*.'</p> <p>(*HMWT can provide EHDC with a SPD which explains the whole process. EHDC should provide this procedure now because of its existing net gain policy. It should not</p>	<p>by Natural England hence the reference in paragraph 7.25 of the SPD to Natural England. However for clarity, the text will also refer to Defra.</p> <p>It is useful to clarify the at the metric is a mechanism for assessing net gain, but it is not considered the other changes are requires. Paragraph 7.25 positively promotes the use of the biodiversity metric.</p> <p>As outlined in response to rep Id 7, the SPD is unable to provide further clarity about the process because it will pre-empt the decisions by Hertfordshire Ecology. Reference to the Environment Bill should be revised but is still important context.</p>	<p>be assessed by a trained ecologist, using the Defra biodiversity metric (version 2, <u>as updated by Natural England, or as amended</u>), unless advised otherwise by Hertfordshire Ecology. Using the a <u>metric provides a mechanism</u> for demonstrating compliance with the biodiversity hierarchy and informs compensation of all habitats.</p> <p>The process of securing measurable net gain will become more <u>be a certain legal requirement once</u> if the Environment Bill (2020 <u>2019-21</u>) achieves royal ascent <u>in its current form, and the details for planning are finalised.</u></p>

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			wait for the environment bill to be passed because it has a measurable net gain policy requiring the use of the Defra metric in place now. HMWT can help by providing this procedure in a SPD which is based on national best practise)		
11- Herts and Middlesex Wildlife Trust	Section 7.2 Topic Guidance, para 7.28	Object	Proposes the bullet points in para 7.28 are amended for clarity: Integration of bird and bat boxes into the brickwork of <u>all</u> buildings adjoining suitable open space (<u>see above</u>). Sustainable urban drainage systems with deliberate biodiversity benefits <u>e.g. over-deepened flood retention areas to hold water all year</u> Soft landscaping to promote biodiversity Tree planting- consider tree health to future proof biodiversity Prioritisation of native species Habitat creation - e.g. ponds, wildflower meadows Contribution to wider ecological networks and green and blue infrastructure corridors. Green and brown roofs <u>Hedgehog highways</u>	The Council agrees reference to integration of bird and bat boxes in the brickwork is useful, although it is not necessary to refer to the photo as it is above the text. It is also useful to add reference to hedgehog highways. Reference to the SUDs example is not included. The SPD should not be overly prescriptive about which SUDs provide the best ecological benefit, given that the County Council is the SUDs approval body.	Amend the following bullet points of paragraph 7.28 and add an additional bullet as follows: <ul style="list-style-type: none"> Integration of nest boxes <u>for species such as</u> birds, <u>bees</u> and bats, particularly in locations/buildings adjoining open space. <u>These can be integrated into the brickwork.</u> Contribution to wider ecological networks and green and blue infrastructure corridors. <u>Consider connectivity of the landscape, enabling species to move around freely, for example creating hedgehog highways.</u>
175- Env Agency	Section 7.2 Topic		Paragraph 7.18 - Note and are pleased to see that development	Support welcomed and noted	

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
	Guidance, para 7.18 and 7.25		<p>adjoining rivers or streams will be required to preserve or enhance the water environment in accordance with Policy WAT3.</p> <p>Paragraph 7.2.5 - We are pleased to see the Natural England biodiversity metric referenced here (Biodiversity Metric 2.0) in regard to net gain. It would be useful to keep this under review as the field evolves and develops.</p>		
187-Bishop's Stortford Climate Change Group			<p>Concerned that the application of net gain is diluted by reference to scale of development. We think that the statement that major developments offer the greatest opportunities (7.26) followed in 7.27 by the suggestion that there is opportunity for all scales of developments might make smaller scale developments consider the focus is only for large scale developments.</p> <p>Welcome in principle the hierarchy "Avoid, mitigate, compensate" but are concerned that there needs to be more precision to ensure that this does not undermine the requirement to deliver net gain in biodiversity from development. In</p>	<p>On the basis of scale, larger developments do tend to offer greater opportunities for net gain. But that statement does not undermine the contribution of smaller sites and paragraphs 7.27-7.30 provide guidance and options for integrating biodiversity into all scales of development.</p> <p>Net gain should be measured using a biodiversity metric but the Council recognises that more detail and clarity is needed about the process. However, the SPD is unable to provide further clarity about the process because it will pre-empt the decisions by Hertfordshire Ecology. East Herts Council relies on Hertfordshire Ecology Advisory</p>	<p>Amend the 7 bullet point in para. 7.28 as follows :</p> <p>Contribution to wider ecological networks and green and blue infrastructure corridors. <u>Consider connectivity of the landscape, enabling species to move around freely, for example creating hedgehog highways.</u></p>

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			<p>particular there needs to be much more precision around: the definition of the baseline from which net gain is to be measured and how it will be assessed; whether there is a reasonable likelihood of protected habitats being present; and whether any proposed mitigations and compensations need to be assessed by professionals.</p> <p>The Council's Development Committee will also need independent assurance that the measures proposed are sufficient. Hedgehog highways should be included in the list of biodiversity measures in 7.28</p>	<p>Service to provide them with specialist ecology advice, to inform the planning process, as has been the case with this SPD. Further detail about the process and delivery of biodiversity net gain will be informed by Herts Ecology's operational decisions as soon as possible. This will be informed by the progress and final details of the Environment Bill, which is planned to introduce mandatory requirements for the delivery of biodiversity net gain.</p> <p>Reference to Hedgehog highways can be added to the SPD.</p>	
12- Herts and Middlesex Wildlife Trust	Section 7.3 Submission Requirements, para 7.36	Object	<p>Proposes paragraph 7.36 should be amended to add an additional criteria for when an ecological survey(s) will be required:</p> <p>If without avoidance, mitigation or compensation measures the development would result in a net loss to biodiversity</p>	<p>Paragraph 7.36 seeks to advise when an ecological survey is required and paragraph 7.38 clarifies that advice from Hertfordshire Ecology can be sought. It is considered too prescriptive for the SPD to include this additional criteria. If there are specific circumstances when an ecological survey is needed Herts Ecology will advise on a site by site basis.</p>	No amendment in response to this issue
13- Herts and Middlesex	Section 7.3 Submission Requirements	Object	<p>Suggests a number of amendments to the details about ecology surveys in paragraph 7.37</p>	<p>The Council recognises that ecology surveys need to include mitigation and compensation and this is</p>	Amend paragraph 7.37 as follows:

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
Wildlife Trust	ts, para 7.37.		<p>Analysis of likely impact on protected species, if applicable, <u>with mitigation or compensation strategies if required.</u></p> <p>A <u>full</u> biodiversity impact assessment calculation <u>using the Defra biodiversity metric</u>, which must demonstrate a minimum 10% net gain in biodiversity units.</p> <p>An analysis of the impacts of the development on fauna, <u>with measures required to mitigate or compensate these impacts.</u></p> <p>Definitive avoidance, mitigation or compensation measures sufficient to demonstrate a net gain in biodiversity.</p> <p><u>Enhancement measures definitively proposed and marked on plans.</u></p>	<p>specified in the last bullet point of para 7.37. It is not necessary to repeat for each bullet point criteria.</p> <p>However, it is agreed that enhancement measures on plans, would be a useful addition. Could also refer to Defra biodiversity metric for consistency with paragraph 7.25 of the SPD.</p>	<p>A biodiversity impact assessment calculation using the <u>Defra (version 2 updated by Natural England, or as amended) locally approved biodiversity metric, unless advised otherwise by Herts Ecology)</u></p> <p>Insert an additional bullet point: <u>Enhancement measures definitively proposed and marked on plans.</u></p>
14- Herts and Middlesex Wildlife Trust	Section 7.4 Checklist, bio 2	Object	Amend checklist criteria Bio 2 –I is missing from the word In	Agreed typo needs to be changed.	Amend the typo in criteria bio.2: <u>In</u>
15- Herts and Middlesex Wildlife Trust	Section 7.4 Checklist, bio 5	Object	Amend checklist criteria Bio 4 as follows: 'Has the mitigation hierarchy been applied to minimise adverse impacts on <u>biodiversity priority habitats and species?</u> If impacts are unavoidable, has the	The word biodiversity is consistent with discussion of the biodiversity hierarchy in the NPPF and NPPG.	No amendment in response to this issue

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			impact been mitigated or compensated?'		
16- Herts and Middlesex Wildlife Trust	Section 7.4 Checklist, bio 6	Object	Small changes needed for accuracy and clarity: 'Has a Defra biodiversity net gain metric calculation been submitted and a 10% biodiversity net gain achieved? Please explain	Not necessary to refer to the Defra metric again, the criteria asks the applicant to demonstrate how net gain has been achieved.	No amendment in response to this issue
29- Dr A Rowe	Section 7.1 Policy context, paras 7.5 and 7.6	Support	7.5 Policy WAT3 Water Quality and the Environment aim to preserve or enhance the ecological value of the watercourses. Supports the objectives however believe that before this can be achieved watercourses need to be restored to a natural state; this could be achieved by a reduction in water being taken from the Lea catchment area. Major schemes should not be undertaken until there is surplus capacity. 7.6 Tree planting in historic settings should be historically appropriate and not negatively impact the historic landscape.	Decisions about the water quality and abstraction of the Lea catchment are informed by the Water Framework Directive and Thames River Basin Management and the Lea catchment plans The Council recognises the important of preserving the Lea catchment area and will continue to work with the Environment Agency and other partners to deliver these objectives. The importance of taking account of historic context is outlined in Section 2.3 of this SPD.	No amendment in response to this issue
37 - Sworders	Section 7.3 Submission Requirements, para 7.37	Object	10% net gain in ecological units considered unreasonable. Policy NE2, The caveat 'where it is feasible and proportionate to do so' should be included within the SPD, and references to a minimum percentage	The District Plan, as the Development Plan, is the primary consideration in the determination of planning applications, so the caveat in Policy NE2 'where it is feasible and proportionate to do so'	Add the following text to paragraph 7.5: Policy NE2 Sites or Features of Nature recognises that there is biodiversity value

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity requirement should be deleted.	<p>will be taken into account. For clarity the sentence has been added into the policy context section 7.1, when Policy NE2 is discussed.</p> <p>Therefore it is not necessary to repeat in paragraph 7.37. Likewise reference to 10% net gain is not unreasonable, it is the standard industry reference and has been included in the validation checklist for the last two years. Will add a link to the validation checklist for clarity. The policy allows flexibility if applicants can demonstrate it is not possible to achieve.</p> <p>As it stands, once it achieves royal ascent and is implemented, the Environment Bill will make a net gain of 10% mandatory on most new developments. As outlined in the SPD further site specific guidance can be sought from Herts Ecology.</p>	<p>throughout East Herts and even on non-designated sites applicants should assess the ecological value and aim to enhance it. <u>All proposals should achieve a net gain in biodiversity, where it is feasible and proportionate to do so by taking into account a locally approved biodiversity metric.</u></p> <p>Add the following text to para 7.37:</p> <p><u>Details of submission requirements for applications can be obtained via the Council's website at: https://www.eastherts.gov.uk/planning-building/make-planning-application.</u></p>
131-Tarmac	7.3 Submission requirements		The proposed requirement in section 7.3 for all new major developments to submit a Biodiversity Impact Assessment, which demonstrates a minimum 10% net gain is supported by Tarmac. This will help to promote the retention of existing habitats and	Support noted and welcomed	No amendment in response to this issue

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			the creation of new habitats, to enhance biodiversity as part of sustainable new communities. This approach is consistent with the requirements outlined in the Governments Environment Bill, which will take effect once passed by Parliament.		
38-Swords	7.4 Checklist	Object	This proposed Biodiversity checklist duplicates the existing biodiversity checklist and any necessary Ecological Survey report. This is considered to be unnecessary repetition.	The checklist aims to provide an overarching framework for transparently assessing the sustainable design and construction of a proposed development, as a whole. It does not need to replicate other evidence, so where relevant should signpost the biodiversity checklist (which relates specifically to the presence of protected species and habitats) and ecological surveys to demonstrate how the checklist criteria are being met.	No amendment in response to this issue
156-Pigeon	Section 7.4, Checklist		States that the requirements of the biodiversity checklist (criteria bio 1-5 & 7) are covered by a Preliminary Ecological Assessment or protected species surveys, which are a local validation requirement. Query whether it is necessary to require the checklist to be provided for all applications of 1+ dwelling (in particular, major schemes).	The checklist aims to provide an overarching framework for transparently assessing the sustainable design and construction of a proposed development, as a whole. It does not need to replicate other evidence, so where relevant should signpost the biodiversity checklist (which relates specifically to the presence of protected species and habitats) and ecological surveys	No amendment in response to this issue

Rep. No	Section./ para number	Support or Object	Issue	Officer response	Proposed amendment
7			Biodiversity		
			<p>In addition, what constitutes sufficient information be will determined on a case-by-case basis (dependent on a site's location and condition), therefore it is questionable what the value of including this requirement is.</p> <p>Bio.6- Whilst this criterion is as per the District Plan, the forthcoming Environment Bill will introduce a mandatory condition for 10% net gain. It is therefore questionable whether Bio.6 is necessary.</p>	<p>to demonstrate how the checklist criteria are being met.</p> <p>The Council will consider the implication of the Environment Bill once it the final state of the bill is known.</p>	

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
20- C. Rowe	General comment	Support	Support this section but considers stronger wording is necessary to ensure, particularly for large developments, that the sorts of infrastructure provision and community facilities that form part of the overall plan MUST be delivered before (or, less satisfactorily, in parallel) with residential areas coming into occupation. Typically, these things	Primary Policy TRA1 Sustainable Transport in the District Plan makes provision at (e) that development proposals should "In the construction of major schemes, allow for the early implementation of sustainable travel infrastructure or initiatives that influence behaviour to enable green travel patterns to become established from the outset of occupation".	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>happen the other way around, even when the original proposals suggested they would be provided in parallel.</p> <p>For instance, the Gilston mega-development has 7 "villages" that should be developed in sequence from 1 to 7, in order to minimise road transport increases, yet recent changes now suggest that "village" 7 will be developed first, before community provision is available - AND before the new roads through the rest of the Gilston site are ready.</p> <p>This is completely unacceptable and results from a lack of enforceable conditions on the developers to ensure that the correct sequence is maintained. This will cause enormous volumes of extra traffic to on the A414, with all the consequent accident risk and pollution that should have been avoided.</p> <p>Please ensure that these concerns are reflected in much stronger wording to prevent this in the future.</p>	<p>The SPD text supports the need for early implementation at paragraph 8.20, which clearly makes reference to sustainable measures needing to be in place at the outset of development to engender behavioural change.</p> <p>Likewise, paragraph in the 'Pedestrian and cycle route provision- making journeys healthier and sustainable' section makes a similar point.</p> <p>Both points are further strengthened at checklist</p> <p>Checklist T4: Have you included measures (traditional and/or innovative) to encourage uptake of more sustainable modes of transport and engender modal shift from the outset of development?</p> <p>As the SPD is intended to serve all types of development, not just strategic allocated sites, it is not considered that amendment to existing wording is required.</p>	
104- C	Section 8.1	Support	Strongly support the reference to	Acknowledge support for para. 102	No amendment in response

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
Arnott	Policy Context, para. 8.4		para 102 of the NPPF on the assessment of impacts of development – in particular that transport should be considered early in development proposals (where appropriate at masterplanning stage and not left to the assessment of the planning application TA) and environmental impacts should be identified, assessed and taken into account including mitigating any adverse effects. This should be reflected in section 8.3 on Submission Requirements and 8.4 on the Sustainability Checklist to developers.	of the NPPF. The purpose of this SPD is to ensure that the principles of sustainable transport are transparent and considered up front. Section 2 of the SPD emphasises the need to consider sustainable design and construction early in the design process. Paragraph 8.62 sets out that the checklist should be submitted as part of the application process, but also that it should be used early to inform pre-application discussions.	to this issue
125- C Arnott	Section 8.1 Policy Context, Policy box	Object	The policy box should reference the Transport Policies in the relevant Neighbourhood Plans (NPs). Along with the District Plan, NPs form part of the Development Plan and have more significant statutory status than, for example, the Local Transport Plan which is listed in full. Bishops Stortford Neighbourhood Plan is currently under review by the Town Council and includes 12 Transport Policies and other climate	The Council acknowledge the importance of neighbourhood planning in the decision-making process. Paragraph 1.16 of the SPD emphasises that development must comply with relevant neighbourhood plan policies. However, given the number of neighbourhood plans covering the district it would be disproportionate to list every relevant neighbourhood plan policy in each section.	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			change and sustainability policies which should be referenced		
189- Bishop's Stortford Climate Change Group	Section 8.1 policy Context, para 8.2	Object	The importance placed on providing for sustainable transport is fundamental, although the language of the key introductory paragraph 8.2 is unacceptably wishy washy.	Agreed that wording of paragraph should be strengthened.	Amend paragraph 8.2 to read: In considering new development and ensuring that the transport impacts are less damaging and more sympathetic to the environment, <u>it is important that greater priority needs to be is given now to reducing the overall need to travel.</u> and, w Where journeys are necessary, <u>it is vital to make sure make certain that</u> suitable hard and soft infrastructure and measures are provided to <u>both mitigate their impact and ensure that</u> they can be undertaken in a more sustainable manner going forward. This section of the SPD discusses various specific mechanisms to that <u>can be employed to assist in achieving these aims.</u>
51- East Herts Rural	Section 8.2 Topic Guidance,		Reducing the need to travel is acknowledged as a vital aspect of achieving garden city principles, for	Support for the principles in this section are noted and welcomed. The Council acknowledges the local	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
Labour Party	para 8.12		<p>example at HGGT.</p> <p>However on a smaller scale it should be about building sustainable communities, which minimise the need to travel for services, facilities and employment.</p> <p>There is potential for innovation and the changes to working conditions due to Covid-19 are likely to extend into the future and make the proposals even more pressing and relevant to the sustainability of housing and also to the movement of people. Particularly in the case of commuting to London from East Herts the location of housing in relation to railway stations could become less important and the access to local facilities more important.</p> <p>The Sustainability proposals will require firm action from EHDC to ensure compliance by developers! In Buntingford, in recent years, promises from developers have not been delivered.</p>	and infrastructure provision are fundamental to delivering sustainable development.	
95- Herts County	Section 8.1, Policy		Paragraph 8.4- Herts Count Council endorses National Planning Policy	This context setting section provides an outline of national and local	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
Council	Context, Paras 8.4-8.7		<p>Framework (NPPF) position in terms of sustainable transport and would ask that all developments consider the requirements as set out in (paragraph 102 of the document).</p> <p>Paragraph 8.6 - National Planning Practice Guidance (NPPG) expands on the objectives included in the NPPF and provides specific guidance around the need for, and use of, transport evidence bases, travel plans, transport assessments and statements to support sustainable transport provision. HCC also ask that these objectives are considered.</p> <p>Paragraph 8.7 - The policies within East Herts District Plan policies TRA1, TRA2, TRA3, DES4, CFLR9 and DEL2, promote the delivery of sustainable transport and HCC would further promote the need to achieve sustainable transport through its own planning and transport policies</p>	<p>policy as a reference rather than providing specific guidance at this point.</p> <p>HCC LTP4 and East Herts District Plan policies are likewise listed in a context setting role.</p> <p>In combination, all these strands are taken into account in the decision making process as standard, with the SPD intended to add further detail and supplement these policies.</p>	
170- S. Landon	Section 8.2 Topic Guidance		Car dependence can only be addressed when people have a reliable, regular, dependable and fully integrated public transport system. We need a transport	The Council acknowledges the role of the public transport network to reduce dependence on cars, alongside the other measures in this topic guidance: reducing the need to	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			network that links all villages to the major towns around together with health centres, schools, and leisure facilities.	travel and enhanced walking and pedestrian provision, Developer contributions are important for subsidising new or enhanced passenger transport services. Section 8.2.6 explains this process and outlines the role of community transport initiatives in delivering passenger transport services to local communities.	
188-Bishop's Stortford Climate Change Group	Section 8.3 Topic Guidance Para 8.13, 8.15, 8.27, 8.4, 8.35,		8.13- In relation to reducing the need to travel there is no discussion of rejecting developments whose need is not demonstrated or which are poorly located. In particular, for new community infrastructure there should be evidence of full consideration of options for more intensive use of existing infrastructure to reduce the need for new development.	As the SPD cannot go beyond the positively worded policies in the District Plan, it is not considered appropriate to include wording which directly speaks of rejecting developments, especially as each application has to be considered on its own merits in the context of the Plan as a whole and where other factors, such as social infrastructure, may need to be balanced and taken into account in the decision making process. However, it is agreed that greater emphasis could be made of other locational policies in the Plan, which seek to prioritise the location of development in sustainable locations and additional wording in the	Amend 8.13 as follows: Location is a key determinant in this respect and the District Plan's guiding principles (paragraph 3.3.2) and its Development Strategy hierarchy (outlined in Policy DPS2) therefore seek to direct development to areas that minimise the need to travel, by means such as utilising and supporting existing local facilities and networks that lie in close proximity. <u>To avoid harmful development, policies GBR1 and GBR2 set the context of constraints in Green Belt and other rural locations, while policy TRA1 further states that</u>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>8.15 & 8.27 Agree with the draft SPD that the desired modal shift requires developments to address both sustainable transport within the development and beyond the development's boundaries (eg through providing connectivity and through routes)</p> <p>8.24 & 8.35 Welcome the focus on</p>	<p>paragraph is therefore proposed. The need for additional community infrastructure is considered in line with the Policy CFLR 7, where (II) allows for the enhancement of existing facilities, where appropriate.</p> <p>Support noted and welcomed</p> <p>Support noted and welcomed</p>	<p><u>development proposals should "primarily be located in places which enable sustainable journeys to be made to key services and facilities to help aid carbon emission reduction"</u>. Where larger scale allocations and developments are proposed which may be more distanced from existing facilities, measures can be introduced that aim to largely self-contain movement within a site, and these can be supplemented by sustainable travel measures where journeys beyond are required.</p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>reducing the need to travel and then prioritising sustainable transport over private motorised vehicles and doing this through the scheme layout and other facilities (8.24) and enabling potentially vulnerable users to feel safer (8.35). We note that the density of the proposed</p> <p>Welcome the requirement that the design of a development will need to provide for electric car charging as a norm (8.49), but consider this should not be undermined by the statements that this may not be feasible in the short-term</p>	<p>Support noted and welcomed. Further consideration of this issue will be addressed by the emerging Vehicle Parking SPD.</p>	
145-Andrew Martin Planning on behalf of Countryside	Section 8.2 Section 8.2.3 Pedestrian and cycle route provision-making journeys healthier and sustainable, para 8.32	Object	<p>In respect of making journeys healthier and more sustainable, paragraph 8.32 of the Draft SPD states that where rail stations are available, a maximum walking distance of 800 metres is sought.</p> <p>This guidance is unrealistic and could be misinterpreted by members of public. There is also nothing in national policy or guidance or the District Plan to support this position.</p> <p>Firstly, even in the District's towns</p>	<p>Agreed that the draft wording may be misinterpreted and that the text should be clarified.</p>	<p>Amend paragraph 8.32 to read:</p> <p>In respect of recommended distances to bus stop locations, HCC seeks for these to be a maximum of 400m away from any property, which should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies' distances. Where rail stations are available, a maximum</p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>and villages, very few development sites will fall within an 800-metre walk of a railway station and therefore is it unhelpful to set out such a low figure in the SPD. The majority of site allocations in the District Plan are situated more than 800 metres from a railway station and yet they were considered 'sustainable' by EHDC and found to be acceptable by the Inspector who examined the District Plan.</p> <p>Secondly, using a 'maximum' walking distance of 800 metres and setting out that 'this is sought' could lead members of the public to believe that this is a mandatory standard, with development sites beyond 800 metres deemed unacceptable. This is clearly not the case, as proximity to a railway station is just one of a long list of transport and planning considerations.</p> <p>With this in mind, the final sentence in paragraph 8.32 should be either deleted or at the very least amended to reflect that this is a recommended (not maximum) distance.</p>		<p>walking distance of 800m is sought.</p> <p><u>The layout of new development should ensure that streets and paths facilitate direct and efficient bus operation and as many homes and workplaces as possible should lie within 400m access of bus services. Where rail stations are available, the design of development should seek to provide a maximum walking distance of 800m, where achievable. Distances should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies'. While the Council will seek to maximise this approach, in cases where HCC agrees that such distances cannot be achieved, new development proposals should demonstrate alternative measures to maximise sustainable journey opportunities to occupiers of the development.</u></p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>Countryside submits that to be realistic and an accurate reflection of development management practice, the final sentence in paragraph 8.32 should be either deleted or at the very least amended to read:</p> <p><i>"Where rail stations are available, a recommended walking distance of 800 metres is preferred."</i></p>		
80 – Hunsden, Eastwick and Gilston NP Group	Section 8.2, Section 8.2.3 Pedestrian and cycle route provision-making journeys healthier and sustainable, para 8.32		<p>Support the general approach on transport. However, the focus appears only on new provision, the need for connectivity with existing local communities and the lack of existing infrastructure needs addressing as does the need to maintain what little there is; surely EHC have a policy position to achieve better provision, if so why not state it?</p> <p>On new provision developers should make commuted sums available or endowments to provide for the long term maintenance needs. There needs to be a rethinking of the design of cycle routes to make them attractive to users; at Gilston EHC appears to be encouraging a cycle</p>	<p>Paragraph 8.27 states that "Intrinsic to the heart of design, routes for pedestrians and cyclists should be well thought out, making sure that linkages and permeation between existing and new developments can be successfully achieved so that maximum opportunities present themselves to engender green travel behaviours through active travel". This text, in combination with District Plan Policy TRA1 (c) and other national and local policies, ensures that the need to both integrate with, and improve, existing cycle and walking provision is taken into account.</p> <p>Funding for schemes, for both initial provision and their maintenance, is</p>	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>and walking bridge of over 300m length to simply cross a classification road at Eastwick roundabout when a signalled crossing with priority for pedestrians and cyclists would be more user friendly and better value? EHC seems to have made no option analysis other than side with vehicle users at odds with your suggested strategy to give priority to walking and cycling; why?</p> <p>While the focus on cycling and walking is commendable, we would draw attention to:</p> <p>“ Garden Villages and Garden Towns: Visions and Reality. (Text copyright © 2020 Transport for New Homes and the conclusion, in section 4, that; -</p> <p>“Public transport is very popular but unfunded. Nearly every garden town wanted excellent public transport. Equally the vast majority of garden villages put sustainable transport at the heart of their vision. Funding was however, very uncertain and pushed a long way into the future - there was little definite. Could find no garden community where the sustainable transport elements were costed and funded with delivery dates.”</p>	<p>largely achieved through specific mechanisms, such as Section 106 legal agreements attached to planning permissions, and it is clearly important that these achieve all that they are intended to. Policies DEL1 and DEL2 seek to ensure such arrangements are achieved and avoid the issues described in the representation.</p>	

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			Without a clear policy for funding public transport, the conclusion is that the car will dominate these new communities as it does the old ones.		
132- David Lock Associates on behalf of Tarmac	<p>Section 8.2, Section 8.2.3 Pedestrian and cycle route provision-making journeys healthier and sustainable, paras 8.9, 8.32</p> <p>Section 8.2.5 Electric vehicle charging</p> <p>Section 8.2.6 Contributions towards passenger and community transport</p>		<p>Tarmac support the approach adopted in paragraph 8.9 of the SPD, which states that major development proposals should be developed as walkable neighbourhoods, which prioritise non-car borne movement. BGS has been developed as a walkable neighbourhood, to help promote active travel and is therefore consistent with the draft SPD.</p> <p>Tarmac support the promotion of bus accessibility within new communities, to encourage active travel. However, Tarmac consider that the maximum distance between dwellings and bus stops should be amended to reflect national guidance. The stated maximum actual walking distance of 400m at paragraph 8.32 is considered unreasonable and is not justified. This unduly onerous criteria could restrict the ability of a viable bus service from operating within a new development to the detriment of bus</p>	While use of the 800m measurement is not considered appropriate in light of both local guidance and to support the approach of CIHT's Buses in Urban Development, 2018, rewording of the paragraph is suggested to allow for flexibility where potential situations where 400m access to bus services may not be achievable.	<p>Amend paragraph 8.32 to read:</p> <p>In respect of recommended distances to bus stop locations, HCC seeks for these to be a maximum of 400m away from any property, which should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies' distances. Where rail stations are available, a maximum walking distance of 800m is sought.</p> <p><u>The layout of new development should ensure that streets and paths facilitate direct and efficient bus operation and as many homes and workplaces as possible should lie within 400m access of bus services. Where rail stations are available, the design of development should seek to</u></p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
	initiatives (para 8.53)		<p>journey times. This could disincentivise residents from using public transport which would be counter-productive to the Council's sustainable transport ambitions.</p> <p>Best practice design guidance suggests that "the siting of bus stops should be based on trying to ensure they can be easily accessed on foot" (DfT (2007) Manual for Streets). Walkable neighbourhoods are characterised by having "a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas"(Ibid) , which can reasonably be assumed to also include bus stop provision. Similarly, CABE guidance identifies 800 m as being the threshold distance for access to facilities on foot and "...opportunities to reach more distant facilities by public transport" (CABE (2001), Better Places to Live By Design: a companion guide to planning policy guidance 3. London: Thomas Telford).</p> <p>Tarmac suggest that the SPD is amended to reflect best practice design guidance as follows (para 8.32):</p>		<p><u>provide a maximum walking distance of 800m, where achievable. Distances should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies'. While the Council will seek to maximise this approach, in cases where HCC agrees that such distances cannot be achieved, new development proposals should demonstrate alternative measures to maximise sustainable journey opportunities to occupiers of the development.</u></p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>In respect of recommended distances to bus stop locations, <u>Bus stops should be located to ensure as may homes and workplaces as possible lie within a 400m walking distance of a bus stop, and at most an 800m walking distance of a bus stop. This HCC seeks for these to be a maximum of 400m away from any property, which should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies' distances. Where rail stations are available, a maximum walking distance of 800m is sought.</u></p> <p>Electric vehicle charging provision In principle, Tarmac support electric vehicle charging provision within new developments. However cannot comment on appropriateness as yet. Tarmac therefore reserve comment until such a time that EHDC's proposed standards for EVC provision are available, as anticipated in early 2021.</p> <p>Contributions towards passenger</p>	<p>Noted.</p> <p>Being non-prescriptive, the current</p>	

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>and community transport initiatives</p> <p>With regards to draft paragraph 8.53, in relation to site-specific financial contributions towards passenger and community transport initiatives, it will be necessary for the final version of the SPD to be consistent with national policy. This is particularly necessary in the light of the Government's White Paper proposals published in August 2020, which propose a consolidated Infrastructure Levy which would replace CIL and any financial obligations associated with Section 106 Agreements.</p> <p>Emissions from transport</p> <p>Tarmac support the approach taken in the draft SPD with regards to promoting sustainable travel modes within new developments to support improved air quality,</p>	<p>wording is considered to offer sufficient flexibility to accord with any potential changes in Government approach across the lifetime of the document.</p> <p>Noted and welcomed.</p>	
146-Andrew Martin Planning on behalf	Section 8.2, Section 8.2.5 Electric vehicle charging	Support	Paragraph 8.49 of the Draft SPD acknowledges that "... While it is recognised that supplying active electric [car] charging points to every residential or commercial property	Support noted and welcomed. Suggested amendment to wording to add reference to the OLEV grant.	Amend end of paragraph 8.49 by adding additional text to read: Another benefit of accommodating the

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
of Countryside	provision, para 8.49		<p>may not be feasible in the short-term due to current energy network supply availability, the infrastructure to enable future connection should be provided from the outset of the development...</p> <p>Countryside welcomes this flexible approach and in particular its use on development sites that may have been brought forward via planning applications prior to the formal adoption of the District Plan.</p> <p>Another benefit of accommodating the infrastructure to enable future connection is that occupiers should be able to apply for the Government's OLEV Grant (currently £500), which could provide them with an affordable and relatively simple route to acquiring a domestic electric vehicle charging point.</p> <p>Countryside's current preferred approach to electric vehicle charging on development sites in East Herts is to ensure that all garages and some houses with on-plot parking have a 7kW 32Amp (single phase) smart</p>		infrastructure at the outset of development to enable future connection would be to offer occupiers the opportunity to apply for the Government's

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			charger fitted and the remaining dwellings are served by sufficient infrastructure to enable future connection, including via the Government's OLEV Grant.		
ID 116- East Herts Green Party	Section 8.2 Section 8.2.2 Reducing the overall need to travel (paras 8.15 and 8.19) Section 8.2.5 Electric Vehicle Parking (paras 8.50 and 8.53)		Para 8.15: Can the use of Active Travel Zone assessments be recommended to applicants? 8.19: Add references to car sharing/club such as co-wheels.org.uk - social enterprise offering different car sharing modes Section 8.2.5 Para 8.50: Add reference to Chargemystreet.co.uk, a community benefit society which installs and operates community vehicle charge points, raising money through community shares. As well as supplying electric charge points at each house, a developer can work with Chargemystreet to set up community-owned electric charge points on streets near developments to encourage existing residents without driveways to switch to EVs. 8.53 – see Chargemystreet.co.uk and co-wheels.org.uk	Reference to Active Travel Zones is already made and it would be for HCC to consider the assessments as part of the consideration of wider travel planning through planning applications. Unless and until such an approach is adopted by HCC, while the document makes reference to the consideration of ATZs, to actively seek such assessments through this SPD would be premature. As there are multitudinous companies and organisations offering car sharing services and on-street EV charging schemes, with many changing operations/names over time, it is not considered appropriate to highlight any particular enterprise.	No amendment in response to this issue
ID 31- A.	Section 8.3		All applications for developments	In order to meet the district's	No amendment in response

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
Rowe	Submission Requirements, para 8.59		that will generate significant amounts of transport movement should surely be refused. What is the point of generating meaningless and unenforceable plans?	Objectively Assessed Need (OAN) for housing via the delivery of the District Plan's strategic sites, it is inevitable that, while seeking to contain movement so that journeys are significantly reduced, these developments will generate trips as part of everyday life. The key factor is to ensure that, where trips are made, they are facilitated by the most sustainable mechanisms possible to mitigate their impact.	to this issue
ID 96-Herts County Council	Section 8.3 Submission Requirements, para 8.56		Asking developers for all new residential and non-residential development to submit a completed Sustainability Checklist to demonstrate their support of sustainable transport, could be an effective tool in promoting the adoption of policies which prioritise walking and cycling over simple car use, is something HCC is happy to endorse.	Noted and welcomed.	.
ID 39-Sworders	Criterion T6	Object	T6 of the Checklist suggests that the provision of EV charging is a mandatory requirement; however it is considered unreasonable for this to be a blanket requirement given that paragraph 8.50 of the SPD, and Policy TRA3, make provision for a site	The Council's Vehicle Parking at New Developments SPD is currently subject to review and consultation on the document, which will contain standards pertaining to EV charging, will be undertaken in due course.	No amendment in response to this issue

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			specific assessment 'where possible'. Further, the adopted Vehicle Parking Provision at New Development SPD (2008) makes no reference to electric vehicles or charging provision.		
157-Pigeon	Criteria T1-T6		<p>T1- Pigeon support the use of a variety of measures as identified in the draft SPD (such as Active Travel Zones, Walkable Neighbourhoods, Measures to promote working at home and 'local office hubs', Car sharing and Electric assisted bike schemes) to promote sustainable transport choices, whilst recognising the difficulties in achieving these in a predominately rural District.</p> <p>The SPD provides useful guidance/information on the above measures, but does not explicitly state how these are to be assessed. The SPD should provide clarity on this, and amended to make clear that the assessment of a schemes compliance with sustainable transport objectives should be assessed through reviewing the TA/TS. Including all these measures in a single document makes it clear for all parties what is being provided to promote sustainable transport. The SPD should also set out clear</p>	<p>In order to ensure that the SPD contains relevant advice throughout its lifetime in respect of requirements and thresholds necessary for submission of a planning application, a link is provided to the Council's main website where any updates will be easily and accurately accessed. However, it is acknowledged that thresholds were not detailed in the draft document and additional text is therefore proposed to cover this aspect.</p> <p>The Council's Vehicle Parking at New Developments SPD is currently subject to review and consultation on the document, which will contain standards pertaining to EV charging, will be undertaken in due course.</p>	<p>To clarify that thresholds may apply in respect of submission requirements, amend text of paragraph 8.60 to read: Further details of submission requirements for applications (<u>alongside relevant thresholds, where appropriate</u>) can be obtained via the Council's website at: https://www.eastherts.gov.uk/planning-building/make-planning-application</p> <p>To reflect scalability of approach, amend paragraph 8.62 as follows: The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. <u>This statement is explained in</u></p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			<p>thresholds for when a TS/TA is required to accompany an application.</p> <p>T2- As above, the SPD should set out what will need to be included/ provided to satisfy this requirement.</p> <p>T3- As above, the SPD should set out what will need to be included/ provided to satisfy this requirement.</p> <p>T4- As above, the SPD should set out what will need to be included/ provided to satisfy this requirement. Examples of best practice schemes or case studies would be beneficial in this regard.</p> <p>T5- The SPD should include criteria for when a TA/TS and TP will be required and what should be included in these documents.</p> <p>T6- Parking Standards are set out within the Vehicle Parking Provision at New Developments SPD. If the Council is seeking different parking standards to those set out within the Parking Standards SPD then this</p>		<p><u>Appendix A: the combined checklist</u>. The checklist can also be used as part of the pre-application process.</p> <p>Additional text added to the combined checklist in Appendix- see proposed response to rep 118 above</p>

Rep No.	Section/Para number	Support or Object	Issue	Officer Response	Proposed Amendment
8.			Sustainable Transport		
			should be brought via an amendment to that SPD (or be explicit within the Sustainability SPD). Again, this level of detail will not be appropriate for outline applications.		

Rep no.	Section/ para number	Support or Object	Issue	Officer response	Proposed Amendment
9.			Waste Management		
88- Herts County Council	9.2 Topic Guidance, paras 9.17 and 9.32		<p>9.17 – Circular Economy is more than waste disposal, looks to rethink and redesign resource use. Important to highlight design processes.</p> <p>Updates references to the Waste Planning Local Plan- the draft Waste Local Plan has been published for consultation. The replacement policy to the current Local Plan policy is Policy 15: Sustainable Design and Resource Efficiency. This policy is similar to the adopted policy but it requires development proposals to submit Circular Economy Statements rather than SWMPs. The county council are in the process of producing a Circular Economy guidance document which offers</p>	<p>Updates to the Waste Local Plan and the role of circular economy statements noted. SPD text has been updated accordingly.</p> <p>Paragraph 9.32 recognises that guidance is indicative and may change reflecting changes to government guidance or service requirements. Applicants are advised to check the council's website. Therefore it is not necessary to amend the text.</p>	<p>Insert the following text into the policy box: <u>Waste Local Plan Review Policy 15: Sustainable Design and Resource Efficiency.</u></p> <p>Add a new paragraph after paragraph 9. 8. As follows: <u>The County Council is currently in the process of reviewing the Waste Local Plan. Strategic Policy 15 of the draft Waste Local</u></p>

Rep no.	Section/ para number	Support or Object	Issue	Officer response	Proposed Amendment
9.			<p>Waste Management</p> <p>detailed guidance on the principles of a Circular Economy, Circular Economy Statements and the production of a SWMP. The Waste Planning Authority welcomes the inclusion of this section.</p> <p>With regards to paragraph 9.32: The external waste storage of flats should also provide food/green waste storage. As mentioned in 9.26, the government has an ambition to collect this type of waste weekly. Flats should not be excluded from this.</p>		<p><u>Plan (2021) requires the submission of Circular Economy Statements. Details are available on their website: www.hertfordshire.gov.uk/planning.</u></p> <p><u>Amend text in paragraph 9.20 as follows:</u></p> <p><u>Circular Economy Statements are also encouraged as good practice. As part of their current Waste Local Plan Review, the County Council are planning to require development proposals to submit circular economy statements. They are currently producing guidance to inform this process. and</u></p>

Rep no.	Section/ para number	Support or Object	Issue	Officer response	Proposed Amendment
9.			Waste Management		
					something the County Council are planning to implement via their Local Plan Review.
171- S. Landon	9.2 Topic Guidance, 9.2.3 Construction Waste		Materials for recycling should be regarded not as 'waste ' but raw materials, a valuable resource that can be sold for profit. The use of Biomass and Biofuels should end. The growing of biofuels uses precious agricultural land necessary for food production. These crops also exhaust the soil. Their burning still produces carbon dioxide.	These principles reiterate the circular economy process, which is promoted in the section 9.2.3 of the SPD: recycling and re-using materials within the built environment. Additional reference has been added to the submission requirements section for clarity, Considerations associated with biomass are referenced the energy and carbon section of the SPD (table 1).	after paragraph 9.50: <u>Relevant requirements in the Waste Local Plan, to submit a site waste management plan or circular economy statement should be taken into account.</u> Further details are available on the County Council website: www.hertfordshire.gov.uk/planning .
133- David Lock on behalf of Tarmac	Section 9.2 Topic Guidance, 9.2.4 Designing Provision for Sustainable Waste Management		The consideration of innovative waste management solutions is supported in principle, as set out at draft paragraph 9.29. However, Tarmac consider that such solutions should be considered in the context of development viability, to ensure any innovative waste solutions do not compromise the delivery of much needed new homes within the District.	Noted. Assessment will take account of site context. Each application is assessed on its own merits.	No amendment in response to this issue.

Rep no.	Section/ para number	Support or Object	Issue	Officer response	Proposed Amendment
9.			Waste Management		
89- Herts County Council	Section 9.3 Submission Requirements		Paragraph 9.48: SWMPs and Circular Economy Statements should be mentioned here. Although they are requirements of the Waste Local Plan, the District Council would impose a condition on a development to submit a SWMP, therefore they should be noted here.	Agreed reference to the submission requirements of the Waste Local Plan should be signposted	Add the following text after paragraph 9.50: <u>Relevant requirements in the Waste Local Plan, to submit a site waste management plan or circular economy statement should be taken into account. Further details are available on the County Council website: www.hertfordshire.gov.uk/planning.</u>
134- David Lock on behalf of Tarmac	Section 9.3 Submission requirements		Clarification should be provided in relation to draft paragraph 9.48, to require details of waste and recycling storage provision at the detailed and Reserved Matters application stage. Tarmac do not consider that it would be appropriate to require such detailed design matters to be resolved at the Outline planning application stage follows: 9.48 In addition, the following information will be required at the <u>detailed/ Reserved Matters application stage...</u>	Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD), the Council thinks it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.	No amendment in response to this issue
147- Countryside	9.2, Topic Guidance		Although Countryside does not object to the waste management	Noted. The Council recognises that some provision will be covered by	No amendment in response to this issue

Rep no.	Section/ para number	Support or Object	Issue	Officer response	Proposed Amendment
9.			Waste Management		
			requirements set out in Table 13, it should be noted that the provision of a number of these items, including the full complement of waste and recycling receptacle and the home composting facilities, are the responsibility of EHDC and usually covered by a developers planning contributions.	planning contributions and applicants should explain this in their checklist.	
189- Bishop's Stortford Climate Group	9.3, Submission Requirements		The encouragement to developers to reduce construction waste should be much stronger, the relevant section has no real requirements. We support the design expectations that support domestic storage for recycling. However we are concerned that the provisions requiring sufficient controls for waste storage on commercial premises are not reinforced in the checklists.	<p>The references to construction waste have been strengthened by further emphasis on the need to comply with the requirements of the Waste Local Plan submission requirements.</p> <p>The checklist requires applicants to demonstrate how they are achieving sustainable design and construction so should help increase transparency and help officers understand the approach that has been taken forward.</p> <p>The criteria are applicable to both domestic and non-domestic development.</p>	Add the following text into the Submission Requirements section (paragraph 9.50): <u>Relevant requirements in the Waste Local Plan, to submit a site waste management plan or circular economy statement should be taken into account. Further details are available on the County Council website: www.hertfordshire.gov.uk/planning.</u>
134- David Lock on behalf of Tarmac	9.3 Submission requirements		Clarification should be provided in relation to draft paragraph 9.48, to require details of waste and recycling storage provision at the detailed and Reserved Matters application stage.	Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD), the Council thinks it is	Additional text added to the combined checklist in Appendix-see proposed response to rep 118

Rep no.	Section/ para number	Support or Object	Issue	Officer response	Proposed Amendment
9.			Waste Management		
			Tarmac do not consider that it would be appropriate to require such detailed design matters to be resolved at the Outline planning application stage follows: 9.48 In addition, the following information will be required at the <u>detailed/ Reserved Matters application stage...</u>	important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal. Recognised that Appendix A could be amended to provide more clarity about completing the checklist.	above
158-Pigeon	9.4 Checklist		Emphasises that the checklist requirements relate to detailed/ reserved matters applications not outline applications. Reference to internal layouts should be removed as not a planning issue	Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD) the Council thinks it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal. Recognised that Appendix A could be amended to provide more clarity about completing the checklist. It is acknowledged that internal	Additional text added to the combined checklist in Appendix A- see proposed response to rep 118 above

Rep no.	Section/ para number	Support or Object	Issue	Officer response	Proposed Amendment
9.			Waste Management		
				layout extends beyond the planning remit. However, the Council considers it useful design advice, to help facilitate sustainable waste management practices. As such it is referenced in the SPD.	

APPENDIX A: CONSULTEES

The following organisations were directly notified of the draft Sustainability SPD in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). It should be noted that individuals on the planning policy consultation database were also consulted, but are not listed.

Specific Consultation Bodies and/or Duty to Cooperate Bodies

- Affinity Water
- Anglian Water
- The Civil Aviation Authority
- Communication Operators
- EDF Energy Networks
- Environment Agency
- Essex County Council
- Great Anglia
- Hertfordshire Constabulary
- Hertfordshire County Council
- Highways England
- Hertfordshire Local Enterprise Partnership
- Historic England
- Homes and Communities Agency
- Lee Valley Regional Park Authority
- National Grid
- Natural England
- Network Rail
- NHS East and North Hertfordshire CCG
- NHS West Essex
- Neighbouring Authorities: Broxbourne Borough Council, Epping Forest District Council, Harlow District Council, North Hertfordshire District Council, Stevenage Borough Council, Uttlesford District Council
- Police and Crime Commissioner
- Stansted Airport
- Thames Water
- The Coal Authority
- The Princess Alexandra Hospital NHS Trust

- Veolia Water

East Herts Town and Parish Councils	
Bishop's Stortford Town Council	Hertford Heath Parish Council
Buntingford Town Council	Hertingfordbury Parish Council
Hertford Town Council	High Wych Parish Council
Sawbridgeworth Town Council	Hormead Parish Council
Ware Town Council	Hunsdon Parish Council
Albury Parish Council	Little Berkhamsted Parish Council
Anstey Parish Council	Little Hadham Parish Council
Ardeley Parish Council	Little Munden Parish Council
Aspenden Parish Council	Much Hadham Parish Council
Aston Parish Council	Sacombe Parish Meeting
Bayford Parish Council	Standon Parish Council
Bengeo Rural Parish Council	Stanstead Abbots Parish Council
Benington Parish Council	Stanstead St Margarets Parish Council
Bramfield Parish Council	Stapleford Parish Council
Braughing Parish Council	Stocking Pelham Parish Council
Brent Pelham and Meesden Parish Council	Tewin Parish Council
Brickendon Liberty Parish Council	Thorley Parish Council
Buckland and Chipping Parish Council	Thundridge Parish Council
Cottered Parish Council	Walkern Parish Council
Datchworth Parish Council	Wareside Parish Council
Eastwick and Gilston Parish Council	Watton-at-Stone Parish Council
Furneux Pelham Parish Council	Westmill Parish Council
Great Amwell Parish Council	Widford Parish Council
Great Munden Parish Council	Wyddial Parish Meeting
28 Other Parish Councils outside of East Herts	

General Consultation Bodies and Other Organisations	
Aldwyck Housing Group Ltd	Hertfordshire Community Health Services
Bat Conservation Trust	Hertfordshire Gardens Trust
Bellway homes	Hunsdon Eastwick and Gilston Neighbourhood Plan Group
Beds and Herts Local Medical Committee	Hutchinson 3G UK Limited
Bishops Stortford Methodist Church	Ian Baseley Associates
Bishop's Stortford District Footpath Association	Jarvis Homes Ltd
Bishop's Stortford Chamber Of Commerce	Labour Party
Bishop's Stortford Liberal Democrats	Layston Pre-School and Nursery
Bishop's Stortford Mencap	Leach Homes
Bishop's Stortford Town Centre Management Partnership	Leaside Church

General Consultation Bodies and Other Organisations	
British Horse Society	Leaside Under 5's Kindergarten
British Telecommunications plc	Lee Valley Regional Park Authority
British Waterways	Linden Homes
Building Research Establishment	Linden Homes Eastern
Buntingford Chamber of Commerce	McMullen & Sons Ltd
Buntingford Civic Society	Mobile Operators Association
Buntingford Town Partnership	Molewood Residents Association
CABE	National Express East Anglia
Canal & River Trust	National Farmers Union
Carers in Hertfordshire	National Federation of Gypsy Liaison Groups
CBI East of England	Network Homes
CDA for Herts	North East Herts Labour Party
Chaldean Estate	North Hertfordshire Homes
Christ Church C of E (VA) Primary & Nursery School	Openreach Newsites
Church Commissioners	Orange Personal Communications Services
Circle Anglia	Origin Housing Association
Coke Gearing Consulting	PACE
Community Safety & Crime Reduction Department, Herts Constabulary	Paradigm Housing Group
Countryside Management Service	Paradise Wildlife Park
CPRE Hertfordshire	Parsonage Residents Association
Croudace Homes	Parsonage Surgery
Department for Transport Rail Group	Pelham Structures Ltd
Diocese of St Albans	Persimmon Homes
DPDS Consulting Group	Pigeon Investment Management Ltd
East Herts Ramblers	Plainview Planning Ltd
East of England Ambulance Service NHS Trust	Planning Potential
East of England Development Agency	RSPB
East of England Local Government Association	Salvation Army Bishop's Stortford Corps
Essex County Cricket Board	Sanctuary Carr-Gomm
Fairview New Homes	Sanctuary Hereward
Fields In Trust	Savills
First Capital Connect	Shelter
Forebury Estates Ltd	South Anglia Housing Association
Forewind Ltd	Sport England
Framptons	St Joseph's RC Primary School
Freight Transport Association	St Michaels Church
Friends, Families and Travellers and Traveller Law Reform Project	Standon and Puckeridge Surgery

General Consultation Bodies and Other Organisations	
Garden History Society	STANDonA120 campaign
Gascoyne Cecil Estates	Stevenage Liberal Democrats
Gladman Developments	Stewart Ross Associates
Good Architecture/ Transition Hertford	STOP Harlow North
Grange Builders	Strategic Planning Research Unit, DLP Planning Ltd
Granta Housing Society Ltd	Strutt & Parker
Hanover Housing Association	Sustrans
Hastoe Housing Association Ltd (East)	Telefonica O2 UK Ltd
Hatfield Town Council	Tesni Properties Limited
Haymeads Residents' Association	Thakeham Homes
Hazel End Farm	The Bishop's Stortford High School
Hertford Disability Support Group	The Canal and River Trust
Hertford Heath Primary School	The Gallery at Parndon Mill
Hertfordshire Action on Disability	The Georgian Group
Hertfordshire Association of Parish and Town Councils	The Gypsy Council
Hertingfordbury Conservation Society	The Lawn Tennis Association
Herts & Middlesex Badger Group	The Princess Alexandra Hospital NHS Trust
Herts & Middlesex Wildlife Trust	The Theatres Trust
Hertfordshire Building Preservation Trust	The Traveller Law Reform Project
Hertfordshire Chamber of Commerce & Industry	The Ware Society
Hertfordshire Community Health Services	The Woodland Trust
Hertfordshire Gardens Trust	Theatres Trust
Hertfordshire Police Authority	Wallace House Surgery
Herts & North Middlesex Area of the Ramblers	Ware Town Partnership
Herts Sports Partnership	Wareside C of E Primary School
Hightown Praetorian and Churches Housing Association	Watermill Estate Residents' Association
Hill Residential	Wates Developments
Hockerill Residents Association	Wattsdown Development Limited
Home Builders Federation	Welwyn Garden City Society
Home Farm Trust Herts & Essex	Wodson Park Sports Centre
Housing 21	Woodhall Estate
Hertfordshire Building Preservation Trust	Hertfordshire Football Association
Hertfordshire Chamber of Commerce & Industry	Hertfordshire Cricket
Hockey England	Rugby Football Union

Introduction

Context

Significant growth is happening in East Herts, with a minimum of 18,458 new homes being built by 2033 and provision of 19-20 hectares of new employment land. The District Plan (2018) vision sets out the importance of implementing this growth sustainably, to protect the environment and the quality of life of people who live, work and visit the District. Climate change is a key challenge facing society and the Council is committed to tackling its causes and impacts. In July 2019 the Council declared a climate change motion, with the goal that both the council and East Herts District will be carbon neutral by 2030.

This Supplementary Planning Document (SPD) supports the implementation of policies in the District Plan and sets out detailed guidance on how to mitigate and adapt to climate change, to minimise the use of resources and protect and enhance biodiversity.

What is sustainability?

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. This SPD focuses on the environmental dimensions of sustainability.

Buildings are responsible for almost half of UK's carbon emissions, half of the water consumption, about one third of landfill waste and about a quarter of all raw materials used in the economy. The design and construction of new buildings, and the spaces around the buildings, therefore has a key role in delivering sustainable development, which is at the heart of the planning system. Designing and constructing development to improve its environmental performance will reduce the environmental impact of new development and address climate change. The true benefits of sustainable design and construction go well beyond simply cutting carbon emissions. There are also economic and social benefits associated with sustainable design and construction including; reduced energy bills, improved health and well-being and more resilience to market fluctuations and climate change adaptation.

For developers and homeowners, there is evidence that higher standards of environmental sustainability increase property values. As public awareness of climate change increases, sustainable design and construction measures can be used by developers as an effective marketing tool to sell properties. Equally, the capital cost of building sustainably is likely to fall due to increasing demand and consequently the availability of green technologies at lower costs.

Purpose and structure of the SPD

The purpose of the SPD is to support the implementation of District Plan policies by providing technical guidance on sustainable design and construction to improve the environmental sustainability of new development. The SPD covers a number of topics to encourage a more prudent use of resources, protect environmental assets, mitigate the impact of climate change and adapt to its impacts:

- **Design led approach**- taking a holistic approach to design;
- **Energy and Carbon** – how to reduce carbon emissions and create more energy efficient developments, incorporating renewable technologies;
- **Climate Change Adaptation**- How to mitigate overheating and increased risk of flooding;
- **Water efficiency**- How to reduce the use of mains water;
- **Pollution**- How to address air, light and noise pollution ;
- **Sustainable transport**- How to design development to reduce the need to travel and incorporate sustainable transport options;
- **Biodiversity**- How to conserve and enhance biodiversity;
- **Waste**- How to reduce construction waste and design schemes that allow occupants to manage waste sustainably.

Whilst the SPD cannot introduce new targets or standards that supersede the policies in the District Plan, it will add value in a number of ways:

- By providing transparent, holistic guidance for applicants with more detail about policy requirements and expectations.
- By requiring applicants to consistently submit information to demonstrate compliance with policy. For an application to be validated, a combined checklist will need to be submitted, as detailed below.
- By helping officers and councillors assess the environmental credentials of developments and make decisions.
- Encouraging developers to go further than current policy, to demonstrate excellence in sustainable development.

The guidance will help transition towards the Council's goal for carbon neutrality by 2030, but further detail will be considered as part of the Review of East Herts District Plan.

Policy context

This section provides an overview of the policy context, further details relevant to each topic are provided in each section of the SPD.

The Climate Change Act (2008) established a legally binding target to reduce the UK's greenhouse gas emissions by at least 80% in 2050 from 1990 levels. In May 2019 the Government declared a climate emergency. The Committee on Climate Change recommended that the Government adopted a new emissions target for the UK: net zero greenhouse gas emissions by 2050¹. This would keep the UK in line with the commitments it made as part of the 2016 Paris Agreement to keep global warming below 2°C. As a result the Government amended the legislation in June 2019 to require the UK to bring all greenhouse gas emissions to net zero by 2050.

The built environment has a clear role in helping to deliver these national targets. Section 19(1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their Local Plans "policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change".

National Policy

The National Planning Policy Framework (2019) states that planning and development should contribute toward the environmental objective of sustainable development, which includes making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change.

Section 14 makes it clear planning must address climate change. New development should be planned for in ways that minimise vulnerability and improve resilience; help the reduction of greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure.

Local Policy

The adopted District Plan (2018) expects development proposals to incorporate design and construction measures to mitigate and adapt to the impact of climate change, minimise the impact of pollution and reduce pressure on resources such as water.

The East Herts District Plan includes a number of policies which require applicants to 'take account of' or 'demonstrate how' different aspects of sustainable design and construction are incorporated into proposed development. However, with the exception of water use (WAT2) the Plan does not require compliance with a target.

¹ Committee on Climate Change (May 2019) Net zero: The UK's contribution to stopping global warming. Available online at: <https://www.theccc.org.uk/publication/net-zero-the-uks-contribution-to-stopping-global-warming/>

The Council recognises that mandatory targets in policy, particularly in relation to energy and carbon emissions, are likely to be important to meet the national agenda. This issue will be ~~explored and progressed~~ taken forward part of the District Plan Review.

In addition to the District Plan, development should comply with relevant Neighbourhood Plans policies. Details are provided on East Herts Council's website².

Also a significant proportion of growth in East Herts is within Harlow and Gilston Garden Town. The Council remains the decision-maker for both policy documents and planning applications within East Herts, but current governance and management arrangements have been set up in partnership with Epping Forest and Harlow Districts and Hertfordshire and Essex County Councils to help ensure collaborative working. Therefore applications in the Gilston Area will need to consider the relevant policy context, including the Gilston Area Charter SPD and emerging Harlow and Gilston Garden Town Sustainability Guidance³.

How to use the SPD

Applicants should use the design guidance in this SPD to inform the design and construction of their scheme. Depending on the scale or type of development proposed, statements or surveys may be required to support an application. Details about the planning application submission requirements are set out in each topic section. Further details about submission requirements are provided on the Council's website: <https://www.eastherts.gov.uk/planning-building/make-planning-application>

All proposals should consider the principles in this SPD. Applications for new development that result in a residential net gain of 1 plus dwellings or an increase in non-residential floorspace should submit the combined Sustainable Design and Construction checklist in Appendix A. This will demonstrate that the principles of environmental sustainability outlined in this SPD have been considered and addressed. Information provided should be proportionate to the scale and type of development proposed. Once adopted the SPD will be a material consideration in the determination of planning applications and it will replace the current Air Quality Planning Guidance.

² <https://www.eastherts.gov.uk/planning-building/planning-policy/neighbourhood-planning-activity-east-herts>.

³ <https://www.eastherts.gov.uk/about-east-herts-0/harlow-and-gilston-garden-town>

Design led approach

Context

Good urban design and sustainable design and construction are mutually inclusive. The NPPF sets out that achieving high quality places and buildings is fundamental to the planning and development process. The National Design Guide emphasises how well-designed places, that are beautiful, enduring and successful can be achieved in practice. The importance of taking account of climate and environmental change is raised as an issue that infiltrates through the whole design process. The guidance identifies 10 urban design characteristics, including the importance of context and identity. Good design is built on a foundation of thorough analysis of a site's relationship to a settlement and its immediate locality and should enhance its surroundings and be attractive and distinctive. Recent Homes England guidance, Building for a Healthy Life, explains how the integration of nature, blue and green infrastructure and pedestrian and cycle connections underpins high quality design and healthy, attractive places.

Designing and achieving more sustainable forms of development requires consideration at a strategic scale, before moving down to consider the more detailed site and construction aspects. Development sites come in a variety of sizes and level of complexity but in all cases the local context is essential in determining how the site relates to the surrounding environment, for example in terms of its character, visual relationship, proximity to open space, facilities and services and environmental conditions of the local microclimate. The context informs the development's layout and form of development, which then underpins the sustainability of a development and how it mitigates and adapts to climate change. These principles are explained below in Figure 1.

Further Guidance

- National Design Guide (2019), MHCLG:
<https://www.gov.uk/government/publications/national-design-guide>
- Building for a Healthy Lifestyle (2020), Homes England:
<https://www.designforhomes.org/project/building-for-life/>

Taking a holistic, landscape-led approach

The sustainable design considerations set out in this guidance should form an integral part of the design process so that sustainability principles are incorporated and minimum standards met where relevant (and where possible exceeded) in the most timely and cost effective way possible. It is therefore recommended that this guidance is

referred to from the very start of the design process, including in early discussions with the client. Early and meaningful collaboration of sustainable design specialists in the design team - including BREEAM or Passivhaus advisors, services engineers, sustainable drainage specialists and landscape and biodiversity experts- is also strongly encouraged. Integrating sustainable design into the building procurement process will help development move towards net zero carbon.

If sustainable design is not fully considered from an early stage of the design/procurement process then problems, delays and increased costs can result. For example, if an air quality assessment is not completed until late in the design process and the study reveals a need for changes to the layout, this could raise new planning/design issues. Similarly, if the sustainable drainage strategy is only developed at a late stage rather than as an integral part of site layout and landscape planning then it could result in a need for costly late changes to comply with policy requirements. Sustainability has so much to do with location and connectivity. Engagement of landscape/townscape, ecology, heritage, drainage, transport professionals during early-stage site feasibility work is key and should be encouraged. Equally, capturing the views of the local community can positively shape emerging development proposals and enable a more efficient planning application process.

Equally if developers want the credibility of achieving best practice associated with meeting BREEAM and Homes Quality Mark requirements this will be far simpler if these standards inform the design process rather than being considered late on as a tick-box exercise. Figure 1 below outlines the different stages of the design process and how it should be a reiterative, holistic process from concept design to construction and end use.

Further Guidance

- RIBA's Green Overlay to the RIBA Outline Plan of Work www.architecture.com
- Building Hub, Designers Handbook <http://thebuildingshub.co.uk/wp-content/uploads/2017/03/TBH-DesignGuide-Screen.pdf>
- LETI Climate Emergency Design Guide www.leti.london/cedg

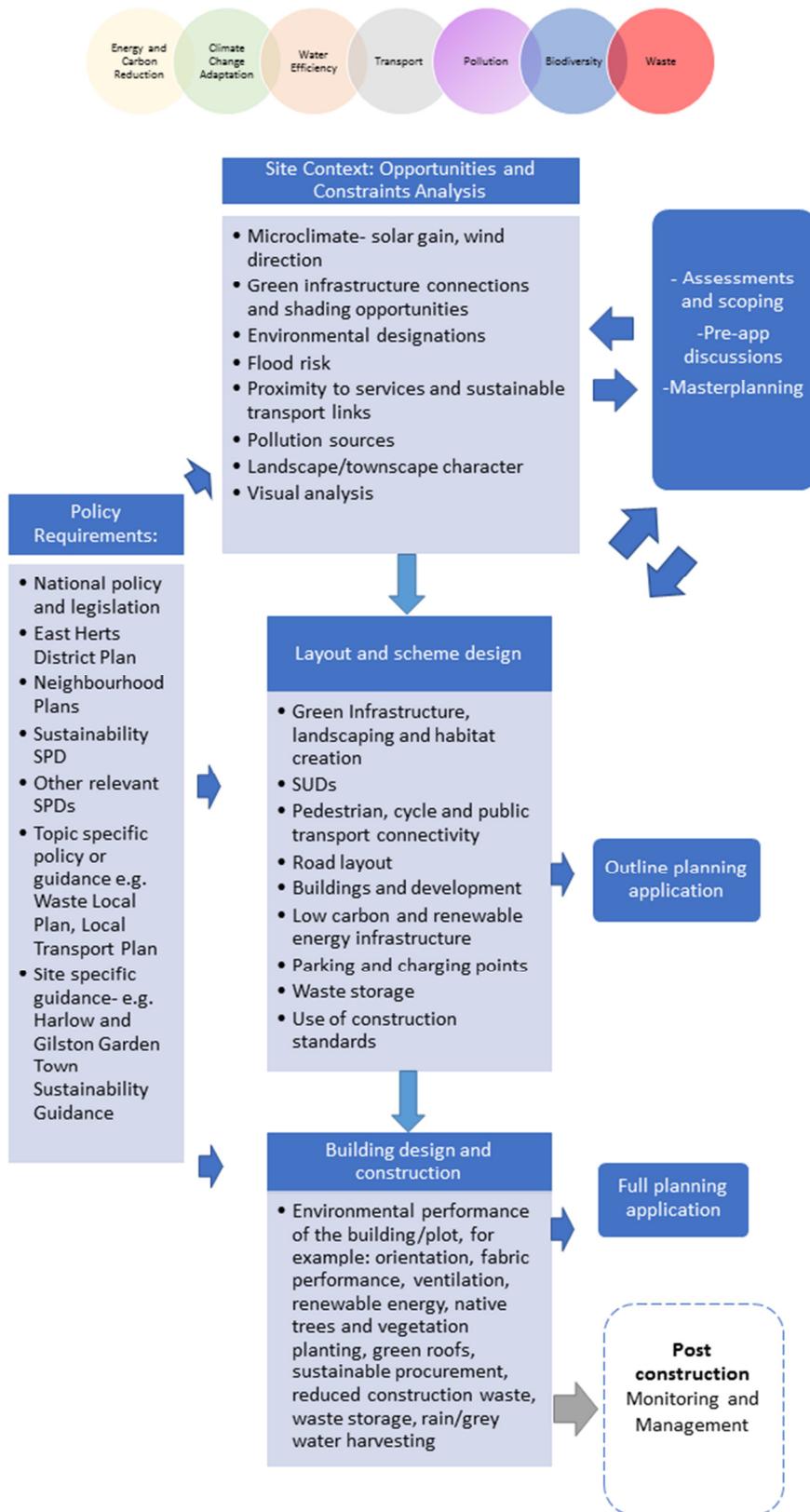


Figure 1: Taking a holistic design approach to incorporating environmental sustainability

Historic Environment

East Herts historic environment is one contextual issue that ~~should~~ must be taken into account to preserve the district's character and distinctiveness. Climate Change can have a range of direct impacts on the historic environment, for example, accelerated weathering to building fabric, erosion of archaeological sites through severe weather and flooding and harm to historic landscapes or changes in vegetation patterns. Equally climate change mitigation and adaptation responses can also have unwelcome impacts on the historic environment, such as damage to historic fabric through poorly designed energy-saving measures, or erosion of historic character through inappropriately located micro-generation equipment.

East Herts has numerous listed building and conservation areas, historic parks and gardens, archaeological sites (scheduled and unscheduled) and scheduled monuments. In accordance with national legislation and policy and the District Plan, proposals should seek to avoid harm to historic assets and preserve and enhance the character and appearance the historic environment. Actions required to limit further damaging emissions and adapt to a changing climate are vital and can be successfully achieved, but need to be balanced with measures to protect the likely to have important implications for the historic environment. ~~Yet the significance and integrity of historic assets can be threatened by poorly designed interventions.~~ Where a historic asset or its setting may be affected, careful consideration of the heritage context throughout the design process is key and the selection of and high quality, appropriate design of measures is ~~therefore~~ fundamental. Where applicable, advice should be sought from the Council's conservation team or other expert bodies such as Historic England, Hertfordshire County Council and Hertfordshire Gardens Trust.

Further guidance

~~Further information on climate change and the historic environment is available from Historic England~~ Historic England have further advice on how heritage assets can effectively mitigate and adapt to climate change. Further information is set out below:

<https://historicengland.org.uk/>

Energy efficiency and historic buildings:

<https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/>

Climate change and sustainability:

<https://historicengland.org.uk/whats-new/statements/statement-on-climate-change-and-sustainability/>

Construction standards

The Council encourage, high quality sustainable development and recommend the use of construction standards to demonstrate excellence in sustainable development. When used ~~the~~ the latest version of standards should be applied ~~used~~ and appropriate evidence must be submitted with a planning application to demonstrate compliance. The following provide a summary and overview of some of the recognised schemes:

- **BREEAM** - Building Research Establishment's (BRE) Environmental Assessment Methodology (BREEAM) is one of the most renowned standards for non-residential development. Credits are awarded across a range of topics and a final accreditation is awarded from good to outstanding. The Council encourage that the higher levels are achieved where possible, which can only be achieved if it is taken into account early in the design process. To demonstrate the appropriate level can be achieved a pre-assessment certificate should be submitted with an application. There are different BREEAM schemes including new construction which relates to individual buildings to BREEAM Communities for development on a wider scale. Further details are available on the BREEAM website: <https://www.breeam.com/>
- **Housing Quality Mark (HQM)** - Following the Government's decision to abolish the Code For Sustainable Homes, BRE introduced the HQM as an equivalent to BREEAM to assess the environmental and social performance of new homes. More details are available on the HQM website: <https://www.homequalitymark.com/>
- **Passivhaus**- Highly efficient housing design, using building fabric performance to achieve high levels of insulation and ventilation: <https://www.passivhaustrust.org.uk/>
- Building futures is an interactive Hertfordshire guide to promoting sustainability in development, which provides further information on the topics within this SPD. It can be accessed at www.hertfordshire.gov.uk/microsites/building-futures/building-futures.aspx. Exemplar developments in East Herts can achieve recognition at the Building Futures annual awards.
- **BRE SMARTsite and SMARTwaste** - online construction site monitoring and reporting tools that aims to improve environmental performance, by helping to manage and reduce resource use and waste outputs. Further details are available on the BRE website: www.bregroup.com/products/bresmartsite/

Case Study: Hertford Theatre

The Council led project to redevelop Hertford Theatre is being designed to achieve BREEAM excellent. The use of BREEAM has been integrated into the design process and a range of sustainable design and construction principles are being developed in order to achieve the excellent rating:

- Retaining as much of the existing building as possible;
- Specifying materials with low embodied energy;
- Upgrading building fabric to increase energy efficiency and reduce carbon;
- Using air source heat pumps;
- Using Intelligent building systems to reduce operational energy;
- Creating flexible, adaptable spaces so building has longevity.

Many of these principles are addressed within this SPD.

Energy and Carbon Reduction

Policy Context

Half of all national carbon emissions come from the energy used in constructing, occupying and operating buildings⁴. The Government's Clean Growth Strategy⁵ makes it clear that a key Government priority is to reduce the energy demand and carbon emissions created by both new and existing homes. It outlines the progress already made by measures such as improved thermal insulation and increased efficiency of boilers, and sets out what more needs to be done to minimise climate impact from buildings and help reduce energy costs.

National Policy

Section 14 of the NPPF clearly sets out the role of planning in addressing climate change. New development should be planned for in ways that minimise vulnerability and improve resilience; help the reduction of greenhouse gas emissions and support renewable and low carbon energy and associated infrastructure. Paragraph 149 retains the link between planning policy and the provision of the Climate Change Act 2008. This means all local plans have a duty to reduce the carbon emissions associated with new development, contributing to England's carbon reduction targets as set out in the Climate Change Act.

Further guidance is provided in the Climate Change section of the National Planning Guidance (NPPG), which has been taken into consideration in the production of this SPD.

Beyond the planning system, the government is ~~considering~~ proposing changes to legislation and policy that will promote lower carbon buildings. Responding to its 2019 Future Homes consultation, the Government has committed to changes to building regulations by 2025 to ensure new homes will have CO₂ emissions at least 75% lower than those built to current regulations.⁶ ~~improve the energy efficiency of new homes were recently subject to consultation in 2019. Plans for low carbon heating and high~~

⁴ Good practice Guidance: Sustainable Design and Construction, Cross Sector Group on Sustainable Design and Construction, August 2012.

⁵ <https://www.gov.uk/guidance/climate-change>

⁶ The Future Homes Standard: 2019, Summary of responses received and Government response, January 2021: <https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings>

~~levels of energy efficiency will be introduced by 2025.~~ To deliver a phased approach, regulations will be changed in December 2021, to introduce an interim CO₂ emissions reduction target of 31% . This will come into force in 2022 and ~~regulations will be changed and in a phased approach to this change the government has consulted on a potential 20% or 31% reduction in carbon emissions from new homes by the end of 2020.~~ The response to this consultation has not yet been published, but it will result in mandatory improvements to the energy performance of new homes. Similar proposals for new non-domestic buildings are also currently being considered (interim uplift target of an average 27% beyond current regulations in December 2021), alongside energy efficiency improvements to existing homes and buildings.⁷ ~~target proposed in due course.~~ Likewise, another government consultation this year identifies the importance of using heat networks to decarbonise heating in the UK and proposes regulations and guidance, which may impact planning policies and decisions.

Local Policy

District Plan policies

- Policy CC2 Climate Change Mitigation
- Policy DES4 Design of Development
- Policy CC3 Renewable and Low Carbon Energy

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability checklist
- Sustainable Construction, Energy and Water Statement
- Carbon reduction template (can be an appendix to incorporated into the statement)

Link to Sustainability checklist

En.01, En.02, En.03, En.04, En.05, En.06

Policy CC2 of the District Plan promotes zero and low carbon development by requiring all new developments to demonstrate how carbon emissions will be *minimised* in accordance with the energy hierarchy by using less energy, increasing energy efficiency

⁷ The Future Buildings Standard, January 2021:

<https://www.gov.uk/government/consultations/the-future-buildings-standard>

and incorporating low and renewable energy (see Figure 2). There are no mandatory targets included within the policy but a reduction in emissions is required and achieving standards requirements beyond the requirements of Building Regulations is encouraged. Carbon reduction should be met on site, unless it can be demonstrated this is not feasible or viable. In such cases offsetting will then be permitted. The policy also expects that the energy embodied in construction materials is reduced through re-use and recycling of existing materials and the use of sustainable materials and local sourcing.

Policy DES4 reiterates and expands on the requirements for sustainable design and zero and low carbon development in East Herts. The policy expects development to achieve a high standard of design, which includes the use of zero or low carbon energy technologies, sustainable construction methods and electric vehicle charging points.

Policy CC3 encourages the generation of clean energy, which include schemes to provide low carbon and renewable energy generation to specific developments or wider generation proposals. The policy recognises that renewable, zero and low carbon proposals must be considered within their local context. The policy states the Council will permit the development of sources of renewable energy generation subject to assessment of the impact on the local environment and amenity. It is vital that any impacts associated with the proposed technology are considered as part of the planning process. Guidance related to this is already available via the national Planning Practice Guidance and as such it is not considered necessary to repeat this guidance in the SPD, although pointers to this guidance will be included in the SPD.

Topic Guidance

Energy and Carbon in East Herts

East Herts has a carbon emission contribution of 675 CO₂ (kt)⁸. The Council is committed to reducing carbon emissions and has pledged that both the Council and the district will be carbon neutral by 2030.

Some reduction in carbon dioxide emissions from energy use has been achieved already but there remains a need and scope for further reductions. The reductions achieved have largely resulted from the national decarbonisation of electricity supply. As the population of the district increases this reduction may slow. There has been less progress in reducing emissions relating to gas consumption. The Committee on Climate Change has advised the Government that there is now an urgent need to eliminate the

⁸ National Atmospheric Emissions Inventory (2017), local authority data
<https://naei.beis.gov.uk/laco2app/>

use of gas in new buildings. In response, the Government has outlined that the Future Homes Standard will mean by 2025 new homes will not be built with fossil fuel heating, such as gas boilers.

Energy Hierarchy

Central to policy requirements is the hierarchical approach to reducing energy demand and associated carbon emissions. District Plan Policy CC2 requires applicants to demonstrate how carbon dioxide emissions will be minimised across a development site, taking development takes account of the energy hierarchy set out in Figure 2.

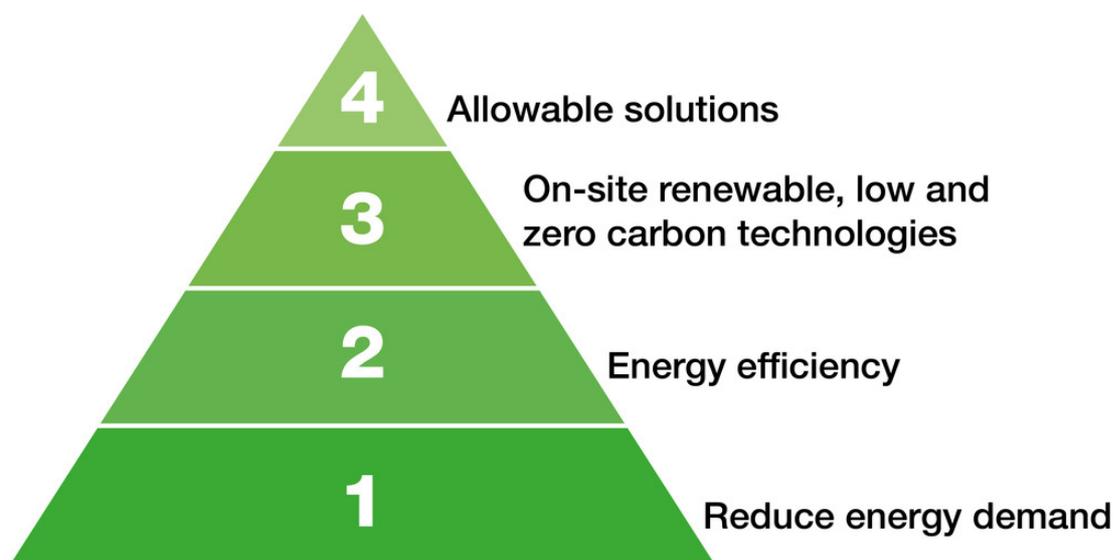


Figure 2: Energy hierarchy in the District Plan (Figure 22.1)

The energy hierarchy, as set out in the District Plan (Figure 22.1), is a sequence of steps that minimise energy consumption in a building: via passive design and orientation; fabric performance and energy efficiency. Once the demand for energy has been reduced to a minimum in a building the next step is to supply energy efficiently via renewable and low carbon energy and connection to decentralised heat and energy networks.

Buildings designed in line with the energy hierarchy prioritise lower cost passive design measures and fabric improvements over high cost systems such as renewable energy technologies. This will make developments more cost-effective and allows investment costs to be recovered through operational savings. On some developments it may be appropriate to have a mixed approach as the best outcome, drawing on options 1 to 3. The mix of options selected should be supported in the Energy Statement by evidence of the costs of the options appraised and associated detailed cost information on the chosen option in the viability assessment.

If on site provision is not feasible or viable, on-site carbon emissions may be offset off-site (step 4). These are known as allowable solutions.

Minimising Energy use (stages 1 and 2 of hierarchy)

Passive design

The first part of the energy hierarchy is addressed by how a building is located, oriented or designed to reduce energy consumption.

Orientation and Layout

By ensuring passive design elements are optimised to reduce the need for artificial lighting, heating and cooling, the design of buildings can play a significant role in reducing a building's overall energy demand. It is also important to balance this approach by minimising overheating in the summer. This is addressed in the Climate Change Adaption section of this SPD.

Key principles of using orientation and layout to reduce energy demand:

Site layout and relationship between buildings and adjacent uses- All development should maximise the potential for passive solar gain⁹. A landscape-led design process allows for the site layout, landscape and relationship between buildings to be considered in order to maximise the capture and use of passive solar energy whilst avoiding excessive solar gain in summer. It is important to avoid the over-shadowing of the solar orientation of buildings. Site layout should also use landform and landscape to provide shelter to minimise heat losses in winter and adequate shade in summer.

Building orientation and form- To minimise heating, lighting and cooling demands, all development should use building orientation, form and the layout of rooms to ensure those spaces that require most warmth and daylight receive most passive solar gain and those spaces that need least warmth/daylight receive least. Use of a simple external building form (minimising surface area in relation to volume) can reduce heat loss. Where site constraints restrict suitable orientation or form, the council will expect innovative techniques or approaches to be used to maximise daylight and increase solar gain, for example the use of sun pipes¹⁰.

- **Residential solar gain-** If possible building axis should be orientated in an east-west direction to provide optimum solar gain (see Figure 3). This can reduce a home's heating and cooling costs by up to 85%. Where possible habitable rooms (such as living rooms and bedrooms) should be located on the south elevation to maximise heating and light from the sun, particularly in the winter. Potential for excessive gain in the summer should however be taken into account. On sites where building are orientated on a north-south axis, they should be angled as shown in Figure 4 to maximise heating in the morning and evening when it's

⁹ Making the best use of solar energy to heat and illuminate buildings.

¹⁰ Sun pipes are a natural lighting system that maximises the concept of renewable energy by channelling natural daylight from roofs to indoor environments

needed most. This will also help minimise overshadowing between buildings due to the shadow angle created by the sun's path. It is preferable if habitable rooms are on the west elevation to maximise light and heating later in the day.

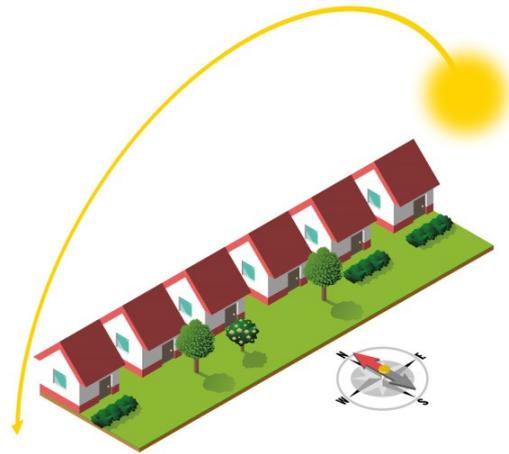


Figure 3: Development orientated on an east-west access

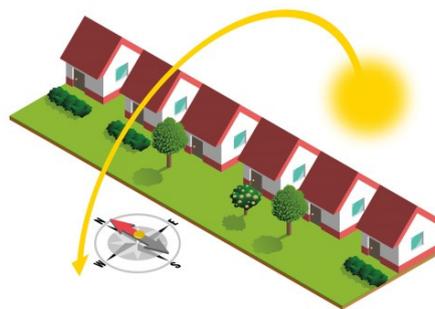


Figure 4: Development orientated on a north-south access

- **Non-residential solar gain-** Commercial properties are usually occupied during the day and often need to minimise solar gain because of heat intensive uses (such as computer use). An east-west axis is preferable with glazing on the north elevation to maximise light and prevent excessive heat gain.

- To avoid overheating in summer months buildings should incorporate eave design to allow shading and support shading devices and eaves design and use green infrastructure in surrounding spaces to increase shading (see climate change adaptation section for cooling advice)

Provide thermal mass and storage- Thermal mass involves using the mass of the buildings to moderate the temperature. It should not be confused with insulation and u-values; it is a passive design feature, not a method of insulation. Materials have a capacity to absorb and store heat and ultimately release it when it is cooler. It is of most value when there are temperature fluctuations, i.e. between day and night. Materials such as concrete and bricks have a higher thermal mass and others such as timber have a low thermal mass. However, the design and use of thermal mass will depend on context and needs to be considered in relation to the specific building. For example in highly insulated buildings, with some mechanical ventilation (such as Passivhaus) there will be less temperature fluctuations and high thermal mass could cause potential for overheating. As outlined in Section 3, Climate Change adaptation, this needs to be taken into account.

Provision of natural ventilation- This is the process of supplying and removing air through an indoor space without using mechanical systems. This enables the flow of external air to an indoor space as a result of pressure or temperature differences. Different options are explored in section 3.

Planting and soft landscaping- Vegetation, trees, green roofs and green walls are also important for reducing energy required to cool buildings. They provide shade and stabilise microsystems. Trees and hedgerow can also help with CO₂ absorption and they trap particulates so have an air quality benefit.

Fabric First approach

Once the demand for energy has been reduced, measures to make the best use or most efficient use of energy should be considered. The energy efficiency of a building is influenced by the use of space, insulation and materials within a building.

Making the building fabric perform more efficiently tends to be those measures which fall within building regulation process. This means that proposed buildings should have external walls, roofs, floors, windows and doors that are super insulated, airtight and wind tight. Window and doors should incorporate high performance glazing.

A good building fabric consists of:

- Continuous insulation (low U-values)
- Minimal thermal bridging (low PSI-values)
- Continuous air barrier (low air permeability)

It is recommended that buildings should achieve the highest possible

standards of thermal insulation, air tightness and energy efficient lighting. The Council recommends the use of good practice standards in residential and non-residential development.

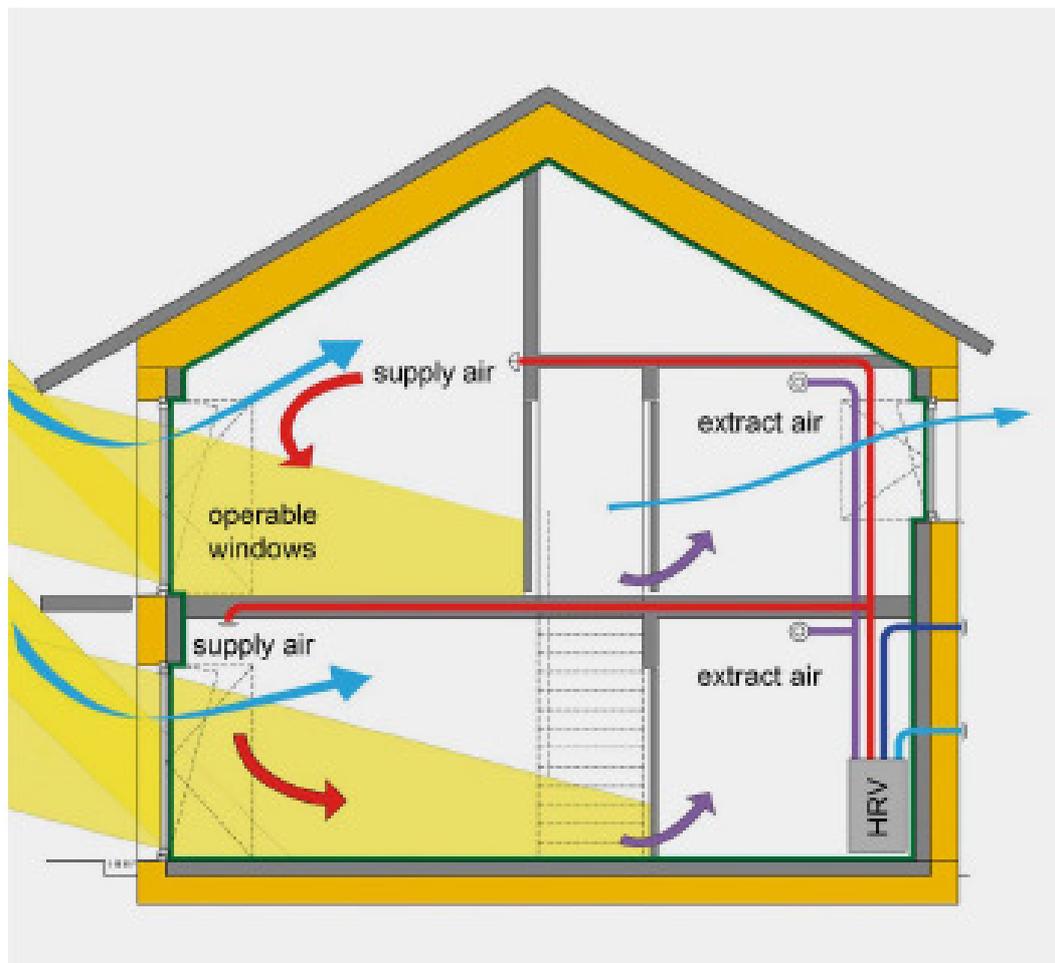
Good practice: Passivhaus

Insulation and airtightness to Passivhaus standards are encouraged by the Council as good practice.

Passivhaus takes a fabric first approach to low energy building. It reduces heating and cooling to a minimum whilst creating excellent air quality. It uses passive principles to their full extent before active systems are explored. Key features include:

- Higher levels of insulation and triple glazing
- High standards of airtightness (10 x more than a standard build)
- Mechanical ventilation

For more information visit the website: <https://www.passivhaustrust.org.uk/>



Key principles

Insulation- Thermal insulation is an important way of improving energy efficiency by reducing the heat losses through the fabric of the building. The thermal insulating properties of building structures are compared using U-values.¹¹ The U-value is a measure of how readily heat will flow through the structure and describes how much energy in watts (W) can pass through material from inside to outside. The lower the U-value, the less heat is transferred through it, so the more efficient it is. The most efficient buildings have a continuous insulation around the building envelope.

Air-tightness and thermal bridging- An airtight building envelope is draught-free, so ensures high energy efficiency and internal comfort. To enable a continuous air tight barrier, gaps in the fabric should be minimised. Measures include sealing joints and gaps around windows and door frames. Reducing the air permeability of the fabric requires controlled ventilation to minimise build-up of moisture, CO₂ and other internal pollutants. For low energy homes an air permeability of 3m³/h.m² @50pa or below should be targeted to enable efficient heat recovery ventilation.

Thermal bridging is where heat is lost through a material that is more conductive than the surrounding materials, such as a metal fastener or concrete beam, or where a wall meets an external wall. Significant thermal bridges should be designed out.

Other energy efficiency measures

In addition to changes to the fabric of the building the Council will expect internal lighting, services and appliances to be energy efficient.

Further guidance

The Buildings Hub Designer's Handbook: <http://thebuildingshub.co.uk/wp-content/uploads/2017/03/TBH-DesignGuide-Screen.pdf>

Supplying energy more efficiently (stage 3)

For buildings to maximise carbon reduction and certainly to move beyond building regulations towards net zero carbon, the residual energy requirements (once the design and fabric of new development has minimised the energy needed for heating, cooling and powering) should be supplied as efficiently as possible using renewable and low carbon energy. Policy CC2 Climate Change Mitigation requires carbon reduction on site unless it can be demonstrated that this is not feasible or viable.

¹¹ The U-value is a measure of how readily heat will flow through the structure, and describes how much energy (Watts) can pass through 1mg of material from inside to outside at a temperature differential of 1 Kelvin (K)

Zero carbon technologies are those that harness renewable non fossil fuel energy to create heat or generate electricity. They are called zero carbon because they produce no carbon dioxide (CO₂) emissions when producing heat or power. These technologies are sometimes referred to as micro generation, producing heat or energy locally on a small scale. Low carbon technologies are those that use fossil fuels in a highly efficient way.

Using low carbon heating and cooling systems

Heating is the most essential component of the UK's current residential energy consumption. Gas boilers make a large contribution to the 14% of UK greenhouse gas emissions from homes. The Government intend to exclude gas boilers from new homes by 2025. Alternative heating systems are therefore encouraged, such as heat pumps, which could include (but are not limited to) electric boilers, solar thermal panels, heat pumps or other energy efficient systems. Heat pumps are generally more energy efficient than standard panel heating, particularly if used on a communal scale (small number of dwellings or a block of flats). The siting of air source heat pumps on buildings should be carefully considered to take account of potential noise impacts. Useful information about the efficiency of different heat pumps is available online: <https://www.bregroup.com/heatpumpefficiency/index.jsp>

On a larger scale, a heat network or district heating distributes heat generated at a central location to a number of residential and non-residential buildings. The Climate Change Committee estimates that if the UK is to meet its carbon targets cost effectively, around 18% of UK heat will need to come from heat networks.¹² Various sources of heat can be used. A district heating scheme provides heat from a central source and distributes it to multiple buildings. Combined Heat and Power (CHP) is a technology that produces electricity close to the point of use and captures the waste heat that is normally lost to provide heating, hot water and sometimes cooling. The Hertfordshire Renewable and Low Carbon Energy Study (2010), was produced as part of the evidence base to the District Plan (https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Herts_Renewable_and_Low_Carbon_Study_joined-redacted.pdf). The study identifies the potential for district heating networks in East Herts' towns where heat demand is highest. The heating opportunity areas are set out in figure 6.1 of the study.

Gas-fire CHP is currently considered a low carbon technology, so please see the advice note in Appendix D. However, applicants should take account of the Government's

¹² Heat Networks www.gov.uk/guidance/heat-networks-overview

intention to ban gas boilers in new homes from 2025 in a bid to tackle climate change¹³. Likewise, the decarbonisation of mains electricity (proposed changes to the carbonisation of electricity in SAP10¹⁴), means a long-term view of the carbon emissions associated with gas fired CHP should be taken into consideration. Electric heat pumps or renewable energy are other heat sources that are becoming increasingly popular in heating networks and are key in the move towards net zero carbon buildings.

It is essential that CHP and heat networks are installed and operated appropriately. Design of heat networks should achieve the best practice standards of the ADE & CIBSE Code of Practice for Heat Networks¹⁵. Impact on air quality must also be taken into account and emissions must not exceed guidance in the Pollution section of this SPD.



Source: <https://www.buildingfor2050.co.uk/>

Case Study: Marmalade Lane, Cambridge- Development of 42 homes built using a fabric first approach, incorporating mechanical ventilation and heat recovery and timber panels constructed off site. Air source heat pumps are used to supply heat and hot water.

In East Herts there are currently no existing district heating networks, so connecting to existing networks is not possible, although applicants should consider installing heating and cooling equipment that is capable of connection at a later date. Large-scale mixed use development is most suitable because it enables good anchor load and diversity of heat demand. To facilitate the consideration of district heating potential all major new

¹³ HM Treasury (2019) Spring Statement 2019. www.gov.uk/government/topical-events/spring-statement-2019

¹⁴ Standard Assessment Procedure (SAP) is the assessment used in building regulations. SAP10 is the most recent version of this assessment, and was released alongside the Government's proposed changes to Part L: <https://www.gov.uk/government/consultations/the-future-homes-standard-changes-to-part-l-and-part-f-of-the-building-regulations-for-new-dwellings>

¹⁵ <https://www.cibse.org/knowledge/knowledge-items/detail?id=a0q200000090MYHAA2>

development allocated in the District Plan **or** located in the heat opportunity areas in Figure 6.1 of the Hertfordshire Renewable and Low Carbon Energy Study should assess the feasibility of providing new district heating network. The Council recognises that low temperature, fossil free district heating is the most sustainable option.



Incorporating renewable energy

The use of onsite renewable technologies is strongly encouraged to ~~increase~~ decrease CO₂ emissions,

particularly for those developments seeking to achieve net zero carbon developments. The Hertfordshire Renewable and Low Carbon Study (2010) explored a range of renewable and low carbon technologies and their feasibility and viability implications. Table 1 sets out a list of renewable energy technologies and their suitability in East Herts. It is acknowledged that the suitability of technologies may change over time and new technologies may also be developed, so the Council will ~~also~~ consider all proposals on their merit. ~~alternative proposals if relevant.~~

Table 1: Overview of renewable technologies and suitability in East Herts

Renewable Technology	Suitability
Solar PV	Yes
Micro wind	No, unlikely to be economic because of poor energy yields experienced in practice.
<u>the suitability of technologies may change over time and scale wind</u>	Yes, in appropriate locations with sufficient wind speeds (see figure 6.1 of Hertfordshire Renewable Study).
Biomass boilers	<u>Yes, however,</u> unlikely to be supported within an AQMA or where it may impact on residents unless it can be clearly demonstrated that there will be no adverse impact on air quality.
Solar thermal	Yes
Air source heat pumps	Yes, where communal solutions are not possible

Renewable Technology	Suitability
Ground source heat pumps	Yes, where communal solutions are not possible
Water source heat pumps	Yes, best suited to large scale communal heating solutions.

Source: Renewable and Low Carbon Study (2010)

The feasibility of the renewable energy proposal should be considered in relation to the site context and the identified considerations in Policy CC3. Likewise, if relevant, appropriate licenses should be sought from the regulation body. For example water and ground source heat pumps may require licenses from the Environment agencies in some instances. It is recommended that early discussions take place with the relevant organisation to ensure the appropriate technology is selected in the appropriate location.

The Council recognises that renewable and low carbon technologies are not always feasible or viable. However, if this is the case, applicants should provide justification in their Sustainable Construction, Energy and Water Statement (see submission requirements).

Site wide approaches to energy

All significant development proposals, that meet the definition for masterplanning in DES1, offer opportunities to consider site wide approaches to renewable and low carbon energy provision. For example, in some sites the mix of uses and densities may enable the use of district heating, or provide opportunities for the development of large scale renewable energy installations adjacent to new development, for example solar arrays linked to battery storage and electric vehicle charging provision to create a smart grid to energy infrastructure (see transport section of this SPD). Such approaches will also help development transition to low and zero carbon in the future as once the infrastructure is in place to support site wide energy approaches, the technologies behind this infrastructure can more easily be upgraded to reflect advances in technology. Therefore, in the Sustainable construction, energy and waste Statement, consideration should be given to the technical feasibility and viability of site wide approaches to energy provision. This should include both the technology and associated infrastructure (heat networks and smart energy grids).

At Harlow and Gilston Garden Town (HGGT), the emerging Sustainability Guidance and Checklist will guide a site wide approach to energy and carbon reduction across the

Garden Town. Applicants with development within the Gilston Area will also need to take account of the HGGT sustainability guidance as a material consideration.

Sustainable construction

Another means of reducing the carbon emissions of buildings is considering minimising the carbon locked in construction materials, known as embodied energy. Policy CC2 requires that the energy embodied in materials is reduced through re-use and recycling and the use of sustainable sources and local sourcing. Consideration of embodied carbon is likely to become increasingly important as society transitions to a low and indeed zero carbon society. It also forms part of achieving a circular economy, which is explained in more detail in the waste management section of this SPD.

The World Green Building Council estimates that, globally construction accounts for 11% of carbon emissions¹⁶. When sourcing materials for a development, applicants should consider the following principles for improving the environmental performance of materials that should be used:

- Environmental impact- Use materials that have low embodied energy (e.g. lime based products or timber) which have been manufactured through processes with low consumption of energy.
- Responsible sourcing- Use materials from sustainably managed sources.
- Re-use of materials- Re-using materials from the development site and reclaimed or recycled materials for a range of uses.
- Transport- Use local materials to reduce transportation costs

The greatest opportunity for impact on embodied carbon comes at the design stage, in particular in the building structure. If opportunities are not taken at this early stage, the embodied carbon savings are lost for the entire lifetime of the building. The Council recommend early engagement as part of the pre-application process for schemes looking to utilise materials with low embodied carbon. Opportunities for sustainable procurement should also be explored, encouraging the use of contractors and suppliers that have zero and low carbon credentials.

The Council support the use of modern methods of construction- essentially off-site construction- because it can help reduce embodied energy by reducing waste on site and increasing the speed on construction.

Further guidance

For further guidance on the responsible sourcing of materials and embodied carbon, please see:

¹⁶ <https://www.worlddbc.org/embodied-carbon>

- Green book live. Available online at: <http://www.greenbooklive.com/>
- RICS professional standards and guidance, UK. Whole life carbon assessment for the built environment, 1st edition, November, 2017. Available online at: <https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the--built-environment-november-2017.pdf>
- WRAP Embodied Carbon Database: <http://ecdb.wrap.org.uk/Default.aspx>

Transition to net zero Carbon

As set out above, District Plan Policy CC2 Climate Change Mitigation requires development to reduce emissions, encouraging standards above the requirements of Building Regulations and Policy DES4 expects proposals to incorporate sustainable construction techniques including zero or low carbon energy. Policy requirements expect new development to follow the hierarchical approach to reducing energy demand and associated carbon emissions. The submission requirements section outlines the need to provide evidence of carbon reduction. Whilst there are no mandatory reduction targets in current policy, table 2 identifies benchmarks that applicants are advised to ~~should~~ work towards, to address the national and local pledges to move towards net zero carbon. The table presents a tiered approach to carbon reduction to explain how the proportionate reductions relate to changes to building regulations and the timeframe for achieving net zero carbon development.

Table 2: Carbon reduction benchmarks that applicants are advised to achieve

Suggested carbon reduction benchmarks	Explanation
19%-34% improvement of 2013 Part L Building Regulations (residential) BREEAM Very Good (non-residential)	A 19% reduction is used as a baseline in many Local Plan policies ¹⁷ , and can be achieved through energy efficiency measures or a combination of energy efficiency and renewables (i.e. photovoltaics). Research suggests it will involve only a modest increase in build costs ¹⁸ . Changes to building regulations by the end of 2020 in December 2021 will require a <u>are expected to include a 20% or 31% improvement to current regulations.</u>

¹⁷ Equivalent to Code for Sustainable Homes level 4 (prior to its abolition in 2015).

¹⁸ Policy playbook (2020), Driving Sustainability in new homes – a resource for local authorities: <https://www.ukgbc.org/wp-content/uploads/2020/03/The-Policy-Playbook-v.1.5-March-2020.pdf>

Suggested carbon reduction benchmarks	Explanation
	Likewise it is expected that new non-domestic buildings will see also see an uplift in that timeframe, by, on average, 27%. So, once these regulations come into force, this level of carbon reduction is likely to will become mandatory.
35%-50 improvement of 2013 Part L Building Regulations (residential) BREEAM Excellent (non-residential)	This level of reduction would contribute towards a goal of all buildings being net zero carbon by 2050. The Climate Change Committee indicates that buildings will need to be net zero carbon by 2050 to meet national climate change targets.
50% + improvement of 2013 Part L Building Regulations BREEAM – Excellent (non-residential) Nb. BREEAM outstanding can only be achieved if unregulated energy is reduced, not just energy regulated by Building Regulation (see ‘Direction of Travel’ section below).	This level of reduction would contribute towards a goal of all buildings being net zero carbon by 2030. <u>The Government’s Future Homes Standard indicates that by 2025 homes will need to be built to have 75%-80% less emissions than the 2013 regulations.</u>

Direction of travel

The zero carbon agenda is an evolving area which future planning policies will need to address in order to address the Council's declaration to aim for carbon neutrality across the district by 2030. Future planning policies will need to address the reduction in carbon emissions. This Council has a declared aim to be carbon neutral by 2030, a policy that is matched by most other councils in the UK, and follows the UK Government's own declaration of climate emergency and of its own carbon reduction goals. The decarbonisation of the electricity grid (increasing use of renewable energy generating electricity for the grid) offers opportunities to assist in the aspiration for net zero carbon building but this will need to be coupled with increases in the energy efficiency of buildings and renewable sources of energy. Proposed changes to building regulations will significantly help reduce emissions. However, the definition of net zero carbon varies is evolving, but there is a growing direction of travel⁽¹⁷⁾ from looking at net zero carbon considering it simply in terms of emissions controlled regulated by building

regulations at ~~during the construction of a building stage, towards achieving to~~ net zero carbon in terms of ~~the whole life carbon of a building's carbon emissions over its whole life cycle, but there is a growing direction of travel~~¹⁹ ~~from looking at net zero carbon in terms of emissions regulated by building regulations during the construction of a building towards achieving net zero carbon in terms of the whole life carbon of a building, which effectively includes:~~

- Embodied energy- Carbon emissions emitted during the manufacture, transport and construction of building materials, together with end of life emissions (as referenced above).
- Operational energy- ~~buildings are supplied 100% renewable energy and operate fossil free~~ Energy required to run a building during its entire design life (including all unregulated energy such as lighting and appliances).

The Council will assess the approach to net zero carbon when it starts to review the District Plan policies within the next year. However, in light of ~~this emerging agenda~~ growing efforts to cut carbon emissions, this SPD encourages new development to demonstrate excellence in sustainable development by taking innovative approaches to net zero carbon, including the following:

- Measuring the embodied energy in materials through the life of the development.
- Using tools to calculate whole life-cycle carbon of new developments, such as RICS.²⁰
- Monitor the operational carbon use annually
- Develop sustainable procurement processes

~~It is not a requirement to submit evidence of carbon reduction in household applications, but~~ Retrofitting is important to ensuring all buildings contribute to carbon neutrality. Submitting evidence of carbon reduction in household applications. ~~As such, applications to improve the sustainability of existing buildings/ extensions are~~ encouraged, although it is not a requirement to do so. ~~As such, applications to improve the sustainability of existing buildings/ extensions are encouraged.~~

Further Guidance

- Energy Saving Trust: www.energysavingtrust.org.uk

¹⁹ UKGBC and Letty report (see further guidance section on page x)

²⁰ RICS (2017) Whole life carbon assessment, <https://www.rics.org/globalassets/rics-website/media/news/whole-life-carbon-assessment-for-the-built-environment-november-2017.pdf>

- Policy playbook (2020), Driving Sustainability in new homes – a resource for local authorities: <https://www.ukgbc.org/wp-content/uploads/2020/03/The-Policy-Playbook-v.1.5-March-2020.pdf>
- LETI (2020) Climate Emergency Design Guide: https://b80d7a04-1c28-45e2-b904-e0715cface93.filesusr.com/ugd/252d09_3b0f2acf2bb24c019f5ed9173fc5d9f4.pdf

Submission requirements

To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit:

- A completed Sustainability Checklist to ensure all the relevant energy and carbon reduction criteria has been addressed in a development proposal.
- ~~and~~ A Sustainable construction, Energy and Water (ScEW) Statement to demonstrate explain the answers to the checklist in more detail, including how the developer has minimised CO₂ emissions in line with the stages of the energy hierarchy to demonstrate **compliance with District Plan Policy CC2** and guidance in this SPD.
- ~~All relevant checklist criteria relating to energy and carbon (including sustainable construction) have been considered and explained in the ScEW Statement as required.~~
- Full and reserved matters planning applications evidence this reduction with a summary of the calculations should submit the carbon reduction template in Appendix B, as an appendix to part of the ScEW Statement. This must: Whilst there is no mandatory target in Policy CC2, developers are expected to minimise carbon emissions. Comparison to existing building regulations is a common metric used in the industry and is a useful tool for quantifying how a development performs in terms of its carbon emissions (see table 2 of this SPD for examples). Alongside details about proposed measures in the checklist and the statement, it will help increase transparency and provide the Council with more understanding of how a development is addressing carbon reduction. The carbon reduction template should:
 - Be applied to each unit or unit type or residential building envelope proposed as part of a development.
 - Use the Target Emission Rate (TER) and Dwelling Emission Rate (DER)/ Building Emission Rate for non-domestic (BER), derived from the calculations carried out for Building Regulations compliance (Part L).

- Major development should include samples or estimates of Standard Assessment Procedure (SAP)²¹ calculations appended to the Carbon Reduction template as evidence of compliance. It is recommended that SAP 10 carbon intensity figures are used, to take account of the decarbonisation of electricity. Applicants should be mindful of Government’s intention to ban gas boilers in new homes from 2025.
- Calculations should be shown relative to existing Part L regulations, so it is clear if, and how well, the development performs above building regulations.
- Where renewable energy technologies are proposed they should be an integral part of the design and the location and indicative layout of those technologies should be shown on drawings. Final layouts will be secured by planning condition as appropriate.
- Applicants proposing Combined Heat and Power should adhere to admissions advice (see pollution section of this SPD and advice note in Appendix D)
- If carbon reduction is not possible on-site, feasibility and viability evidence should be submitted.
- ~~The Sustainable construction, Energy and Water Statement (including carbon reduction template) and checklist must be submitted for outline applications.~~ Outline applications do not need to submit a carbon reduction template but in the Sustainable construction, Energy and Water Statement should set out the level of carbon reduction the scheme is aiming for and how this will be achieved. A carbon reduction template will then be required at the reserved matters stage.

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 3 below. The checklist should set out the overarching approach to sustainable design and construction on the site. More detail about the approach proposed development should be included in the Sustainable Construction, Energy and Water Statement.

Table 3: Energy and Carbon Reduction Checklist

Energy and carbon reduction		
Ref	Checklist criteria	Summary of approach to address the criteria
En.1	Have carbon reduction calculations been included in <u>Does the Sustainable construction,</u>	

²¹ SAP is the assessment procedure required by Part L of Building Regulations.

Energy and carbon reduction	
	<p>Energy and Water Statement <u>detail how the proposed development's carbon emissions have been minimised and to what extent?</u></p> <p><u>Have full and reserved matters planning applications also included a carbon reduction template within the statement?</u> (See SPD Section 3.3 and appendix B for a carbon reduction template)?</p>
En.2	<p>How have the site layout and building orientation and form been designed to minimise energy use? <u>E.g. passive solar gain, natural shade, natural ventilation, thermal mass)</u></p> <p>(See SPD section 3.2.3)</p>
En.3	<p>What proportion of the total number of buildings, are orientated to secure optimum solar gain? (East West axis)</p>
En.4 En.3	<p>How has the energy hierarchy been applied to prioritise reducing the need for energy and implementing the 'fabric first approach'?</p> <p>(See SPD sections 3.2.2 and 3.2.3)</p>
En.5 En.4	<p>How will you ensure that where renewable/ low carbon technologies have been included to reduce carbon, that these will be successfully integrated into the design of the development?</p> <p>(See SPD sections 3.2.4</p>

Energy and carbon reduction		
	<u>and 3.2.5)</u>	
En.6 En.5	How has the energy embodied in construction materials been reduced? (e.g. reuse and recycling/ sustainable materials/ locally sourced) <u>(See SPD section 3.2.6)</u>	

The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: the combined checklist, is included in Appendix A. The checklist can also be used as part of the pre-application process.

Climate Change Adaptation

Policy Context

The changing climate means the UK ~~will~~ needs to adapt to extreme rainfall events, warmer, wetter winters and hotter, drier summers. The ~~potential for~~ incidence of hazards such as heatwaves, flooding and droughts is ~~will~~ increasing and it is essential the built environment is adapted to increase resilience to such events.

National Policy

Under section 19 (1A) of the Planning and Compulsory Purchase Act 2004, as amended under the Planning Act 2008, local authorities are required to reduce future climate risks through the planning system. The National Planning Policy Framework (2019) requires local plans to contribute to climate change adaptation and include appropriate measures to ensure future reliance for communities and infrastructure to the impacts of climate change. Paragraph 149 states:

'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.'

The Climate Change and the Flood risk and Coastal Change sections of the Planning Practice Guidance (NPPG)²² provides further guidance about how the design and location of development can contribute towards adaption to climate change.

²² <https://www.gov.uk/government/collections/planning-practice-guidance>

Local Policy

District Plan policies

- CC1 Climate Change Adaptation
- DES4 Design of Development
- WAT5 Sustainable Drainage

Type of Development

- Residential or non-residential development

Submissions Requirements

- Sustainability Checklist
- Sustainable Construction, Energy and Water Statement
- Flood risk and drainage assessment, when relevant

Link to Sustainability checklist

- CA.1, CA.2, CA.3, CA.3, CA.5, CA.6, CA.7

The District Plan includes a range of policies to address the impact of climate change.

Policy CC1 Climate Change Adaption states that all new development should demonstrate how the design, materials, construction and operation of development will minimise overheating and enhance the integration of green infrastructure. **Policy DES4** Design of Development states that development proposals that create new or have a significant impact on the public realm must maximise opportunities for urban greening. **Policy NE4** promotes the need to protect and enhance green infrastructure networks.

Addressing the potential for increased flooding, District Plan **Policies WAT1** Flood Risk Management and **WAT5** Sustainable Drainage require development to assess the risk of flooding when selecting and designing a site, take into account the impacts of climate change and to utilise drainage in accordance with the Sustainable Urban Drainage (SUDs) hierarchy.

Topic Guidance

Climate Change Adaptation in East Herts

The draft Sustainable Hertfordshire Strategy (2020)²³ identifies national statistics about our changing climate that are equally as relevant to Hertfordshire:

Climate Trend		Projections
	Hotter Summers	Heatwaves, like those experienced in 2018, are likely to occur every other year by 2050. The hottest day could also be up to 2.5°C warmer by 2030 and 4.4 warmer by 2050.
	Warmer Winters	Mean winter temperatures could increase by up to 2°C by 2030 and 3°C by 2050. Rising winter temperatures are likely to reduce the amount of snowfall in winter.
	Drier Summers	Projections suggest up to a 28% decrease in summer rainfall in 2030 and a 45% decrease by 2050.
	Wetter Winters	Winter rainfall could increase by up to 14% by 2030s and up to 25% by the 2050s.
	Increased Storminess	We will see heavier downpours leading to local flooding. There may be an increase in the frequency and intensity of storms, which is likely to lead to more flash flooding. However, there is currently uncertainty in projections.

Source: Sustainable Hertfordshire Strategy, 2020

At a county and district level there is a strong commitment to addressing the impacts of these climate changes. The draft Sustainable Hertfordshire Strategy encourages partnership working with districts to ensure that planning delivers development that is climate resilient. Tackling flood risk in collaboration with the Environment Agency and delivering sustainable urban drainage is identified as a key issue.

Overheating

When applicants address the guidance in the Energy and Carbon section of this SPD to maximise solar gain and improve the fabric performance of buildings, it is essential this is considered alongside measures to reduce overheating. High indoor temperatures can have a detrimental impact on quality of life and excessive or prolonged high temperatures significantly affect the health and well-being of occupants. There are

²³ <https://democracy.hertfordshire.gov.uk/documents/s16858/Late%20Report-Item%204-App%20A-Sustainable%20Hertfordshire%20Strategy%202020.pdf>

approximately 2,000 heat related deaths each year in the UK. In urban areas summer temperatures are predicted to rise by between 2 and 4 degrees by 2050.²⁴

The 'urban heat island effect' is a phenomenon whereby urban temperatures are higher than the surrounding rural areas due to heat being stored within the solid materials of urban areas, such as concrete, tarmac, and slate, during daytime and then released slowly, and 'trapped' within building structures. The result is urban centres that can be a lot warmer than the surrounding countryside, especially at night. According to the South East Climate Change Partnership the urban heat island currently adds up to a further 5-6°C to summer night temperatures and will intensify in the future. Consequently, overheating of the external environment needs also to be addressed and developers must have regard to the heat island effect on any urban development²⁵.

Air conditioning is often used to cool buildings, particularly offices. However, this increases carbon emissions and is costly for consumers to purchase and maintain. Therefore other mitigation measures should be prioritised.

Cooling hierarchy

To meet the requirements in Policy CC1 to minimise overheating, applicants are expected to follow the cooling hierarchy set out in Figure 5.

Figure 5: The cooling Hierarchy



Source: Adapted from Cambridge Design and Construction SPD, 2020

The Good Homes Alliance (2019) checklist is a useful tool for identifying and mitigating overheating risks (see paragraph 4.19). It is recommended that thermal modelling is used to understand the performance of a proposed new development, with buildings

²⁴ UKGBC, 2020, Policy play book, <https://www.ukgbc.org/wp-content/uploads/2020/03/The-Policy-Playbook-v.1.5-March-2020.pdf>

²⁵ Climate Change Adaptation, Building Futures
https://www.hertfordshire.gov.uk/microsites/building-futures/a-sustainable-design-toolkit/technical-modules/climate-change-adaptation/risks-and-impacts-in-hertfordshire.aspx#DynamicJumpMenuManager_1_Anchor_3

designed and built to meet CIBSE²⁶'s latest overheating standards. As part of this, consideration should also be given to future climate scenarios, for example using CIBSE future weather data. Where officers have concerns about the potential for overheating, a planning condition may be used to secure overheating analysis, for example for a sample of units on a site.

Passive Design

Whilst solar gain helps minimise energy use (see energy and carbon reduction) it is important it is controlled to prevent overheating. Different measures of solar control include considering the size, type and location of window openings and glazing, the use of shading devices such as brise soleil²⁷) and the use of green roofs, vegetation and trees and shading for shading and evaporative cooling.



Shading device at University of Cambridge Primary School

Source: University of Cambridge, Eddington Cambridge

Figure 6 shows how roof design and planting of vegetation can reduce solar glare, and heating from direct sunlight, whilst still allowing in daylight and warmth from the sun.

²⁶ Chartered Institute of Building Services Engineers

²⁷ A device, such as a perforated screen or louvres, for shutting out direct or excessive sunlight

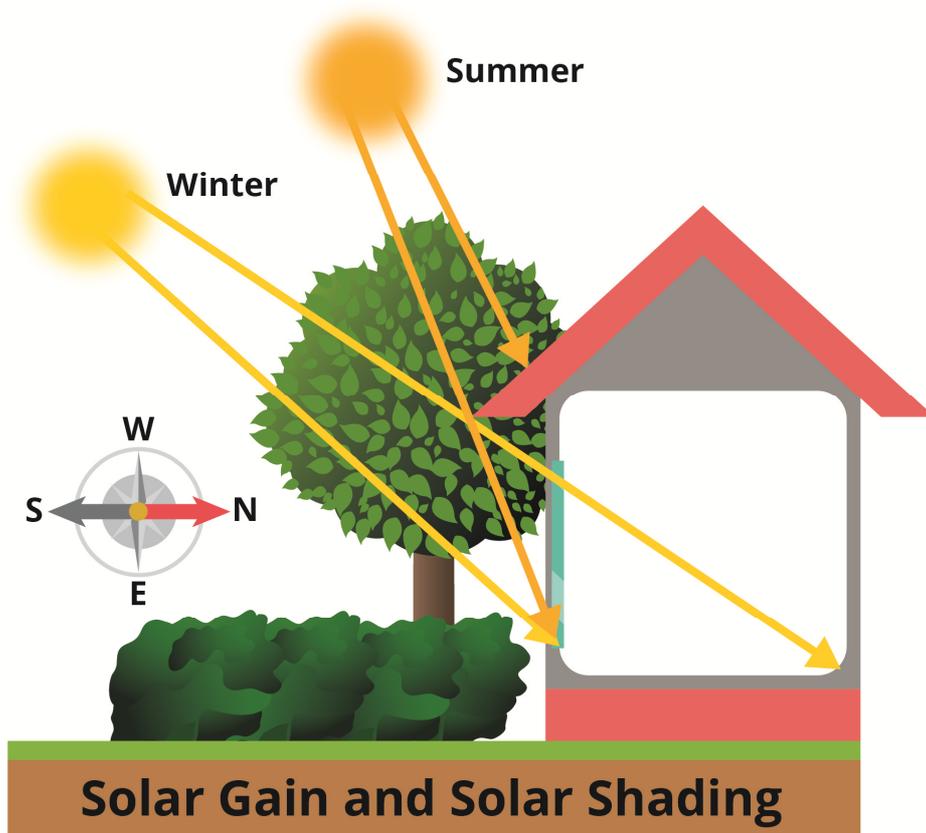


Figure 6: Passive cooling from building design and landscaping.

Building fabric measures (as detailed in the energy and carbon reduction section of this SPD) also help cooling. A well-insulated, airtight building prevents heat penetrating and minimises uncontrolled air permeability. Using materials with high thermal mass, stores heat in the day and dissipate it at night, usually via a ventilation system.

Passive/ natural cooling

The next stage in the hierarchy is using natural ventilation to circulate natural air around a building, without the use of a mechanical cooling system. It should be noted that there may be circumstances (such as proximity to noise or air pollution sources) where this is not suitable so the local context is important. Some of the different techniques that can be used include:

- Cross ventilation- Simple passive cooling with openable windows.
- Passive stack ventilation- Uses ducts to circulate air around the building. Brings cool air in and expels warm air from the top of the building.

The use of these concepts is demonstrated in Figure 7. Single aspect dwellings should be avoided for all schemes as effective passive ventilation can be difficult or impossible to achieve. Windows and/or ventilation panels should be designed to allow effective and

secure ventilation. In winter when passive ventilation is not required vents can be closed.

Mixed Mode Cooling

The third stage of the hierarchy encourages the use of local mechanical ventilation/cooling where required to supplement the above measures using (in order of preference. Firstly low energy mechanical cooling (e.g. fan powered ventilation with/without evaporative cooling or ground coupled cooling or mechanical ventilation with heat recovery). Secondly, air conditioning, which is not a preferred approach as these systems are energy intensive. This approach provides more control over the internal temperature.

Mechanical ventilation/ cooling system

This approach involves using a whole building mechanical ventilation/ cooling system, such as using air conditioning throughout an office building. This approach should be the last resort and the lowest carbon systems should be used.

Further guidance

For further detailed guidance on overheating see:

- Building Futures, Climate Change Adaptation Module. Available online at: <https://www.hertfordshire.gov.uk/microsites/building-futures/a-sustainable-design-toolkit/sustainable-design-toolkit.aspx>
- Good Homes Alliance (2019). Tool and guidance for identifying and mitigating early stage overheating risks in new homes. Available online at: <https://goodhomes.org.uk/overheating-in-new-homes>
- Islington Borough Council (2012) Low Energy Cooling. Good Practice Guide 5. Available online at: https://www.islington.gov.uk/~/_media/sharepoint-lists/public-records/planningandbuildingcontrol/publicity/publicconsultation/20122013/20121220goodpracticeguide5lowenergycooling
- CIBSE Guides (note there is a charge to access these documents for non-members):
 - CIBSE Guide A: Environmental Design (2015).
 - CIBSE TM52: The Limits of Thermal Comfort: Avoiding Overheating in European Buildings (2013).
 - CIBSE TM59: Design Methodology for the Assessment of Overheating Risk in Homes (2017).

Green Infrastructure

Multi-functional green and blue infrastructure at various scales has an important role to play in enhancing environmental sustainability, as well as wider value in terms of place

shaping and health and wellbeing. This section explains how it is essential to the district's resilience to climate change. In accordance with policies CC1 Climate Change Adaptation, DES4 Design of Development and NE4 Green Infrastructure, applicants will need to demonstrate how green infrastructure has been used at different scales to address the impacts of climate change. For Green Infrastructure to function effectively in the long-term, it is also essential that an appropriate management strategy is put in place.

Urban extension/ neighbourhood scale

Trees, woodlands, vegetation, landscape and water can provide a significant contribution to helping adapt to climate change. They can help to dissipate the impact of heavy rainfall, reduce urban temperatures, and provide shaded outdoor areas and streets to protect against the detrimental effects of sunlight. The choice of planting stock should seek to promote biodiversity and reflect local provenance as well as resilience to the predicted effects of climate change in the locality, utilising adaptation measures, such as those evidenced by the Forestry Commission²⁸ ~~The preference will be to, where possible, use large canopy species that provide more benefits for climate adaptation. There will also be a need to use tree species that can themselves adapt to changing climate conditions particularly the higher temperatures and potential drought conditions in summer.~~ It is essential that new provision complements existing green infrastructure. Protecting and enhancing existing green infrastructure is key, mature trees and woodlands should be retained and enhanced wherever possible. More detail is provided in the biodiversity section of this SPD. At a larger scale, landscape across large sites/ urban extension can help mitigate overheating. For example, in the Harlow and Gilston Garden Town, a landscape-led approach will help increase resilience to climate change in addition to creating a sense of character.²⁹

Buildings

As outlined in figure 6 vegetation helps to reduce overheating in buildings by providing shading. Deciduous trees in particular are very beneficial. They allow sunlight to reach buildings during the cooler winter months and protect from sunlight (UV) and overheating during the warmer summer months. Species selection and siting should be carefully considered to maximise the ecosystem benefits of trees on a development site.

When combined with other measures, or integrated ~~integral~~, as part of sustainable urban drainage schemes, trees have a major role to play in both the development of

²⁸ (Forestry Commission (September 2010), Research Note FCRN201 – Climate change: impacts and adaptations in England's woodlands).

²⁹ Gilston Area Charter SPD, 2020

green infrastructure and reduction of flood risk relating to new development, alongside other landscaping, such as green roofs.



Green roof and walls

Where feasible and appropriate, applicants should integrate green roofs and walls into buildings as they have many benefits that enhance resilience to climate change:

- Reduce surface runoff, which is likely to increase due to

increases in extreme rainfall events.

- Green roofs have been shown to have a significant effect in cooling buildings, particularly areas directly under them because they have substantial thermal mass so can provide moderate insulation. They can cool internal temperatures by 2°C. In addition, green roofs work well with solar panels and can increase the panel's efficiency by regulating temperature. As a green roof is more able to maintain a more constant temperature around the panels than a traditional flat roof, their combined use can help to maximise the efficiency and power output of solar panels. Where solar panels are proposed, biosolar (green planting) roofs should be incorporated under and in-between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation³⁰.

Green roofs also have wider benefits; enhancing biodiversity and reducing air pollution. More information about these functions is set out in the biodiversity and pollution sections of this SPD.

An example of an extensive green roof, which requires little management.

³⁰ www.livingroofs.org

Future guidance

For further guidance on Green Infrastructure see:

- East Herts Green Infrastructure Plan: https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Green_infrastructure_plan_joined.pdf
- Planning for Green and Prosperous Places. TCPA (January 2018). Available online at: <https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=db632de1-38cc-468a-9401-0599b0bea52b>
- Green roofs and walls: <https://livingroofs.org/>

Sustainable Urban Drainage

Sustainable urban drainage (SuDS) is an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches. In addition to flood reduction benefits it can also help manage pollution and provide landscape and biodiversity benefits.

Climate change is ~~will~~ increasing the risk of flooding due to wetter winters and more intense summer rainfall. Applicants should take account of District Plan Policy WAT1 Flood Risk Management and the East Herts Strategic Flood Risk Assessment, which has considered the changing weather patterns associated with climate change at a strategic scale.

In accordance with Policy WAT 5 Sustainable Drainage, applicants should use Sustainable urban drainage (SUDs) to manage surface water on site and prioritise. Further advice on SUDs should be sought from Hertfordshire County Council as the Lead Local Flood Authority (LLFA). The NPPF requires all major developments to include SUDs³¹. The LLFA must be consulted so they can assess the suitability of surface water drainage arrangements to ensure the development will not increase the risk of flooding elsewhere. Guidance for developers on the requirements for SUDs in East Herts is available on the County Council website as detailed below. Pre-app discussions with the County Council (and the Environment Agency if River flooding is an issue) are encouraged to ensure any drainage and flooding issues are addressed early in the design process.



SUDs incorporated into new development in north-west Cambridge

Source: University of Cambridge, Eddington

Further Guidance

- Local Flood Risk Management Strategy (2019) Hertfordshire County Council
<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>
- Guidance for developers, Hertfordshire County Council
<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

³¹ Para 165

- Climate Change Allowance note (2016) Hertfordshire County Council
<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx>

Submission requirements

To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist and a Sustainable construction, Energy and Water Statement (ScEW) to demonstrate:

- All relevant checklist criteria below relating to climate change adaptation have been considered and explained.
- If relevant, any overheating assessments and Green Infrastructure plans and proposals are explained.
- All major development (10 dwellings and over 1000sqm of non-residential floorspace) must submit a Flood Risk Assessment, which includes details of SUDs. The Council will then consult Hertfordshire County Council on proposals.³²

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 4 below. More detail about the approach should be included in the Sustainable construction, Energy and Water Statement (ScEW).

Table 4: Climate change adaption checklist

Climate Change Adaption		
Ref	Checklist criteria	Summary of approach to address the criteria
CA.1	How have the site layout and buildings been designed to mitigate overheating, giving priority to measures in line with the cooling hierarchy? (See SPD section 4.2.2)	
CA.2	Has an overheating assessment been undertaken? <u>How has overheating been assessed and what measures are proposed to address it?</u>	

³² The Environment Agency should also be consulted if there is potential for flooding from a main river.

Climate Change Adaption		
	(See SPD section 4.2.2	
CA.3	What Green Infrastructure is proposed? (See SPD section 4.2.3)	
CA.4	How have existing landscape features such as trees/woodlands and hedgerows been protected and incorporated within a Green Infrastructure network?	
CA.5	<u>Where feasible and appropriate</u> , have green roofs or walls been included. Please explain your answer?	
CA.6	Have measures been included to address surface water runoff?	
CA.7	If the application is major development, have details of SUDs been submitted?	

The checklist needs to be submitted with applications for all new development. A combined checklist is included in Appendix A. The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. A combined checklist is included in appendix A. The checklist can also be used as part of the pre-application process.

The checklist can also be used as part of the pre-application process.

Water Efficiency

Policy Context

Abstracting sufficient water to meet human consumption is likely to become increasingly difficult. Climate change, leading to hotter, drier summers combined with population growth is putting pressure on water availability.³³ The Government is committed to reducing water consumption over the next 25 years³⁴.

National Policy

Planning has a role to play in improving the water efficiency of new developments. The NPPF requires plans to take into account the implications for water supply when seeking to address the impacts of climate change. Following the technical standards review in 2015, technical standards relating to water efficiency have been incorporated into building regulations, In water stressed areas such as East Herts, compliance with the water consumption standard of 110 litres per person per day in new homes can be applied. This level is in line with the optional water efficiency requirement contained within Part G of Building Regulations and is supported by the Environment Agency.

Local Policy

District Plan policies

- Policy WAT4 Efficient Use of Water Resources

Type of Development

- Residential and non-residential development
- Residential target of 110 litres per person per day

Submissions Requirements

- Sustainability Checklist
- Sustainable Construction, Water and Energy Statement

Link to Sustainability checklist

- Wa.1, Wa2, Wa.3

³³ The State of the Environment; Water Resources Report (2018):

<https://www.gov.uk/government/publications/state-of-the-environment>

³⁴ 25 Year Environment Plan (2018):

<https://www.gov.uk/government/publications/25-year-environment-plan>

Policy WAT4 Efficient use of Water Resources requires development to minimise the use of mains water by incorporating water saving measures and equipment; grey water recycling and natural filtration measures and designing new residential development to meet a target of 110 litres or less per head per day.

Topic Guidance

Water efficiency in East Herts

Between 2007 and 2012 the average resident of East Herts consumed 160 litres per person/day of water, which is above the national average. Given that the Environment Agency has identified this area as being particularly water stressed, the high consumption is a key concern, particularly in the context of climate change. One of the water supply companies to the area, Affinity Water, estimates that climate change is likely to reduce the supply of water in its central area by 39 million litres a day by 2080.³⁵ In this context, there is likely to be less water available and potentially negative impacts on the water environment, as low river flows can impact on ecology. Therefore, there is a greater need for demand management and water efficiency in the area. As a result, designing new developments for optimal sustainable water consumption will become even more important

Compliance with the residential target

All new residential development should comply with the water consumption target in **Policy WAT4 of 110 litres or less per head per day**. The Sustainable Construction, Water and Energy Statement should indicate what measures have been used to comply with the target. Water efficient measures (such as meters) and appliances can often be used to meet the target (see submission requirements section).

Building regulations also allow for a fittings approach to be used to comply with the target. Table 5 replicates the table from Part G of the Building Regulations 2010 (2015 Edition with 2016 amendments), which sets out the values fittings must not exceed to meet the target. Table 3 also includes advanced fitting standards set out in the Housing Quality Mark³⁶ accreditation as the Council supports the use of good practice.

Table 5: Water fitting standards

Water fitting	Building regulations Part G2, optional requirement-maximum consumption	Advanced consumption, Housing Quality Mark Standard
WCs	4/2.6 litres dual flush	4/2 litres dual flush

³⁵ Affinity Water (2020) Water Resource Management Plan

³⁶ ref

Water fitting	Building regulations Part G2, optional requirement-maximum consumption	Advanced consumption, Housing Quality Mark Standard
		(maximum 3 litres effective flushing volume)
Showers	8L/min	6L/min
Baths	170 litres	170 litres
Basin taps	5L/min	5 L/min
Kitchen sink taps	6L/min	6L/min
Dishwashers	1.25l/place setting	1.25l/place setting
Washing machines	8.17L/kilogram	8.17L/kilogram

Information on which appliances are water efficient can be accessed via websites such as the <http://www.europeanwaterlabel.eu/> website. This website provides one label for all water using bathroom products and covers both water and energy use. It also contains a Water Calculator which provides a working example of the calculator used for Part G of the Building Regulations and information on water consumption for hundreds of products.

In addition to the use of water efficient appliances, water recycling systems (see below) could also be used to reduce mains water consumption. The Council will support good practice design and construction, which exceeds policy requirements and achieves less than 110 litres per head per day.

Non-residential development

Whilst there is no consumption target, Policy WAT4 also requires non-residential development to minimise the use of mains water. The use of water saving measures and equipment, as outlined in table 5, is expected. Rainwater recycling systems (see below) should be incorporated, where possible. Sustainable construction standards, which demonstrate water efficiency are encouraged and are a useful tool for demonstrating the sustainability credentials of a building and delivering good practice. For example, BREEAM credits can be gained for particular improvements on building regulations.

Use of BREEAM: Compliance with credit WAT01

- 2 credits for WAT01: demonstrates a 25% improvement on building regulation requirements- can be achieved by using water efficient fittings.
- All credits for WAT01: demonstrates a 55% improvement on building regulation requirements- the use of water harvesting or recycling technologies will be required, alongside other water efficiency measures

Further guidance

For further guidance on the BREEAM Assessment please see

<https://www.breeam.com/>

Rain water and Grey Water recycling

Typically, less than 20% of domestic water is consumed for drinking and food preparation. Flushing toilets, washing machines and outdoor use account for more than half of domestic water consumption. This wastes energy and resources that is consumed making this water potable. Correctly collected and stored, rainwater can meet all these requirements without further treatment. Re-using grey water (the waste water from baths, showers and washbasins) can save up to 18,000 litres of water a year for each person, or a third of daily household water use. The Sustainable Construction, Energy and Water Statement should include consideration of the following techniques:

- **Rainwater Harvesting Techniques** – Where possible, harvested rainwater should be substituted for mains water. It can be used for flushing toilets (unless harvested from a green roof), watering plants/ gardens, topping up garden ponds and wetland habitats, and for general cleaning tasks such as car washing. In the simplest form, water butts and rainwater collection tanks can be used to capture rain for reuse in a low-cost way. However, more complex rainwater harvesting systems should be connected to the mains supply to ensure that water is always available, even at times of low rainfall. Where this is not possible, the Council recommend futureproofing development by providing ‘stage 1 fit’ pipework for rainwater harvesting so that residents can purchase their own rainwater harvesting systems without incurring the significant expense of an interior retrofit. SUDS can also be integrated with rain-water harvesting schemes and can be designed to provide water attenuation.
- **Grey water recycling** – Water that has already been used in washbasins, showers and baths can be filtered using sand or SUDs (i.e. reed filter) and

disinfected before being used again in toilet flushing and other non-potable activities (e.g. watering the garden or washing the car).



Rainwater and grey water harvesting can be used for both residential and non-residential buildings and must be built in accordance with the relevant British Standards³⁷.

Further guidance

Building Futures Water Module: <https://www.hertfordshire.gov.uk/microsites/building-futures/building-futures.aspx>

Submission requirements

To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist and a Sustainable construction, Energy and Water Statement (ScEW), which demonstrates:

- All relevant checklist criteria below relating to water efficiency have been considered and explained.
- All new residential development demonstrates compliance with the water consumption target in Policy WAT4. This includes submitting assessments of modelled residential consumption using the Government's Water Efficiency Calculator for New Dwellings³⁸ or the Fittings Approach (replicated in Table 1 above) set out in Part G of the Building Regulations 2010 (2015 Edition with 2016 amendments) or successor documents.

³⁷ BS 8525-1:2010 Greywater systems. Code of practice

³⁸

https://www.planningportal.co.uk/info/200135/approved_documents/69/part_g_sanitation_hot_water_safety_and_water_efficiency/3

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 6 below. More detail about the approach should be included in the Sustainable Construction, Energy and Water Statement.

Table 6: Water efficiency checklist

Water efficiency		
Ref	Checklist criteria	Summary of approach to address the criteria
WA.1	For new residential proposals, have you demonstrated compliance with the target for mains water consumption to be 110 litres or less per head per day in the Sustainable construction, Energy and Water Statement? (See SPD section 5.2.2)	
WA.2	For non-residential development have measures been taken to reduce water consumption in the proposed development? (See SPD section 5.2.3)	
WA.3	Has consideration been given to the using water recycling systems? (See SPD section 5.2.2)	

The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. A combined checklist is included in Appendix A. The checklist can also be used as part of the pre-application process.

Pollution

Air Quality

Policy Context

The impact of development on air quality is a material consideration and must be regarded at all stages in the planning process. The planning system plays an active role in managing local air quality when considering the impact of new development and finding sustainable solutions.

National Policy

The NPPF (2019) states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, or being put at unacceptable risk by unacceptable levels of soil, air water or noise pollution. Where possible developments should improve environmental conditions:³⁹

The NPPF also emphasises that planning policies and decisions should ensure that development is appropriate for its location with consideration of the cumulative impacts of pollution on health, living conditions and the natural environment. As such mitigation measures will be location specific and proportionate to the likely impact of the development. As outlined in paragraph 181 developers must work with the local authority to ensure that unacceptable risks are prevented and adhere to the following:

'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.'

³⁹ Para 170 (e)

In addition, NPPF paragraphs 102 and 105 recognise the impact of traffic on air quality and health and the benefits of sustainable transport modes.

The government has also set out its proposal for tackling air pollution in the UK in the Clean Air Strategy 2019⁴⁰. It promises new legislation with a stronger framework for tackling air pollution. The UK has adopted stringent legally binding targets to cut emissions by 2020 and 2030 with the goal to reduce the harm to human health from air pollution by half.

The strategy sets goals for two key relevant issues. It sets goals relating to the emissions from the home, in particular the impact of solid fuel appliances and the consequent personal exposure to pollutants in the home. It also sets goals to reduce emissions from transport supporting a move to lower emission road vehicle and more active forms of travel.

⁴⁰https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770715/clean-air-strategy-2019.pdf

Local Policy

District Plan policies

- Policy EQ4
- Policy CC1
- Policy TRA1
- Policy DES4

Scale of Development

- All new development

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist
- Air Quality Impact Assessment
- Air Quality Neutral Assessment

Link to Sustainability checklist

- AQ.1, AQ.2, AQ.3, AQ.4, AQ.5, AQ.6, AQ.7

District Plan **Policy EQ4**

- I. The effect of development upon air quality is a material consideration. All applications should take account of the Council's Air Quality Planning Guidance Document, which details when an air quality assessment is required.
- II. All development should take account of the Council's latest Air Quality Action Plan, local Air Quality Strategies, Local Transport Plans, as well as national air quality guidance.
- III. All developments should include measures to minimise air quality impact at the design stage and should incorporate best practice in the design, construction and operation of all developments.
- IV. Where development (on its own or cumulatively) will have a negative impact on local air quality during either construction or operation, mitigation measures will be sought that will remove overriding impacts, such as an air

quality neutral or negative development. Evidence of mitigation measures will be required upfront.

- V. Where on-site mitigation is not sufficient, appropriate off-site mitigation measures may be required. Where adequate mitigation cannot be provided, development will not normally be permitted.
- VI. Developments must not:
 - lead to a breach or worsening of a breach of UK or EU limit values;
 - lead to a breach or worsening of a breach of an Air Quality objective or cause the declaration of an Air Quality Management Area or;
 - prejudice the implementation of any Air Quality Action Plan or local air quality strategy

As highlighted above the Council's overarching aim for developments is to be 'air quality neutral' in operation, not to lead to further deterioration of existing poor air quality, and, where possible, to improve local air quality ('air quality positive') through additional measures on and off site.

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. Development must not lead to the designation of a new AQMA or worsen pollutant levels within an AQMA. For this reason mitigation must achieve an air quality ~~natural~~ neutral or positive status.

The Local Transport Plan 2018⁴¹ highlights the role of transport as a major contributor to air pollution in the county and its consequent impact on human health. It states that transport and growth presents a threat to the local environment and that this threat must be understood and minimised. The diesel car is highlighted as the biggest contributor to overall pollution. Both reducing car use and supporting new fuel and energy technologies are recommended as a way to help improve air quality at the point of use. The importance of tackling air quality in Hertfordshire is also outlined in Hertfordshire County Council's Air Quality Strategy 2019⁴².

⁴¹ HCC (2018) Local Transport Plan. Available online at :<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/consultations/ltp4-local-transport-plan-4-complete.pdf>

⁴² HCC (2019) Air Quality Strategy. Available online at:<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/data-and-information/air-quality-strategy.pdf>

Topic Guidance

Air Quality in East Herts

Pollution to air can arise from many sources and activities, including traffic and transport, industrial processes, domestic and commercial premises, energy generation and construction sites. This section relates to air pollution from all potential sources, in any potential form and includes temporary dust pollution from construction sites.

In East Herts, the main source of air pollution is road traffic. This is influenced by a number of factors:

- The District's population;
- The distribution of that population, commercial, community and residential centres;
- The road network and its capacity;
- Neighbouring population centres and notable destinations.

The main pollutants of concern associated with motor vehicle emissions are nitrogen oxides (NO_x), in particular nitrogen dioxide (NO₂), and particulate matter (PM₁₀ & PM_{2.5}). They are generated by the combustion of diesel and petrol fuels within vehicle engines and are released to the atmosphere through vehicle exhaust. Brake pads and tyre friction also release particulates. East Herts Council has a statutory duty to review air quality in its area and focus its resources on the areas where busy roads pass through residential areas as required by Defra.



Three Air Quality Management Areas (AQMAs) have been declared in East Herts. These are areas within which pollutant levels exceed the national objective for NO₂. Within these areas, greater weight needs to be given to the consideration to the impact of development on air quality. The maps of the AQMAs in East Herts can be found on the [Council's website](#).

There is no safe level of pollution⁴³. Exposure to air pollution has been found to have a close relation to cardiovascular and respiratory diseases. Public Health England estimates that 26,000-36,000 deaths are attributable to human made air pollution in the UK every year⁴⁴. The East Herts Health and Wellbeing strategy 2019-2023⁴⁵ sets out a priority to 'create healthy places and sustainable communities'. Good spatial planning can reduce exposure to air pollution and provide wellbeing benefits ensuring East Herts is a healthy and sustainable place to live and work.

Aims

The overall aims set out in this section:

- To achieve as a minimum air quality neutral status
- To aim for air quality positive status
- To follow the minimum standards required for all new development
- To follow the hierarchy of 'design, mitigate, offset'
- To ensure the correct air quality assessment is provided with any application
- To ultimately ensure new developments do not lead to a worsening of local air quality

Minimum Standards

This section sets out minimum standards that apply to all new development in East Herts. The recommended minimum standards are applicable to **all** development. District Plan Policy EQ4 states that all development should aim to have as little negative environmental impact as possible, taking into account the cumulative effects of local development and to achieve air quality neutral status. Delivering sustainable development should be a key theme from the outset and be demonstrated wherever possible.

It is expected that planning applications will comply with these recommended minimum standards to ensure development is in line with national and local policy.

⁴³COMEAP (2018) Associations of long-term average concentrations of nitrogen dioxide with mortality. Available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf

⁴⁴ PHE (2019) Review of interventions to improve outdoor air quality and public health. Available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/795185/Review_of_interventions_to_improve_air_quality.pdf

⁴⁵ EHC (2019) Health and Wellbeing Strategy. Available online at: https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/East_Herts_Health_Wellbeing_Strategy_2019-2023_.pdf

- All gas-fired boilers must have low NO_x emissions and meet a minimum standard of 40mgNO_x/kWh.⁴⁶
- All gas-fired CHP plants are to meet a minimum emission standard of:
 - Spark ignition engine: less than 250 mgNO_x/Nm³
 - Compression ignition engine: less than 400 mgNO_x/Nm³
 - Gas turbine: less than 50 mgNO_x/Nm³⁴⁷
- New development must be designed to minimise public exposure to pollution sources, for example, by locating habitable rooms away from busy roads.
- Sensitive development (such as schools, hospitals and play grounds) must be sited at least 100m away from busy roads⁴⁸.
- New development must not lead to the creation of a new street canyon⁴⁹, or a building configuration that inhibits effective pollution dispersion.
- Green infrastructure must be integrated into the design from the beginning, for example through the use of appropriate tree planting, green roofs and walls and soft landscaping.
- Comply with the Electric Vehicle specifications outlined in the Council's emerging Vehicle Parking Supplementary Planning Document.

Applications will need to be accompanied by additional submissions as set out in the submission requirement of this chapter. All development will need to submit the air quality checklist in Appendix A. Development above the minor classification will need to submit an Air Quality Impact Assessment⁵⁰ which must include an Air Quality Neutral Assessment. In addition to this, any development in or near to an AQMA must also submit an Air Quality Neutral Assessment. See the submission requirement section below and Figure 9 for further details.

Air Quality Hierarchy

⁴⁶ IAQM (2017) Land-Use Planning & Development Control: Planning For Air Quality. Available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

⁴⁷ IAQM (2017) Land-Use Planning & Development Control: Planning For Air Quality. Available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

⁴⁸ A busy road is defined as a road with an AADT of 10,000 or > as defined in Defra's Local Air Quality Management; Technical Guidance TG16 (2018).

⁴⁹ A street canyon is defined as a relatively narrow street with buildings on both sides where the height of the buildings is generally greater than the width of the road.

⁵⁰ The latest guidance should be followed, at present this is the IAQM's Planning for Air Quality (2017) and the Defra's Local Air Quality Management; Technical Guidance TG16 (2018).

The air quality hierarchy addresses air quality in the planning process, with a focus on the design stage, providing clarity to developers and defining sustainability in air quality terms.

There is a hierarchy for the approach to air quality consideration that should be followed by all developments:



Figure 7. Hierarchical process for air quality consideration in development

Compliance with the recommended minimum standards will ensure that development is in line with national and local policy and guidance. The principles outlined in the **design** section will provide ways in which to reduce human exposure and limit emissions from the outset of the development. Early on in the planning process it may be necessary to redesign if the original plans are not deemed sufficient by the local planning authority. Where redesign has not provided sufficient air quality consideration, developers must implement **mitigation** in order to reduce the impact of the development. As a last resort, developers may have to **offset** by providing planning contributions in the form of Section 106 contributions. East Herts may refuse the application if adequate measures have not been applied. To help navigate the hierarchy, Figure 9 details what is covered in each of the sections:

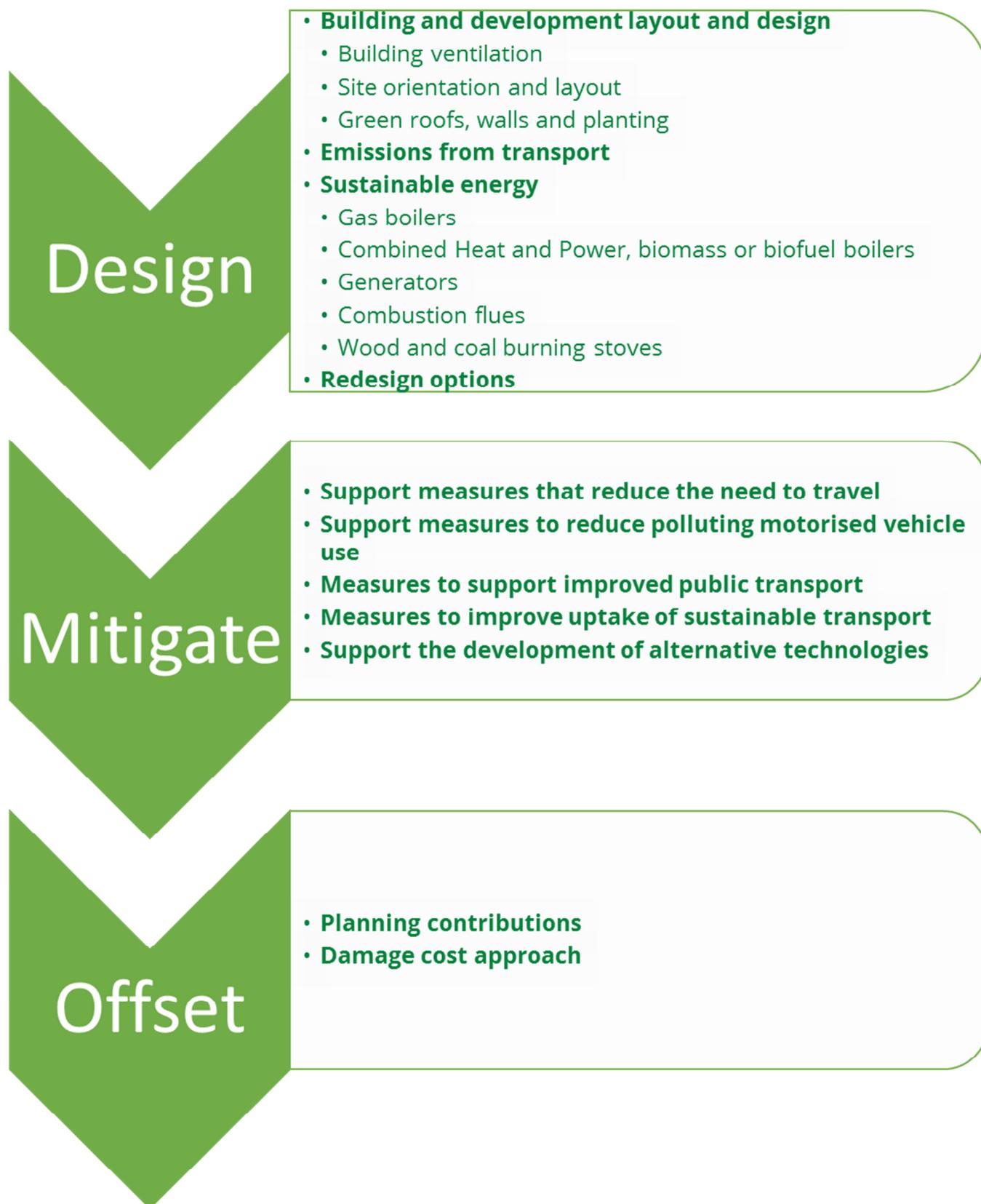


Figure 8. Design, mitigate, and offset content summary

Design

It is important that good design principles are incorporated from the ~~offset~~ outset in order to avoid costly and problematic alterations further down the line. Careful consideration to building design and layout can assist in minimising exposure to future occupants.

The design principles outlined in this section are applicable to all development and can be implemented regardless of the outcome of any Air Quality Impact Assessment. These principles should be presented with the planning application to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Adopting good design at an early stage has the potential to reduce the need to mitigate the impact of development.

All developments should adopt sustainable design principles that reduce emissions, minimise human exposure to pollutants, facilitate a reduction in vehicle movements and contribute to better air quality management. Minimising pollution through design also applies to reducing emissions associated with building operation.

Basic good design should result in no additional exposure to increased air pollution for existing or future occupants. Best practice design should be implemented in all development and aim to achieve at least air quality neutral status as detailed in Policy EQ4.

Building and development layout and design

Developers should minimise exposure through appropriate building and open space location and design. Suitable layout and building design can increase distances between sources of air pollution and human receptors, thereby reducing the pollution exposure of building occupants and outside space users. Minimising exposure can be achieved through:

- building ventilation
- site layout
- green roofs, walls and planting

Building ventilation

The impact of outdoor air pollution on indoor air quality in new developments should be taken into account at the earliest stages of building design. This includes:

- Ensuring ventilation inlets and the location of opening windows are on higher floors away from sources of air pollution at the ground level, and away from stationary sources such as combustion plant.
- Fitting air conditioning systems with filters which filter particulates and NO₂. Filters should be maintained following installation.
- Considering mechanical ventilation to overcome potential exposure to poor air quality. This may involve sealed windows/triple glazing with trickle vents and a forced ventilation system.

Site orientation and layout

The location of outdoor space in relation to sources of air pollution (such as flues and busy roads) should be considered. The distance between sources of pollution and human receptors must be maximised. This is particularly relevant where developments include sensitive uses such as schools, medical centres and residential units.

Site layout should be designed appropriately, considering the following examples:

- Exposure should be minimised through appropriate positioning and orientation of the space away from sources of air pollution. New developments must not create a new 'street canyon', or a building configuration that inhibits effective pollution dispersion.
- When included in development, the public realm should be considered. The site layout should encourage low pollution routes through the development where people can spend more time away from busy roads where possible.
- Recreational, seating and exercise areas should be positioned away from or screened from sources of pollution.



Green roofs, walls and planting

Greening can help trap fine particulates (PM₁₀ and PM_{2.5}) as well as increase biodiversity. While there is conflicting evidence as to whether green infrastructure can help reduce concentrations of NO₂, it is acknowledged that certain types of shrubs and trees are effective for trapping particles. This has been supported by Public Health England in their review of interventions to improve outdoor air quality and public health, stating

that measures such as green infrastructure provision should be considered at the planning stage⁵¹.



Hedges, green walls and frameworks for climbing plants may offer some protection between a pollution source such as a road and dwellings. Development above the scale of a single household is expected to utilise green walls and hedging as set out in Policy CC1.

See the Biodiversity section of this SPD for more information and the types of

plants that may be beneficial.

Northstowe, Cambridgeshire

The Northstowe development is a 'Healthy New Town' as identified by NHS England. Creating a low pollution environment is a key component delivered through infrastructure and place shaping. Measures include:

- traffic free cycle routes;
- play spaces 'well located' away from pollution sources;
- hedgerow planting between pollution sources and pedestrian/cycleway environments;
- pollution filtering green walls and particulate absorbing moss planting to all blank facades facing Primary Routes;
- integration of open spaces, green corridors and waterways throughout the development.

Emissions from transport

⁵¹PHE (2019) Review of interventions to improve outdoor air quality and public health. Available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/795185/Review_of_interventions_to_improve_air_quality.pdf

East Herts promotes infrastructure for modes of transport with low impact on air quality through the ~~Local~~ District Plan, policies TRA1 and TRA3 apply in particular. Developments should seek to facilitate a reduction in vehicle movements and prioritise modes of transport other than the car to encourage green travel patterns to aid air quality. The layout of new development and the design of the street environment can directly influence activity levels. Development should be designed to promote active travel where possible in order to reduce the impact on the environment and improve the health of occupiers and visitors.

Prioritising sustainable transport such as cycling and walking improves local air quality and encourages healthy communities. Therefore, strong emphasis will be placed on seeking the provision of new bus, cycle and pedestrian transport routes and networks. Developers are also encouraged to extend and strengthen existing provision, including through supporting community-led transport schemes. More detail on these issues is provided in the Sustainable Transport section of this SPD.



Development should incorporate the following principles where possible:

- Provision of cycling facilities such as secure cycle storage and cycle paths;
- Car clubs (prioritising the use of electric vehicles);
- Sufficient provision of infrastructure for low emission vehicles;
- Encourage sustainable means of transport (public, cycling and walking) via subsidised or free-ticketing;
- Improved infrastructure and layouts to improve accessibility and safety.

Traffic management schemes may also be utilised to minimise exposure to emissions from traffic, where appropriate, for example:

- Traffic restrictions in areas of high exposure to poor air quality;
- Defined 'engine off' areas, such as bus stands, taxi ranks and tourist coach parking and outside of schools;
- Soothing the flow of traffic by reducing congestion, stop-start traffic and traffic queues and the consequent emission 'spikes';
- Design that separates areas of the public realm from areas of poor air quality such as busy roads;

- Provide alternative 'quiet' cycle and pedestrian routes away from main roads.

Dunsfold Park, Surrey

The masterplan for a new mixed-use development in Surrey promises:

- Cycle routes connecting the park with surrounding villages;
- Personalised travel planning for every household and employee of Dunsfold Park;
- Welcome packs will include free 12 month membership of the car club and vouchers for bike purchases;
- Every home 5 minute walk from a bus stop and investment in enhanced bus services;
- Promotion of electric vehicles, car clubs, ride-sharing, cycle hire and subsidised cycle purchase;
- No need to use a car for journeys within Dunsfold Park due to short distances and attractive routes;
- Internet services, home-working and the clustering of jobs and services at Dunsfold Park reducing need to travel by car at peak times.

Sustainable energy

New development provides an opportunity to reduce and improve overall emissions in the area. This can be done by incorporating new, cleaner technologies from the outset. The adoption of technologies to generate heat and energy from efficient and/or renewable sources, such as solar water heating or air and ground source heat pumps in major developments can help minimise polluting emissions.

Building design should prioritise energy efficiency in order to reduce the need and size



of heating plants. This will overall minimise the buildings impact on air quality. The use of low and zero emission technology is encouraged to fulfil the remaining needs as required by Policy DES4.

Giving thought to the wider environmental impacts of the system early on and ensuring the system is optimised for the proposed use not only helps reduce issues later on, but also helps minimise costs. The retrofitting of abatement equipment at a late stage is likely to be far more costly than giving time and consideration at the planning stage.

More details on these issues are provided in the Energy and Carbon Reduction section of this SPD.

Gas boilers

Where it is possible, the building design should be so that there is no need for combustion plant. If gas boilers are installed in developments they must be low NO_x boilers, this includes where installation is part of a refurbishment. As a minimum standard, boilers must be less than 40mgNO_x/kWh. The use of ultra-low NO_x technology (less than 1540mgNO_x/kWh) is encouraged⁵².

Combined Heat and Power, biomass or biofuel boilers

CHP, biomass and biofuel boilers can have benefits in terms of carbon emissions (as detailed in the Energy and Carbon Reduction section). However, In common with any combustion technology, CHP systems will have an impact on air quality. The feasibility of Combined Heat and Power (CHP) systems should be evaluated.

The impact on air quality will depend upon the emission performance of the CHP plant, dispersion of emissions from the plant and the emissions performance of any existing on-site plant that the CHP system replaces. All development should try to minimise the use and emissions from combustion plant within the building.

The use of biomass combustion is unlikely to be supported within an AQMA or where it may impact on residents unless it can be clearly demonstrated that there will be no adverse impact on air quality. Consideration will also need to be given to the responsible sourcing of biomass fuel and of the transportation impacts of fuel delivery.

Where CHP, biomass or biofuel boilers are proposed, emissions must be evaluated as part of a detailed Air Quality Impact Assessment. The appliance will be required to meet the following minimum standards:

- Spark ignition engine: less than 250 mgNO_x/Nm³;
- Compression ignition engine: less than 400 mgNO_x/Nm³;

⁵² Applicants should note that the Government has proposed that gas boilers will not be fitted in new development from 2025.

- Gas turbine: less than 50 mgNO_x/Nm³.⁵³

CHPs and biomass boilers will also be required to meet high standards of air pollution control with emphasis on:

- Boiler design and operation;
- Pollution abatement equipment;
- The servicing and maintenance regime;
- Fuel quality, storage and delivery;
- Exhaust stack height.

The developer or managing agents must ensure that any energy plant installed in a development has arrangements in place to keep it operated in accordance with manufacturer's instructions throughout its functional life.

More details can be found in the Energy and Carbon Reduction section of this SPD and the A guidance note for developers on CHP systems can be found in Appendix D.

Generators

Diesel generators have high emissions of NO_x and PM₁₀ and their use is strongly discouraged. A secondary electrical power supply should be sourced. Where this cannot be assured, alternative technology generators should be sourced for the building where possible (for example, battery reserve or gas generators). For construction sites, a temporary building supply should be secured prior to the commencement of works in order to avoid the ~~sure use~~ use of diesel generators on site. Where ~~there~~ diesel fuelled generators have to be used, they should meet the latest Euro standard and their use limited to emergency situations.

Combustion flues

All combustion plant must terminate as a minimum 1 metre above the highest point of the building of which the plant serves, or as agreed with the planning authority. The layout of the site should have regard of this requirement, considering the needs of the outside amenity space associated with the development and the surrounding area.



⁵³ IAQM (2017) Land-Use Planning & Development Control: Planning For Air Quality. Available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

A Clean Air Act 1993 Chimney height approval needs to be sought where either of the following is met:

- a furnace is burning liquid or gaseous matter at a rate of 366.4 kilowatts or more an hour
- a furnace is burning pulverised fuel or any solid matter at a rate of more than 45.4 kilograms or more an hour⁵⁴

Flues associated with this plant should therefore be at the recommended heights above nearby buildings and installed at least 3m above any general access areas and should meet discharge velocities above the recommended minimum⁵⁵.

Wood and coal burning stoves

New development should ensure that air quality is considered when installing domestic burners. All stoves need to be Defra approved as a minimum. Stoves should comply with the 'EcoDesign Ready' specifications introduced by The Stove Industry Alliance. A list of compliant stoves can be found on the HETAS website⁵⁶.

Applicants should note the Government's goals in the 2019 Clean Air Strategy relating to emissions in the home. In particular, the following government goals should be taken into account:

- Legislate to prohibit the sale of the most polluting fuels⁵⁷;
- Ensure that only the cleanest stoves are available for sale by 2022;
- Work with consumer groups, health organisations and industry to improve awareness of non-methane volatile organic compounds (NMVOC) build-up in the home, and the importance of effective ventilation to reduce exposure;
- Consult on changes to Building Regulations standards for ventilation in homes and other buildings, to help reduce the harmful build-up of indoor air pollutants.

⁵⁴ DEFRA (2018) Local Air Quality Management Technical Guidance (TG16). Available online at: <https://laqm.defra.gov.uk/documents/LAQM-TG16-February-18-v1.pdf>

⁵⁵ Environmental Protection (2009) Biomass and Air Quality Guidance for Local Authorities. Available online at: https://www.environmental-protection.org.uk/wp-content/uploads/2013/07/Biomass_and_Air_Quality_Guidance.pdf

⁵⁶ HETAS, Ecodesign Compliant Stoves & Boilers. Website: <https://www.hetas.co.uk/ecodesign-compliant-stoves/>

⁵⁷ From February 2021 the government has proposed a mandatory certification scheme demonstrating that wood sold in volumes under 2m³ is dry (less than 20% moisture) and a ban on the sale of all bagged traditional house coal.

Redesign Options

Where redesign is necessary developers should refer to the concepts outlined in this section to identify opportunities for optimising the development to minimise emissions. The design concepts previously mentioned in this section should be applied. Examples of potential further adjustments to the design of a proposed development that may result in a reduced impact on air quality are summarised below:

- Reduced car parking provision;
- Consider Home Zones;
- Avoid installation of balconies (particularly at ground and first floor levels);
- Consider placing habitable rooms away from the façade fronting the pollution source e.g. in flats place stairwells and corridors in these locations instead;
- Locate non-residential buildings fronting the pollution source where the development is a mixed use site;
- Consider the use of non-opening front windows in worst affected locations.

This is not an exhaustive list and further options may be implemented.

Mitigation

Where redesign cannot reasonably reduce the significance of the air quality issue, it may be acceptable to include measures to mitigate the air quality issues that arise. These measures should **not** be considered as an alternative to fundamental redesign and should be considered alongside additional measures to offset the air quality impact in order to be air quality neutral.

Many developments will require a mix of design and mitigation measures that have been tailored to be appropriate for the site. Each approach will be location specific, taking into account local air quality issues and assessing the proportional impact of the development. The design and mitigation package should be presented with the planning application.

Examples of mitigation include:

Support measures that reduce the need to travel

- Alternative work practices – flexitime, teleworking, homeworking, videoconferencing, provision of co-working space;
- Local sourcing of staff, products and raw materials;

- Development and use of hub distribution centres employing low emission deliveries;
- Provision of discounted on-site shopping, eating, child-care, banking facilities.

Support measures to reduce polluting motorised vehicle use

- Development of car clubs and car sharing with financial incentives and promotion;
- Provision of sufficient electric vehicle charging;
- Provision of dedicated low emission shuttle buses / managed pick-up and drop-off;
- Reduced emissions, low emission fuels and technologies for fleet operations;
- Vehicle maintenance, driver training and emissions testing regimes for fleets of cars, lorries or buses associated with the development;
- Restrict vehicle speeds within the development;
- Sponsor public information and monitoring campaigns.

Measures to support improved public transport

- Provision of bus infrastructure including stands, shelters, bus gates, information displays;
- Invest in new and upgraded buses;
- Provision of free ticketing with time limited uptake.



Measures to improve uptake of sustainable transport

- Provide a bike/e-bike hire scheme;
- Provide a car share scheme/car pool scheme;
- Improved pedestrian links to public transport stops;
- Resident ~~LEV~~ low emission vehicle purchase support with time limited uptake;
- Improved convenient and segregated cycle paths to link to local cycle networks;
- Provision of managed travel plans for the development.

Support the development of alternative technologies

- Contribution to renewable fuel and energy generation projects;
- Support the development of alternative fuel delivery infrastructure.

The above list provides an example of acceptable mitigation measures but it is not an exhaustive list and further measures may be accepted. Any development that is not suitably redesigned or mitigated will be recommended for refusal on air quality grounds.

An emissions assessment should be carried out to demonstrate how the development is compliant with the requirement to be air quality neutral and included as part of an air quality neutral assessment. It should:

- Calculate the additional transport emissions associated with a development;
- Determine the appropriate level of mitigation required to help avoid, minimise and/or off-set the impact on air quality;
- Enable an evidence-based and proportionate approach.

The assessment must include:

- The calculated emission increase and damage cost (see the Damage Cost Approach fact box below);
- Proposed mitigation/compensation measures;
- Estimated mitigation emission and damage cost reduction.

Further Guidance

Detailed guidelines for undertaking an emissions assessment can be found at the Low Emission Partnership. The latest guidance should be followed, at present this is the EMA-TG-2.0 (2016)⁵⁸.

Offset

Where redesign and mitigation measures are not adequate, developers have an obligation to offset their emissions. Offsetting by providing money for schemes that improve overall air quality should be a last resort but may need to be combined with good design and mitigation in some circumstances to be air quality neutral. These obligations will be proportional to the nature and scale of the development proposed and the level of concern about air quality.

All development above a minor classification will be required to provide an emissions assessment as part of the Air Quality Neutral requirement outlining the emissions produced and what mitigation is being applied. If the mitigation is not deemed adequate, developers must provide the rest in financial contributions.

Planning contributions

⁵⁸ http://www.lowemissionstrategies.org/les_planning_guidance.html

Obligations may go towards funding measures, including those identified in the Air Quality Action Plan, designed to offset the impact on air quality arising from new development. In some cases it may be the case that it is not possible to secure acceptable air quality mitigation and in such cases the local authority may deem the development unacceptable.

Damage cost approach

Offsetting will be based on a quantification of the emissions associated with the development. These emissions can be assigned a value based on the 'damage cost approach' used by Defra. The latest damage cost values can be found on the Defra website⁵⁹. This value will indicate the level of offsetting required, or may be provided as a financial contribution from the developer. This guidance follows the principle that environmental costs should fall on those who impose them. This is known as the 'polluter pays' principle.

The latest Defra Emissions Factor Toolkit should be used⁶⁰. This will provide the relevant pollutant emissions outputs for the mitigation calculation which is then multiplied to provide a 5 year exposure cost value. This assessment should be carried out by an air quality consultant. Discussions with the Council's air quality officer may be necessary at

Damage Cost Approach

The calculation process includes:

- Identifying the additional trips generated by the proposal;
- The emissions calculated for the pollutants of concern (NO_x and PM₁₀) [from the Emissions Factor Toolkit];
- The air quality damage costs calculation for the specific pollutant emissions (from DEFRA IGCB);
- The result is totalled for a five-year period to enable mitigation implementation.

The calculation is summarised as follows:

**Road Transport Emission Increase = [Estimated trip increase for 5 years X
Emission rate per 10km per vehicle type X Damage Costs]**

<https://www.gov.uk/government/publications/assess-the-impact-of-air-quality/air-quality-appraisal-damage-cost-guidance>

this stage.

When the damage cost is calculated, it is the developer's responsibility to implement mitigation to reduce emissions by at least this value and be air quality neutral (or preferably below existing levels to be air quality positive). The mitigation should be approved with the local planning authority to ensure that mitigation is appropriate for the type, size and location of the development. Where this is not possible, the rest should be provided in the form of planning obligations.

Construction Phase

It is important that the impact on air quality is considered during any demolition and site preparation phase and during the construction phase. Although these phases will have a defined beginning and end they still have the potential for bringing about exceedances of air quality objectives for particulates (PM₁₀). All construction sites should aim to reduce emissions during the demolition and construction phases through the use of low emission technology and good site management.

Exhaust emissions from engines powering construction specific activities such as cranes, excavators, generators and diesel-powered trucks involved in the transportation of materials to site can contribute significantly to local air quality.

Schemes to minimise the production of airborne dust and release of exhaust emissions during the construction period may be required by planning condition. Developers should ensure that the construction phase is compliant with the IAQM Guidance on the Assessment of Dust from Demolition and Construction⁶¹. Additional best practice guidance can be found from the Greater London Authority⁶².

Submission requirements

A single development may have a very small impact on air quality, but many developments will, together, have a larger impact. The following will be considered when reviewing a development proposal:

- The 'baseline' local air quality;

⁶¹ IAQM (2014) Guidance on the assessment of dust from demolition and construction. Available online at: http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

⁶² GLA (2014) Control of Dust and Emissions during Construction and Demolition. Available online at: https://www.london.gov.uk/sites/default/files/gla_migrate_files_destination/Dust%20and%20Emissions%20SPG%208%20July%202014.pdf

- Whether the proposed development worsens the local air quality;
- Whether the proposed development is located within an AQMA;
- Whether the proposed development could lead to the declaration of a new AQMA;
- The potential cumulative effects of local developments on air quality;
- Whether the development will introduce new public exposure into an area of existing poor air quality;
- Whether the development will materially affect any air quality action plan or strategy;
- What mitigation has been provided to try and achieve air quality neutral status.

To ensure compliance with the relevant District Plan policies and the guidance in this SPD, applications for new residential and non-residential developments must submit a sustainability checklist to demonstrate how impact on air quality will be minimised (see appendix A).

Assessments should be proportional to the nature and scale of development proposed and the level of impact on local air quality. The criteria for the submission of these assessments are set out below and in the flowchart in Figure 4.

Consideration of air quality and air pollution will be relevant during both the operational and the development phase. Development may give rise to air pollution as well as, for example, air quality issues associated with demolition, construction and remediation of contamination. All factors should be considered when assessing the impact of development.

This guidance does not prescribe the measures to be included in the assessments as it is considered more appropriate to take a flexible approach and allow for the continuous technological improvements. Consultation with the Council's air quality officer early on will be beneficial to agree an appropriate method and data set. Assessments should be carried out by an air quality consultant.

Air Quality Impact Assessment

An Air Quality Impact Assessment must be submitted at the application stage for all development above a minor classification.

The scope of an Air Quality Impact Assessment is:

- to assess current baselines in the area;
- to consider the cumulative impact of known future developments within an area;

- to predict the future impact, both with and without the proposed development including the proposed mitigation measures by calculating statistics that can be compared with the air quality objectives.

Air Quality Impact Assessments should be carried out in line with the best practice guidance set out in the latest industry-prepared best guidance documents. At present, these are the IAQM's Planning for Air Quality⁶³ (2017) and the Defra's Local Air Quality Management; Technical Guidance⁶⁴ TG16 (2018). The latest available emission factors, background maps and conversion factors shall be used.

Given the time required for dispersion modelling and monitoring of air quality for a detailed assessment as well as collection of traffic data to support the planning application, discussions should be sought with the local authority well before submission of a planning application.

Air Quality Neutral

East Herts requires all major developments and any development (above household level) within or adjacent to an AQMA to be 'air quality neutral'. This approach will manage and prevent further deterioration of existing air quality in line with Policy EQ4 Air Quality.

Within the application process, major developments must submit an air quality neutral assessment as part of an Air Quality Impact Assessment. Minor developments in or near to an AQMA must submit an Air Quality Neutral Assessment (they will not be required to submit an Air Quality Impact Assessment). The assessment should take into account the following elements and compare them to the Air Quality Neutral Benchmarks provided in Appendix B.

- Determine the relevant emission benchmark for buildings for NO₂ and PM₁₀ at the site, based on its land use class and location. Calculate the site's NO₂ and PM₁₀ emissions from buildings and compare them with the buildings benchmark. The assessment should present the data used in the calculation, including the plant emission data.
- Determine the relevant emission benchmark for transport for NO₂ and PM₁₀ at the site. Calculate the site's NO₂ and PM₁₀ emissions from transport and compare them with the transport benchmark. The assessment should present the data used in the calculation.

⁶³ IAQM (2017) Land-Use Planning & Development Control: Planning For Air Quality. Available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

⁶⁴ DEFRA (2018) Local Air Quality Management Technical Guidance (TG16). Available online at: <https://laqm.defra.gov.uk/documents/LAQM-TG16-February-18-v1.pdf>

Both building and transport emission benchmarks should be met in order to achieve air quality neutral requirements. Where the benchmarks cannot be met developers must undertake mitigation in discussion with the Council's air quality officer and/or make a contribution to offsetting their emissions as described in Section 6.1.2 of this SPD.

All developments requiring an Air Quality Neutral Assessment should also demonstrate how air quality impacts will be mitigated. This is done by including an emissions assessment as detailed in Section 6.1.2.

It is acknowledged that there is an emerging requirement for developments to be 'air quality positive' rather than 'air quality neutral'. Developers are encouraged to meet these standards within any size of development.

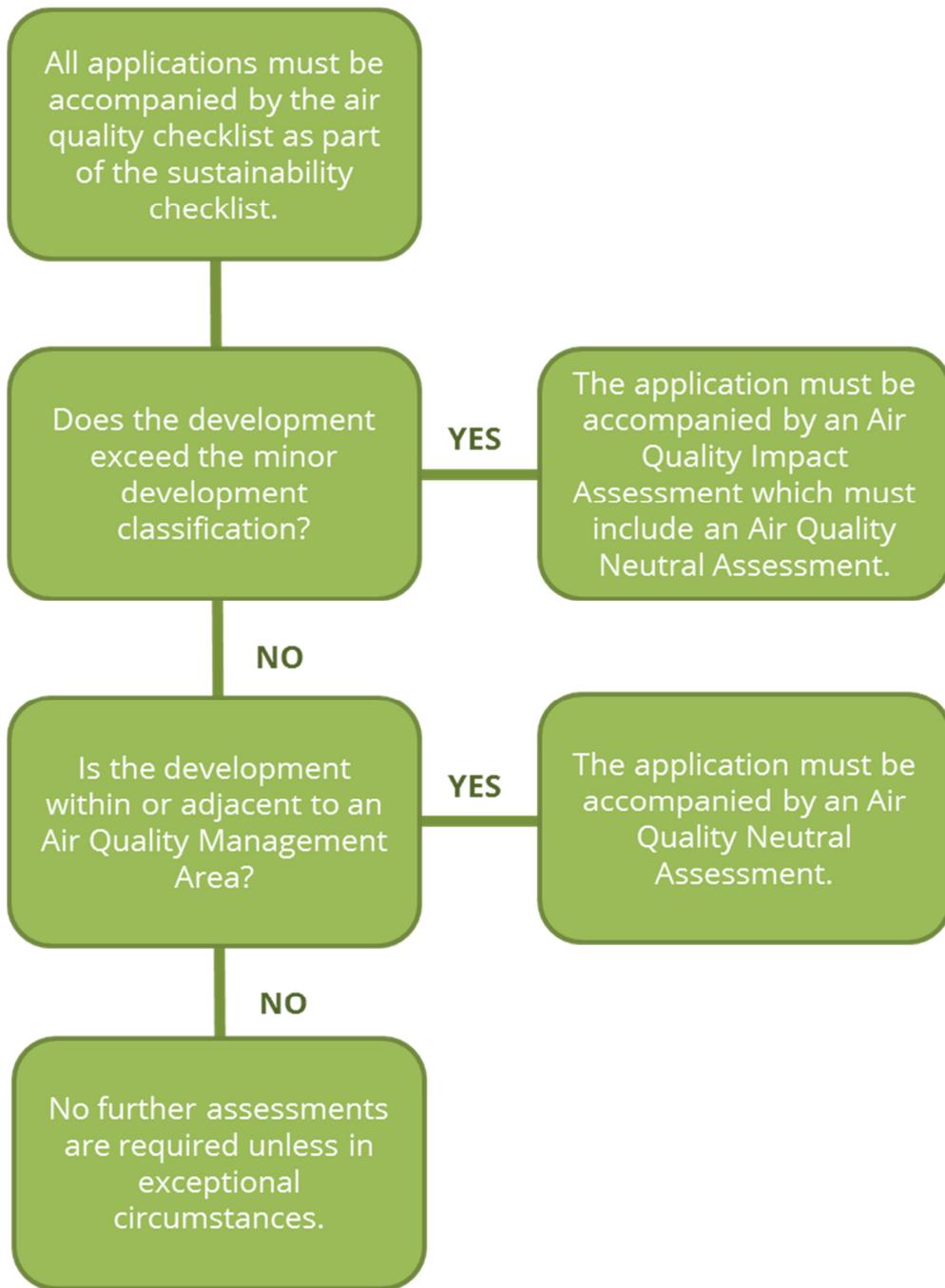


Figure 9. Flowchart - What air quality information to submit with a planning application

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 7 below. If relevant, more detail about the

approach should be included in the Air Quality Impact Assessment or Air Quality Neutral Assessment.

Table 7: Air Quality Submission Checklist

Ref	Checklist Criteria	Summary of approach to address the criteria
AQ.1	How has the proposal addressed the <u>recommended</u> minimum air quality standards? These apply to all new development as set out in paragraphs xxx of the SPD.	
AQ.2	How does the proposal show consideration of air quality in the design of new development? Design should address the following principles: <ul style="list-style-type: none"> • Building and development layout and design • Emissions from transport • Sustainable energy (See SPD section 6.1.2.4)	
AQ.3	How has emissions mitigation been incorporated into the proposal? (See SPD section 6.1.2.5)	
AQ.4	How will emissions be minimised through the construction and demolition phase of the development? Measures should follow the national guidance set out in paragraph 6.1.2.7 of this SPD.	
AQ.5	Has an Emissions Assessment been carried out as part of the Air Quality Neutral Requirement? The assessment should utilise the Damage Cost Approach outlined in paragraphs 6.1.2.6 of the SPD.	
AQ.6	Has an Air Quality Impact Assessment been submitted? This must be submitted if the	

Ref	Checklist Criteria	Summary of approach to address the criteria
	proposal meets any of the criteria listed in paragraphs 6.1.3 of the SPD.	
AQ.7	Has an Air Quality Neutral Assessment been submitted? This must be submitted if the proposal meets the criteria listed in paragraphs 6.1.3 of this SPD.	

The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement will be explained In Appendix A: the combined checklist. is included in Appendix A. The checklist can also be used as part of the pre-application process.

Light Pollution

Policy Context

National Policy

Section 15 of the National Planning Policy Framework (2019)⁶⁵ sets out the role of planning in addressing pollution, in which light pollution is included. It states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution. In particular, the NPPF states that the planning system should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Light pollution has also been deemed a potential statutory nuisance since 2005. An amendment to section 79 of the Environmental Protection Act 1990, contained within the Clean Neighbourhoods and Environment Act 2005 states:

“Artificial light emitted from premises so as to be prejudicial to health and nuisance constitutes a ‘Statutory Nuisance’ and it shall be the duty of every local authority to cause its area to be inspected from time to time to detect any statutory nuisances which ought to be dealt with under section 80 and, where a complaint of a statutory nuisance

⁶⁵https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

is made to it by a person living within its area, to take such steps as are reasonably practicable to investigate the complaint”.

Local Policy

District Plan policies

- Policy EQ3 Light Pollution

Scale of Development

- All new development

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist

Link to Sustainability checklist

- **LP.1, LP.2,LP.3**

Policy EQ3 ~~Light Pollution~~ in the District Plan requires all external lighting schemes to ensure they do not have an unacceptable adverse impact on neighbouring uses or the wider landscape. Plans must ensure that they minimise harm to the amenity of residents and road users and prevent impacts on the local ecology. Light pollution can cause sleep disturbance and annoyance to neighbours and have an impact on health and wellbeing. Consideration must be given to the impact of light pollution on wildlife as dark night skies are important for the conservation of natural habitats and the behaviour of nocturnal animals and birds.

The policy also states that the light design must minimise the potential glare and spillage. Light pollution is a sign of wasted energy from excessive lighting and it is required that only the minimum required for security and operational purposes is installed. It may be necessary for the council to control the times of illumination where the impact is deemed unacceptable.

Topic Guidance

New lighting schemes should be appropriate to the type of development and its location. Proposals for outdoor lighting should not have an unacceptable adverse impact by reason of light spillage or glare on neighbouring building/uses, amenity of residents or road users or ecology in line with Policy EQ3. Where appropriate, a light impact assessment will be required as part of the application submission.

In order to minimise light and energy wastage is recommended that lights are switched off when not required for safety, security or operational purposes. Large quantities of energy are consumed and vast amounts of greenhouse gases are produced due to the wastefulness of all night shop advertising and display lighting, building illumination, upward flood lighting and permanent domestic and industrial security lights.

Consideration will be given to the relationship between the use of the facility and the benefits to the general public, interests of conservation, amenity and safety. Where the impact of a proposal is considered to be unacceptable or cannot be mitigated through ameliorative measures, the protection of those recognised interests will prevail. The Council may seek to control the times of illumination where appropriate.

Design is key to ensuring compliance with policy and reducing the risk of being a statutory nuisance in the future. The Institute of Lighting Professionals state that 'good design equals good lighting'⁶⁶ and emphasise the importance of design, maintenance and installation. Design should ensure that the intensity and direction of light does not disturb others. This may be done by ensuring that beams are not pointed directly at windows of other houses. Light should be directed downwards wherever possible to illuminate its target and not upwards.

Schemes will be considered against the latest national guidance and lighting standards. Further technical advice can be found from the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light'⁶⁷ (2020). The most applicable British Standards for lighting that relate to the proposed development is BS EN 12464-2: 2014- Lighting of Work Places (Outdoor work places).

⁶⁶ Guidance Notes for the Reduction of Obtrusive Light GN01:2011

⁶⁷ <https://theilp.org.uk/publication/guidance-note-1-for-the-reduction-of-obtrusive-light-2020/>

Submission Requirements

To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist as part of the application process. Completion of the checklist must demonstrate how all relevant light pollution checklist criteria have been considered.

A light impact assessment may be required by the Council if it is deemed that there may be an unacceptable impact on the natural surroundings as a result of the development. Where this is required, it is expected that the latest industry guidance is referred to in order to ensure that the assessment is correctly carried out. At present the latest guidance is the Professional Lighting Guide PLG 04 "Guidance on Undertaking Environmental Lighting Impact Assessments" Institution of Lighting Professionals (ILP);2013.

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table x below. If relevant, more detail about the approach should be included in the Light Impact Assessment.

Table 8: Light Pollution Submission Checklist

Ref	Checklist Criteria	Summary of approach to address the criteria
LP.1	Does the proposal materially alter light levels outside the development and/or have the potential to adversely affect the neighbouring uses or amenity of residents and road users or impact on local ecology? (See SPD section 6.2.2)	
LP.2	Is the proposed light design the minimum required for security and operational purposes? (See SPD section 6.2.2)	
LP.3	Does the proposal minimise potential glare and spillage? Please detail the design measures adopted to ensure this. (See SPD section 6.2.2)	

The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement will be explained in Appendix A: the combined checklist. The checklist can also be used as part of the pre-application process.

Noise Pollution

The impact of noise on the environment can be detrimental to health and quality of life, so it is important that the planning system controls both the introduction of noise sources into the environment, as well as ensuring new noise sensitive development is located away from existing sources of significant noise. Policy EQ2 Noise Pollution requires development to be designed and operated to minimise the impact of noise on the surrounding environment and the future occupants of the new development. To address these requirements all residential developments will be required to comply with BS:8233 noise standards as a minimum in line with World Health Organisation guidance. All developments involving industrial or commercial noise sources will be required to undertake an assessment, ~~to comply in line~~ with BS:4142. Consideration must also be given to sufficient ventilation and the prevention of overheating.

This SPD does not address noise issues any further because more detailed noise guidance will be available for applicants in due course. Hertfordshire noise guidance is being developed jointly by a number of Hertfordshire local authorities.

Biodiversity

Policy Context

Biodiversity describes the number and variety of plant species and animals within a habitat and also the diversity of habitats within an ecosystem. Enhancing and conserving biodiversity is an important component of designing and constructing sustainable development. It has benefits for wildlife and ecology, including securing ecosystem services such as pollination, hydrology and pest control, but also more widely in terms of community well-being; carbon capture; reducing flood risk; clean air and water and adaptability to climate change.

National Policy

National Policy sets a clear intent to protect and enhance the natural environment, moving from the past outcomes of development resulting in a net loss of biodiversity to achieving net gains for biodiversity within the development process. Taking forward the objectives of England's Biodiversity Strategy⁶⁸; the NPPF (2019) outlines that new development has a key role in the preservation, restoration and re-creation of priority habitats, ecological networks, green infrastructure and the protection and recovery of priority species populations. International, national and local designations must be protected and enhanced relative to their status and importance. Development should only be permitted if harm to biodiversity is avoided, adequately mitigated or as a last resort, compensated⁶⁹.

Planning Practice Guidance (PPG) Natural Environment provides further guidance on the role of green infrastructure in new development and how to conserve and enhance biodiversity⁷⁰.

The Environment Bill (~~2019-21~~ 2020), which is currently progressing through parliament, seeks to further strengthen the role of the planning system in conserving and enhancing biodiversity. It proposes amendments to planning legislation introducing a mandatory requirement for biodiversity net gain.

⁶⁸ Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services (2011), DEFRA

⁶⁹ NPPF (2019), para 175

⁷⁰ PPG, Natural Environment

Local Policy

District Plan policies

- Policy NE1 International, National and Locally Designated Nature Conservation
- NE2 Sites or Features of Nature Conservation Interest (Non-Designated)
- Policy NE3 Species and Habitats
- Policy NE4 Green Infrastructure
- Policy DES4 Design of Development
- Policy WAT3 Water Quality and the Environment.

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist
- Biodiversity Checklist
- Ecology Survey
- Protected Species Survey

Link to Sustainability checklist

- Bio.1, Bio.2, Bio.3, Bio.4, Bio.5, Bio.6, Bio,7

The District Plan policies place a strong emphasis on delivering a net gain in biodiversity across East Herts at various scales, on designated and undesignated sites. **Policy WAT3 Water Quality and the Environment** aims to preserve or enhance the ecological value of the watercourses. **Policy NE1 International, National and Locally Designated Nature** requires that development use the mitigation hierarchy to protect and enhance designated sites commensurate with their status, their importance and contribution to ecological networks. **Policy NE2 Sites or Features of Nature Conservation (non-designated)** recognises that there is biodiversity value throughout East Herts and even on non-designated sites applicants should assess the ecological value and aim to enhance it. All proposals should achieve a net gain in biodiversity, where it is feasible and proportionate to do so by taking into account a locally approved biodiversity metric. **Policy NE3 Species and Habitats** focuses specifically on protecting species and habitats and ensuring new development facilities opportunities for habitat creation and

ecological connectivity. Where appropriate biodiversity value of a site pre and post development will be determined using a biodiversity metric.

Expanding on this objective and taking a holistic approach, **Policy NE4** Green Infrastructure recognises the biodiversity value of Green Infrastructure in East Herts and promotes protecting and enhancing the network: within the built environment and the countryside beyond. **Policy DES4** reiterates this aim, expecting proposals to maximise opportunities for urban greening, for example through planting trees and other soft landscaping where possible.

Topic Guidance

Biodiversity in East Herts

The natural environment of East Herts is a key contributor to its character and distinctiveness. The district has a diverse range of green infrastructure and sites of local, national and international importance. This includes the following three international sites:

- Wormley- Hoddesdonpark Woods-Special Area of Conservation (SAC)⁷¹
- Rye Meads and Amwell Quarry- part of the Lee Valley Special Protection Area (SPA)⁷²
- Rye Meads and Amwell Quarry- part of the Lee Valley Ramsar Site⁷³

There are also 16 Sites of Special Scientific Interest (international sites are also designated SSSIs), a National Nature Reserve (Broxbourne Hoddesdon – Park Woods), 542 local wildlife sites (led and coordinated by Herts and Middlesex Wildlife Trust), a Local Nature Reserve and 14 Herts and Middlesex Wildlife Trust Reserves. More broadly there is a network of ancient woodlands, watercourses, parks, open spaces and trees across the rural and urban areas, which provide opportunities for biodiversity and form part of the wider ecological network. Designated sites and key areas of open space are identified on the Policies Map: <https://www.eastherts.gov.uk/planning-building/east-herts-district-plan/east-herts-district-plan-2018>

A number of species found within East Herts are protected under European and National legislation. The protection afforded to these species results in them being a material consideration in dealing with planning applications.

⁷¹ European Union's Habitat Directive of value for species, plants and habitats.

⁷² Birds Directive-to protect internationally valuable populations of eligible bird species.

⁷³ Ramsar Convention for wetlands of international importance

Information about biodiversity in East Herts is available from a range of sources. Herts Environmental Records Centre (HERC), hosted by Herts and Middlesex Wildlife Trust, manages data on Hertfordshire’s habitats, species and sites. The Hertfordshire Biodiversity Action Plan (2006) identifies those habitats and species which are a priority for conservation and is a valuable source of information on the county’s natural assets⁷⁴. There is also a Local Nature Partnership (LNP) which coordinates partners in Hertfordshire and has produced a series of principles and guidance⁷⁵.

Biodiversity Hierarchy

When making planning decisions, East Herts Council is required by the NPPF to apply the mitigation hierarchy set out in Figure 11. Development projects should minimise impacts on biodiversity by adhering to the mitigation hierarchy of avoid, mitigate, compensate, with distinctions made between internationally, nationally and locally designated sites.

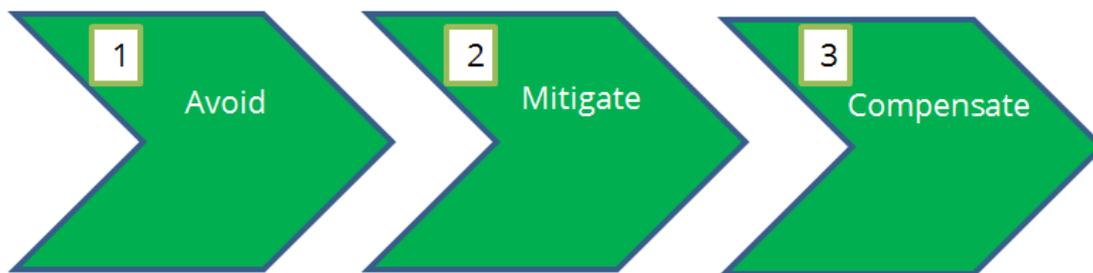


Figure 11: Mitigation hierarchy

Stage 1 ‘avoid’ can be achieved by site selection but also by the siting and layout within a development to retain existing habitats. Early engagement of landscape architects and ecologists is important at this stage. The retention of existing natural features will significantly contribute towards the aim of enhancing biodiversity and protecting the landscape character on the development site. The design work for the development should aim to follow a landscape led approach, using the information gained through

⁷⁴ Herts Biodiversity Action Plan (2006), Herts Environmental Forum, http://www.hef.org.uk/nature/biodiversity_vision/

⁷⁵ Planning for biodiversity and the natural Environment in Hertfordshire- Guiding Principles (2017), LNP <https://www.hertswildlifetrust.org.uk/sites/default/files/2018-07/LNPs%20guiding%20principles%20for%20LPAs%20final%20paper%2020%2002%2014.pdf>

the survey work to retain as many of the important natural environment features as possible.

Where avoidance is not possible, mitigation measures should be applied, such as screening and planting. Buffer zones between sensitive areas and development areas can be used to reduce habitat disturbance. Finally, if this is not possible, on-site or off-site compensation measures should be undertaken to help achieve an overall net gain in biodiversity or improvements to the structure and functions of ecological networks. ~~For further clarity about the compensation process, will be provided on the Environment Bill and associated government guidance is finalised~~ seek advice from Hertfordshire Ecology, the Council's ecological advisors.

Designations

Planning policies contain clear direction that development should not be permitted on designated sites, as appropriate to their level of significance. This includes full protection for internationally and nationally designated sites - including Special Areas of Conservation, Special Protection Areas, Ramsar Sites and Sites of Special Scientific Interest and effective protection measures for ancient woodland, Local Nature Reserves and Local Wildlife Sites. The range of designated sites within East Herts is set out in table 9.

Table 9: Statutorily and non-statutorily designated assets of international, national and local status and importance in East Herts

Importance	Statutorily protected designated assets	Non-statutorily protected assets
International	Special Protection Areas Special Areas of Conservation Ramsar Site Other features protected by the Habitats and Birds Directive	None
National	Sites of Special Scientific Interest National Nature Reserve Other features protected by domestic legislation, i.e. Wildlife and Countryside Act	Ancient Woodlands Chalk river habitats Species and habitats of principal importance in domestic legislation e.g. The Natural and Environment and Rural Communities Act (NERC)
Local	Local Nature Reserves	Local Wildlife Sites

East Herts Biodiversity Questionnaire (see submission requirements) identifies the distance thresholds to designated sites. Applicants within these thresholds will likely have to submit additional information to inform proposals.

Applicants must seek advice from Natural England for any proposals that may potentially affect an international or national site. Development likely to affect a European site will need to be accompanied by sufficient information to enable the LPA, as Competent Authority under the provisions of the Conservation of Habitats and Species Regulations 2017 (as amended), to record its decision with regard to likely significant effect and to undertake Appropriate Assessment where necessary.

Species and Habitats

In accordance with District Plan Policy NE3 Species and Habitats, conserving biodiversity and creating opportunities for wildlife is a key to delivering sustainable development. The mitigation hierarchy should be used in all proposals to prevent harm to all priority ~~and non-priority~~ species and habitats. Development adjoining rivers or streams will be required to preserve or enhance the water environment in accordance with Policy WAT3.

There are a number of species protected by European and national law. These must be considered to ensure that legislative requirements are met and no offences are committed. This applies to all scales of development from loft conversions to large mixed use developments. The main pieces of legislation protecting species are the European Habitats and Bird Directives, the Natural Environment and Rural Communities Act 2006 (Section 41 lists priority species and habitats), the Wildlife and Countryside Act, the Conservation of Habitats and Species Regulations ~~2010~~ 2017 (as amended) and the Badgers Act 1992. The Hertfordshire Biodiversity Action Plan identifies 5 Species Action Plans and 8 Habitat Action Plans that guide work on protecting, restoring and re-creating a sustainable level of biodiversity in the county.⁷⁶

Applicants must complete East Herts Biodiversity Checklist (see submission requirements) to assess the likely presence of a protected habitat or species. Where there is a reasonable likelihood of the presence of European or Nationally Protected Species, surveys must be completed and avoidance/ mitigation/ compensation measures agreed before permission can be granted. Surveys should be undertaken at a time of year appropriate to the relevant species.

⁷⁶ Herts Biodiversity Action Plan (2006), Herts Environmental Forum, http://www.hef.org.uk/nature/biodiversity_vision/

A check should also be made to determine if any of the trees on the site are protected by Tree Preservation Orders (see Council's online mapping⁷⁷), either individually or as groups protected by virtue of their inclusion within a Conservation Area.

Further guidance

- Further guidance on protected species and habitat legislation, including relevant licensing information is available from the following government websites:
<https://www.gov.uk/topic/planning-development/protected-sites-species>
<https://www.gov.uk/topic/environmental-management/wildlife-habitat-conservation>
- Hertfordshire Ecology provides specialist ecological advice to support the planning process in East Herts. It is recommended that applicants use their pre-application service to consider the most effective approach for protecting habitats and species and delivering a net-gain to biodiversity:
<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/biodiversity-wildlife/hertfordshire-ecological-advice-service.aspx>

Achieving net gain

Biodiversity is not limited to designated sites or priority habitats. Biodiversity is often found on non-priority habitats. As outlined in Policy NEC 2 all proposals should seek to secure a net gain for biodiversity and enhance ecological networks across the District. The East Herts Green Infrastructure Plan identifies zones and projects to improve multi-functional networks and Ecological mapping work by the Local Nature Partnership in 2014 identifies habitat networks.

The approach to securing net gain should be assessed by a trained ecologist, using the ~~Natural England~~ Defra (version 2 updated by Natural England, or as amended) biodiversity metric, unless advised otherwise by Hertfordshire Ecology. Using ~~a~~ the metric provides a mechanism for demonstrating compliance with the biodiversity hierarchy and informs compensation of all habitats. The metric is not designed to measure impacts on species. In order to ensure that mitigation measures are successfully delivered and maintained, financial and other provisions may be sought, where appropriate and necessary, via the use of planning conditions, planning obligations and legal agreements. The process of securing measurable net gain will ~~become more~~ be a certain once the legal requirement once if the Environment Bill

⁷⁷ <https://www.eastherts.gov.uk/planning-and-building>

(2020 2019-21) achieves royal ascent in its current form, and the details for planning are finalised.

Major development offers the greatest opportunities for delivering large-scale biodiversity net gain and the integration of opportunities for biodiversity into green and blue infrastructure and ecological networks, both on and off-site. Applicants should use the ecological network data set and the Green Infrastructure plan to inform the masterplanning process.

However, net gain can be secured at a variety of different scales, from householder applications right up to large urban extensions, albeit the scale of improvement will differ. The Herts & Middlesex Wildlife Trust publication, *How to Build a Living Landscape* explains how a habitat network can be 'built into' new development at a range of scales, without significantly impacting on the purpose or functionality of that land use.



Bat and bird bricks on the gable end of new houses in Buckinghamshire
Source: Herts and Middlesex Wildlife Trust

Whilst options will vary depending on the scale of development, the Council will expect all or some of the following measures to be integrated into development proposals:

- Integration of nest boxes for species such as birds, bees and bats, particularly in locations/buildings adjoining open space. These can be integrated into the brickwork.
- Integration of sustainable drainage systems, with ecology/biodiversity benefits
- Soft landscaping to promote biodiversity
- Tree planting- consider tree health to future proof biodiversity
- Prioritisation of native species
- Habitat creation- i.e. ponds, wildflower grasslands
- Contribution to wider ecological networks and green and blue infrastructure corridors. Consider connectivity of the landscape, enabling species to move around freely, for example creating hedgehog highways.
- Green and brown roofs



These proposals will not only enhance biodiversity on development sites, but also benefit the health and well-being people living and working in these places. *A wildflower meadow integrated into a greenspace within a new development*

More information about the different stages to effectively design and implement a scheme is set out in Hertfordshire's Building Futures Biodiversity and Landscape module: <https://www.hertfordshire.gov.uk/microsites/building-futures/a-sustainable-design-toolkit/technical-modules/landscape-and-biodiversity/landscape-and-biodiversity.aspx>

Further Guidance

- East Herts Green Infrastructure Plan (2011)
https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Green_infrastructure_plan_joined.pdf
- Hertfordshire Ecological Network Report (2014)
<https://www.hertswildlifetrust.org.uk/sites/default/files/2018-07/Hertfordshire%27s%20ecological%20networks%20report%20-%20Final%20Aug%202014.pdf>

- Guidance on applying Hertfordshire's ecological networks in the planning system https://www.hertswildlifetrust.org.uk/sites/default/files/2018-07/Planning%20guidance%20on%20applying%20Herts%20ecological%20networks_Final%20Oct%202014.pdf
- Hertfordshire Environmental Records Centre, for data requests: www.hercinfo.org.uk
- How to Build a Living Landscape, Herts and Middlesex Wildlife Trust.

Living roofs and Green walls

Green roofs- Created when vegetation is established on a roof structure. There are many variations but typically green roofs are categorised as intensive or extensive.

Brown roofs- Also described as a biodiverse roof, is designed to create a habitat from a specific type of flora or fauna. Useful on brownfield sites where soil and rubble should be able to provide a rooftop habitat for the flora and fauna that inhabited the site before the construction of the building. This is particularly important where habitat is often left to colonise naturally

Green walls- There are different types of green wall. Using climbing plants is the simplest method but it can also include a form of engineered solution, such as trellises or wires. Living wall systems are constructed with planter boxes or felt and do not require climbing plants.

Green or brown roofs should be incorporated into development where feasible. Green and brown roofs have many benefits as identified in the air quality and energy and carbon sections of this SPD, but are a useful way of enhancing biodiversity on sites of all scales, especially in urban areas. Intensive green roofs are effectively roof gardens, with a range of plants or shrubs that can be used for recreation purposes and to grow food. Extensive green roofs and brown roofs provide ecological value rather than recreational. Green roofs involve drought tolerant species of plants, such as sedums or wild flowers that require little maintenance.

Brown roofs are typically left without vegetation, with the growing medium selected to allow indigenous species to colonise an area over time. It is beneficial to use a variety of different local substrates (e.g. gravel in one area, topsoil in another area, crushed concrete in another area, to provide a number of different environments on the roof top, favouring different species.

Climbers and wall shrubs are the simplest way of adding interest to walls. In green wall systems, a range of herbaceous perennials, grasses, herbs, fruit and vegetables can be planted.

The potential for green and brown roofs should be considered early in the design process, to inform the scheme design. Feasibility will depend on the local context and nature of the building, so it is important professional advice is sought.

Submission requirements

To ensure compliance with the relevant District Plan policies:

- All new residential and non-residential development must submit a completed Sustainability Checklist to demonstrate that relevant criteria below relating to biodiversity have been considered and explained.
- All applicants (except advertisements) should submit a completed Biodiversity Checklist to assess the likely presence of protected habitats or species within or in close proximity to the site.

In addition an ecological survey will be required, as follows:

- For all major developments;
- If there is a reasonable likelihood of protected species being present and affected by the development;
- If there is a reasonable likelihood of protected habitats being present and affected by the development.

Details of submission requirements for applications can be obtained via the Council's website at: <https://www.eastherts.gov.uk/planning-building/make-planning-application>.

Ecological information should be undertaken by a trained ecologist and presented in accordance with the British Standard on Planning and Biodiversity- BS42020 2013 Biodiversity- Code of practice for planning and development. Surveys should be up to date and ideally from the most recent survey season. It should include:

- A biodiversity impact assessment calculation using the Defra (version 2 updated by Natural England, or as amended) locally approved biodiversity metric, unless advised otherwise by Herts Ecology and demonstrate a minimum 10% net gain in ecological units.
- An analysis of the impacts of the development on fauna.
- Definitive avoidance, mitigation or compensation measures sufficient to demonstrate a net gain in biodiversity measures.
- Enhancement measures proposed and marked on plans.

Details of submission requirements for applications can be obtained via the Council's website at: <https://www.eastherts.gov.uk/planning-building/make-planning-application>.

As mentioned above, data from Hertfordshire Biological Record Centre (HERC)(64) is a useful resource that can help inform surveys. Applicants should also consider sharing survey work with HERC to help expand Hertfordshire's environmental record. For further advice about ecological surveys and biodiversity please contact Herts Ecology at Hertfordshire County Council. Herts Ecology offer a pre-application service to applicants and can provide information about charging procedures. For further advice please contact Herts Ecology at Hertfordshire County Council.

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table x below. If relevant, more detail about the approach should be included in the Ecological survey.

Table 10: Biodiversity Submission Checklist

Biodiversity		
Ref	Checklist criteria	Summary of approach to address the criteria
Bio.1	Have you submitted East Herts biodiversity checklist? (See SPD section 7.3)	
Bio.2	In accordance with the Biodiversity checklist, does the proposal affect a protected species or habitat? (See SPD section 7.2.4 and 7.3)	
Bio.3	If a protected species or habitat has been identified, has an ecological survey, with sufficient information been undertaken? (See SPD section 7.2.4 and 7.3)	
Bio.4	If a. If relevant, has an ecological survey, with	

Biodiversity	
	sufficient information been undertaken to assess the likely ecological impact of the development?
Bio.5	Has the mitigation hierarchy been applied undertaken, to demonstrate an adverse impact on biodiversity has been avoided? If this is not possible, has the impact been mitigated and then subsequently compensated? <u>See SPD section 7.2. and 7.3)</u>
Bio.6	Has a net gain been achieved using a locally approved biodiversity metric? <u>See SPD section 7.2.5)</u>
Bio.7	Has a suitable biodiversity management and monitoring strategy for the site been proposed?

The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. A combined checklist is included in Appendix A. The checklist can also be used as part of the pre-application process.

Sustainable Transport

Policy Context

The role of sustainable transport provision in the development process has gained increased prominence over recent years. Congested roads and associated increased pollution have led to detrimental effects on air quality and knock-on effects on health, which mean that a new approach to achieving journeys is needed to ensure that this situation is not exacerbated. This policy position is recognised at both the national and local level and this section of the SPD seeks to provide advice on how sustainable transport can be achieved through new development going forward. It should be noted that the Council's approach regarding the air quality implications of pollution is covered in further detail in the Pollution Chapter of this SPD where the impacts of vehicle emissions are cited.

In considering new development and ensuring that the transport impacts are less damaging and more sympathetic to the environment, it is important that greater priority ~~needs to be~~ is given now to reducing the overall need to travel. ~~and, w~~Where journeys are necessary, it is vital to make sure ~~make certain~~ that suitable hard and soft infrastructure and measures are provided to both mitigate their impact and ensure that they can be undertaken in a more sustainable manner going forward. This section of the SPD discusses ~~various specific mechanisms to~~ that can be employed to assist in achieving these aims.

It should be noted that parking standards do not form a part of this SPD as they are incorporated within the Council's separate 'Vehicle Parking Provision at New Developments' SPD.

National Policy

The NPPF (2019) sets out the Government's position in respect of its sustainable transport objectives.

It states (paragraph 102)⁷⁸ that transport should be considered early in development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;

⁷⁸ <https://www.gov.uk/guidance/national-planning-policy-framework>

b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Furthermore, in considering development proposals, it should be ensured that “appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location”⁷⁹.

National Planning Practice Guidance (NPPG) expands on the objectives included in the NPPF and provides specific guidance around the need for, and use of, transport evidence bases, travel plans, transport assessments and statements to support sustainable transport provision. These strands also need to be taken into account in bringing forward development proposals and can be viewed on the Government’s website⁸⁰.

⁷⁹ Para 108

⁸⁰ <https://www.gov.uk/guidance/transport-evidence-bases-in-plan-making-and-decision-taking>
<https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Local Policy

East Herts District Plan, October 2018

- Policy TRA1 Sustainable Development
- Policy TRA3 Vehicle Parking Provision
- Policy DES4 Design of Development
- CFLR9 Health and Wellbeing
- DEL2 Planning Obligations

Local Transport Plan 4, Hertfordshire County Council, May 2018

- Policy 1: Transport User Hierarchy
- Policy 2: Influencing land use planning
- Policy 3: Travel Plans and Behaviour Change
- Policy 4: Demand Management
- Policy 5: Development Management
- Policy 6: Accessibility
- Policy 7: Active Travel - Walking
- Policy 8. Active Travel - Cycling
- Policy 9: Buses
- Policy 10: Rail
- Policy 19: Emissions reduction
- Policy 20: Air Quality
- Policy 23: Growth and Transport Plans

Roads in Hertfordshire: A Design Guide, Hertfordshire County Council, 3rd Edition, January 2011 (currently under review)

Scale of Development

- All new development

Type of Development

- Residential and non-residential development

Submissions Requirements

- [Sustainability Checklist](#)
- [Design and Access Statement](#)
- [Travel Plans, Transport Assessments and Statements \(as appropriate\)](#)

Link to Sustainability checklist

- T.1, T.2, T.3, T.4, T.5, T.6

East Herts District Plan **policies TRA1, TRA2, TRA3, DES4, CFLR9 and DEL2** provide the policy context in relation to the delivery of sustainable transport provision in the development process. Alongside national guidance and the Local Transport Plan (LTP4), produced by Hertfordshire County Council, the policies together promote the need to achieve sustainable development and provide the framework to both assist the formation of development proposals and the decision-taking process.

Topic Guidance

Sustainable Transport in East Herts

In seeking to engender modal shift away from private motorised trips to more sustainable means, the Council not only wishes to ensure that these occur in a way that has the least possible impact on the environment, but also to provide the right conditions through development to minimise the amount of journeys that need to be made in the first place. The policies detailed above set the context for achieving these aims.

In planning for major development, it is important that sustainable movement should be prioritised and proposals should therefore address:

- obviating the need to travel where possible;
- providing walkable neighbourhoods (as part of place-making design);
- delivering cycling, walking and passenger transport networks (facilitating and prioritising non-car borne movement);
- adopting behavioural change initiatives (encouraging modal shift);
- rebalancing car use and parking design (prioritising sustainable modes);
- future-proofing developments (through use of adaptable technology); and,
- facilitating deliveries and servicing (while not disadvantaging non-motorised user groups).

The following sections discuss how the above aims can be achieved.

In respect of the procedural aspect of development proposals, it should be noted that, whilst East Herts Council determines most planning applications for development, Hertfordshire County Council (HCC) responds to the transport elements of them in its role as highway authority. While recognising that aspects relating to safe and suitable highway access arrangements and mitigation are key considerations to be taken into account in assessing applications, importantly, HCC also considers the sustainability credentials of development proposals in its responses. LTP4's Transport User Hierarchy, provided at Policy 1, provides the policy context for these considerations and is therefore particularly pertinent for guiding development schemes and informing movement relationships within them.

HCC Local Transport Plan, 2018

Policy 1: Transport User Hierarchy

To support the creation of built environments that encourage greater and safer use of sustainable transport modes, the county council will in the design of any scheme and development of any transport strategy consider in the following order:

- Opportunities to reduce travel demand and the need to travel
- Vulnerable road user needs (such as pedestrians and cyclists)
- Passenger transport user needs
- Powered two wheeler (mopeds and motorbikes) user needs
- Other motor vehicle user needs

Reducing the overall need to travel, particularly by private car (e.g. provision for homeworking, mixed uses, car clubs and car sharing schemes)

In applying LTP Policy 1 and District Plan Policy TRA1 in development proposals, as well as looking at ways in which to mitigate journeys, there are also various measures that can be introduced through development design that can reduce the overall need to travel in the first instance.

Location is a key determinant in this respect and the District Plan's guiding principles (paragraph 3.3.2) and its Development Strategy hierarchy (outlined in Policy DPS2)

therefore seek to direct development to areas that minimise the need to travel, by means such as utilising and supporting existing local facilities and networks that lie in close proximity. Where larger scale allocations and developments are proposed which may be more distanced from existing facilities, measures can be introduced that aim to largely self-contain movement within a site, and these can be supplemented by sustainable travel measures where journeys beyond are required.

A good way of demonstrating that development is indeed putting sustainable transport at the heart of its design is through the production of a movement framework. This should articulate how different modes, including walking, cycling and passenger transport, are prioritised within and across a development to make it easier to use those modes than the private car, while recognising the need to accommodate necessary movements of private vehicles (including servicing and deliveries) where appropriate. The objective of a movement framework should be to make it more attractive and easier to use sustainable modes than private vehicles through the design of well integrated, safe and connected routes and safe, secure and convenient cycle parking and facilities. In seeking to reduce dependence on private vehicles and focussing on active travel, it is important that services and facilities are planned to make them accessible to the widest number of people through sustainable transport modes.

Therefore, the relationship of the built environment to both new and existing services and facilities, including passenger or community transport services, alongside links to pedestrian and cycle networks, will be a crucial factor in ensuring that well-integrated and well-connected sustainable forms of development are achieved. Design and Access Statements, which are required in support of a planning application, should therefore contain a Movement Framework to demonstrate how these aims will be delivered through proposed development. While not currently HCC formal policy, Active Travel Zone (ATZ) techniques pioneered by TfL⁸¹ may be helpful tools in planning new development, where potential key destinations within and beyond the site are mapped and how movements to these can be facilitated in a sustainable way.

In looking at minimising the need to travel, lessons can be learned from the past, where, prior to mass use of motorised transport, historical development often involved mixed uses in relatively close proximity to each other. Shops and other services were often located within walking distance of much of the population, with movements being largely pedestrian based. Where not unneighbourly, mixed use schemes today can also either negate the need to travel or juxtapose uses within a 'walkable neighbourhood', a modern interpretation of the traditional form.

⁸¹ <http://content.tfl.gov.uk/atz-assessment-instructions.pdf>

Increasingly, homeworking is becoming more common and, as has been seen during the Covid-19 pandemic, this can have a significant impact in reducing car borne travel. Internal spaces within new homes therefore need to be designed with the increased demand for this use in mind and the delivery of high speed broadband (FTTP) should be guaranteed to all premises from the outset to help facilitate successful home-working arrangements that minimise the need to travel, as well as for day-to-day living requirements.

Likewise, initiatives involving working at local office hubs can also help reduce the number of motorised trips made outside of a development and should be considered within larger proposals as part of self-containment mechanisms, as appropriate.

Launchpad:

East Herts Council operates Launchpad - two thriving co-working, office and meeting space community facilities located in Bishop's Stortford & Ware, where each offer local flexible working environments to fit modern life patterns and reduce the need to travel further afield for standalone office accommodation. Details of the scheme can be found at:

<https://www.eastherts.gov.uk/businesses-support/launchpad-business-centres>

Where car journeys are necessary, the introduction of car clubs can help reduce the number of vehicles at a development and, depending on usage, can also prove cost effective when compared to car ownership. Car sharing schemes can also help reduce the number of vehicles on the road, which helps in mitigating congestion and pollution. Likewise, Mobility-as-a-Service (Maas) can help in consolidating modes of travel. This involves a shift from using personally owned transportation, towards mobility being provided as a service. Further details of Maas is available online: <https://maas-alliance.eu/the-alliance/>

Car Sharing:

Many East Herts and County Council and employees are signed up to the Council car sharing schemes.



In order to avoid unsustainable mode journey patterns through private motorised trips becoming fixed and engendering behavioural change, it is important that green travel patterns become established at the outset of occupation of major developments through the early implementation of sustainable travel infrastructure, measures and initiatives.

Personalised travel planning is one strand that can be introduced through development delivery to raise awareness of local sustainable travel opportunities on an individual basis, which can have a positive effect in modal choice and behavioural change. Therefore, in combination, a mixture of both hard and soft measures can be very effective in achieving a good uptake of non-car travel modes.

It should be noted that, while the district of East Herts has a dispersed settlement pattern and therefore not all measures will be appropriate for every area, in highly sustainable locations it may be considered suitable to introduce measures which particularly impact on private motorised vehicle journey choices. Measures may include initiatives such as, but not limited to, prioritised junctions and/or carriageway assignment for sustainable modes and reduced parking provision in appropriate locations. For the latter, it should be noted that the Council's approach to parking standards as part of development proposals is covered in the 'Vehicle Parking Provision at New Developments SPD'.

Pedestrian and cycle route provision- making journeys healthier and sustainable

In many developments over previous decades, pedestrians and cyclists have often been treated as subordinate to motorised traffic in the movement hierarchy. Therefore, in embracing LTP4's Policy 1 Transport User Hierarchy and seeking to provide sustainable communities with healthy journeys at their heart, it is important that new developments should have their movement networks designed around people, rather than cars, from the outset.

In respect of applying the above, where trips are made through cycle journeys it is important that these users are prioritised and their needs well catered for within the overall design of a development and not bolted on as an afterthought. Not only should routes be well connected and attractive, there must also be consideration of suitable parking arrangements (see more below). The Council will also be keen to support imaginative approaches to encouraging cycling, such as cycle hire and electric assisted bike schemes. Suitable shower and changing facilities should also be provided in appropriate locations to further encourage cycle usage.

The Government published guidance in its Cycle Infrastructure Design Local Transport Note 1/20, July 2020⁸², and states that it "aims to help cycling become a form of mass transit in many more places. Cycling must no longer be treated as marginal, or an afterthought. It must not be seen as mainly part of the leisure industry, but as a means of everyday transport. It must be placed at the heart of the transport network, with the capital spending, road space and traffic planners' attention befitting that role".

Similarly, in respect of prioritising walking and cycling, the Government is clear in its July 2020 publication 'Gear Change'⁸³, that it "will ensure that all new housing and business developments are built around making sustainable travel, including cycling and walking, the first choice for journeys".

82

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904088/cycle-infrastructure-design-ltn-1-20.pdf

83

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf

Therefore, planning sufficient and appropriate space to prioritise for cyclists and pedestrians to make their journeys successfully should be an integral part of schemes through the implementation of 'inclusive design' principles, alongside accommodating other modes. Intrinsic to the heart of design, routes for pedestrians and cyclists should be well thought out, making sure that linkages and permeation between existing and new developments can be successfully achieved so that maximum opportunities present themselves to engender green travel behaviours through active travel.

It is also important that the considerations of both pedestrians and cyclists are taken into account when planning footways and cycle paths within developments so as to avoid potential conflict between user groups.

Therefore, and in line with the Government's key messages in 'Gear Change', the aim should be to provide segregated provision for each user group where possible. The creation of "Mini-Holland's" in three outer London Boroughs was demonstrated to have had a significant effect where, after the installation of segregated lanes on main roads, low-traffic neighbourhoods were put in, and pedestrians were given thousands of metres of extra space. The results of the scheme in the first of the areas showed a single year increase in cycling by 18%, and 13% for walking. While it is recognised that the scale of London Boroughs' built environments differ markedly from many rural locations in East Herts, there are still parallels to be drawn in respect of how prioritising sustainable user groups in street layout can engender modal shift. The goal should therefore be to segregate pedestrian and cycle movement from each other and both should be removed from motorised traffic where at all possible.

'Gear Change' further recommends a series of key principles when designing for cycling provision:

- Cyclists must be separated from volume traffic, both at junctions and on the stretches of road between them.
- Cyclists must be separated from pedestrians.
- Cyclists must be treated as vehicles, not pedestrians.
- Routes must join together; isolated stretches of good provision are of little value.
- Routes must feel direct, logical and be intuitively understandable by all road users;
- Routes and schemes must take account of how users actually behave;
- Purely cosmetic alterations should be avoided.
- Barriers, such as chicane barriers and dismount signs, should be avoided.
- Routes should be designed only by those who have experienced the road on a cycle.

With specific regard to pedestrians and ensuring that walkable neighbourhoods are achieved and to further support and encourage a culture of active and sustainable travel in bringing forward new development proposals, it is also important that the distances that active people are able or prepared to walk to access services and facilities are factored into design proposals.

In respect of recommended distances to bus stop locations, HCC seeks for these to be a maximum of 400m away from any property, which should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies' distances. Where rail stations are available, a maximum walking distance of 800m is sought. The layout of new development should ensure that streets and paths facilitate direct and efficient bus operation and as many homes and workplaces as possible should lie within 400m access of bus services. Where rail stations are available, the design of development should seek to provide a maximum walking distance of 800m, where achievable. Distances should be measured as the actual walking distance, and not through use of radius circles or 'as the crow flies'. While the Council will seek to maximise this approach, in cases where HCC agrees that such distances cannot be achieved, new development proposals should demonstrate alternative measures to maximise sustainable journey opportunities to occupiers of the development.

As discussed in the 'measures to reduce the need to travel' section above, it is important that new developments can facilitate walking and cycling at the forefront of layout and design. Buildings need to be designed with pedestrian and cycle access to and between them as a key requirement.

Bus stops, transport hubs and other facilities for cyclists and pedestrian user groups should be both accessible and attractive for all users and should offer shelter, as appropriate.

Both hard and soft measures throughout a development can also serve to raise the profile of pedestrians and cyclists, for example by introducing priority measures for these user groups in certain situations that would traditionally have been dominated by motorised vehicles e.g. raised tables at junctions where, instead of the usual configuration whereby vehicular traffic dominates, motorists are required to give way to pedestrian and cyclist movements. This rebalancing of priorities can help ensure the feeling of safety by vulnerable user groups and is aimed towards increasing the propensity to travel by non-car modes.

Such initiatives encourage pedestrian and cyclist activity and also improve health outcomes. Useful sources of information and examples of healthy place making nationally can be accessed via the Town and Country Planning Association website: <https://www.tcpa.org.uk/healthy-placemaking-external-resources>.

Likewise, the Healthy Streets concept identifies key elements necessary for public spaces to improve people's health through 10 Healthy Street Indicators™, which also serve to deliver urban places which are socially and economically vibrant and environmentally sustainable. Further details of this initiative, which has also been used by TfL in its Transport Assessment approach, are available at: <https://healthystreets.com/home/about/>

Emerging TCPA initiative – The 20-minute neighbourhood:

The Town and Country Planning Association (TCPA) is working with Sports England in developing a 20-minute neighbourhood concept as an effective way of creating healthier, active communities. The 20-minute neighbourhood is “all about living locally, giving people the ability to meet most of their daily needs within a 20-minute walk from home, with safe cycling and local transport options”.

Details of the emerging scheme can be found on the TCPA website:

<https://www.tcpa.org.uk/the-20-minute-neighbourhood>

Fact box: HCC has published guidance aimed at encouraging active travel and also a strategy for sustainable travel to schools:

<https://www.hertfordshire.gov.uk/media-library/documents/about-the-council/data-and-information/active-travel-strategy.pdf>

<https://www.hertfordshire.gov.uk/media-library/documents/schools-and-education/admissions/transport-policies-and-documents/sustainable-travel-strategy-for-schools.pdf>

Locally, the HCC 'Roads in Hertfordshire – Highway Design Guide' sets out how improvements to the highway network must be designed to follow a philosophy of sustainability, recommending new ideas about shared use and designs with less

domination by motorised traffic and incorporates the policy and legal framework for developments⁸⁴.

A new 'Roads in Hertfordshire Design Guide' is currently under preparation by HCC and is anticipated to be made available by December 2020.

The Gilston Area is being planned to deliver around 10,000 new homes as part of the emerging 'Harlow and Gilston Garden Town'. The development of the Garden Town is following important Garden City principles and has developed its own transport strategy, aiming to achieve an ambitious target where 60% of all journeys within the new Garden Town Communities, and 50% of all journeys across Harlow, will be undertaken by sustainable modes. While, due to economies of scale, most developments will be unable to achieve these levels of modal share, many of the measures being brought forward could be transferred to a smaller scale. Details of the Harlow and Gilston Garden Town Strategy can be found at:

http://www.harlowandgilstongardentown.co.uk/wp-content/uploads/2020/01/Garden-Town-Transport-Strategy_2020.pdf

Transport Statements, Assessments and Travel Plans

In March 2020, HCC issued its revised guidance on Travel Plans. This document updated advice in line with current Government guidance in the NPPF and also in respect of LTP4. It sets out requirements for applicants in respect of delivering sustainable transport solutions in bringing forward development.

The guidance makes it clear that to “ensure a Travel Plan meets the county council's requirements and is realistic in its expectations, it should be developed in partnership between the developer (together with their consultants), future occupants and the local authorities. The strategy of the Travel Plan, including its measures and targets should be developed to deliver an agreed set of objectives”.

HCC's suggested objectives include:

- Improve accessibility by non-car modes
- Reduce the need to travel
- Minimise single occupancy car travel
- Support commercial viability of public transport

⁸⁴ <https://www.hertfordshire.gov.uk/media-library/documents/highways/development-management/section-2-highway-layout-and-strategies-highways-design-guide.pdf>

- Reduce congestion
- Improve the local environment (including air quality and climate change)
- Reduce the cost of travel
- Improve health and wellbeing
- Improve road safety.

The full document, including such matters as contents, implementation and monitoring procedures, can be found at: <https://www.hertfordshire.gov.uk/media-library/documents/highways/development-management/travel-plan-guidance.pdf>

Further Guidance

Guidance on what is required to be included within Transport Assessments and Transport Statements is available on the Government’s website at:

<https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

Electric vehicle charging provision

As part of its commitment to cut vehicle emissions, the UK Government gave a commitment, as part of the Zero Emission Vehicle (ZEV) Alliance, at the International Climate Conference in December 2015 that all passenger vehicle sales by 2050 would be of zero emission vehicles⁸⁵. In 2018, the Government stated that it wished to “ensure the houses we are building over the coming years are EV ready. It is our intention that all new homes should have a chargepoint available”⁸⁶.

Fact Box: The Government has set up the ‘Office for Low Emission Vehicles’ and is offering advice and assistance to aid the support of low emission vehicles and encourage greener travel. The latest updates can be found at:

<https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>

⁸⁵ <https://www.gov.uk/government/news/uk-government-pledges-bold-ambition-for-electric-cars>

⁸⁶ HM Government (July 2018). The Road to Zero: Next steps towards cleaner road transport and delivering our Industrial Strategy: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739460/road-to-zero.pdf

Paragraph 110 of the NPPF, 2019, further states that applications for development: “should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.

Therefore, it is important that applications for new developments should recognise that there will be an increasing modal shift towards electric vehicles and that the design of development will need to accommodate them and their charging requirements as a norm. While it is recognised that supplying active electric charging points to every residential or commercial property may not be feasible in the short-term due to current energy network supply availability, the infrastructure to enable future connection should be provided from the outset of development. This would not only allow for the ability to connect in the future without expensive retrofitting, it would also avoid despoiling finished footways and road surfaces, to the detriment of the local environment.

Therefore, planning applications should include the delivery of an electric vehicle charging scheme for all developments, where possible. While the Council will seek to maximise provision to encourage the use of lower polluting vehicle technologies (with further details regarding standards provided in the Vehicle Parking Provision at New Developments SPD), it will consider each application on its individual merits, taking into account site specific factors.

East Herts Council has itself installed electric vehicle parking charging points in various public car parks across the district and also operates a fleet of electric vehicles through an e car club scheme which is available to employees to use on Council business during office hours and is also available for the general public to hire outside of those times.

Electric Vehicle Car Club:

Many East Herts Council employees are signed up to the Council's Electric Car Club scheme, available for public use through a car hire scheme out of office hours: <https://www.eastherts.gov.uk/highways-parking/access-e-cars-east-herts>



Contributions towards passenger and community transport initiatives

In bringing forward proposals, it is accepted practice for contributions to be sought towards measures that are intended to mitigate the transport impacts of development. Current guidance (in the process of being updated) can be found on HCC's website at: <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/property/planning-obligations-guidance.aspx>

In assessing the level of contributions (and/or provision of services) appropriate for each proposal, the Council will continue to work with HCC to determine the best solutions on a site specific basis, with a focus on obtaining the optimum sustainable measures. Outside of traditional transport provisions, the Council, in conjunction with HCC, is willing to explore innovative sustainable solutions with applicants, such as demand responsive initiatives (e.g. Dial-a-ride, Arriva Click etc.); App based schemes and other emerging technologies; and community transport schemes, etc.

As new innovations become more accepted practice and affordable, for example anticipated advances in emerging autonomous vehicle technology, such schemes will also be considerations to be taken into account.

An example of a successful community led scheme is the SawboBus, which operates through Sawbridgeworth, connecting to local areas throughout the town. The scheme, which was launched by Sawbridgeworth Town Council in 2009, receives grants from East Herts District Council and some local Essex councils, along with commercial sponsors who also help fund the service. The scheme is an excellent example of a community response to the axing of traditional bus provision and provided over 22,000 passenger journeys in 2015. The scheme may also serve as an example model for potential future community based services that may be brought forward through development.



Submission requirements

To ensure compliance with the relevant District Plan policies All new residential and non-residential development must submit a completed Sustainability Checklist to demonstrate that relevant criteria below relating to Sustainable transport have been considered and explained.

Applicants should also submit a Design and Access Statement (to include a movement framework) if development accords with the requirements in the national validation list for Planning and Listed Building Consent Applications:

<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2019-12/National%20Validation%20List%20for%20Planning%20and%20Listed%20Building%20Consent%20Applications.pdf>.

Provision of electric charging points must comply with the requirements of the Vehicle Parking Provision at New Development SPD. A scheme for Electric Vehicle Charging Point Provision should therefore be submitted as part of the application submission.

In addition depending on the scale of development, all developments that will generate significant amounts of transport movement are required to submit the following:

- Travel Plan
- Transport Statement
- Travel Assessment

Further details of submission requirements for applications can be obtained via the Council's website at: <https://www.eastherts.gov.uk/planning-building/make-planning-application>.

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 11 below.

Table 11: Sustainable Transport Checklist

Sustainable Transport		
Ref	Checklist criteria	Summary of approach to address the criteria
T.1	Have you demonstrated that the development includes measures that reduce the overall need to travel, and particularly by private car? (See SPD section 8.2.2)	
T.2	Have you demonstrated how, as first principles of design, the scheme's proposals prioritise walking and cycling within the development and link with existing networks beyond the development to deliver healthy and walkable neighbourhoods? (See SPD section 8.2.3)	

Sustainable Transport

<p>T.3</p>	<p>Where cycling facilities and any bus stops and/or transport hubs are to be provided, have you demonstrated that they accessible and attractive for all users and offer appropriate shelter? (See SPD section 8.2.3)</p>	
<p>T.4</p>	<p>Have you included measures (traditional and/or innovative) to encourage uptake of more sustainable modes of transport and engender modal shift from the outset of development? (See SPD section 8.2.2 and 8.2.3)</p>	
<p>T.5</p>	<p>Have you developed and submitted to HCC an appropriate Travel Plan, Transport Assessment and/or Statement (as appropriate)? (See SPD section 8.2.4)</p>	
<p>T.6</p>	<p>Where car parking is to be provided, have you provided justification for the number of spaces proposed and made provision for electric vehicle charging in</p>	

Sustainable Transport	
	accordance with the Vehicle Parking Provision at New Developments SPD?

The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A: combined checklist. ~~is included in Appendix A.~~ The checklist can also be used as part of the pre-application process

Sustainable Waste Management

Policy Context

There are three main categories of waste in the UK: construction; household; and commercial and industrial. The largest contributor to waste is the construction and demolition industry, which generates a third of all UK waste. Household waste recycling rates in England have risen from around 11% in 2000/1 to about 45%. Recycling rates in construction have also improved over the same period. But since 2013 rates for both have plateaued. The current goal is to ensure 65% of municipal waste is recycled by 2035 and to eliminate food waste from landfill.

Although waste reduction is not solely a planning issue, planning has an important role to play in ensuring all new development is designed to reduce construction waste and to facilitate future occupiers to reduce and recycle waste.

National Policy

A key aim of the Government's 25 year Environment Plan⁸⁷ is to eliminate unavoidable waste by 2050. To help deliver this goal, the national Resources and waste strategy⁸⁸ was published in 2018, focusing on the concept of the circular economy. The strategy seeks to ensure sustainability is at the core of resource management by keeping resources in use as long as possible and recovering and regenerating materials. It highlights the key role the planning system has in taking forward the circular economy concept both in terms of resource use and the integration of design for sustainable waste management.

The principles about the circular economy are reiterated in the Environment Bill (2020), which is currently progressing through parliament. The Bill includes a range of waste and resource measures to minimise the amount of waste disposed. To support recycling it will stipulate material that must be collected from all households and businesses, including food waste. It will set requirements about the frequency of collection, which will have implications for the Council's collection service.

⁸⁷ Greening the Future: A 25 Year Plan to improve the Environment (2018)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/693158/25-year-environment-plan.pdf

⁸⁸ Our Waste, Our Resources: A Strategy for England (2018)
<https://www.gov.uk/government/publications/resources-and-waste-strategy-for-england>

The NPPF (2019) identifies the need to minimise waste through the planning system. The National Planning Policy for Waste (2014) provides more detail. Paragraph 8 states that when determining planning applications for non-waste development, local planning authorities should ensure new development supports the delivery of the waste hierarchy by making sufficient provision for waste management, promoting good design to secure the integration of waste management facilities and by maximising reuse/recovery opportunities for construction and operational waste, which minimise off-site disposal⁸⁹.

Local Policy

District Plan policies

- DES4 Design of Development
- CC2 Climate Change Mitigation

Waste Local Plan

- Policy 12: Sustainable Design and Construction

Waste Local Plan Review

- Policy 15: Sustainable Design and Resource Efficiency

Type of Development

- Residential and non-residential development

Submissions Requirements

- Sustainability Checklist

Link to Sustainability checklist

- W.1, W.2, W.3

The District Plan outlines that the design and construction of development should help reduce waste. **Policy DES4** Design of Development expects proposals to make provision

⁸⁹ Para 8, NPPW (2014)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/364759/141015_National_Planning_Policy_for_Waste.pdf

for the storage of bins and ancillary household equipment. Policy CC2 Climate Change Mitigation promotes the re-use and recycling of waste and recycling where possible.

Hertfordshire County Council is the waste planning authority and produces the Waste Local Plan, which forms part of the development plan for East Herts. The Waste Local Plan comprises of the Waste Core Strategy and Development Control Policies and the Site Allocations Document. It is underpinned by the objective to move waste management up the waste hierarchy as follows:

- Reduce the quantity of waste produced.
- Reuse waste materials without further processing
- Recover the value of waste materials through recycling, composting or energy recovery.

Policy 12 of the Waste Core Strategy and Development Management Policies Plan relates to the design and construction of new development. It requires proposals to use construction and demolition methods that minimise waste generation and re-use/recycle materials and buildings, as far as practicable on site; minimise the use of primary aggregates and use materials made from recycled and secondary sources. The policy also requires good and innovative design with layout principles that allow for the effective sorting, recycling and composting of waste where appropriate.

The County Council is currently in the process of reviewing the Waste Local Plan. Strategic **Policy 15** of the draft Waste Local Plan (2021) requires the submission of Circular Economy Statements. Details are available on their website: www.hertfordshire.gov.uk/planning

The County Council is currently in the process of reviewing the Waste Local Plan. An initial consultation took place in 2018 and a draft plan will be published for consultation later in the year. Details are available on their website: www.hertfordshire.gov.uk/planning

Topic Guidance

Waste in East Herts

Hertfordshire County Council's Capacity Gap Report (2018)⁹⁰ produced to support the Waste Local Plan review, identifies Construction, Demolition and Excavation waste to be the most significant capacity gap for Hertfordshire (when compared to the other capacity gaps for the other waste streams in Hertfordshire) and therefore every effort must be made to reuse and recycle construction waste for any development.

In terms of waste management in East Herts, waste and recycling collections are predominantly wheeled bin collections for both residential and commercial developments. At residential developments waste storage and collections must comply with the Council's current waste collection service requirements and take account of any agreed future changes.

At commercial or industrial premises, adequate provision for waste and recycling storage and management is required; however this is assessed on an individual basis and may require collections from a specialist contractor, and the use of specialist infrastructure such as compactors or skips.

The household recycling rate in East Hertfordshire is currently around 50% and the Council aims to increase the recycling rate over future years, a reduction in residual bin capacity and an increase in recycling bin capacity should therefore be anticipated by developers.

Waste hierarchy

The principles of the waste hierarchy can be applied throughout the life of a development. There are five basic strategies for dealing with waste: reduce, re-use, recycle, recovery and only as a last resort, dispose. This hierarchy is outlined below in figure 12.

⁹⁰ <https://www.hertfordshire.gov.uk/services/Recycling-waste-and-environment/Planning-in-Hertfordshire/Minerals-and-waste-planning/Waste-Planning/Waste-Local-Plan-Review/Waste-Local-Plan-Review.aspx>

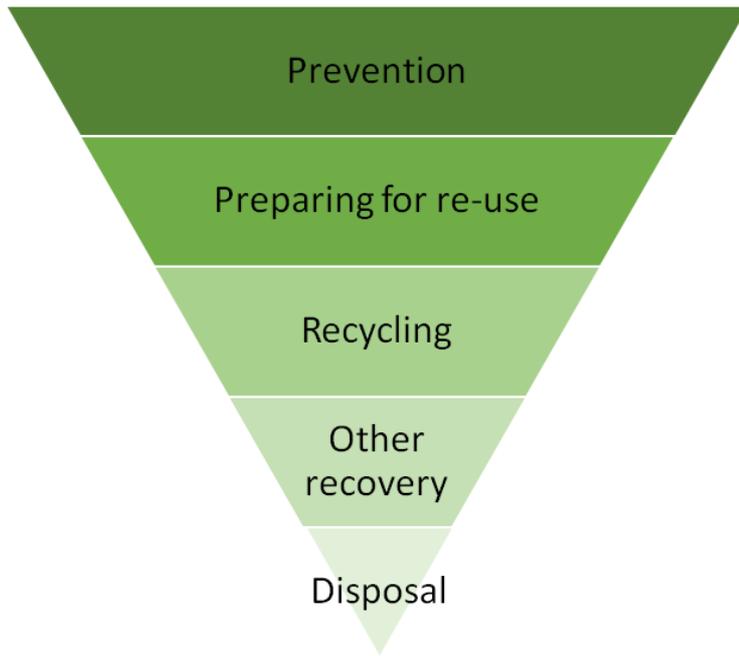


Figure 12: Waste Hierarchy

Waste prevention sits at the top of the hierarchy, making it the primary objective in any waste strategy. The UK Government has introduced a landfill tax, aggregate levy and other waste management regulations to encourage the diversion of waste from landfill, promote re-use and recycle strategies and emphasise environmental responsibilities. Waste prevention can be built into the design of many developments by using less materials or by using materials with a longer life span, as well as less hazardous materials.

Construction Waste

In accordance with the Waste Local Plan and District Plan Policy CC2 Climate Change Mitigation, applicants should outline how construction and demolition waste will be reduced and re-use and recycling encouraged.

The use of secondary and recycled aggregates will reduce reliance on the extraction of primary resources and reduce the waste sent for final disposal and is in line with the Circular Economy. The circular economy relates to the concept of recycling and re-using materials within the built environment sector and essentially aims to reduce the carbon footprint of a development from start to finish. The concept relates to guidance about of embodied energy in the Carbon and Energy Reduction section of this SPD.

There are a range of measures that can be applied at all scales of development, to reduce waste during the construction of development. WRAP (Waste and Resources Action Programme) have identified five key principles to reduce waste during the design process:

- Design for re-use and recovery
- Design for off-site construction
- Design for materials optimisation;
- Design for waste efficient procurement; and
- Design for deconstruction and flexibility.

Construction standards such as BREEAM or HQM can be used to gain credits under the waste section of the methodology. For larger developments (over 50 homes) conditions may be used to secure submission and implementation of Site Waste Management Plans. Hertfordshire County Council is planning to introduce guidance on these as part of the Local Waste Plan Review.

Resource Management Plans (RMPs) (these are similar too SWMPs) can also be encouraged to promote resource efficiency and to prevent illegal waste activities. Resource efficiency includes minimising waste at source and ensuring that clients, designers and principal contractors assess the use, reuse and recycling of materials and products on and off the site. Circular Economy Statements are also encouraged as good practice. As part of their current Waste Local Plan Review, the County Council are planning to require development proposals to submit circular economy statements. They are currently producing guidance to inform this process, and something the County Council are planning to implement via their Local Plan Review.

Further Guidance

For an overview of circular economy statements:

- Mayor of London (2020) Draft Circular Economy Statements

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

Designing Provision for Sustainable Waste Management

The design measures required to facilitate sustainable waste management depend on the scale and type of development.

Waste and Recycling Capacity - Residential Premises

Experience shows that residents who are responsible for their own individual waste containers are more likely to recycle and cause less contamination. Wherever possible, therefore, individual containers for each dwelling are preferred.

The Council acknowledge, however, that communal provision is sometimes necessary and can be more advantageous where space is at a premium. It is vital that adequate space and arrangements for the storage and collection of waste and recycling are considered at the earliest stage. The design must take space requirements and the on-going operational arrangements into account. If communal waste storage is likely to be required please refer to the section on flats below.

Internal Storage

Provision of sustainable waste management solutions requires the provision of internal storage capacity. This is fundamental in ensuring that residential premises have sufficient space to facilitate recycling by the separation of waste streams at the point of production.

As a minimum an internal capacity of 40 litres should be provided in the kitchen of each dwelling. This capacity should be divided to allow for the segregation of residual waste and recycling. In addition it is also recommended to allow for the separation of food waste to facilitate the government's vision of separate weekly food waste collections.

External Storage – General

As a minimum developers are required to provide sufficient, off street, external storage space, for the containers required by the waste collection authority. This can be provided in purpose built bin stores. Waste and recycling collections are made utilising multiple receptacles. Details of the current receptacles and capacity requirements can be found on East Hertfordshire Council's website.

The following principles should be taken into account:

- For developments with gardens on site composting facilities should be considered, either in the form of 'home' composting units or wormeries at houses, or garden composting facilities for grounds maintenance activities as part of the developments ongoing maintenance.
- The design of all waste storage areas should take account of additional fire risks associated with the storage of waste and any additional risks should be mitigated by the design. Where waste stores are integrated into the building

sprinkler systems should be considered. Waste storage must not present a risk to any escape route in the event of a fire.

- The location of waste storage should also seek to minimise environmental impact i.e. by preventing the escape of litter or waste water runoff, and seek to prevent nuisance to users or residents. i.e. collection points not under windows, in particular bedroom windows which may be impacted by the noise from early morning collections.
- Storage areas should therefore be appropriately located with easy access for residents. Access to external storage areas should be at a distance of no more than 30m from the private entrance door to the property. Residents should not be required to move their waste receptacles more than 25metres to a collection point, (usually kerbside) in accordance with Building Regulations Approved Document H Guidance.
- The surface from the storage point to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre, with a maximum gradient of 1:12.
- It is not recommended that residents or collection staff are expected to pull bins past parking bays. This often leads to bins being left out on the pavements or grassed areas and interrupts the design of the streetscape.

For large scale developments innovative waste management solutions should be considered and early consultation with the Council (waste collection authority) is required. For areas with high density housing; solutions such as underground bin systems may provide benefits to the streetscape.



The design of underground bins varies considerable and in turn so can the collection methodology and impact on the street environment. The designs seen in the UK predominantly fall into three types: those relying on a hydraulic platform to house 'standard' bins, bottom opening crane lifted, and top opening crane lifted.



Where solutions are proposed which differ from the standard services being provided by the authority, the developer will be expected to fund any infrastructure required to facilitate collections.

External Storage – Flats

Waste and recycling collections are made utilising multiple receptacles. Details of the current receptacles and capacity requirements can be found on East Hertfordshire Councils' website, however as a guide provision should be made for the following as a minimum:-

- Mixed dry recycling: 45 litres per person (fortnightly collection) (Up to 1100L bin size)
- Paper: 10 litres per person. (fortnightly collection) (Up to 360L bin size)
- Residual waste: 50 litres per person (fortnightly collection) (Up to 1100L bin size)

Capacity requirements for individual flats should not be considered in isolation but should account for the cumulative total of all capacity requirements for the properties serviced by the bin store.

Table 12: Recycling capacities required in flats

Number of Bedrooms	Assumed Occupancy	Capacity Requirements per flat
1	2	90L Mixed dry recycling 20L Paper 100L Residual waste
2	3	135L Mixed dry recycling 30L Paper 150L Residual waste
3	4	180L Mixed dry recycling 40L Paper 200L Residual waste

As an example a flat block containing, 8 x 1 bedroom units, 6 x 2 bedroom units and 2 x 3 bedroom units would accumulate totals of: 1,890L mixed dry recycling, 420L paper, 2100L residual waste.

A bin store layout containing 2 x 1100L bins (mixed dry recycling), 2 x 240L bins (paper) and 2 x 1100L bins (residual waste) would therefore be considered appropriate.

The following principles should be taken into account:

- Access to external bin stores can be problematic for elderly residents and for those with disabilities. Their design should therefore encompass the needs of all potential residents. Bin stores should either have adequate natural lighting or artificial lighting as necessary to ensure residents can clearly utilise the correct bins and to ensure access does not pose a health and safety risk.
- There is no requirement for separate bin stores for residual and recyclable waste; however sufficient segregation of bins should be possible within the bin store to prevent confusion.
- Bins in communal bin stores should be manoeuvrable to the refuse collection vehicle without the need to move other bins; this should therefore also give sufficient access space for residents in wheelchairs.
- Management arrangements should be put in place to ensure bin stores are regularly maintained, kept clean and tidy and free from pests.
- In bin stores housing multiple bins, drainage should be provided to allow for the washing down of storage areas and preventing run off. Walls and doors should have protection strips to prevent damage and a mechanism for holding doors open should be available. Doors to bin stores should be sufficient in width to allow the movement of bins at their widest and prevent entrapment of limbs. This is likely to be a minimum of 20cm in addition to the widest bin contained in the bin store. Doors should ideally be keypad entry or standard fire brigade keys. We do not support the use of electronic key fobs. Roller shutters on bin stores can be considered to save space however the additional noise impacts should be considered.
- The surface from the storage point to the collection point should be uninterrupted, level with no gravel or similar covering, and have a width to enable the easy passage of wheeled bins. For two-wheeled bins this should be 1 metre, for four-wheeled bins this should be 1.5 metres wide (including doorways), with a maximum gradient of 1:12.

Further Guidance

Further guidance on storage design can be found in 'Avoiding Rubbish Design – NHBC Foundation'

<http://www.designforhomes.org/wp-content/uploads/2020/04/NF60-Avoiding-rubbish-design.pdf>

Waste and Recycling Capacity - Commercial Premises

Waste storage capacity in commercial or industrial premises is dependent on the activity taking place at the premises. Alternative treatment, storage and collection methodologies can be considered based on the needs of the business and availability of private contractors to undertake collections.

A minimum of one third of waste storage capacity for recyclable waste is required; however it is advised to consider space to allow for half of waste materials to be recycled. Where food is served or sold on the premises then additional separate space for storage or processing of food waste is required.

In all instances sufficient controls should be put in place to prevent the escape of waste from premises, in particular waste and recycling storage areas. For retail premises, in particular those selling food, sufficient controls should also be in place to prevent the escape of litter created by customers or users of the premises.

Waste Collection

Access for waste collection is required for all developments. It is therefore necessary to ensure that a waste collection vehicle can get access close to any waste collection points. In all instances pull distances from the storage or collection point to the collection vehicle should not exceed 15m for two wheeled bins and 10m for 4 wheeled bins in accordance with BS5906:2005⁹¹. It is expected that where bin stores are proposed in communal flat developments or commercial premises that collection operatives will collect bins from these locations. Bin stores should front onto the highway or vehicle access location where possible.

Applicants should note that waste and recycling collections from houses occur from the kerbside and residents will be required to present their bins in this location on collection day. Should a developer wish to propose an alternative collection point this

⁹¹ Waste Management in Buildings- Code of Practice: <https://www.rbkc.gov.uk/pdf/BS5906-2005.pdf>

should be discussed and agreed in advance of any planning application. It is recommended that the developer consider 'communal' kerbside collection points. This prevents cluttering of footpaths on collection days and ensures sufficient access is available for collection staff.

Where new access is proposed for waste collection vehicles it is necessary to demonstrate that a 26t mid-steer refuse collection vehicle can access and leave the site in a forward motion, vehicle tracking diagrams must therefore be provided. Access in residential developments is not usually required more than twice a week and therefore consideration could be given to specialist access routes similarly used by emergency vehicles, where the restriction of vehicular access is the preference. This type of access should be in consultation with the waste collection authority in advance of any planning application and all unadopted road surfaces must have sufficient weight bearing capacity to ensure vehicles do not cause damage during normal collection activities. No liability will be accepted by the Council for damage on unadopted roads where waste collection is required. Reversing manoeuvres should be avoided, however where these cannot be avoided they should be no more than 12m in accordance with BS5906:2005.

Dropped kerbs and gradients of no more than 1:12, should be provided to allow for ease of movement of bins to the collection vehicle and the pathway should be 1.5m in width taking the most direct route avoiding passing parked cars.

Consideration should be given to visibility splays and parking arrangements alongside or opposite the access to individual streets. If car parking is likely in the vicinity of junctions then parking restrictions may be required to ensure access is not inhibited. This may apply to existing parking arrangement not just arrangements associated with the new development.

Local Authority waste collection will not commence until road surfaces are complete to base layer and access is not unreasonable (refer to Environmental Protection Act S.45) and not hindered by ongoing construction work. Until these criteria are met, and where a development requires a waste collection service, provision will have to be made by the developer at their cost.

Summary of requirements

Table 13: provides a summary of the design considerations that need to be addressed

Houses	Flats	Additional requirements for developments requiring vehicle access	Commercial
Full complement of waste and recycling receptacles provided	Full complement of waste and recycling receptacles provided	Vehicle access point is suitable weight bearing standard	Reversing manoeuvres are less than 12m in a straight line
Off street bin storage area provided	Internal (kitchen) waste and recycling storage provision	Roadway has suitable visibility splays	Bins can be moved independently from the bin storage area without having to move other bins
Home composting facilities provided	Off street bin storage area provided	Roadway is drive in and drive out	Bin compounds/stores have keypad entry or fire brigade locks
Bin storage location within 30m of the main dwelling entrance/exit	Bin storage location within 30m of the private dwelling entrance/exit	Reversing manoeuvres are less than 12m in a straight line	Bin compounds/stores have protection strips on doors
Bin storage location within 25m of the kerbside or bin collection point	Bin storage location within 10m of the kerbside or bin collection point	Vehicle tracking is provided	Bin compounds/stores have doorways which are wider than 20cm plus the largest bin width
Bins are not required to be pulled through the house by residents.	Bin collection point is kerbside		Pathways are 1.5m wide
Bin collection point is kerbside	Bins can be moved independently from the bin storage area without having to move other bins		Pathways take the most direct route to the kerbside
Bins are not required to be pulled by collection	Bin compounds/stores have keypad entry		Pathways have a gradient of no more than 1:12

Houses	Flats	Additional requirements for developments requiring vehicle access	Commercial
crews past parked cars	or fire brigade locks		
	Bin compounds/stores have protection strips on doors		Pathways are smooth surfaced
	Bin compounds/stores have doorways which are wider than 20cm plus the largest bin width		Bins are not required to be pulled by collection crews past parked cars
	Pathways are 1.5m wide		
	Pathways take the most direct route to the kerbside		
	Pathways have a gradient of no more than 1:12		
	Pathways are smooth surfaced		
	Bins are not required to be pulled by collection crews past parked cars		
	A dropped kerb gives access to the vehicle access point		

Submission requirements

To ensure compliance with the relevant District Plan policies all new residential and non-residential development must submit a completed Sustainability Checklist to

demonstrate that relevant criteria below relating to Sustainable Waste Management have been considered and explained.

Applicants should also submit a Design and Access Statement (to include access details) if development accords with the requirements in the national validation list for Planning and Listed Building Consent Applications:

<https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2019-12/National%20Validation%20List%20for%20Planning%20and%20Listed%20Building%20Consent%20Applications.pdf>.

In addition the following information is required:

- Site plans indicating waste and recycling storage locations and collection locations.
- Transition pathways and distances from storage locations to collection locations, where these differ.
- Transition pathways and distances from collection locations to collection vehicle access points.
- Vehicle tracking for 26t mid-steer Refuse Collection Vehicles, where access to the development is required.
- Detail and design information for bin storage locations for flats and commercial or industrial businesses.
- Detail of internal waste and recycling storage provision in kitchens of residential premises.
- Detail of proposals for the ongoing management of litter at retail developments.

Further details of submission requirements for applications can be obtained via the Council's website at: <https://www.eastherts.gov.uk/planning-building/make-planning-application>.

Relevant requirements in the Waste Local Plan, to submit a site waste management plan or circular economy statement should be taken into account. Further details are available on the County Council website: www.hertfordshire.gov.uk/planning.

Further guidance and pre-application advice is available from the Council as the waste collection authority: WasteandRecycling@north-herts.gov.uk

Checklist

Reflecting policy requirements and the topic guidance, the following checklist principles need to be addressed as outlined in table 14 below.

Table 14: Waste Management checklist

Waste Management		
Ref	Checklist criteria	Summary of approach to address the criteria
W.1	Have measures been proposed to reduce, re-use and recycle construction and demolition waste? <u>(See SPD Sections 9.2.2 and 9.2.3)</u>	
W.2	How has the internal and external design of the development factored in effective sustainable waste management measures? Has sufficient detail been submitted with the application? <u>(See SPD Section 9.2.4)</u>	
W.3	Have all the relevant criteria identified in table 13 of the SPD been addressed? <u>(See SPD Section 9.2.4)</u>	

The checklist needs to be submitted with applications for all new development. The level of detail submitted needs to be proportionate to the scale of application. This statement is explained in Appendix A; the combined checklist is included in Appendix 1. The checklist can also be used as part of the pre-application process.

Appendix A: Combined Submission checklist

The sustainable design and construction submission checklist needs to be submitted with applications for all new development (that result in a residential net gain of 1 dwelling and above or an increase in non-residential floorspace) and can also be used as part of the pre-application process..

The purpose of this checklist is to explain and evidence how the proposed development complies with District Plan policies that seek to improve the environmental sustainability of new development. The checklist topics and criteria reflect the sustainable design and construction guidance set out in this SPD.

The checklist should be used as a tool to provide an overview of how a scheme addresses different aspects of sustainability, although each application will be assessed on its own merit, taking account local circumstances. It does not replace other application submission requirements, but aims to provide an overarching framework to help facilitate the assessment of different, often overlapping, strands of sustainability.

Applicants should:

- Briefly summarise/ explain how their proposal complies with the relevant criteria, signposting to other relevant statements/ surveys as appropriate (for example, the transport assessment, biodiversity checklist and Sustainable construction, Energy and Water Statement). The checklist does not need to repeat detailed information submitted elsewhere, but should provide an overview of the approach taken in the scheme.
- Ensure answers are explained and justified, not simply 'yes' or 'no' or 'not applicable';
- Use District Plan policies and the relevant sections in the SPD to inform responses;
- Ensure the level of detail submitted is proportionate to the type of application. For outline applications, the relevance of criteria will depend how many matters are reserved. Given the importance of incorporating sustainability measures early into the design process (as outlined in section 2 of the SPD), the Council think it is important that the checklist is considered at the outline stage. However, it is recognised it may not be possible to provide all the information required. In these circumstances, the applicant should demonstrate which checklist criteria are not applicable to their proposal.

Ensure the level of detail submitted is proportionate to the scale of application. While major applications will require significantly more input than others, it is appropriate that all submissions should consider the sustainable design and construction issues raised and provide a response.

Refer to the Council's website for further details about the submission requirements of particular applications:

<https://www.eastherts.gov.uk/planning-building/make-planning-application>

Energy and carbon reduction		
Ref	Checklist criteria	Summary of approach to address the criteria
En.1	<p>Have carbon reduction calculations been included in <u>Does the Sustainable construction, Energy and Water Statement detail how the proposed development's carbon emissions have been minimised and to what extent?</u></p> <p>Have full and reserved matters planning applications also included a carbon reduction template within the statement? (See SPD Section 3.3 and appendix B for a carbon reduction template)?</p>	
En.2	<p>How have the site layout and building orientation and form been designed to minimise energy use? <u>E.g. passive solar gain, natural shade, natural ventilation, thermal mass)</u></p> <p>(See SPD section 3.2.3)</p>	
En.3	<p>What proportion of the total number of buildings, are orientated to secure optimum solar gain? (East West axis)</p>	
En.4 En.3	<p>How has the energy hierarchy been applied to prioritise reducing the</p>	

Energy and carbon reduction		
	<p>need for energy and implementing the 'fabric first approach'?</p> <p>(See SPD sections 3.2.2 and 3.2.3)</p>	
En.5 En.4	<p>How will you ensure that where renewable/ low carbon technologies have been included to reduce carbon, that these will be successfully integrated into the design of the development?</p> <p>(See SPD sections 3.2.4 and 3.2.5)</p>	
En.6 En.5	<p>How has the energy embodied in construction materials been reduced? (e.g. reuse and recycling/ sustainable materials/ locally sourced)</p> <p>(See SPD section 3.2.6)</p>	
Climate Change Adaption		
Ref	Checklist criteria	Summary of approach to address the criteria
CA.1	<p>How have the site layout and buildings been designed to mitigate overheating, giving priority to measures in line with the cooling hierarchy?</p> <p>((See SPD section 4.2.2)</p>	
CA.2	<p>Has an overheating assessment been undertaken? How has <u>overheating been assessed and what measures are proposed to address it?</u></p> <p>(See SPD section 4.2.2)</p>	
CA.3	<p>What Green Infrastructure is proposed?</p> <p>(See SPD section 4.2.3)</p>	
CA.4	<p>How have existing landscape features such</p>	

Energy and carbon reduction		
	as trees/woodlands and hedgerows been protected and incorporated within a Green Infrastructure network?	
CA.5	<u>Where feasible and appropriate</u> , have green roofs or walls been included. Please explain your answer?	
CA.6	Have measures been included to address surface water runoff?	
CA.7	If the application is major development, have details of SUDs been submitted?	
Water efficiency		
Ref	Checklist criteria	Summary of approach to address the criteria
WA.1	For new residential proposals, have you demonstrated compliance with the target for mains water consumption to be 110 litres or less per heard per day in the Sustainable construction, Energy and Water Statement? <u>(See SPD section 5.2.2)</u>	
WA.2	For non-residential development have measures been taken to reduce water consumption in the proposed development? <u>(See SPD section 5.2.3)</u>	
WA.3	Has consideration been given to the using water recycling systems? <u>(See SPD section 5.2.2)</u>	

Ref	Checklist Criteria	Summary of approach to address the criteria
AQ.1	<p>How has the proposal addressed the <u>recommended</u> minimum air quality standards?</p> <p>These apply to all new development as set out in paragraphs xxx of the SPD.</p>	
AQ.2	<p>How does the proposal show consideration of air quality in the design of new development?</p> <p>Design should address the following principles:</p> <ul style="list-style-type: none"> • Building and development layout and design • Emissions from transport • Sustainable energy <p>(See SPD section 6.1.2.4)</p>	
AQ.3	<p>How has emissions mitigation been incorporated into the proposal?</p> <p>(See SPD section 6.1.2.5)</p>	
AQ.4	<p>How will emissions be minimised through the construction and demolition phase of the development?</p> <p>Measures should follow the national guidance set out in paragraph 6.1.2.7 of this SPD.</p>	
AQ.5	<p>Has an Emissions Assessment been carried out as part of the Air Quality Neutral Requirement?</p> <p>The assessment should utilise the Damage Cost Approach outlined in paragraphs 6.1.2.6 of the SPD.</p>	
AQ.6	<p>Has an Air Quality Impact Assessment been submitted?</p> <p>This must be submitted if the proposal meets any of the criteria listed in paragraphs 6.1.3 of the SPD.</p>	
AQ.7	<p>Has an Air Quality Neutral Assessment</p>	

Ref	Checklist Criteria	Summary of approach to address the criteria
	been submitted? This must be submitted if the proposal meets the criteria listed in paragraphs 6.1.3 of this SPD.	
Ref	Checklist Criteria	Summary of approach to address the criteria
LP.1	Does the proposal materially alter light levels outside the development and/or have the potential to adversely affect the neighbouring uses or amenity of residents and road users or impact on local ecology? <u>(See SPD section 6.2.2)</u>	
LP.2	Is the proposed light design the minimum required for security and operational purposes? <u>(See SPD section 6.2.2)</u>	
LP.3	Does the proposal minimise potential glare and spillage? Please detail the design measures adopted to ensure this. <u>(See SPD section 6.2.2)</u>	

Biodiversity

Ref	Checklist criteria	Summary of approach to address the criteria
Bio.1	Have you submitted East Herts biodiversity checklist? <u>(See SPD section 7.3)</u>	
Bio.2	In accordance with the Biodiversity checklist, does the proposal affect a protected species or habitat? <u>(See SPD section 7.2.4 and 7.3)</u>	
Bio.3	If a protected species or habitat has been	

Biodiversity	
	<p>identified, has an ecological survey, with sufficient information been undertaken? (See SPD section 7.2.4 and 7.3)</p>
Bio.4	<p>If a. If relevant, has an ecological survey, with sufficient information been undertaken to assess the likely ecological impact of the development?</p>
Bio.5	<p>Has the mitigation hierarchy been applied undertaken, to demonstrate an adverse impact on biodiversity has been avoided? If this is not possible, has the impact been mitigated and then subsequently compensated? <u>See SPD section 7.2. and 7.3)</u></p>
Bio.6	<p>Has a net gain been achieved using a locally approved biodiversity metric? <u>See SPD section 7.2.5)</u></p>
Bio.7	<p>Has a suitable biodiversity management and monitoring strategy for the site been proposed?</p>
Sustainable Transport	

Biodiversity		
Ref	Checklist criteria	Summary of approach to address the criteria
T.1	Have you demonstrated that the development includes measures that reduce the overall need to travel, and particularly by private car? (See SPD section 8.2.2)	
T.2	Have you demonstrated how, as first principles of design, the scheme's proposals prioritise walking and cycling within the development and link with existing networks beyond the development to deliver healthy and walkable neighbourhoods? (See SPD section 8.2.3)	
T.3	Where cycling facilities and any bus stops and/or transport hubs are to be provided, have you demonstrated that they accessible and attractive for all users and offer appropriate shelter? (See SPD section 8.2.3)	
T.4	Have you included measures (traditional and/or innovative) to	

Biodiversity		
	encourage uptake of more sustainable modes of transport and engender modal shift from the outset of development? (See SPD section 8.2.2 and 8.2.3)	
T.5	Have you developed and submitted to HCC an appropriate Travel Plan, Transport Assessment and/or Statement (as appropriate)? (See SPD section 8.2.4)	
T.6	Where car parking is to be provided, have you provided justification for the number of spaces proposed and made provision for electric vehicle charging in accordance with the Vehicle Parking Provision at New Developments SPD?	
Waste Management		
Ref	Checklist criteria	Summary of approach to address the criteria
W.1	Have measures been proposed to reduce, re-use and recycle construction and demolition waste? (See SPD Sections <u>9.2.2</u> and <u>9.2.3</u>)	
W.2	How has the internal	

Waste Management		
	<p>and external design of the development factored in effective sustainable waste management measures? Has sufficient detail been submitted with the application? (See SPD Section 9.2.4)</p>	
W.3	<p>Have all the relevant criteria identified in table 13 of the SPD been addressed? (See SPD Section 9.2.4)</p>	

Appendix B: Carbon Reduction Template

Notes:

1. The table should be completed for each unit or unit type ~~or residential building envelope proposed as part of a development. Where a building contains multiple dwellings, it is acceptable to assess this issue based on the average energy performance of all dwellings within the building (e.g. for apartments or terraced housing). The area weighted average DER and TER must be calculated in accordance with the block averaging methodology defined in clauses 2.7 and 2.16 of Approved Document L1A. For dwellings where area weighting does not apply, the carbon reduction requirement should be achieved for each unit.~~
2. The Target Emission Rate (TER) and Dwelling Emission Rate (DER) should be derived from the calculations carried out for Building Regulations compliance (Part L).
3. For major development sample or estimates of Standard Assessment Procedure (SAP) calculations should be appended to the Carbon Reduction Statement as evidence of compliance in addition to submission of the table.
4. Alongside the table below, the main body of the Sustainable Construction, Energy and Water Statement should include a summary of the measures proposed to reduce carbon emissions following the energy hierarchy. Where renewable energy technologies are proposed to meet some of the carbon reduction requirement, the location and layout of those technologies should be shown on relevant drawings (for example, roof plans should show the layout of any proposed photovoltaic panels).
5. Where SAP calculations are yet to be completed, the Carbon Reduction Statement should set out the general approach to meeting policy requirements, with a planning condition used to secure submission of carbon calculations once SAP calculations have been carried out.

Appendix C: Air Quality Neutral Benchmarks

Two good practice Building Emission Benchmarks (BEBs) have been defined for NO_x and for PM₁₀ for a series of land-use classes. The benchmarks are expressed in terms of g/m²/annum. The gross floor area (GFA) is used to define the area. For less common types of development it will be for the developer to provide convincing evidence for which BEB should be used.

Air Quality Neutral Benchmarks for Buildings

Land Use Class	NO _x (g/m ²)	PM ₁₀ (g/m ²)
Class A1	22.6	1.29
Class A3 – A5	75.2	4.32
Class A2 and Class B1	30.8	1.77
Class B2 – B7	36.6	2.95
Class B8	23.6	1.90
Class C1	70.9	4.07
Class C2	68.5	5.97
Class C3	26.2	2.28
D1 (a)	43.0	2.47
D1 (b)	75.0	4.30
Class D1 (c – h)	31.0	1.78
Class D2 (a –d)	90.3	5.18
Class D2 (e)	284	16.3

Air Quality Neutral Benchmarks for Transport

Land use	
NO _x (g/m ² /annum)	
Retail	249
Office	68.5
NO _x (g/dwelling/annum)	
Residential	1553

PM₁₀ (g/m²/annum)	
Retail	42.9
Office	11.8
Residential	267

Source: Sustainable Design and Construction Supplementary

Planning Guidance: GLA, April 2014

Appendix D: Advice note - Gas Fired Combined Heat and Power (CHP)

Background

Combined Heat and Power (CHP) is the co-production of electricity and heat and is considered to be a low carbon technology. They recover the heat that is a by-product of electricity generation and distribute it alongside electricity in the form of hot water for space heating. CHP systems are located at the point of consumption meaning there is very little loss of energy through transmission and distribution.

Policies CC2 and CC3 of the Local Plan are committed to minimising carbon dioxide emissions and developing sources of renewable energy. Gas fired CHP is a low carbon technology and may be a viable solution for meeting these policy requirements. However despite these benefits, CHP can lead to a localised worsening of air quality as fuel combustion gives rise to air pollutants if not correctly specified, installed and maintained.

This appendix adds guidance for developers including heat and power through on-site low carbon technologies. It is emphasised that the energy hierarchy set out in the Energy and Carbon Reduction chapter of this document encourages developers to optimise options to reduce energy demand and increase energy efficiency in order to reduce carbon dioxide emissions before implementing on-site low carbon technologies.

As part of the planning process it is important to consider impacts on air quality not only within and near the boundary of the AQMA but also considering the cumulative impacts of development, as set out by Policy EQ4. The emissions from CHP should be considered alongside the wider emissions associated with the development such as plant installation, traffic impacts and where relevant the potential for cumulative impact of multiple CHP plants in a small geographical area, which could lead to localised hotspots of poor air quality.

This advice note focusses solely on gas fired CHP and therefore assumes that the pollutants of interest are nitrous oxides (NO_x). If fuel sources other than gas are being considered installations may fall under other regulatory regimes and other pollutants such as particulate matter (PM) and sulphur dioxide (SO₂) may need to be considered.

The use of biomass CHP should be very carefully considered due to the potential impact on air quality within the local area. The use of biomass combustion is unlikely to be supported within an AQMA or where it may impact on residents unless it can be clearly demonstrated that there will be no adverse impact on air quality. Consideration will also need to be given to the responsible sourcing of biomass fuel and of the transportation impacts of fuel delivery.

Minimising Emissions

It is important to give thought to the design and specification of the system including potential emissions early in the design phase. This will minimise the conflict that CHP can have with wider air quality issues on the area and help overcome any concerns regarding the health impacts of the proposed development. This advice note has been developed to assist with this process.

All CHP installed must meet the following emissions standards⁹²:

- Spark ignition engine: less than 250mgNOx/Nm³
- Compression ignition engine: less than 400mgNOx/Nm³
- Gas turbine: less than 50 mg NOx/Nm³

Giving thought to the wider environmental impacts of the system early on and ensuring the system is optimised for the proposed use not only helps reduce issues later on, but also helps minimise costs. The retrofitting of abatement equipment at a late stage is likely to be far more costly than giving time and consideration at the planning stage. Once installed it is important that the system is appropriately maintained and serviced throughout its functional life.

The impact on air quality will depend on many factors including location, emissions, size and type of plant, flue design and dispersion, what it is replacing, whether it represents intensification of site and whether abatement equipment will be installed. The emissions from CHP should be considered alongside other emissions associated with the development and proposed mitigation.

Type and Design of the Plant

The plant consists of the prime mover which provides the power for the system, electrical generator and heat recovery equipment (this captures waste heat from the

⁹² These standards are set out in the IAQM national air quality guidance available online at: <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

prime mover most often for use as heating and hot water (HHW). CHP can also include cooling. In this case it is known as combined cooling, heat and power (CCHP) and the design will then include absorption chillers.

The type of prime mover has a major impact on the emissions of a system with standards applying to this and not the CHP system as a whole. The two most common prime movers used for gas fired CHP are the internal combustion engine and the gas turbine. Gas turbines produce the lowest emissions and are the most electrically efficient of the two, with modern gas turbines typically incorporating low NO_x burners as standard. They are therefore unlikely to require further abatement features to be in line with emission standards. The combustion engine typically has higher NO_x emissions and should be specified with lean burn technology. Catalytic converters can be installed to reduce NO_x emissions but require further capital outlay. Figure 1 below gives an indicative look at common prime movers and relative NO_x emissions.

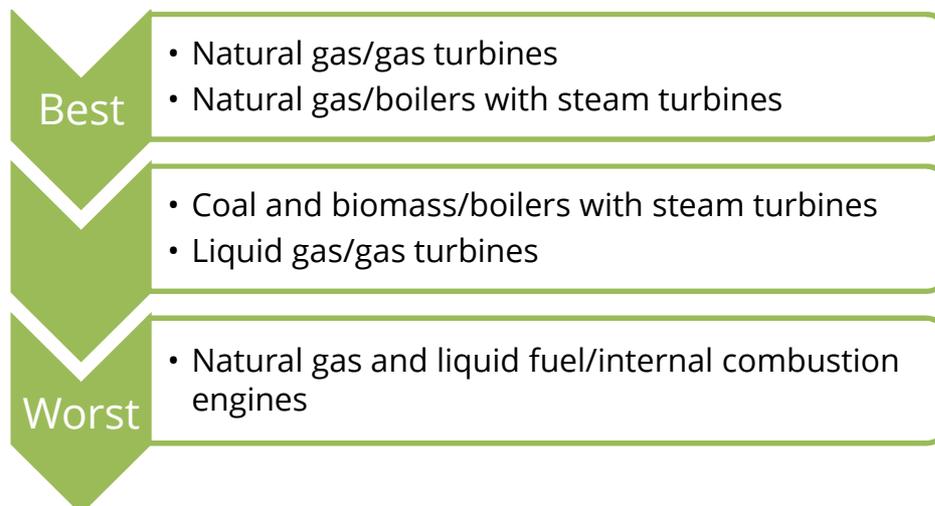


Figure 1: Indicative Relative NO_x Emissions Performance of Common CHP Prime mover Technology/Fuel Combinations

CHP is typically sized to meet base loads; over-specified systems run less efficiently and produce higher emissions. How the system will deal with variable heat loads is also an important part of the design which again will influence emissions. Where peaking plant is installed, emissions should also be considered; and low NO_x boilers should be installed to minimise the emissions of the wider development.

Dispersion of Emissions

Consideration should be given at an early stage to the location and the height of the chimney or flue serving the CHP plant. All combustion plant must terminate as a

minimum 1 metre above the highest point of the building of which the plant serves, or as agreed with the planning authority. Ideally the chimney should be designed as high as possible to aid dispersion and consideration should be given to the height of surrounding buildings and the impact they may have on dispersion.

Under the Clean Air Act (CAA) 1993 details of all new 'furnaces' installed should be submitted to the Local Authority. In some cases chimney height approval may need to be sought and along with a chimney height calculation⁹³.

Dispersion modelling will be required as part of an Air Quality Impact Assessment where a CHP system is to be incorporated into a development.

Conclusion

It is important to consider the design of the proposed CHP system at an early stage. This should include:

- The type of CHP system proposed, the fuel it will use and system design to minimise emissions;
- Whether further abatement equipment be required to meet emission standards;
- Consideration to the flue design and dispersion of emissions;
- Whether dispersion modelling be required as part of an Air Quality Impact Assessment.

This information is typically available in the manufacturer's specification and as part of the plant design.

The recommended emission standards have been established to minimise the impact of wider development on air quality within the local area. These emissions should be considered alongside other emissions from the development and the location of the development. Where a CHP system is proposed, emissions must be evaluated as part of an Air Quality Impact Assessment.

⁹³ DEFRA (2018) Local Air Quality Management Technical Guidance (TG16). Available online at: <https://laqm.defra.gov.uk/documents/LAQM-TG16-February-18-v1.pdf>

This page is intentionally left blank

Sustainability Supplementary Planning Document

Strategic Environmental Assessment Screening Statement

1. The Purpose of this Statement

- 1.1 This screening statement has been prepared to determine whether the proposed Sustainability Supplementary Planning Document (SPD) should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Union Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
- 1.2 The purpose of this SPD is to support the implementation of District Plan policies by providing technical guidance on sustainable design and construction to improve the environmental sustainability of new development. It has been produced to expand particularly on the following District Plan policies:
- DES4 Design of Development
 - TRA1 Sustainable Transport;
 - NE1 International, National and Locally Designated Nature Conservation Sites;
 - NE2 Sites or Features of Nature Conservation Interest (Non-Designated);
 - NE3 Species and Habitats
 - CC1 Climate Change Adaptation;
 - CC2 Climate Change Mitigation;
 - Policy CC3 Renewable and Low Carbon Energy
 - WAT4 Efficient Use of Water Resource;
 - EQ2 Noise;
 - EQ3 Light Pollution;
 - EQ4 Air Quality
- 1.3 The key aims of the SPD are to provide transparent, holistic guidance for applicants, with more detail about District Plan policy requirements and expectations. By requiring submission of a sustainability checklist the SPD will ensure applicants consistently submit relevant information to demonstrate compliance with policy. It will also help officers and councillors assess the environmental credentials of developments and encourage developers to go further than current policy, to demonstrate excellence in sustainable development. Once adopted the SPD will be a material consideration in planning decisions.

2. Strategic Environmental Assessment – Regulatory Requirements

- 2.1 The basis for Strategic Environmental Assessment legislation is European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations). Detailed guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM, 2005) and Paragraph 11-008 of the Planning Practice Guidance (PPG), which states that "supplementary planning documents do not require sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the local plan.
- 2.2 Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulations (2004), certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment.
- 2.3 The objective of Strategic Environmental Assessment is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development.
- 2.4 The 2001 Directive has been updated a number of times, with the most recent Directive issued in April 2014. While Article numbers cited in the 2005 guidance have been updated/removed, the principle of determining whether a Plan or Programme will have likely significant effects on the environment remain the same. Therefore, this screening statement uses the only Government guidance available.

3. The Strategic Environmental Appraisal Process

- 3.1 The first stage of the process is for the Council to determine whether or not the SPD is likely to have significant effects on the environment. This screening process includes assessing the SPD against a set of criteria (as set out in Schedule 1 of the SEA Regulations). The results of this are set out in Appendix 1 of this statement. The aim of this statement is therefore to provide sufficient information to demonstrate whether the SPD is likely to have significant environmental effects.
- 3.2 The Council also has to consult the Environment Agency, Historic England and Natural England on this screening statement. A final determination cannot be made until the three statutory consultation bodies have been consulted.
- 3.3 Where the Council determines that a SEA is not required, Regulation 9(3) of the SEA Regulations states that the Council must prepare a statement setting out the

reasons for this determination. This statement is East Herts Council's Draft Regulation 9(3) statement.

4. Other Regulatory Considerations

Sustainability Appraisal

- 4.1 Whilst there is no statutory requirement to undertake a Sustainability Appraisal (SA) of the Sustainability SPD, the Council has considered whether an SA of this SPD is required. The Council has determined that the SPD is unlikely to have significant environmental, social or economic effects beyond those of the District Plan policies it supplements. This SPD does not create new policies and only serves to provide useful guidance on how to effectively and consistently implement the environmental sustainability policies in the East Herts District Plan, which has been subject to a fully comprehensive SA process, incorporating SEA.
- 4.2 More information on the Sustainability Appraisal of the East Herts District Plan can be viewed on the Council's website: [East Herts District Plan](#).

Habitats Regulations Assessment

- 4.3 In addition to SEA and SA, the Council is required to consider Habitats Regulations Assessment (HRA). HRA is the process used to determine whether a plan or project would have significant adverse effects on the integrity of internationally designated site of nature conservation importance, known as European sites. The need for a HRA is set out within the Conservation of Habitats and Species Regulations 2010, which transposed EC Habitats Directive 92/43/EEC into UK law.
- 4.4 As with the SA, the District Plan was also subject to a comprehensive HRA. The HRA screened out the housing policies at an early stage, concluding that they were unlikely to have a significant effect on the integrity of European Sites. As the purpose of this SPD is to expand upon these policies, the Council has determined that a HRA is not required.
- 4.5 More information on the Habitats Regulations Assessment of the East Herts District Plan can be viewed on the Council's website: [East Herts Council](#).

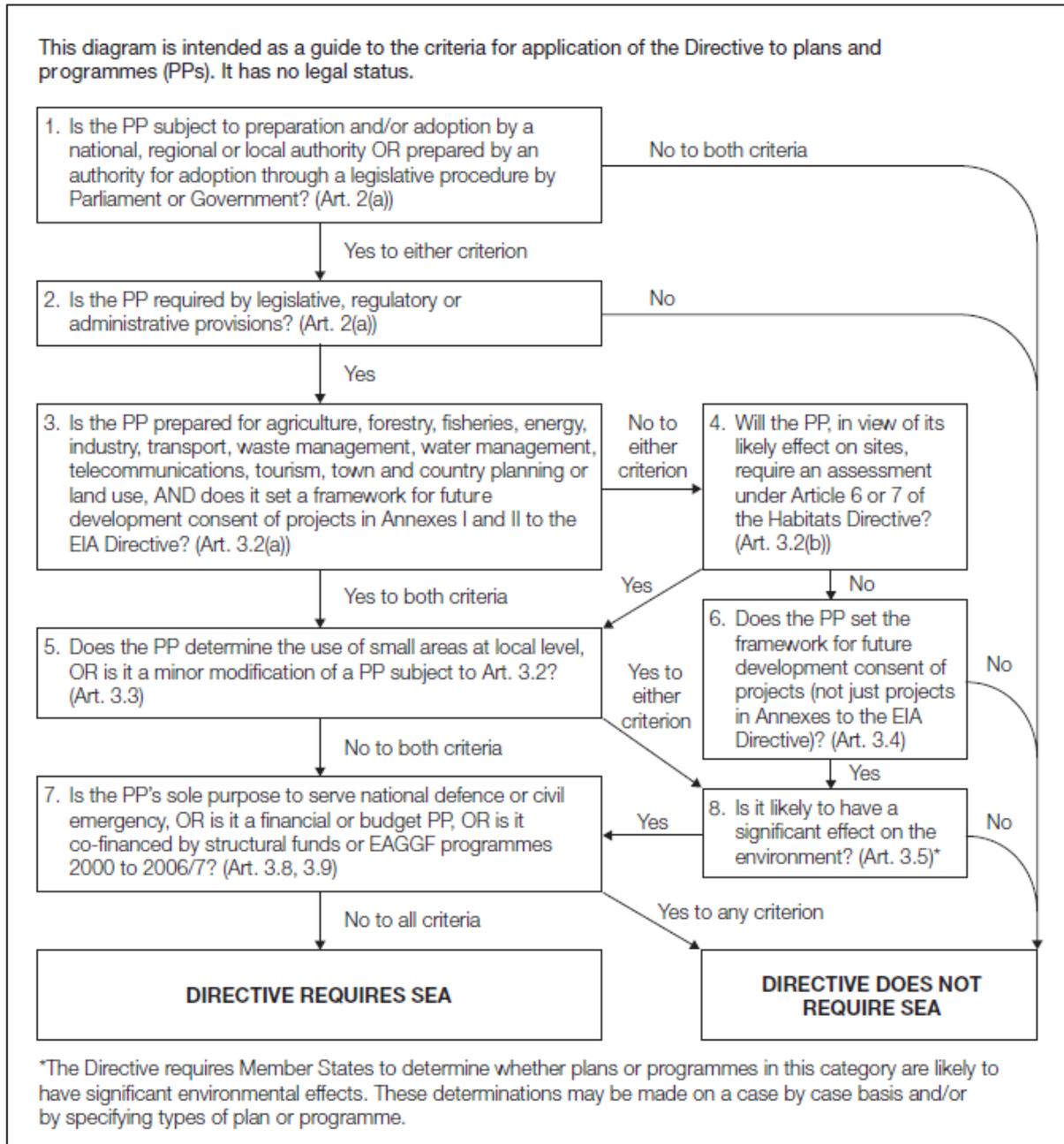
5. Conclusion

- 5.1 On the basis of the screening process, it is the Council's opinion that the Sustainability SPD does not require a Strategic Environmental Assessment or Sustainability Appraisal. This is because there will be no significant environmental, social or economic effects arising from its implementation, as it seeks only to expand upon and provide guidance for the effective and consistent implementation of District Plan policies.

Appendix 1

SEA Screening of the Sustainability SPD:

Figure 1: Application of the SEA Directive to plans and programmes guide



A Practical Guide to the Strategic Environmental Assessment Directive, ODPM 2005

Table 1: Establishing whether there is a need for SEA

Stage	Yes/No	Assessment
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Yes to either criterion: proceed to question 2	The SPD has been prepared by East Herts Council to provide more detail to the policies contained in the East Herts District Plan, relating to the environmental sustainability of new development.
2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Yes: proceed to question 3	Once the SPD is adopted it will become a material consideration as part of the development plan for East Herts.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Yes to both criterion: proceed to question 5	The SPD is prepared for the purpose of town and country planning. It supplements policies within the East Herts District Plan 2018, by providing guidance on sustainable design and construction good practice. AND the SPD sets the framework for development which may require an Environmental Impact Assessment under Schedule II of the EIA Directive such as 'urban development projects'. However, the SPD does not create new policy.
5. Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes to first criterion: proceed to question 8	The SPD supplements the District Plan policies on designing and constructing new development sustainably to ensure the policy principles are delivered consistently and effectively.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	The principle of improving the environmental design and construction of new development has already been established in the District Plan, which was subject to comprehensive SA incorporating SEA. The SPD focuses on providing additional technical guidance to support and implement the District Plan policies. The SPD is therefore considered to have no significant effect on the environment. Directive does not require SEA.

Table 2: Assessment of the SPD against Schedule 1 of the SEA Directive

SEA Directive Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Potential effects of the SPD
1. Characteristic of the SPD having particular regard to:	
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD provides more detail on the policies and principles established in the East Herts District Plan 2018, which has been subject to comprehensive SA incorporating SEA. The purpose of the SPD is to provide guidance on the effective and consistent implementation of planning policies seeking to improve the environmental performance of new development.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The purpose of the SPD is to supplement the District Plan policies and it sits below the District Plan in terms of the Development Plan hierarchy. It will influence the preparation of masterplans relating to strategic scale or significant developments and any application which proposes net residential gain or an increase in non-residential floorspace.
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The SPD is focussed on providing guidance to support the District Plan policies in the delivery of sustainable development. It addresses a range of topics so will positively ensure development preserves or enhances nature conservation, mitigates the impacts of climate change, adapts to climate change, reduces the use of resources, promotes sustainable transport use and addresses pollution.
(d) environmental problems relevant to the plan or programme; and	There are no environmental problems relevant to the SPD. The SA of the East Herts District Plan identified a number of benefits arising from the relevant District Plan policies which this SPD supplements.
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management	The Sustainability SPD is to provide guidance on the effective and consistent use of the District Plan policies to secure environmentally sustainable design and construction. The relevant plans have been

SEA Directive Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Potential effects of the SPD
or water protection).	considered in the development of the relevant East Herts District Plan policies, which were subject to a comprehensive SA, incorporating an SEA.
2. Characteristics of the effects and area likely to be affected having particular regard to:	
(a) the probability, duration, frequency and reversibility of the effects;	The SPD is not expected to give rise to any significant environmental effects. The SPD seeks to ensure effective and consistent implementation of District Plan environmental sustainability policies relating to the design and construction of new development. This should have positive effects by reducing the environmental impact of new buildings on the environment; improving biodiversity and enhancing health and well-being.
(b) the cumulative nature of the effects;	By providing guidance which seeks to ensure the effective and consistent application of policies, over time, the SPD will have a cumulative effect on the sustainable design and construction of new development.
(c) the trans-boundary nature of the effects;	The SPD is not expected to give rise to any significant transboundary environmental effects beyond the District Plan policies, which were subject to a comprehensive SA, incorporating an SEA.
(d) the risks to human health or the environment (for example, due to accidents);	There are no anticipated effects of the SPD on human health.
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The effective and consistent implementation of sustainable design and construction policies will have positive benefits for all East Herts residents and those who wish to move to East Herts.
(f) the value and vulnerability of the area likely to be affected due to— (i) special natural characteristics or	The SPD is not anticipated to adversely affect any special natural characteristic or cultural heritage. The SPD is not expected to lead to

SEA Directive Criteria (Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004)	Potential effects of the SPD
cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use;	the exceedance of environmental standards or promote intensive land use. Matters relating to environmental standards and land use are contained in the East Herts District Plan 2018.
(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.	The SPD is not expected to have any adverse effects on areas with national, community or international protection.

Executive Committee

Date of Meeting: 19 February 2021

Report by: Cllr Goodeve Executive Member for Planning and Growth

Report title: Planning Enforcement Plan 2021

Ward(s) affected: All

Summary

- This report sets out the approach to the updated Planning Enforcement Plan 2021.

RECOMMENDATIONS FOR Executive to recommend to Council:

(a) That the Planning Enforcement Plan 2021, as detailed at Appendix 1 to this report, be adopted.

1.0 Proposal(s)

1.1 This report explains that the Council's current adopted Planning Enforcement Plan is no longer fit for purpose due to a number of factors and sets out the approach to the updated Planning Enforcement Plan (Planning Enforcement Plan 2021 attached as Appendix 1).

2.0 Background

2.1 The Council's Planning Enforcement Plan was last updated in 2016. However, fundamentally its content dates from 2010.

2.2 Under the current Enforcement Plan all reported enforcement

reports are investigated. An investigation file is opened and a site visit is undertaken.

2.3 The current plan establishes the following investigation priorities:

Urgent cases

- Unauthorised alterations to listed buildings;
- Unauthorised alteration to or demolition of buildings in Conservation Areas;
- Unauthorised development having severe and possibly irreversible impact on surroundings;
- Unauthorised travellers sites;
- Felling of protected trees;
- Development causing danger to highway users;
- Activities requiring the service of an urgent Article 4 Direction (a direction removing permitted development rights);
- Unauthorised developments having the potential to become immune from enforcement action within a period of six months.

All other cases

- All other unauthorised developments or changes of use of land and buildings.

2.5 The 2016 Enforcement Plan set out the performance targets which are summarised as:

Urgent cases

1. Acknowledge complaint and site visit on the same day or next working day as receipt or next day;
2. Within 2 working days reach a decision and if necessary commence formal action.

All other cases

1. Acknowledge complaint within 3 working days;
2. Within 15 working days undertake a site visit in 90% of cases;
3. Within 25 working days reach a decision;
4. Within 40 working days issue an enforcement notice if applicable.

3.0 Considerations

- 3.1 There are a number of issues with the current operation of the planning enforcement service and the current Planning Enforcement Plan is no longer considered to be fit for purpose.
- 3.2 The Planning Enforcement function of the Council is under constant pressure and the level of work arising from reports about potential breaches of planning control far exceeds the level of staff resources available to investigate the cases coming forward.
- 3.3 In addition, work of high priority and intensive in nature such as gypsy and traveller site monitoring that has arisen during 2019 and 2020 has severely impacted on the ability to respond to other enforcement cases and increased the overall pressure.

3.4 Planning enforcement is not a statutory service and it is not legally incumbent on the Council to investigate all matters that are alleged as a breach of planning control.

3.5 The vast majority of investigations do not lead to formal Enforcement action. Government advice states that an enforcement notice should only be served when it is “expedient” to do so in the public interest having regard to the level of harm caused. Enforcement action is not used merely to regularize a breach of planning control. Action should be proportionate to the breach of control and the level of harm caused.

3.6 Many potential breaches of planning control are reported by members of the public, which on investigation fall into the following categories:

- There is not a breach for example the works either do not amount to development or the works involve development that is permitted by the Town and Country Planning (General Permitted Development) Order without the need to apply for planning permission;
- The issue is not a planning matter e.g. It may be a neighbour dispute which is a civil matter (e.g. boundary disputes, anti-social behaviour etc.)
- There is a breach of planning control but planning permission would have been granted if an application had been made;

- There is a breach but this is of a minor nature and having regard to the level of harm caused and it is not “expedient” to take any further action.

Workload

- 3.7 In 2019 493 enforcement reports were received, with approximately 448 received in 2020. However, notwithstanding that a proportion of investigations are resolved without the need for formal action only 13 Enforcement Notices were served in 2019 and 19 in 2020.
- 3.8 Currently 458 investigations are ongoing.
- 3.9 From the above it is clearly evident that there is a total mismatch between the number investigations carried out annually in response to complaints and the number of breaches of planning control that are found to be sufficiently harmful to justify the service of an Enforcement Notice.
- 3.10 It should also be noted that the 2016 Plan prioritises enforcement investigations by category of breach rather than by the degree of harm that a breach may potentially cause. The list of categories of breach that are to be regarded as a priority is very extensive and therefore in reality this serves little purpose in establishing priorities.

Resources

3.10 The establishment staff resource is:

1 x (FTE) Principal Enforcement Officer

2 x (FTE) Enforcement Officers

1 x (0.5 FTE) Compliance Officer

However, due to workload pressure it has been necessary to supplement this staff resource with non-establishment staff (agency staff). The current supplement is as follows:

1 x (FTE) Enforcement Officer;

1 x Enforcement Officer (part-time as caseload requires);

1 x Administration Support Officer (15 hours per week).

3.11 Given staff resources and the high level of reports the performance targets set out in the 2016 Plan are unrealistic. Furthermore, the current targets fail to acknowledge the complexity of enforcement investigations which may involve the gathering of evidence over a considerable period of time and numerous site visits.

3.12 The service of an enforcement notice usually results in an appeal and the gathering of further evidence which adds to the ongoing workload.

4.0 Conclusions

4.1 From the above the following conclusions are evident:

- The investigation priorities established in the 2016 Enforcement Plan are out of date
- The level of enforcement complaint is high;
- The majority of enforcement investigations do not result in any further action being taken by the Council either because there is no breach of planning control found, or planning permission would have been granted if an application had been made or the breach is not sufficiently harmful to justify enforcement action (i.e. "not expedient");
- Investigation workload exceeds the available staff resource;
- The level of investigation being undertaken on matters of low importance reduces the effectiveness of the service in addressing enforcement issues causing harm;
- The investigation priorities established in the Enforcement Plan 2016 are out of date, and do not adequately relate to the potential harm resulting from breaches of planning control;
- Performance targets established in the 2016 Planning Enforcement Plan are no longer realistic and cannot be met;
- Improvements to the communications of the function can be made.

4.2 A further important consideration is the Health and Wellbeing of Enforcement Officers given their levels of workload and the environment in which they are working.

4.3 It is assessed that the Council's current approach to planning enforcement is unsustainable.

5.0 Options

5.1 The Planning Enforcement Plan 2021 (attached at Appendix 1) proposes a fundamentally different approach to Planning Enforcement. The intention is to direct priorities and the use of staff resources to breaches of planning control that are likely to result in significant environmental harm.

Proposed Enforcement Methodology and Priorities

5.2 It can be judged at the point of receipt of a planning enforcement report whether it is likely that a planning breach has occurred or if a breach has occurred it would not be expedient to take further action. In other words the breach is of a minor nature and does not result in a degree of harm wherein formal enforcement action would be “expedient” in the public interest having regard to government guidance.

5.3 Therefore on receipt of an enforcement report a desk top evaluation will be undertaken as to whether it is necessary to open an investigation file. This evaluation will identify the following complaints:

- Those that are not a breach of planning control;
- Those that are trivial or minor or where it would not be expedient to investigate further.

5.4 In these cases the investigation will be by a desktop assessment only and reporting parties will be advised that it is the Council's

decision that the matter is either not a breach of planning control or that it would not be expedient to investigate the matter further. A record of these decisions will be kept but an enforcement investigation file will not be opened.

- 5.5 Where the initial desk top review indicates that further investigation is appropriate and justified complaints will be assessed initially according to the priorities below. These priorities are based on the level of harm likely to be caused rather than by the category of breach approach previously adopted.

Priority 1

Cases where the breach is likely to lead to significant harm to public amenity and matters of wider public interest and are therefore likely to result in enforcement action being taken;

Priority 2

Cases where the breach is likely to result in a degree of harm where the balance of considerations indicate that enforcement may be warranted by the service of a Notice or other informal enforcement action;

Priority 3

Cases where the breach is likely to result in some harm to issues of acknowledged importance and where further investigation to obtain the facts is justified.

Performance targets

5.6 Enforcement investigations are often complex and are likely to involve the gathering of evidence over a considerable period of time before a position has been reached to enable the service of an enforcement notice. It is therefore not possible or appropriate to establish performance targets based on the completion of investigations.

5.7 However, it is appropriate to establish performance targets for the administration of enforcement reports having regard to providing a good standard of customer service. The proposed performance targets set out in the 2021 Plan are as follows:

1. The Council will aim to record an enforcement report and allocate an investigation reference number to it within 5 working days of receipt and the complaint will be acknowledged.
2. The Council will aim to determine whether it is expedient to investigate the matter and assess investigation priority within 10 working days of receipt.
3. In cases where the Council decides that it is not expedient to

investigate further the Council will aim to advise the reporting party within 14 working days of receipt.

4. Investigations of cases within Priority Level 1 will commence immediately.
5. The Council will regularly update the reporting party as to the progress of an investigation.

5.8 Improvements to reporting and dialogue with Town and Parish Council's will also be explored as part of implementing the 2021 Plan.

Review

5.9 Given the change in approach, a review of the 2021 Plan should be undertaken one year after implementation in order to ensure that it is effective.

6.0 Risks

The above report recognises that the current Enforcement Plan (2016) is now out of date and needs updating in order to reflect changing priorities and resource arrangements. If an updated Planning Enforcement Plan is not adopted, it is likely that the function will continue to face operational difficulties and will not be effective.

7.0 Implications/Consultations

7.1 This report was considered by the Oversight and Scrutiny Committee on the 2 February 2021. The committee

acknowledged the opportunity to improve the service specifically in relation to communications and raised queries about agency costs, and resources across the service. The committee agreed the recommendation with an amendment for a review to undertaken one year after the new Plan has been implemented (as outlined in paragraph 5.9).

- 7.2 Planning Enforcement is a confidential activity that does not involve public engagement.

Community Safety

- 7.3 There are no specific community safety recommendations arising from the updated Planning Enforcement Plan 2021.

Data Protection

- 7.4 All planning enforcement investigations are carried out on a confidential basis in line with GDPR. Anonymous enforcement reports will not normally be investigated.

Equalities

- 7.5 Equalities implications must be taken into account when reaching decisions on all enforcement action.

Environmental Sustainability

- 7.6 There are no specific environmental sustainability implications

arising from the updated Planning Enforcement Plan 2021. However, environmental sustainability may be a factor in determining whether enforcement action is taken.

Financial

- 7.7 The updated Planning Enforcement Plan 2021 does not propose any additional resources.

Health and Safety

- 7.8 There are no specific health and safety implications arising from the updated Planning Enforcement Plan 2021. However, some enforcement investigations may involve health and safety issues and are covered by the agreed risk assessment for the Planning Service.

Human Resource

- 7.9 There are no human resources recommendations arising from the updated Planning Enforcement Plan 2021.

Human Rights

- 7.10 Private interests must be balanced against the wider public interest and against competing private interests. However, human rights issues must be taken into account when reaching decisions on all enforcement action. This position is outlined in the National Planning Practice Guidance and updated Planning Enforcement Plan 2021.

Legal

7.11 Whilst enforcement action is discretionary there may be a risk, like with every decision that a customer may seek to challenge by way of a judicial review. . However, the courts recognise the wide discretionary power of the Council in relation to planning enforcement and have been inclined not to interfere with that discretion.

Specific Wards

7.12 None.

8.0 Background papers, appendices and other relevant material

8.1 Appendix 1 - Planning Enforcement Plan 2021

Contact Member

Cllr Jan Goodeve – Executive Member for Growth and Planning
jan.goodeve@eastherts.gov.uk

Contact Officer

Sara Saunders – Head of Planning and Building Control
Contact Tel No 01992 531656
sara.saunders@eastherts.gov.uk

Report Author

David Snell
Service Manager – Development Management
david.snell@eastherts.gov.uk

East Herts Council

Planning Enforcement Plan 2021

Procedure and Practice Statement

1. What is planning enforcement?

- 1.1 Planning enforcement is the investigation of alleged breaches of planning control and, where a breach of planning control is identified, the aim is to resolve these using the most appropriate action.
- 1.2 Planning enforcement is an important service by which the Council seeks to ensure that the amenity and character of the district is maintained in the public interest.

2. What is a breach of planning control?

- 2.1 A breach of planning control is defined in the Town and Country Planning Act 1990 (the 1990 Act) as “the carrying out of a development without the required planning permission, or failing to comply with any condition or limitation subject to which planning permission has been granted”.
- 2.2 There are two main types of breaches of planning control:
 - Building work or engineering operations or changes in the use of land or buildings that are carried out without the necessary planning permission;
 - Where planning permission has been granted but the development or use is not being carried out in accordance with the plans or conditions attached to the approval.
- 2.3 The Act provides time limits for immunity from enforcement action as follows: these are:
- 2.4 **The Four year rule** – the change of use of any building to use as a dwelling house becomes immune from enforcement action after the expiry of four years from the date of the breach;

- 2.5 **The Ten year rule** - all other breaches of planning control become immune from enforcement action after the expiry of ten years from the date of the breach.
- 2.6 Notwithstanding the above immunity provisions, in cases where there has been deliberate concealment of a breach of planning control a local planning authority may apply for a Planning Enforcement Order permitting them to take enforcement action out of time, provided the application to the Magistrates' Court is made within six months of the discovery of the breach of control which has been deliberately concealed.
- 2.7 A breach of planning control occurring in either of the two main ways set out above does not constitute an offence in law. The development or use may be subject to enforcement action, but it would only constitute an offence if a valid enforcement notice requiring action to be taken is not complied with.
- 2.8 However, some breaches of planning control do constitute an offence in law. These include:
- The display of advertisements other than those permitted by the Town and Country Planning (Control of Advertisements) Regulations without obtaining Advertisement Consent;
 - The carrying out of works to a listed building;
 - The carrying out of works to trees protected by a Tree Preservation Order (TPO).

3. The Council's approach to planning enforcement

- 3.1 Planning law gives the local planning authority the power to pursue enforcement action. It does not place a statutory duty on the authority to do so. It is therefore a discretionary service and the Council will only take action where necessary in the public interest
- 3.2 The Council's approach to planning enforcement has regard to the National Planning Policy Framework (NPPF) which states that *'Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control'*.
- 3.3 Addressing breaches of planning control without formal enforcement action can often be the quickest and most cost effective way of achieving a satisfactory and lasting remedy. For example, a breach of control may be the

result of a genuine mistake where, once the breach is identified, the owner or occupier takes immediate action to remedy it. Furthermore in some instances formal enforcement action may not be appropriate.

3.4 In deciding whether or not to take action, the Council must consider whether enforcement action is a proportionate response to the breach of planning control and whether it is expedient to take formal action. It must consider whether the breach of planning control unacceptably affects public amenity or safety or the existing use of land or buildings meriting protection in the public interest. This means that a judgement has to be made in each case as to the seriousness of the breach and the level of any harm that it causes in planning terms.

3.5 In deciding, in each case, what is the most appropriate way forward, the Council will not usually take formal enforcement action where:

- There is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;
- The development is acceptable on its planning merits and planning permission would have been granted;
- The submission of a retrospective planning application is the appropriate way forward, for example, where planning conditions may need to be imposed to overcome any harm arising.

3.6 When making decisions as to whether or not to pursue enforcement action the Council must have regard to any relevant planning policies that are set out in the East Herts District Plan 2018, the National Planning Policy Framework and any other material considerations.

4. Reporting an alleged breach of planning control

4.1 Anybody may report an alleged breach of planning control by contacting us directly here: <https://www.eastherts.gov.uk/contactus>

4.2 For any report about an alleged breach of planning control the Council will ask for the following information to be provided:

- the precise location of the site or property to which the complaint relates;
- the exact nature of concern i.e. the alleged breach of planning control;

- the name, address and contact telephone number of the person making the complaint;
- the identity of the person / organisation responsible for the breach and the date and / or time the breach began (where known); and
- an indication of any harm caused/being caused.

4.3 The Council will not normally investigate anonymous reports, except where a significant degree of harm is likely to have arisen.

5. How are investigations carried out?

5.1 Reports are dealt with in strict confidence, such that any personal details are not made known to any other party.

5.2 Reports are firstly subject to a review to assess whether any further investigation action is appropriate and if so its priority.

Methodology and Priorities

5.3 The Council receives many reports about issues of a very minor nature and it may be determined at the outset that there is no harm arising or that the degree of harm likely to be caused is not of any significance. Reports are also received about development that is permitted by the Town and Country Planning (General Permitted Development) Order and about matters that fall outside the control of the Council. In such cases in accordance with the Council's enforcement priorities it may be determined that it would not be expedient to investigate the matter further.

5.4 In most circumstances it can be judged at the point of receipt of a planning enforcement report whether it is likely that a planning breach has occurred or if a breach has occurred it would not be "expedient" to take further action. In other words the breach is of a minor nature and does not result in a degree of harm wherein formal enforcement action would be "expedient" in the public interest having regard to government guidance.

5.5 Therefore on receipt of a report a desk top evaluation will be undertaken as to whether it is necessary to open an investigation file.

5.6 This evaluation will identify:

- Those reports which are judged to be not a breach of planning control; and
- Those that are trivial or minor or where it would not be expedient to investigate further.

5.7 In these cases the investigation will be by a desktop assessment only and the individual submitting the report will be advised that it is the Council's decision that the matter is either not a breach of planning control or that it would not be expedient to investigate the matter further. A record of these decisions will be kept but an enforcement investigation file will not be opened.

5.8 Where the initial desk top review indicates that further investigation is appropriate and justified it will be assessed initially according to the priorities below:

Priority 1 – cases where the breach is likely to lead to significant harm to public amenity and matters of wider public interest and are therefore likely to result in enforcement action being taken;

Priority 2 – cases where the breach is likely to result in a degree harm where the balance of considerations indicate that enforcement may be warranted by the service of a Notice or other informal enforcement action;

Priority 3 – cases where the breach is likely to result in some harm to issues of acknowledged importance and where further investigation to obtain the facts is justified.

5.9 Any investigation will usually involve a visit to the site as well as more desk based investigations such as looking into the planning history of the site. The investigating officer will also contact the individual who made the report and the person(s) against whom the report has been made, in order to gather evidence relating to the alleged breach.

6. Performance targets

6.1 The Council will aim to record a report and allocate an investigation reference number to it within 5 working days of receipt and the report will be acknowledged.

6.2 The Council will aim to determine whether it is expedient to investigate the matter and assess investigation priority within 10 working days of receipt.

6.3 In cases where the Council decides that it is not expedient to investigate further the Council will aim to advise the complainant within 14 working days of receipt.

- 6.4 Investigations of cases within Priority Level 1 will commence immediately.
- 6.5 It is not possible to set target timescales for the completion of investigations as all enforcement cases have different circumstances and require differing degrees of investigation. Some investigations are very complex and these will take a considerable time to complete. However, the Council will keep the individual who made the report advised in the case of any significant changes or progress.

7. Types of enforcement action

- 7.1 In many cases breaches of planning control may be resolved without the need to serve an Enforcement Notice through discussion with the owner and voluntary compliance with the requirements of the Council.
- 7.2 Formal enforcement action may take several forms as follows:

Breach Of Condition Notice - Where there is a breach of a condition on a planning permission. This will set out the steps required to be taken to comply with the condition and the time periods (not less than 28 days).

Enforcement Notice/Listed Building Enforcement Notice - An Enforcement Notice sets out the breach of planning control, the steps that must be taken to remedy the breach, the planning reasons for taking the action and the time period for compliance.

Stop Notice - Where an Enforcement Notice has been served a Stop Notice may also be issued at the same time to stop the use or the building works continuing. However, this power is only be used in extreme cases where the development is causing immediate, unacceptable and irreparable harm.

Section 215 Notice (the 1990 Act) - this may be used as a remedy where the untidy state or appearance of land is adversely affecting public amenity.

Temporary Stop Notice - This may be used to immediately stop works thought likely to be causing significant harm pending the consideration or preparation of other formal action. A Temporary Stop Notice remains in effect for 28 days following service.

Injunction - In extreme cases, for example where normal enforcement procedure has been ignored or where it can be demonstrated that it is likely

to be ignored the Council's may apply to the courts for an injunction to prevent further works or require some form of action.

8. Unauthorised advertisements

- 8.1 The posting of unauthorised advertisement is an offence which may be prosecuted through the courts.
- 8.2 The posting of advertisements within the public realm is an ongoing issue within the District.
- 8.3 Such advertising includes banners and fly posts advertising companies, services and events etc. and estate agents boards that are not related to the sale of properties but advertising events and sponsorship of events etc.
- 8.4 Such advertising is anti-social, harmful to amenity and in many cases prejudicial to highway safety and the Council operates a zero tolerance approach. Such signage is likely to be removed or be requested to be removed and the Council will consider the prosecution of persistent offenders.

9. Appeals

- 9.1 There is a right of appeal against the issue of an Enforcement Notice and a Stop Notice. Appeals are determined by a Planning Inspector appointed by the Secretary of State and they are processed by the Planning Inspectorate.
- 9.2 The Council has no control over the timescales for the determination of an appeal.
- 9.3 There is no right of appeal to a Breach of Condition Notice and non-compliance may be pursued through the courts.
- 9.4 As stated above planning enforcement is a discretionary function and the Council is not duty bound to take enforcement action. The Council will assess the harm arising from a breach of planning control and determine the action to be taken. Planning legislation does not grant a right of appeal to third parties (the complainant(s)) against these decisions and the decision taken by the Council is therefore final.

10. Expectations

Outcomes you can expect if you are the owner of a site under investigation

- 10.1 The Council will seek to ensure that all matters in relation to the enquiry are dealt with professionally, politely and efficiently. It will be necessary for Council Officers to attend the site. At all times Officer approach should be polite and respectful. It is often the case that Council Officers will visit without a pre-arrangement, however, they will make themselves known on arrival at a site if it possible to do so. If the time of the visit is not convenient to you, they will seek to arrange a mutually acceptable time to visit. Officers will be able to advise on the purpose of their visit and what action the Council can take and what options are available to you as Owner. They can provide advice about the planning and enforcement process, but if you require specific planning advice, this should be sought independently. The Council will endeavour to deal with your case quickly, ensuring that uncertainty is removed. However, we will need your co-operation and ask that, in all circumstances, you provide any information Officers request and answer questions they put to you.
- 10.2 Owners are advised that Planning Legislation provides that Council Officers have a right of access to land to investigate breaches of planning control.

Outcomes you can expect if you are making a report on an alleged breach

- 10.3 On receipt of your report the Council will review the information that you have provided and determine what action should be taken going forward in accordance with the methodology set out above. The Council will seek to ensure that all matters in relation to your report are dealt with professionally, politely and efficiently.
- 10.4 The Council will undertake to keep you updated and advise when any progress, actions or decisions are undertaken. The Council's preference is to be able to contact parties by email. This makes the contact process recordable. Resources are not available to maintain contact and provide updates in other circumstances. However, calls can be made to Officers at any time during normal office hours to enquire about progress in any particular case. If any party is unable to provide an email contact address, please contact the Enforcement service five weeks after the matter was first raised. It should be possible at that time to provide information on any action to be taken, if none is to be taken or if it has not been possible to reach a decision.

11. Confidentiality

- 11.1 Ongoing live enforcement investigations are carried out in confidence. The Council will not pass on the names or any other information relating to the parties involved.

- 11.2 The Council will not investigate anonymous reports unless the potential harm justifies further investigation. However, if you are concerned about confidentiality you may raise a potential planning enforcement issue with the Council via either your Ward Councillor or the Town/Parish Council.
- 11.3 Once an investigation has been completed and the case file has been closed legislation provides that it is public information, unless the content is exempt from Freedom of Information regulations.

12. Human Rights issues

- 12.1 The European Convention on Human Rights (ECHR) was brought into English law via the Human Rights Act 1998 (HRA) with effect from October 2000. The HRA introduces an obligation on the Council to act consistently with the ECHR. There are 3 Convention Rights likely to be most relevant to planning decisions:
- Article 1 of the First Protocol - Protection of Property
 - Article 6 - Right to a Fair Hearing
 - Article 8 - Right to respect for Private and Family Life
- 12.2 It is important to note that these types of right are not unlimited. Although in accordance with the concept of 'proportionality' any interference with these rights must be sanctioned by law, in this case the Town and Country Planning Act 1990 and must go no further than necessary.
- 12.3 Essentially, private interests must be balanced against the wider public interest and against competing private interests. However, human rights issues must be taken into account when reaching decisions on all planning applications and enforcement action.

13. What happens if you are not happy with the Council's service

- 13.1 The Council aims to provide an efficient and effective service for everyone it deals with and to maintain good relations with those who use its services.
- 13.2 If you feel that there has been a failure of service you may draw your concerns to the Council.

- 13.3 In the first instance you may wish to discuss your concerns with the service manager. Please telephone 01279 655261 and ask for the Planning Support Team who will advise you as to the contact details.
- 13.4 If you remain dissatisfied the Council provides a Corporate Complaints Procedure details of which are available on the Council's web site:
<https://www.eastherts.gov.uk/contactus/comments-compliments-and-complaints>
- 13.5 Please be advised that it is the purpose of the Council's Corporate Complaints procedure to investigate and respond to failures of process and customer service. It is not the purpose of the procedure to review properly taken planning decisions or re-visit enforcement investigations where the Council has determined its position.

14. Contact Details

- 14.1 If you want to inform us about a potential breach of planning control that you want the Council to investigate, please contact us:

Online: <https://www.eastherts.gov.uk/contactus>

By post:

Development Management - Planning Enforcement Team
East Herts Council
Wallfields
Pegs Lane
HERTFORD
SG13 8EQ

By phone: 01279 655261 (ask for the Planning Enforcement Team)

By e-mail: planning@eastherts.gov.uk

Executive

Date: 19th February 2021

Report by: Councillor Geoffrey Williamson, Deputy Leader & Executive Member for Financial Sustainability

Report title: Treasury Management and Annual Investment Strategy 2021/22

Ward(s) affected: All;

Summary

The report contains the Council's recommended Treasury Management and Annual Investment Strategy for 2021/22.

RECOMMENDATIONS FOR EXECUTIVE:

Executive is recommended to recommend to Full Council:

- (a) The Treasury Management and Annual Investment Strategy 2021/22 at Appendix A to this report is approved;**
- (b) The Prudential Indicators at Appendix B are approved.**

1.0 Proposal(s)

- 1.1 This report proposes the Council's Treasury Management and Annual Investment Strategy 2021/22 for approval by Full Council.

2.0 Background

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

- before considering investment return.
- 2.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.
 - 2.3 The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund Balance.
 - 2.4 Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, (arising usually from capital expenditure), and are separate from the day to day treasury management activities.
 - 2.5 This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
 - 2.6 This activity is currently supported by the council's appointed independent advisors – Link Asset Services.

3.0 Reason(s)

- 3.1 The Council is currently required to receive and approve, as a minimum, three main treasury reports each year, which incorporate a variety of policies, estimates and actuals.
- 3.2 Prudential and treasury indicators and treasury strategy (this report) - The first, and most important report is forward looking and covers:
- the capital plans, (including prudential indicators);
 - a minimum revenue provision (MRP) policy, (how residual capital expenditure is charged to revenue over time);
 - the treasury management strategy, (how the investments and borrowings are to be organised), including treasury indicators; and
 - an investment strategy, (the parameters on how investments are to be managed).
- 3.3 A mid-year treasury management report – This is primarily a progress report and will update members on the capital position, amending prudential indicators as necessary, and whether any policies require revision.
- 3.4 An annual treasury report – This is a backward looking review document and provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.
- 3.5 The above reports are required to be adequately scrutinised before being recommended to the Council.
- 3.6 Prudential Indicators are included in Appendix 'A': Treasury Management Strategy and Annual Investment Strategy 2021-22 which are designed to assist members' overview and confirm capital expenditure plans.
- 3.7 Please also refer to the Credit and Counterparty Risk

Management paragraph 5.4 and Approved Countries List paragraph 5.5.

- 3.8 For clarity and transparency, all the Prudential Indicators and the creditworthiness policy and counterparty limits which Council is being asked to approve are summarised in Appendix B.

4.0 Options

- 4.1 Update the Treasury Management Strategy as required, at least once annually.

5.0 Risks

- 5.1 Risks are discussed in detail, within the Treasury Management Strategy, including the uncertainty around future funding, both from Government and other areas.

6.0 Implications/Consultations

- 6.1 The Strategy and Prudential Indicators were subject to scrutiny by Audit and Governance Committee on 10 February 2021 and there were no proposed amendments to the Strategy or Prudential Indicators.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

The Council's Treasury operations are limited by statute to term deposits, money market funds and banks. It is not possible to have an ethical investment strategy as there is no way to trace the use of,

say, a five day Term Deposit with Barclays Bank who may use that cash to pay customers, some of whom would potentially be seen as unethical, e.g. oil companies, weapons manufacturers etc.

Financial

All financial implications are included in this report.

Health and Safety

No

Human Resources

No

Human Rights

The Council's Treasury operations are limited by statute to term deposits, money market funds and banks. It is not possible to have an ethical investment strategy as there is no way to trace the use of, say, a five day Term Deposit with Barclays Bank who may use that cash to pay customers, some of whom would potentially be seen as unethical, e.g. oil companies, weapons manufacturers etc.

Legal

All statutory requirements have been considered in preparing this report

Specific Wards

No

7.0 Background papers, appendices and other relevant material

- 7.1 Appendix A - East Herts District Council Treasury Management Strategy 2021/22 Onwards
- 7.2 Appendix B - Prudential Indicators 2021/22 for Approval

Contact Member

Councillor Geoffrey Williamson, Deputy Leader
& Executive Member for Financial Sustainability

geoffrey.williamson@eastherts.gov.uk

Contact Officer

Steven Linnett, Head of Strategic Finance and
Property

Contact Tel No: 01279 502050

steven.linnett@eastherts.gov.uk

Report Author

Nicola Munro, Finance Business Partner

nicola.munro@eastherts.gov.uk

Appendix A

East Herts Council

Treasury Management Strategy Statement and Annual Investment Strategy 2021/22



Including commercial activities / non-treasury
investments

INDEX

1.1	Background	4
1.2	Reporting requirements	5
1.3	Treasury Management Strategy for 2021/22	7
1.4	Training	7
1.5	Treasury management consultants.....	8
2	THE CAPITAL PRUDENTIAL INDICATORS 2021/22 – 2023/24	9
2.1	Capital expenditure	9
2.2	The Council's borrowing need (the Capital Financing Requirement)	10
2.3	Core funds and expected investment balances	12
2.4	Minimum revenue provision (MRP) policy statement	13
3	BORROWING	14
3.1	Current portfolio position	14
3.2	Treasury Indicators: limits to borrowing activity.....	16
3.3	Prospects for interest rates.....	17
3.4	Borrowing strategy.....	21
3.5	Policy on borrowing in advance of need.....	22
3.6	Debt rescheduling	22
4	ANNUAL INVESTMENT STRATEGY	24
4.1	Investment policy – management of risk.....	24
4.2	Creditworthiness policy	27
4.3	Other limits	32
4.2	Creditworthiness policy	Error! Bookmark not defined.
4.3	Other limits	Error! Bookmark not defined.
4.4	Investment strategy	32
4.5	Investment performance / risk benchmarking.....	35
4.6	End of year investment report	35
4.7	External fund managers	Error! Bookmark not defined.
5	APPENDICES	36
5.1	THE CAPITAL PRUDENTIAL AND TREASURY INDICATORS 2021/22 – 2023/24	37
5.1.1	Capital expenditure	37
5.1.2	Affordability prudential indicators	37

	3
5.2 INTEREST RATE FORECASTS 2020-2024.....	39
5.3 ECONOMIC BACKGROUND	40
5.4 TREASURY MANAGEMENT PRACTICE (TMP1) – CREDIT AND COUNTERPARTY RISK MANAGEMENT OPTION 1	54
5.5 APPROVED COUNTRIES FOR INVESTMENTS.....	60
5.6 TREASURY MANAGEMENT SCHEME OF DELEGATION	61
5.7 THE TREASURY MANAGEMENT ROLE OF THE SECTION 151 OFFICER.....	62

1.INTRODUCTION

1.1 Background

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

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

The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund Balance.

Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, (arising usually from capital expenditure), and are separate from the day to day treasury management activities.

CIPFA defines treasury management as:

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

1.2 Reporting requirements

1.2.1 Capital Strategy

The CIPFA 2017 Prudential and Treasury Management Codes require all local authorities to prepare a capital strategy report which will provide the following:

- a high-level long term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
- an overview of how the associated risk is managed
- the implications for future financial sustainability

The aim of this capital strategy is to ensure that all elected members on the full council fully understand the overall long-term policy objectives and resulting capital strategy requirements, governance procedures and risk appetite.

This capital strategy is reported separately from the Treasury Management Strategy Statement; non-treasury investments will be reported through the former. This ensures the separation of the core treasury function under security, liquidity and yield principles, and the policy and commercialism investments usually driven by expenditure on an asset. The capital strategy will show:

- The corporate governance arrangements for these types of activities;
- Any service objectives relating to the investments;
- The expected income, costs and resulting contribution;
- The debt related to the activity and the associated interest costs;
- The payback period (MRP policy);
- For non-loan type investments, the cost against the current market value;
- The risks associated with each activity.

Where a physical asset is being bought, details of market research, advisers used, (and their monitoring), ongoing costs and investment requirements and any credit information will be disclosed, including the ability to sell the asset and realise the investment cash.

Where the Council has borrowed to fund any non-treasury investment, there should also be an explanation of why borrowing was required and why the MHCLG Investment Guidance and CIPFA Prudential Code have not been adhered to.

If any non-treasury investment sustains a loss during the final accounts and audit process, the strategy and revenue implications will be reported through the same procedure as the capital strategy.

To demonstrate the proportionality between the treasury operations and the non-treasury operation, high-level comparators are shown throughout this report.

1.2.2 Treasury Management reporting

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

- a. Prudential and treasury indicators and treasury strategy** (this report) - The first, and most important report is forward looking and covers:
 - the capital plans, (including prudential indicators);
 - a minimum revenue provision (MRP) policy, (how residual capital expenditure is charged to revenue over time);
 - the treasury management strategy, (how the investments and borrowings are to be organised), including treasury indicators; and
 - an investment strategy, (the parameters on how investments are to be managed).

- b. A mid-year treasury management report** – This is primarily a progress report and will update members on the capital position, amending prudential indicators as necessary, and whether any policies require revision.

- c. An annual treasury report** – This is a backward looking review document and provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

The above reports are required to be adequately scrutinised before being recommended to the Council. This role is undertaken by the Audit and Governance Committee.

1.3 Treasury Management Strategy for 2021/22

The strategy for 2021/22 covers two main areas:

Capital issues

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

Treasury management issues

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

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

1.4 Training

The CIPFA Code requires the responsible officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. The following training has been undertaken by members (further training will be arranged, as required):

- 11TH November 2020 - All Member briefing session on refreshed capital business cases (leisure and Hertford Theatre)
- 1st December 2020 and 14th December 2020 - All Member finance training

The training needs of treasury management officers are periodically reviewed.

1.5 Treasury management consultants

The Council uses Link Group, Treasury solutions as its external treasury management advisors.

The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon the services of our external service providers. All decisions will be undertaken with regards to all available information, including, but not solely, our treasury advisers.

It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented and subjected to regular review. The Head of Strategic Finance & Property intends to conduct a thorough review of the Treasury Advisors and the advice and services actually received against their contract obligations within the next 3 months.

2 THE CAPITAL PRUDENTIAL INDICATORS

2021/22 – 2023/24

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

2.1 Capital expenditure

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

Capital expenditure	2019/20	2020/21	2021/22	2022/23	2023/24
	Actual	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m	£m
Services	7.3	32.7	45.8	19.9	7.5
Commercial activities / non-financial investments	3.5	2.2	-	-	-
Total	10.8	34.9	45.8	19.9	7.5

* Commercial activities / non-financial investments relate to areas such as capital expenditure on investment properties, loans to third parties etc.

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

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

Financing of capital expenditure	2019/20	2020/21	2021/22	2022/23	2023/24
	Actual	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m	£m
Capital receipts	8.0	-	7.2	1.0	7.1
Capital grants	2.8	7.9	3.4	0.1	-
Revenue	0.0	0.2	0.2	0.2	0.2
Net financing need for the year	4.5	26.7	35.0	18.6	0.2

The net financing need for commercial activities / non-financial investments included in the above table against expenditure is shown below:

Commercial activities / non-financial investments	2019/20	2020/21	2021/22	2022/23	2023/24
	Actual	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m	£m
Capital Expenditure	4.8	2.2	-	-	-
Financing costs	-	-	-	-	-
Net financing need for the year	4.8	2.2	-	-	-
Percentage of total net financing need %	107%	8%	-	-	-

As a result of the changes to the PWLB borrowing rules which prohibit investment principally for yield, all investment in Commercial activities have been put on hold, until the Head of Strategic Finance and Property has sort Counsel's advice regarding the activities of the Council's housing company.

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

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

The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the indebtedness in line with each asset's life, and so charges the economic consumption of capital assets as they are used.

The CFR includes any other long-term liabilities (e.g. PFI schemes, finance leases). Whilst these increase the CFR, and therefore the Council's borrowing requirement, these types of scheme include a borrowing facility by the PFI, PPP lease provider and so the Council is not required to separately borrow for these schemes. The Council currently has no such schemes within the CFR.

The Council is asked to approve the CFR projections below

	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Capital Financing Requirement					
CFR – non housing	(24.794)	(0.248)	34.715	53.245	53.400
CFR - Commercial activities/ non-financial investments	5.317	7.502	7.502	7.502	7.502
Total CFR	(19.477)	7.254	42.217	60.747	60.902
Movement in CFR	4.530	26.731	34.963	18.530	0.155

Movement in CFR represented by					
Net financing need for the year (above)	15,330	34,864	45.768	19.888	7.463
Less MRP/VRP and other financing movements	(10.800)	(8.111)	(10.805)	(1.358)	(7.308)
Movement in CFR	4.530	26.731	34.963	18.530	0.155

A key aspect of the regulatory and professional guidance is that elected members are aware of the size and scope of any commercial activity in relation to the authority's overall financial position. The capital expenditure figures shown in 2.1 and the details above demonstrate the scope of this activity and, by approving these figures, consider the scale proportionate to the Authority's remaining activity

	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Adjusted Capital Financing Requirement					
CFR – non housing	(68.123)	(16.486)	34.715	53.245	53.400
CFR - Commercial activities/ non-financial investments	5.317	7.502	7.502	7.502	7.502
Total Adjusted CFR	(62.806)	(9.344)	42.217	60.747	60.902
Movement in Adjusted CFR	4,530	26.731	34.963	18.530	0.155

The above table shows the Capital Financing Requirement adjusted to reflect the underlying resources available from set aside capital receipts by adjusting for capital cash on hand which is available only to

repay borrowing in accordance with the MRP Policy. The statutory method includes parts of the capital cash and including it effectively cancels out the “over-financing” of assets which the set aside receipt effectively represents.

2.3 Core funds and expected investment balances

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

Year End Resources	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Fund balances / reserves	16.485	15.411	17.921	16.348	14.761
Capital receipts	-	-	-	-	-
Provisions	2.115	5.500	4.800	3.800	2.800
Other	0.300	-	-	-	-
Total core funds	18.900	20.911	22.721	20.148	17.561
Working capital*	38.000	15.000	3.000	3.000	6.000
Under/over borrowing	1.000	-	-	-	-
Expected investments	57.900	35.911	25.721	23.148	23.561

2.4 Minimum revenue provision (MRP) policy statement

The full policy statement is published within the Capital Strategy, which is following the same council approval process, as this document.

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

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

For all capital expenditure including that incurred before 1 April 2008 or which in the future will be Supported Capital Expenditure, the MRP policy will be:

- **Asset life method** – MRP will be based on the estimated life of the assets, in accordance with the regulations (this option must be applied for any expenditure capitalised under a Capitalisation Direction) (option 3);

This options provide for a reduction in the borrowing need over approximately the asset's life.

Repayments included in annual PFI or finance leases are applied as MRP.

3 BORROWING

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

3.1 Current portfolio position

The overall treasury management portfolio as at 31 March 2020 and for the position as at 30 November 2020 are shown below for both borrowing and investments.

Treasury Portfolio				
Treasury Investments	Actual		Current	
	31/03/2020		30/11/2020	
Funds Managed in-house	£m	%	£m	%
Banks	23.2	40%	19.1	35%
Building Societies (unrated)				
Building Societies (rated)			6.0	11%
Local Authorities	6.5	11%		
Money Marjet Funds	8.5	15%	9.1	17%
Certificates of Deposit				
Total managed in house	38.2	66%	34.2	63%
Funds managed externally				
Bonds				
property funds	20.0	34%	20.0	37%
Total managed externally	20.0	34%	20.0	37%
Total treasury investments	58.2	100%	54.2	100%
External borrowing	£m	%	£m	%
Local Authorities				
Public Works Loans Board	1.5	20%	1.5	100%
Commercial Loans	6.0	80%		
Lender Option Borrower Option Loans (LOBO)				
Total external borrowing	7.5	100%	1.5	100%

Net treasury investments / (borrowing)	50.7	52.7
---	-------------	-------------

The Council's forward projections for borrowing are summarised below. The table shows the actual external debt, against the underlying capital borrowing need, (the Capital Financing Requirement - CFR), highlighting any over or under borrowing.

	2019/20	2020/21	2021/22	2022/23	2023/24
	Actual	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m	£m
External Debt					
Debt at 1 April	7.5	7.5	34.2	26.0	44.5
Expected change in Debt	-	26.7	(8.2)	18.5	0.2
Other long-term liabilities (OLTL)	-	-	-	-	-
Expected change in OLTL	-	-	-	-	-
Actual gross debt at 31 March	7.5	34.2	26.0	44.5	44.7
The Capital Financing Requirement	(19.5)	7.3	42.2	60.7	60.9
Under / (over) borrowing	(7.5)	(26.9)	16.2	16.2	16.2

Within the above figures the level of debt relating to commercial activities / non-financial investment is nil.

Within the range of prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well-defined limits. One of these is that the Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2021/22 and the following two financial years. This allows some flexibility for limited early borrowing for future years but ensures that borrowing is not undertaken for revenue or speculative purposes.

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

3.2 Treasury Indicators: limits to borrowing activity

The operational boundary. This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt and the ability to fund under-borrowing by other cash resources.

Operational boundary	2020/21	2021/22	2022/23	2023/24
	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m
Debt	20.0	40.0	100.0	100.0
Other long term liabilities	10.0	10.0	10.0	10.0
Commercial activities/ non-financial investments	10.0	20.0	30.0	30.0
Total	40.0	60.0	140.0	140.0

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

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

Authorised Limit	2020/21	2021/22	2022/23	2023/24
	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m
Debt	100.0	150.0	150.0	150.0
Other long term liabilities	10.0	10.0	10.0	10.0
Commercial activities/ non-financial investments	10.0	30.0	30.0	30.0
Total	120.0	190.0	190.0	190.0

3.3 Prospects for interest rates

The Council has appointed Link Group as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. Link provided the following forecasts on 11.8.20. However, following the conclusion of the review of PWLB margins over gilt yields on 25.11.20, all forecasts below have been reduced by 1%. These are forecasts for certainty rates, gilt yields plus 80bps:

Link Group Interest Rate View		9.11.20												
These Link forecasts have been amended for the reduction in PWLB margins by 1.0% from 26.11.20														
	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
BANK RATE	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 month ave earnings	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
6 month ave earnings	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
12 month ave earnings	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20
5 yr PWLB	0.80	0.80	0.80	0.80	0.80	0.90	0.90	0.90	0.90	0.90	1.00	1.00	1.00	1.00
10 yr PWLB	1.10	1.10	1.10	1.10	1.10	1.20	1.20	1.20	1.20	1.20	1.30	1.30	1.30	1.30
25 yr PWLB	1.50	1.50	1.60	1.60	1.60	1.60	1.70	1.70	1.70	1.70	1.80	1.80	1.80	1.80
50 yr PWLB	1.30	1.30	1.40	1.40	1.40	1.40	1.50	1.50	1.50	1.50	1.60	1.60	1.60	1.60

Additional notes by Link on this forecast table: -

- *Please note that we have made a slight change to our interest rate forecasts table above for forecasts for 3, 6 and 12 months. Traditionally, we have used LIBID forecasts, with the rate calculated using market convention of 1/8th (0.125%) taken off the LIBOR figure. Given that all LIBOR rates up to 6m are currently running below 10bps, using that convention would give negative figures as forecasts for those periods. However, the liquidity premium that is still in evidence at the short end of the curve means that the rates actually being achieved by local authority investors are still modestly in positive territory. While there are differences between counterparty offer rates, our analysis would suggest that an average rate of around 10 bps is achievable for 3 months, 10bps for 6 months and 20 bps for 12 months.*
- *During 2021, Link will be continuing to look at market developments in this area and will monitor these with a view to communicating with clients when full financial market agreement is reached on how to replace LIBOR. This is likely to be an iteration of the overnight SONIA rate and the use of compounded rates and Overnight Index Swap (OIS) rates for forecasting purposes.*
- *We will maintain continuity by providing clients with LIBID investment benchmark rates on the current basis.*

The coronavirus outbreak has done huge economic damage to the UK and economies around the world. After the Bank of England took emergency

action in March to cut Bank Rate to first 0.25%, and then to 0.10%, it left Bank Rate unchanged at its subsequent meetings to 5th November, although some forecasters had suggested that a cut into negative territory could happen. However, the Governor of the Bank of England has made it clear that he currently thinks that such a move would do more damage than good and that more quantitative easing is the favoured tool if further action becomes necessary. As shown in the forecast table above, no increase in Bank Rate is expected in the forecast table above as economic recovery is expected to be only gradual and, therefore, prolonged.

Gilt yields / PWLB rates

There was much speculation during the second half of 2019 that bond markets were in a bubble which was driving bond prices up and yields down to historically very low levels. The context for that was a heightened expectation that the US could have been heading for a recession in 2020. In addition, there were growing expectations of a downturn in world economic growth, especially due to fears around the impact of the trade war between the US and China, together with inflation generally at low levels in most countries and expected to remain subdued. Combined, these conditions were conducive to very low bond yields. While inflation targeting by the major central banks has been successful over the last thirty years in lowering inflation expectations, the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers. This means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. The consequence of this has been the gradual lowering of the overall level of interest rates and bond yields in financial markets over the last 30 years. Over the year prior to the coronavirus crisis, this has seen many bond yields up to 10 years turn negative in the Eurozone. In addition, there has, at times, been an inversion of bond yields in the US whereby 10 year yields have fallen below shorter term yields. In the past, this has been a precursor of a recession. The other side of this coin is that bond prices are elevated as investors would be expected to be moving out of riskier assets i.e. shares, in anticipation of a downturn in corporate earnings and so selling out of equities.

Gilt yields had therefore already been on a generally falling trend up until the coronavirus crisis hit western economies during March 2020. After gilt yields spiked up during the financial crisis in March, we have seen these yields fall sharply to unprecedented lows as investors panicked during March in selling shares in anticipation of impending recessions in western economies, and moved cash into safe haven assets i.e. government bonds. However, major western central banks took rapid action to deal with excessive stress in financial markets during March, and started massive quantitative easing purchases of government bonds: this also acted to put downward pressure on government bond yields at a time when there has been a huge and quick expansion of government expenditure financed by issuing government bonds. Such unprecedented levels of issuance in "normal" times would have caused bond yields to rise sharply. Gilt yields and PWLB rates have been at remarkably low rates so far during 2020/21.

As the interest forecast table for PWLB certainty rates above shows, there is expected to be little upward movement in PWLB rates over the next two years as it will take economies, including the UK, a prolonged period to recover all the momentum they have lost in the sharp recession caused during the coronavirus shut down period. From time to time, gilt yields, and therefore PWLB rates, can be subject to exceptional levels of volatility due to geo-political, sovereign debt crisis, emerging market developments and sharp changes in investor sentiment, (as shown on 9th November when the first results of a successful COVID-19 vaccine trial were announced). Such volatility could occur at any time during the forecast period.

Investment and borrowing rates

- **Investment returns** are likely to remain exceptionally low during 2021/22 with little increase in the following two years.
- **Borrowing interest rates** fell to historically very low rates as a result of the COVID crisis and the quantitative easing operations of the Bank of England: indeed, gilt yields up to 6 years were negative during most of the first half of 20/21. The policy of avoiding new borrowing by running down spare cash balances has served local authorities well over the last few years. The unexpected increase of 100 bps in PWLB rates on top of the then current margin over gilt yields of 80 bps in October 2019, required an initial major rethink of local authority treasury management strategy and risk management. However, in March 2020, the Government started a consultation process for reviewing the margins over gilt rates for PWLB borrowing for different types of local authority capital expenditure. *(Please note that Link has concerns over this approach, as the fundamental principle of local authority borrowing is that borrowing is a treasury management activity and individual sums that are borrowed are not linked to specific capital projects.)* It also introduced the following rates for borrowing for different types of capital expenditure: -
 - **PWLB Standard Rate** is gilt plus 200 basis points (G+200bps)
 - **PWLB Certainty Rate** is gilt plus 180 basis points (G+180bps)
 - **PWLB HRA Standard Rate** is gilt plus 100 basis points (G+100bps)
 - **PWLB HRA Certainty Rate** is gilt plus 80bps (G+80bps)
 - **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)
- As a consequence of these increases in margins, many local authorities decided to refrain from PWLB borrowing unless it was for HRA or local infrastructure financing, until such time as the review of margins was concluded.

- On 25.11.20, the Chancellor announced the conclusion to the review of margins over gilt yields for PWLB rates; the standard and certainty margins were reduced by 1% but a prohibition was introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three year capital programme. The new margins over gilt yields are as follows: -
 - **PWLB Standard Rate** is gilt plus 100 basis points (G+100bps)
 - **PWLB Certainty Rate** is gilt plus 80 basis points (G+80bps)
 - **PWLB HRA Standard Rate** is gilt plus 100 basis points (G+100bps)
 - **PWLB HRA Certainty Rate** is gilt plus 80bps (G+80bps)
 - **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)

- **Borrowing for capital expenditure.** As Link's long-term forecast for Bank Rate is 2.00%, and all PWLB rates are under 2.00%, there is now value in borrowing from the PWLB for all types of capital expenditure for all maturity periods, especially as current rates are at historic lows. However, greater value can be obtained in borrowing for shorter maturity periods so the Council will assess its risk appetite in conjunction with budgetary pressures to reduce total interest costs. Longer-term borrowing could also be undertaken for the purpose of certainty, where that is desirable, or for flattening the profile of a heavily unbalanced maturity profile.

- While this authority will not be able to avoid borrowing to finance new capital expenditure, there will be a cost of carry, (the difference between higher borrowing costs and lower investment returns), to any new borrowing that causes a temporary increase in cash balances as this position will, most likely, incur a revenue cost.

3.4 Borrowing strategy

The Council is currently in a negative CFR position. This means that the capital borrowing need (the Capital Financing Requirement), has not been reached due to the level of the Council's reserves.

Against this background and the risks within the economic forecast, caution will be adopted with the 2021/22 treasury operations. The Head of Strategic Finance will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:

- *if it was felt that there was a significant risk of a sharp FALL in borrowing rates, then long term borrowing will be postponed.*

- *if it was felt that there was a significant risk of a much sharper RISE in borrowing rates than that currently forecast, perhaps arising from an acceleration in the rate of increase in central rates in the USA and UK, an increase in world economic activity, or a sudden increase in inflation risks, then the portfolio position will be re-appraised. Most likely, fixed rate funding will be drawn whilst interest rates are lower than they are projected to be in the next few years.*

Any decisions will be reported to the appropriate decision making body at the next available opportunity.

3.5 Policy on borrowing in advance of need

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

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

3.6 Debt rescheduling

Rescheduling of current borrowing in our debt portfolio is unlikely to occur as the 100 bps increase in PWLB rates only applied to new borrowing rates and not to premature debt repayment rates.

If rescheduling was done, it will be reported to the Council, at the earliest meeting following its action.

3.7 New financial institutions as a source of borrowing and / or types of borrowing

Following the decision by the PWLB on 9.10.19 to increase their margin over gilt yields by 100 bps to 180 basis points on all certainty rate loans lent to local authorities, consideration will need to be given to sourcing funding at cheaper rates from the following in order to finance capital expenditure for non-HRA and infrastructure purposes:

- Local authorities (primarily shorter dated maturities)
- Financial institutions (primarily pension funds but also some banks, out of spot or forward dates)
- Municipal Bonds Agency

The degree to which any of these options proves cheaper than PWLB Certainty Rate is still evolving at the time of writing but our advisors will keep us informed.

3.8 Approved Sources of Long and Short term Borrowing

On Balance Sheet	Fixed	Variable
Public Works Loans Board	✓	✓
Municipal Bonds Agency	✓	✓
Local authorities	✓	✓
Banks	✓	✓
Pension funds		
Market (long-term)	✓	✓
Market (temporary)	✓	✓
Local temporary	✓	✓
Local Bonds	✓	✓
Local authority bills	✓	✓
Overdraft		✓
Negotiable Bonds	✓	✓
Internal (capital receipts & revenue balances)	✓	✓
Finance leases	✓	✓

4 ANNUAL INVESTMENT STRATEGY

4.1 Investment policy – management of risk

The MHCLG and CIPFA have extended the meaning of ‘investments’ to include both financial and non-financial investments. This report deals solely with financial investments, (as managed by the treasury management team). Non-financial investments, essentially the purchase of income yielding assets, are covered in the Capital Strategy, (a separate report).

The Council’s investment policy has regard to the following: -

- MHCLG’s Guidance on Local Government Investments (“the Guidance”)
- CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes 2017 (“the Code”)
- CIPFA Treasury Management Guidance Notes 2018

The Council’s investment priorities will be security first, portfolio liquidity second and then yield, (return). The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council’s risk appetite. In the current economic climate it is considered appropriate to keep investments short term to cover cash flow needs. However, where appropriate (from an internal as well as external perspective), the Council will also consider the value available in periods up to 12 months with high credit rated financial institutions, as well as wider range fund options.

The above guidance from the MHCLG and CIPFA places a high priority on the management of risk. This authority has adopted a prudent approach to managing risk and defines its risk appetite by the following means: -

1. Minimum acceptable **credit criteria** are applied in order to generate a list of highly creditworthy counterparties. This also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the short term and long-term ratings.
2. **Other information:** ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To achieve this consideration the Council will engage with its advisors to maintain a monitor on market pricing such as **“credit default swaps”** and overlay that information on top of the credit ratings.
3. **Other information sources** used will include the financial press, share price and other such information pertaining to the financial sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.
4. This authority has defined the list of **types of investment instruments** that the treasury management team are authorised to use. There are two lists in appendix 5.4 under the categories of ‘specified’ and ‘non-specified’ investments.
 - **Specified investments** are those with a high level of credit quality and subject to a maturity limit of one year or have less than a year left to run to maturity if originally they were originally classified as being non-specified investments solely due to the maturity period exceeding one year.

- **Non-specified investments** are those with less high credit quality, may be for periods in excess of one year, and/or are more complex instruments which require greater consideration by members and officers before being authorised for use.
5. **Non-specified and loan investment limits.** The Council has determined that it will set a limit to the maximum exposure of the total treasury management investment portfolio to non-specified treasury management investments of 70%.
 6. **Lending limits**, (amounts and maturity), for each counterparty will be set through applying the matrix table in paragraph 4.2.
 7. **Transaction limits** are set for each type of investment in 4.2.
 8. This authority will set a limit for its investments which are invested for **longer than 365 days**, (see paragraph 4.4).
 9. Investments will only be placed with counterparties from countries with a specified minimum **sovereign rating**, (see paragraph 4.3).
 10. This authority has engaged **external consultants**, (see paragraph 1.5), to provide expert advice on how to optimise an appropriate balance of security, liquidity and yield, given the risk appetite of this authority in the context of the expected level of cash balances and need for liquidity throughout the year.
 11. All investments will be denominated in **sterling**.

12. As a result of the change in accounting standards for 2020/21 under IFRS 9, this authority will consider the implications of investment instruments which could result in an adverse movement in the value of the amount invested and resultant charges at the end of the year to the General Fund. (In November 2018, the Ministry of Housing, Communities and Local Government, [MHCLG], concluded a consultation for a temporary override to allow English local authorities time to adjust their portfolio of all pooled investments by announcing a statutory override to delay implementation of IFRS 9 for five years ending 31.3.23.

However, this authority will also pursue **value for money** in treasury management and will monitor the yield from investment income against appropriate benchmarks for investment performance, (see paragraph 4.5). Regular monitoring of investment performance will be carried out during the year.

Changes in risk management policy from last year.

The above criteria are remains unchanged from last year, apart from an increase to Non-specified investment limit, to allow for the holding of property funds, whilst other investments are low.

4.2 Creditworthiness policy

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

- "watches" and "outlooks" from credit rating agencies;

- CDS spreads that may give early warning of changes in credit ratings;
- sovereign ratings to select counterparties from only the most creditworthy countries.

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

- Yellow 5 years *
- Dark pink 5 years for Ultra-Short Dated Bond Funds with a credit score of 1.25
- Light pink 5 years for Ultra-Short Dated Bond Funds with a credit score of 1.5
- Purple 2 years
- Blue 1 year (only applies to nationalised or semi nationalised UK Banks)
- Orange 1 year
- Red 6 months
- Green 100 days
- No colour not to be used

The Link creditworthiness service uses a wider array of information other than just primary ratings. Furthermore, by using a risk weighted scoring system, it does not give undue preponderance to just one agency's ratings.

Typically, the minimum credit ratings criteria the Council use will be a short-term rating (Fitch or equivalent) of F1 and a long-term rating of A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances, consideration

will be given to the whole range of ratings available, or other topical market information, to support their use.

All credit ratings will be monitored on a weekly basis. The Council is alerted to changes to ratings of all three agencies through its use of the Link creditworthiness service.

- if a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
- in addition to the use of credit ratings the Council will be advised of information in movements in Credit Default Swap spreads against the iTraxx European Financials benchmark and other market data on a daily basis via its Passport website, provided exclusively to it by Link. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.

Sole reliance will not be placed on the use of this external service. In addition this Council will also use market data and market information, as well as information on any external support for banks to help support its decision making process.

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

	Colour (and long term rating where applicable)	Money Limit per banking group (at time of investment)	Transaction Limit	Time Limit
Banks *	yellow	£10m	£10m	5yrs
Banks	purple	£10m	£10m	2 yrs
Banks	orange	£10m	£10m	1 yr
Banks – part nationalised	blue	£20m	£20m	1 yr
Banks – part nationalised – Council's bank	blue	£50m	£30m	1 yr
Banks	red	£10m	£10m	6 mths
Banks	green	£10m	£10m	100 days
Banks	No colour	Not to be used	N/A	N/A
Limit 3 category – Council's banker (where "No Colour")	XXX	£50m	£30m	1 day
Property Funds	-	£20m	£10m	Not a fixed term investment so no time limit
DMADF	UK sovereign rating	unlimited	unlimited	6 months
Local authorities	n/a	£10m (per local authority)	£10m	unlimited
	Fund rating**	Money Limit (at time of investment)	Transaction Limit	Time Limit
Money Market Funds CNAV	AAA	£10m (per fund)	£10m	liquid
Money Market Funds LVNAV	AAA	£10m (per fund)	£10m	liquid
Money Market Funds VNAV	AAA	£10m (per fund)	£10m	liquid
Ultra-Short Dated Bond Funds with a credit score of 1.25	Dark pink / AAA	£10m (per fund)	£10m	liquid
Ultra-Short Dated Bond Funds with a credit score of 1.50	Light pink / AAA	£10m (per fund)	£10m	liquid

* Please note: the yellow colour category is for UK Government debt, or its equivalent, money market funds and collateralised deposits where the collateral is UK Government debt –see appendix 5.4.

** Please note: “fund” ratings are different to individual counterparty ratings, coming under either specific “MMF” or “Bond Fund” rating criteria.

Creditworthiness.

Although the credit rating agencies changed their outlook on many UK banks from Stable to Negative during the quarter ended 30.6.20 due to upcoming risks to banks’ earnings and asset quality during the economic downturn caused by the pandemic, the majority of ratings were affirmed due to the continuing strong credit profiles of major financial institutions, including UK banks. However, during Q1 and Q2 2020, banks made provisions for *expected* credit losses and the rating changes reflected these provisions. As we move into future quarters, more information will emerge on *actual* levels of credit losses. (Quarterly earnings reports are normally announced in the second half of the month following the end of the quarter.) This has the potential to cause rating agencies to revisit their initial rating adjustments earlier in the current year. These adjustments could be negative or positive, although it should also be borne in mind that banks went into this pandemic with strong balance sheets. This is predominantly a result of regulatory changes imposed on banks following the Great Financial Crisis. Indeed, the Financial Policy Committee (FPC) report on 6th August revised down their expected credit losses for the UK banking sector to “somewhat less than £80bn”. It stated that in its assessment, “banks have buffers of capital more than sufficient to absorb the losses that are likely to arise under the MPC’s central projection”. The FPC stated that for real stress in the sector, the economic output would need to be twice as bad as the MPC’s projection, with unemployment rising to above 15%.

All three rating agencies have reviewed banks around the world with similar results in many countries of most banks being placed on Negative Outlook, but with a small number of actual downgrades.

CDS prices

Although bank CDS prices, (these are market indicators of credit risk), spiked upwards at the end of March / early April 2020 due to the heightened market uncertainty and ensuing liquidity crisis that affected financial markets, they have returned to more average levels since then. Nevertheless, prices are still elevated compared to end-February 2020. Pricing is likely to remain volatile as uncertainty continues. However,

sentiment can easily shift, so it will remain important to undertake continual monitoring of all aspects of risk and return in the current circumstances. Link monitor CDS prices as part of their creditworthiness service to local authorities and the Council has access to this information via its Link-provided Passport portal.

4.3 Other limits

Due care will be taken to consider the exposure of the Council's total investment portfolio to non-specified investments, countries, groups and sectors.

- a) **Non-specified treasury management investment limit.** The Council has determined that it will limit the maximum total exposure of treasury management investments to non-specified treasury management investments as being 70% of the total treasury management investment portfolio.
- b) **Country limit.** The Council has determined that it will only use approved counterparties from the UK and from countries with a **minimum sovereign credit rating of AA-** from Fitch (*or equivalent*). The list of countries that qualify using this credit criteria as at the date of this report are shown in Appendix 5.6. This list will be added to, or deducted from, by officers should ratings change in accordance with this policy.
- c) **Other limits.** In addition:
 - limits in place above will apply to a group of companies;
 - sector limits will be monitored regularly for appropriateness.

4.4 Investment strategy

In-house funds. Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months). Greater returns are usually obtainable by investing for longer periods. While most cash balances are required in order to manage the ups and downs of cash flow, where cash sums can be identified that could be invested for longer periods, the value to be obtained from longer term investments will be carefully assessed.

- If it is thought that Bank Rate is likely to rise significantly within the time horizon being considered, then consideration will be given to keeping most investments as being short term or variable.

- Conversely, if it is thought that Bank Rate is likely to fall within that time period, consideration will be given to locking in higher rates currently obtainable, for longer periods.

Investment returns expectations.

Bank Rate is unlikely to rise from 0.10% for a considerable period. It is very difficult to say when it may start rising so it may be best to assume that investment earnings from money market-related instruments will be sub 0.50% for the foreseeable future.

The suggested budgeted investment earnings rates for returns on investments placed for periods up to about three months during each financial year are as follows (the long term forecast is for periods over 10 years in the future):

Average earnings in each year	
2020/21	0.10%
2021/22	0.10%
2022/23	0.10%
2023/24	0.10%
2024/25	0.25%
Long term later years	2.00%

- The overall balance of risks to economic growth in the UK is probably now skewed to the upside, but is subject to major uncertainty due to the virus and how quickly successful vaccines may become available and widely administered to the population. It may also be affected by what, if any, deal the UK agrees as part of Brexit.
- There is relatively little UK domestic risk of increases or decreases in Bank Rate and significant changes in shorter term PWLB rates. The Bank of England has effectively ruled out the use of negative interest rates in the near term and increases in Bank Rate are likely to be some years away given the underlying economic expectations. However, it is always possible that safe haven flows, due to unexpected domestic developments and those in other major economies, or a return of investor confidence in equities, could impact gilt yields, (and so PWLB rates), in the UK.

Negative investment rates

While the Bank of England said in August / September 2020 that it is unlikely to introduce a negative Bank Rate, at least in the next 6 -12 months, and in November omitted any mention of negative rates in the minutes of the meeting of the Monetary Policy Committee, some deposit

accounts are already offering negative rates for shorter periods. As part of the response to the pandemic and lockdown, the Bank and the Government have provided financial markets and businesses with plentiful access to credit, either directly or through commercial banks. In addition, the Government has provided large sums of grants to local authorities to help deal with the COVID crisis; this has caused some local authorities to have sudden large increases in cash balances searching for an investment home, some of which was only very short term until those sums were able to be passed on.

As for money market funds (MMFs), yields have continued to drift lower. Some managers have already resorted to trimming fee levels to ensure that net yields for investors remain in positive territory where possible and practical. Investor cash flow uncertainty, and the need to maintain liquidity in these unprecedented times, has meant there is a surfeit of money swilling around at the very short end of the market. This has seen a number of market operators, now including the DMADF, offer nil or negative rates for very short term maturities. This is not universal, and MMFs are still offering a marginally positive return, as are a number of financial institutions for investments at the very short end of the yield curve.

Inter-local authority lending and borrowing rates have also declined due to the surge in the levels of cash seeking a short-term home at a time when many local authorities are probably having difficulties over accurately forecasting when disbursements of funds received will occur or when further large receipts will be received from the Government.

Investment treasury indicator and limit - total principal funds invested for greater than 365 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment and are based on the availability of funds after each year-end.

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

Upper limit for principal sums invested for longer than 365 days			
Current investments as at 30.11.20 in excess of 1 year maturing in each year	2021/22	2022/23	2023/24
£m	£m	£m	£m
20.0	40.0	40.0	40.0

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

4.5 Investment performance / risk benchmarking

This Council will use an investment benchmark to assess the investment performance of its investment portfolio of 7 day, 1, 3, 6 or 12 month LIBID compounded / un-compounded. The Council is appreciative that the provision of LIBOR and associated LIBID rates is expected to cease at the end of 2021. It will work with its advisors in determining suitable replacement investment benchmark(s) ahead of this cessation and will report back to members accordingly.

4.6 End of year investment report

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

5 APPENDICES

(These can be appended to the report or omitted as required)

1. Prudential and treasury indicators
2. Interest rate forecasts
3. Economic background
4. Treasury management practice 1 – credit and counterparty risk management (option 1)
5. Treasury management practice 1 – credit and counterparty risk management (option 2)
6. Approved countries for investments
7. Treasury management scheme of delegation
8. The treasury management role of the section 151 officer

5.1 THE CAPITAL PRUDENTIAL AND TREASURY INDICATORS 2021/22 – 2023/24

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

5.1.1 Capital expenditure

Capital expenditure	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Services	7.3	32.7	45.8	19.9	7.5
Commercial activities / non-financial investments	3.5	2.2	-	-	-
Total	10.8	34.9	45.8	19.9	7.5

5.1.2 Affordability prudential indicators

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

Ratio of financing costs to net revenue stream

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

%	2019/20 Actual	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate	2023/24 Estimate
Services	3.0%	0.5%	0.5%	1.6%	4.5%

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

5.1.3 Maturity structure of borrowing

Maturity structure of borrowing. These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing, and are required for upper and lower limits.

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

Maturity structure of fixed interest rate borrowing 2021/22		
	Lower	Upper
Under 12 months	0%	100%
12 months to 2 years	0%	100%
2 years to 5 years	0%	100%
5 years to 10 years	0%	100%
10 years to 20 years	0%	100%
20 years to 30 years	0%	100%
30 years to 40 years	0%	100%
40 years to 50 years	0%	100%
Maturity structure of variable interest rate borrowing 2021/22		
	Lower	Upper
Under 12 months	0%	100%
12 months to 2 years	0%	100%
2 years to 5 years	0%	100%
5 years to 10 years	0%	100%
10 years to 20 years	0%	75%
20 years to 30 years	0%	50%
30 years to 40 years	0%	25%
40 years to 50 years	0%	25%

5.1.4. Control of interest rate exposure

Please see paragraphs 3.3, 3.4 and 4.4.

5.2 INTEREST RATE FORECASTS 2020-2024

The PWLB rates below are based on the new margins over gilts announced on 26th November 2020. PWLB forecasts shown below have taken into account the 20 basis point certainty rate reduction effective as of the 1st November 2012.

Link Group Interest Rate View		9.11.20 (The Capital Economics forecasts were done 11.11.20)													
These Link forecasts have been amended for the reduction in PWLB margins by 1.0% from 26.11.20															
	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	
BANK RATE	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	
3 month ave earnings	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	
6 month ave earnings	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	
12 month ave earnings	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	
5 yr PWLB	0.80	0.80	0.80	0.80	0.80	0.90	0.90	0.90	0.90	0.90	1.00	1.00	1.00	1.00	
10 yr PWLB	1.10	1.10	1.10	1.10	1.10	1.20	1.20	1.20	1.20	1.20	1.30	1.30	1.30	1.30	
25 yr PWLB	1.50	1.50	1.60	1.60	1.60	1.60	1.70	1.70	1.70	1.70	1.80	1.80	1.80	1.80	
50 yr PWLB	1.30	1.30	1.40	1.40	1.40	1.40	1.50	1.50	1.50	1.50	1.60	1.60	1.60	1.60	
Bank Rate															
Link	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	
Capital Economics	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	-	-	-	-	-	
5yr PWLB Rate															
Link	0.80	0.80	0.80	0.80	0.80	0.90	0.90	0.90	0.90	0.90	1.00	1.00	1.00	1.00	
Capital Economics	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.90	-	-	-	-	-	
10yr PWLB Rate															
Link	1.10	1.10	1.10	1.10	1.10	1.20	1.20	1.20	1.20	1.20	1.30	1.30	1.30	1.30	
Capital Economics	1.30	1.30	1.30	1.30	1.30	1.30	1.30	1.30	1.30	-	-	-	-	-	
25yr PWLB Rate															
Link	1.50	1.50	1.60	1.60	1.60	1.60	1.70	1.70	1.70	1.70	1.80	1.80	1.80	1.80	
Capital Economics	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	-	-	-	-	-	
50yr PWLB Rate															
Link	1.30	1.30	1.40	1.40	1.40	1.40	1.50	1.50	1.50	1.50	1.60	1.60	1.60	1.60	
Capital Economics	1.70	1.70	1.70	1.70	1.70	1.70	1.70	1.70	1.70	-	-	-	-	-	

5.3 ECONOMIC BACKGROUND

- **UK.** The Bank of England's Monetary Policy Committee kept **Bank Rate** unchanged on 5th November. However, it revised its economic forecasts to take account of a second national lockdown from 5th November to 2nd December which is obviously going to put back economic recovery and do further damage to the economy. It therefore decided to do a further tranche of **quantitative easing (QE) of £150bn**, to start in January when the current programme of £300bn of QE announced in March to June, runs out. It did this so that "announcing further asset purchases now should support the economy and help to ensure the unavoidable near-term slowdown in activity was not amplified by a tightening in monetary conditions that could slow the return of inflation to the target".
- Its forecasts appeared, at the time, to be rather optimistic in terms of three areas:
 - The economy would recover to reach its pre-pandemic level in Q1 2022
 - The Bank also expects there to be excess demand in the economy by Q4 2022.
 - CPI inflation is therefore projected to be a bit above its 2% target by the start of 2023 and the "inflation risks were judged to be balanced".
- Significantly, there was no mention of **negative interest rates** in the minutes or Monetary Policy Report, suggesting that the MPC remains some way from being persuaded of the case for such a policy, at least for the next 6 -12 months. However, rather than saying that it "stands ready to adjust monetary policy", the MPC this time said that it will take "whatever additional action was necessary to achieve its remit". The latter seems stronger and wider and may indicate the Bank's willingness to embrace new tools.
- One key addition to **the Bank's forward guidance** in August was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably". That seems designed to say, in effect, that even if inflation rises to 2% in a couple of years' time, do not expect any action from the MPC to raise Bank Rate – until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate. Our Bank Rate forecast currently shows no

increase through to quarter 1 2024 but there could well be no increase during the next five years due to the slow rate of recovery of the economy and the need for the Government to see the burden of the elevated debt to GDP ratio falling significantly. **Inflation** is unlikely to pose a threat requiring increases in Bank Rate during this period as there is likely to be spare capacity in the economy for a considerable time. It is expected to briefly peak at around 2% towards the end of 2021, but this is a temporary short lived factor and so not a concern.

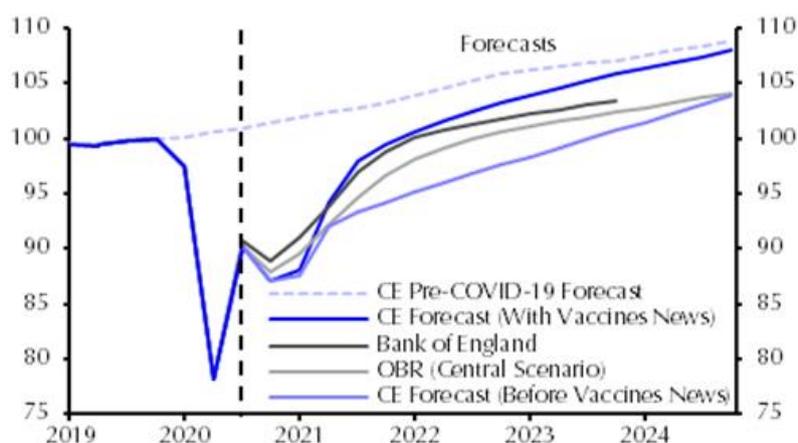
- However, the minutes did contain several references to **downside risks**. The MPC reiterated that the “recovery would take time, and the risks around the GDP projection were judged to be skewed to the downside”. It also said “the risk of a more persistent period of elevated unemployment remained material”. Downside risks could well include severe restrictions remaining in place in some form during the rest of December and most of January too. That could involve some or all of the lockdown being extended beyond 2nd December, a temporary relaxation of restrictions over Christmas, a resumption of the lockdown in January and lots of regions being subject to Tier 3 restrictions when the lockdown ends. Hopefully, restrictions should progressively ease during the spring. It is only to be expected that some businesses that have barely survived the first lockdown, will fail to survive the second lockdown, especially those businesses that depend on a surge of business in the run up to Christmas each year. This will mean that there will be some level of further permanent loss of economic activity, although the extension of the furlough scheme to the end of 31st March will limit the degree of damage done.
- As for **upside risks**, we have been waiting expectantly for news that various **COVID19 vaccines** would be cleared as being safe and effective for administering to the general public. The Pfizer announcement on 9th November was very encouraging as its 90% effectiveness was much higher than the 50-60% rate of effectiveness of flu vaccines which might otherwise have been expected. However, their phase three trials are still only two-thirds complete. More data needs to be collected to make sure there are no serious side effects. We don't know exactly how long immunity will last or whether it is effective across all age groups. The Pfizer vaccine specifically also has demanding cold storage requirements of minus 70C that might make it more difficult to roll out. However, the logistics of production and deployment can surely be worked out over the next few months.
- However, there has been even further encouraging news since then with another two vaccines announcing high success rates. Together, these three announcements have enormously boosted confidence that

life could largely return to normal during the second half of 2021, with activity in the still-depressed sectors like restaurants, travel and hotels returning to their pre-pandemic levels, which would help to bring the unemployment rate down. With the household saving rate currently being exceptionally high, there is plenty of pent-up demand and purchasing power stored up for these services. A comprehensive roll-out of vaccines might take into late 2021 to fully complete; but if these vaccines prove to be highly effective, then there is a possibility that restrictions could begin to be eased, possibly in Q2 2021, once vulnerable people and front-line workers had been vaccinated. At that point, there would be less reason to fear that hospitals could become overwhelmed any more. Effective vaccines would radically improve the economic outlook once they have been widely administered; it may allow GDP to rise to its pre-virus level a year earlier than otherwise and mean that the unemployment rate peaks at 7% next year instead of 9%. But while this would reduce the need for more QE and/or negative interest rates, increases in Bank Rate would still remain some years away. There is also a potential question as to whether the relatively optimistic outlook of the Monetary Policy Report was swayed by making positive assumptions around effective vaccines being available soon. It should also be borne in mind that as effective vaccines will take time to administer, economic news could well get worse before it starts getting better.

- **Public borrowing** is now forecast by the Office for Budget Responsibility (the OBR) to reach £394bn in the current financial year, the highest ever peace time deficit and equivalent to 19% of GDP. In normal times, such an increase in total gilt issuance would lead to a rise in gilt yields, and so PWLB rates. However, the QE done by the Bank of England has depressed gilt yields to historic low levels, (as has similarly occurred with QE and debt issued in the US, the EU and Japan). This means that new UK debt being issued, and this is being done across the whole yield curve in all maturities, is locking in those historic low levels through until maturity. In addition, the UK has one of the longest average maturities for its entire debt portfolio, of any country in the world. Overall, this means that the total interest bill paid by the Government is manageable despite the huge increase in the total amount of debt. The OBR was also forecasting that the government will still be running a budget deficit of £102bn (3.9% of GDP) by 2025/26. However, initial impressions are that they have taken a pessimistic view of the impact that vaccines could make in the speed of economic recovery.

- Overall, **the pace of recovery** was not expected to be in the form of a rapid V shape, but a more elongated and prolonged one. The initial recovery was sharp but after a disappointing increase in GDP of only 2.1% in August, this left the economy still 9.2% smaller than in February; this suggested that the economic recovery was running out of steam after recovering 64% of its total fall during the crisis. The last three months of 2020 were originally expected to show zero growth due to the impact of widespread local lockdowns, consumers probably remaining cautious in spending, and uncertainty over the outcome of the UK/EU trade negotiations concluding at the end of the year also being a headwind. However, the second national lockdown starting on 5th November for one month is expected to depress GDP by 8% in November while the rebound in December is likely to be muted and vulnerable to the previously mentioned downside risks. It was expected that the second national lockdown would push back recovery of GDP to pre pandemic levels by six months and into sometime during 2023. However, the graph below shows what Capital Economics forecast will happen now that there is high confidence that successful vaccines will be widely administered in the UK in the first half of 2021; this would cause a much quicker recovery than in their previous forecasts.

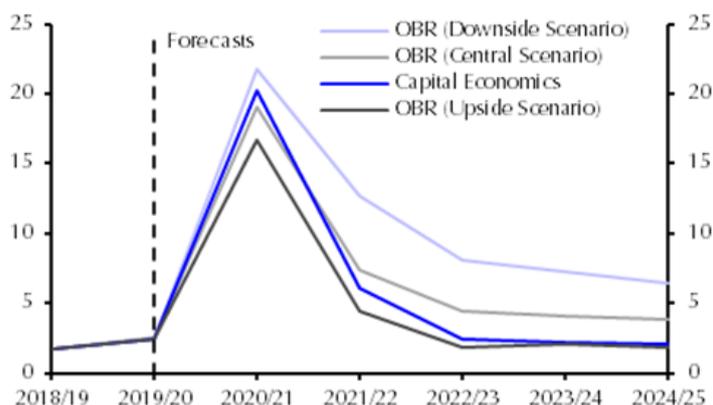
Chart: Level of real GDP (Q4 2019 = 100)



This recovery of growth which eliminates the effects of the pandemic by about the middle of the decade would have major repercussions for public finances as it would be consistent with the government deficit falling to 2% of GDP without any tax increases. This would be in line with the OBR's most optimistic forecast in the graph below, rather than their

current central scenario which predicts a 4% deficit due to assuming much slower growth. However, Capital Economics forecasts assume that there is a reasonable Brexit deal and also that politicians do not raise taxes or embark on major austerity measures and so, (perverse!), depress economic growth and recovery.

Chart: Public Sector Net Borrowing (As a % of GDP)

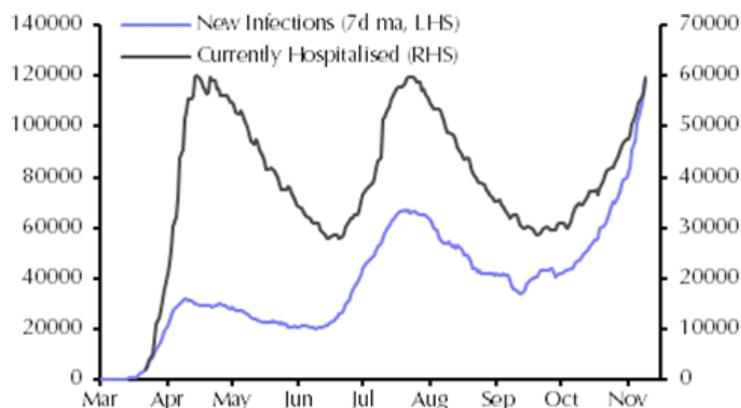


- Capital Economics have not revised their forecasts for Bank Rate or gilt yields after this major revision of their forecasts for the speed of recovery of economic growth, as they are also forecasting that inflation is unlikely to be a significant threat and so gilt yields are unlikely to rise significantly from current levels.
- There will still be some **painful longer term adjustments** as e.g. office space and travel by planes, trains and buses may not recover to their previous level of use for several years, or possibly ever, even if vaccines are fully successful in overcoming the current virus. There is also likely to be a reversal of globalisation as this crisis has exposed how vulnerable long-distance supply chains are. On the other hand, digital services are one area that has already seen huge growth.
- The **Financial Policy Committee** (FPC) report on 6th August revised down their expected credit losses for the banking sector to “somewhat less than £80bn”. It stated that in its assessment “banks have buffers of capital more than sufficient to absorb the losses that are likely to arise under the MPC’s central projection”. The FPC stated that for real stress in the sector, the economic output would need to be twice as bad as the MPC’s projection, with unemployment rising to above 15%.

US. The result of **the November elections** means that while the Democrats have gained the presidency and a majority in the House of Representatives, it looks as if the Republicans will retain their slim majority in the Senate. This means that the Democrats will not be able to do a massive fiscal stimulus, as they had been hoping to do after the elections, as they will have to get agreement from the Republicans. That would have resulted in another surge of debt issuance and could have put particular upward pressure on debt yields – which could then have also put upward pressure on gilt yields. On the other hand, equity prices leapt up on 9th November on the first news of a successful vaccine and have risen further during November as more vaccines announced successful results. This could cause a big shift in investor sentiment i.e. a swing to sell out of government debt to buy into equities which would normally be expected to cause debt prices to fall and yields to rise. However, the rise in yields has been quite muted so far and it is too early to say whether the Fed would feel it necessary to take action to suppress any further rise in debt yields. It is likely that the next two years, and possibly four years in the US, could be a political stalemate where neither party can do anything radical.

The economy had been recovering quite strongly from its contraction in 2020 of 10.2% due to the **pandemic** with GDP only 3.5% below its pre-pandemic level and the unemployment rate dropping below 7%. However, the rise in new cases during quarter 4, to the highest level since mid-August, suggests that the US could be in the early stages of a third wave. While the first wave in March and April was concentrated in the Northeast, and the second wave in the South and West, the latest wave has been driven by a growing outbreak in the Midwest. The latest upturn poses a threat that the recovery in the economy could stall. This is **the single biggest downside risk** to the shorter term outlook – a more widespread and severe wave of infections over the winter months, which is compounded by the impact of the regular flu season and, as a consequence, threatens to overwhelm health care facilities. Under those circumstances, states might feel it necessary to return to more draconian lockdowns.

COVID-19 New infections & hospitalisations



However, with the likelihood that highly effective vaccines are going to become progressively widely administered during 2021, this should mean that life will start to return to normal during quarter 2 of 2021. Consequently, there should be a sharp pick-up in growth during that quarter and a rapid return to the pre-pandemic level of growth by the end of the year.

After Chair Jerome Powell unveiled the **Fed's adoption of a flexible average inflation target** in his Jackson Hole speech in late August, the mid-September meeting of the Fed agreed by a majority to a toned down version of the new inflation target in his speech - that *"it would likely be appropriate to maintain the current target range until labour market conditions were judged to be consistent with the Committee's assessments of maximum employment and inflation had risen to 2% and was on track to moderately exceed 2% for some time."* This change was aimed to provide more stimulus for economic growth and higher levels of employment and to avoid the danger of getting caught in a deflationary "trap" like Japan. It is to be noted that inflation has actually been under-shooting the 2% target significantly for most of the last decade, (and this year), so financial markets took note that higher levels of inflation are likely to be in the pipeline; long-term bond yields duly rose after the meeting. The Fed also called on Congress to end its political disagreement over providing more support for the unemployed as there is a limit to what monetary policy can do compared to more directed central government fiscal policy. The FOMC's updated economic and rate projections in mid-September showed that officials expect to leave the fed funds rate at near-zero until at least end-2023 and probably for another year or two beyond that. There is now some expectation that where the Fed has led in changing its inflation target, other major central banks will follow. The increase in tension over the last year between the US and China is likely to lead to a

lack of momentum in progressing the initial positive moves to agree a phase one trade deal. The Fed's meeting on 5 November was unremarkable - but at a politically sensitive time around the elections.

EU. The economy was recovering well towards the end of Q2 and into Q3 after a sharp drop in GDP caused by the virus, (e.g. France 18.9%, Italy 17.6%). However, growth is likely to stagnate during Q4, and Q1 of 2021, as a second wave of the virus has affected many countries, and is likely to hit hardest those countries more dependent on tourism. The €750bn fiscal support package eventually agreed by the EU after prolonged disagreement between various countries, is unlikely to provide significant support, and quickly enough, to make an appreciable difference in the worst affected countries. With inflation expected to be unlikely to get much above 1% over the next two years, the ECB has been struggling to get inflation up to its 2% target. It is currently unlikely that it will cut its central rate even further into negative territory from -0.5%, although the ECB has stated that it retains this as a possible tool to use. It is therefore expected that it will have to provide more monetary policy support through more quantitative easing purchases of bonds in the absence of sufficient fiscal support from governments. The current PEPP scheme of €1,350bn of QE which started in March 2020 is providing protection to the sovereign bond yields of weaker countries like Italy. There is therefore unlikely to be a euro crisis while the ECB is able to maintain this level of support. However, the PEPP scheme is regarded as being a temporary measure during this crisis so it may need to be increased once the first PEPP runs out during early 2021. It could also decide to focus on using the Asset Purchase Programme to make more monthly purchases, rather than the PEPP scheme, and it does have other monetary policy options.

However, as in the UK and the US, the advent of highly effective vaccines will be a game changer, although growth will struggle during the closing and opening quarters of this year and next year respectively before it finally breaks through into strong growth in quarters 2 and 3. The ECB will now have to review whether more monetary support will be required to help recovery in the shorter term or to help individual countries more badly impacted by the pandemic.

China. After a concerted effort to get on top of the virus outbreak in Q1, economic recovery was strong in Q2 and then into Q3 and Q4; this has enabled China to recover all of the contraction in Q1. Policy makers have both quashed the virus and implemented a programme of monetary and fiscal support that has been particularly effective at stimulating short-term

growth. At the same time, China's economy has benefited from the shift towards online spending by consumers in developed markets. These factors help to explain its comparative outperformance compared to western economies.

However, this was achieved by major central government funding of yet more infrastructure spending. After years of growth having been focused on this same area, any further spending in this area is likely to lead to increasingly weaker economic returns in the longer term. This could, therefore, lead to a further misallocation of resources which will weigh on growth in future years.

Japan. Japan's success in containing the virus without imposing draconian restrictions on activity should enable a faster return to pre-virus levels of output than in many major economies. While the second wave of the virus has been abating, the economy has been continuing to recover at a reasonable pace from its earlier total contraction of 8.5% in GDP. However, there now appears to be the early stages of the start of a third wave. It has also been struggling to get out of a deflation trap for many years and to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. There has also been little progress on fundamental reform of the economy. The change of Prime Minister is not expected to result in any significant change in economic policy.

World growth. While Latin America and India have, until recently, been hotspots for virus infections, infection rates have begun to stabilise. World growth will be in recession this year. Inflation is unlikely to be a problem for some years due to the creation of excess production capacity and depressed demand caused by the coronavirus crisis.

Until recent years, world growth has been boosted by increasing **globalisation** i.e. countries specialising in producing goods and commodities in which they have an economic advantage and which they then trade with the rest of the world. This has boosted worldwide productivity and growth, and, by lowering costs, has also depressed inflation. However, the rise of China as an economic superpower over the last thirty years, which now accounts for nearly 20% of total world GDP, has unbalanced the world economy. The Chinese government has targeted achieving major world positions in specific key sectors and products, especially high tech areas and production of rare earth minerals used in high tech products. It is achieving this by massive financial

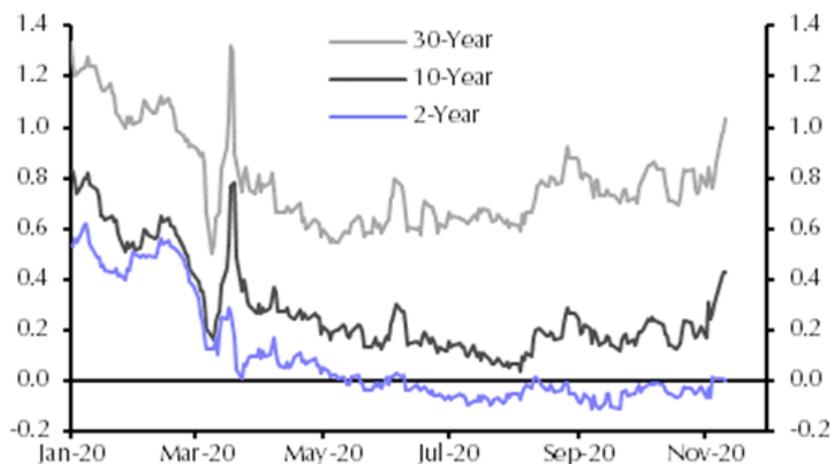
support, (i.e. subsidies), to state owned firms, government directions to other firms, technology theft, restrictions on market access by foreign firms and informal targets for the domestic market share of Chinese producers in the selected sectors. This is regarded as being unfair competition that is putting western firms at an unfair disadvantage or even putting some out of business. It is also regarded with suspicion on the political front as China is an authoritarian country that is not averse to using economic and military power for political advantage. The current trade war between the US and China therefore needs to be seen against that backdrop. It is, therefore, likely that we are heading into a period where there will be a **reversal of world globalisation and a decoupling of western countries** from dependence on China to supply products. This is likely to produce a backdrop in the coming years of weak global growth and so weak inflation.

Summary

Central banks are, therefore, likely to support growth by maintaining loose monetary policy through keeping rates very low for longer. Governments could also help a quicker recovery by providing more fiscal support for their economies at a time when total debt is affordable due to the very low rates of interest. They will also need to avoid significant increases in taxation or austerity measures that depress demand in their economies.

If there is a huge surge in investor confidence as a result of successful vaccines which leads to a major switch out of government bonds into equities, which, in turn, causes government debt yields to rise, then there will be pressure on central banks to actively manage debt yields by further QE purchases of government debt; this would help to suppress the rise in debt yields and so keep the total interest bill on greatly expanded government debt portfolios within manageable parameters. It is also the main alternative to a programme of austerity.

The graph below as at 10th November, shows how the 10 and 30 year gilt yields in the UK spiked up after the Pfizer vaccine announcement on the previous day, (though they have levelled off during late November at around the same elevated levels): -



INTEREST RATE FORECASTS

Brexit. The interest rate forecasts provided by Link in paragraph 3.3 are predicated on an assumption of a reasonable agreement being reached on trade negotiations between the UK and the EU by 31.12.20. However, as the differences between a Brexit deal and a no deal are not as big as they once were, the economic costs of a no deal have diminished. The bigger risk is that relations between the UK and the EU deteriorate to such an extent that both sides start to unravel the agreements already put in place. So what really matters now is not whether there is a deal or a no deal, but what type of no deal it could be.

The differences between a deal and a no deal were much greater immediately after the EU Referendum in June 2016, and also just before the original Brexit deadline of 29.3.19. That's partly because leaving the EU's Single Market and Customs Union makes this Brexit a relatively "hard" one. But it's mostly because a lot of arrangements have already been put in place. Indeed, since the Withdrawal Agreement laid down the terms of the break-up, both the UK and the EU have made substantial progress in granting financial services equivalence and the UK has replicated the bulk of the trade deals it had with non-EU countries via the EU. In a no deal in these circumstances (a "cooperative no deal"), GDP in 2021 as a whole may be only 1.0% lower than if there were a deal. In this situation, financial services equivalence would probably be granted during 2021 and, if necessary, the UK and the EU would probably rollover any temporary arrangements in the future.

The real risk is if the UK and the EU completely fall out. The UK could override part or all of the Withdrawal Agreement while the EU could respond by starting legal proceedings and few measures could be implemented to

mitigate the disruption on 1.1.21. In such an “uncooperative no deal”, GDP could be 2.5% lower in 2021 as a whole than if there was a deal. The acrimony would probably continue beyond 2021 too, which may lead to fewer agreements in the future and the expiry of any temporary measures.

Relative to the slump in GDP endured during the COVID crisis, any hit from a no deal would be small. But the pandemic does mean there is less scope for policy to respond. Even so, the Chancellor could loosen fiscal policy by about £10bn (0.5% of GDP) and target it at those sectors hit hardest. The Bank of England could also prop up demand, most likely through more gilt and corporate bond purchases rather than negative interest rates.

Brexit may reduce the economy’s potential growth rate in the long run. However, much of that drag is now likely to be offset by an acceleration of productivity growth triggered by the digital revolution brought about by the COVID crisis.

So in summary there is not likely to be any change in Bank Rate in 20/21 – 21/22 due to whatever outcome there is from the trade negotiations and while there will probably be some movement in gilt yields / PWLB rates after the deadline date, there will probably be minimal enduring impact beyond the initial reaction.

The balance of risks to the UK

- The overall balance of risks to economic growth in the UK is probably now skewed to the upside, but is subject to major uncertainty due to the virus and how quickly successful vaccines may become available and widely administered to the population. It may also be affected by what, if any, deal the UK agrees as part of Brexit.
- There is relatively little UK domestic risk of increases or decreases in Bank Rate and significant changes in shorter term PWLB rates. The Bank of England has effectively ruled out the use of negative interest rates in the near term and increases in Bank Rate are likely to be some years away given the underlying economic expectations. However, it is always possible that safe haven flows, due to unexpected domestic developments and those in other major economies, could impact gilt yields, (and so PWLB rates), in the UK.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- **UK** - further national lockdowns or severe regional restrictions in major conurbations during 2021.

- **UK / EU trade negotiations** – if they were to cause significant economic disruption and downturn in the rate of growth.
- **UK government** takes too much action too quickly to raise taxation or introduce austerity measures that depress demand in the economy.
- **UK - Bank of England** takes action too quickly, or too far, over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate.
- A resurgence of the **Eurozone sovereign debt crisis**. The ECB has taken monetary policy action to support the bonds of EU states, with the positive impact most likely for “weaker” countries. In addition, the EU agreed a €750bn fiscal support package. These actions will help shield weaker economic regions for the next year or so. However, in the case of Italy, the cost of the virus crisis has added to its already huge debt mountain and its slow economic growth will leave it vulnerable to markets returning to taking the view that its level of debt is unsupportable. There remains a sharp divide between northern EU countries favouring low debt to GDP and annual balanced budgets and southern countries who want to see jointly issued Eurobonds to finance economic recovery. This divide could undermine the unity of the EU in time to come.
- Weak capitalisation of some **European banks**, which could be undermined further depending on extent of credit losses resultant of the pandemic.
- **German minority government & general election in 2021**. In the German general election of September 2017, Angela Merkel’s CDU party was left in a vulnerable minority position dependent on the fractious support of the SPD party, as a result of the rise in popularity of the anti-immigration AfD party. The CDU has done badly in subsequent state elections but the SPD has done particularly badly. Angela Merkel has stepped down from being the CDU party leader but she intends to remain as Chancellor until the general election in 2021. This then leaves a major question mark over who will be the major guiding hand and driver of EU unity when she steps down.
- **Other minority EU governments**. Austria, Sweden, Spain, Portugal, Netherlands, Ireland and Belgium also have vulnerable minority governments dependent on coalitions which could prove fragile.
- **Austria, the Czech Republic, Poland and Hungary** now form a strongly anti-immigration bloc within the EU. In November, Hungary and Poland threatened to veto the 7 year EU budget due to the inclusion of a rule of law requirement that poses major challenges to both countries. There has also been a rise in anti-immigration sentiment in Germany and France.

- **Geopolitical risks**, for example in China, Iran or North Korea, but also in Europe and other Middle Eastern countries, which could lead to increasing safe haven flows.

Upside risks to current forecasts for UK gilt yields and PWLB rates

- **UK** - a significant rise in inflationary pressures. These could be caused by an uncooperative Brexit deal or by a stronger than currently expected recovery in the UK economy after effective vaccines are administered quickly to the UK population which leads to a resumption of normal life and a return to full economic activity across all sectors of the economy.
- The **Bank of England is too slow** in its pace and strength of increases in Bank Rate and, therefore, allows inflationary pressures to build up too strongly within the UK economy, which then necessitates a rapid series of increases in Bank Rate to stifle inflation.
- **Post-Brexit** – if a positive agreement was reached that removed the majority of threats of economic disruption between the EU and the UK.

5.4 TREASURY MANAGEMENT PRACTICE (TMP1) – CREDIT AND COUNTERPARTY RISK MANAGEMENT OPTION 1

SPECIFIED INVESTMENTS: All such investments will be sterling denominated, with **maturities up to a maximum of 1 year**, meeting the minimum ‘high’ quality criteria where applicable. (Non-specified investments which would be specified investments apart from originally being for a period longer than 12 months, will be classified as being specified once the remaining period to maturity falls to under twelve months.)

NON-SPECIFIED INVESTMENTS: These are any investments which do not meet the specified investment criteria. A maximum of 70% ** will be held in aggregate in non-specified investment.

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

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

	Minimum credit criteria / colour band	** Max % of total investments / £ limit per institution	Max. maturity period
DMADF – UK Government	N/A	100%	6 months (max. is set by the DMO*)
UK Government gilts	yellow	100%	5 years
UK Government Treasury bills	yellow	100%	364 days (max. is set by the DMO*)
Bonds issued by multilateral development banks	yellow	40%	5 years
Money Market Funds CNAV	AAA	95%	Liquid

Money Market Funds LNAV	AAA	95%	Liquid
Money Market Funds VNAV	AAA	95%	Liquid
Ultra-Short Dated Bond Funds with a credit score of 1.25	AAA	95%	Liquid
Ultra-Short Dated Bond Funds with a credit score of 1.5	AAA	100%	Liquid
Local authorities	yellow	100%	5 years
Term deposits with banks and building societies	Green	100%	24 months
CDs or corporate bonds with banks and building societies	Green	100%	24 months
Gilt funds	UK sovereign rating	100%	12 Months

* DMO – is the Debt Management Office of H.M.Treasury

SPECIFIED INVESTMENTS:

(All such investments will be sterling denominated, with **maturities up to a maximum of 1 year**, meeting the minimum 'high' rating criteria where applicable)

	* Minimum 'High' Credit Criteria	Use
Debt Management Agency Deposit Facility	--	In-house
Term deposits – local authorities	--	In-house
Term deposits – banks and building societies	Green	In-house
Term deposits – banks and building societies	Green	Fund Managers

Term deposits with nationalised banks and banks and building societies

	* Minimum Credit Criteria	Use	*** Max % of total investments	Max. maturity period
UK part nationalised banks	Green	In-house and Fund Managers	100%	12 Months
Banks part nationalised by high credit rated (sovereign rating) countries – non UK	Green	In-house and Fund Managers	100%	12 Months
Collateralised deposit (see note 2)	UK sovereign rating or note 1	In-house and Fund Managers		
UK Government Gilts	UK sovereign rating	In-house buy and hold and Fund Managers		
Bonds issued by multilateral development banks	AAA (or state your criteria if different)	In-house buy and hold and Fund Managers		
Bonds issued by a financial institution which is explicitly guaranteed by the UK Government e.g. National Rail	UK sovereign rating	In-house buy and hold and Fund Managers		
Sovereign bond issues (other than the UK govt)	AAA (or state your criteria if different)	In-house buy and hold and Fund Managers		
Treasury Bills	UK sovereign rating	In house and Fund Managers		

Collective Investment Schemes structured as Open Ended Investment Companies (OEICs): -		
1a. Money Market Funds (CNAV)	* MMF rating	In-house and Fund Managers
1b. Money Market Funds (LVNAV)	* MMF rating	In-house and Fund Managers
1c. Money Market Funds (VNAV)	* MMF rating	In-house and Fund Managers
2a. Ultra-Short Dated Bond Funds with a credit score of 1.25	* Bond fund rating	In-house and Fund Managers

2b. Ultra-Short Dated Bond Funds with a credit score of 1.5	*Bond fund rating	In-house and Fund Managers
3. Bond Funds	* Bond fund rating (or alternate measure if not rated)	In-house and Fund Managers
4. Gilt Funds	UK sovereign rating	In-house and Fund Managers

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

NON-SPECIFIED INVESTMENTS: A maximum of 70% will be held in aggregate in non-specified investment

1. Maturities of ANY period

	* Minimum Credit Criteria	Use	** Max % of total investments	Max. maturity period
Fixed term deposits with variable rate and variable maturities: -Structured deposits	Green	In-house	100%	As per Credit Criteria
Certificates of deposit issued by banks and building societies	Green	In-house	100%	As per Credit Criteria
Commercial paper other	AAA	In-house and Fund Managers	10%	2 Years
Corporate bonds	AAA	In-house and Fund Managers	50%	5 Years
Floating rate notes	AAA	In house and Fund Managers	50%	5Years
Collective Investment Schemes structured as Open Ended Investment Companies (OEICs)				
Corporate bond fund	AAA	In house and Fund Managers	10%	5 Years
Property Funds	Based on external credit assessment from the Council's Treasury Management Advisors, UK asset investment.	In house and Fund Managers	£20m at fund entry, Maximum of two funds at any one time for viability	Long Term

2. Maturities in excess of 1 year

	* Minimum Credit Criteria	Use	** Max % of total investments	Max. maturity period
Term deposits – local authorities	--	In-house	80%	5 years
Term deposits – banks and building societies	Orange	In-house	80%	5 years
Certificates of deposit issued by banks and building societies	Orange	In-house	80%	5 years
Certificates of deposit issued by banks and building societies	Orange	Fund Managers	80%	5 years
UK Government Gilts	UK sovereign rating	In-house and Fund Managers	80%	10 years
Bonds issued by multilateral development banks	AAA (or state your criteria if different)	In-house and Fund Managers	10%	5 years
Sovereign bond issues (other than the UK govt)	AAA (or state your criteria if different)	In-house and Fund Managers	50%	10 years
Corporate bonds	*Short-term __ Long-term __	In-house and Fund Managers	10%	5 years
Collective Investment Schemes structured as Open Ended Investment Companies (OEICs)				
Property Funds	Based on external credit assessment from the Council's Treasury Management Advisors, UK asset investment.	In house and Fund Managers	£20m at fund entry, Maximum of two funds at any one time for viability	Long Term

5.5 APPROVED COUNTRIES FOR INVESTMENTS

This list is based on those countries which have sovereign ratings of AA- or higher, (we show the lowest rating from Fitch, Moody's and S&P) and also, (except - at the time of writing - for Hong Kong, Norway and Luxembourg), have banks operating in sterling markets which have credit ratings of green or above in the Link credit worthiness service.

Based on lowest available rating

AAA

- Australia
- Denmark
- Germany
- Luxembourg
- Netherlands
- Norway
- Singapore
- Sweden
- Switzerland

AA+

- Canada
- Finland
- U.S.A.

AA

- Abu Dhabi (UAE)
- France

AA-

- Belgium
- Hong Kong
- Qatar
- **U.K.**

5.6 TREASURY MANAGEMENT SCHEME OF DELEGATION

(i) Full council

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

(ii) Executive / Full Council

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

(iii) Audit and Governance Committee

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

5.8 THE TREASURY MANAGEMENT ROLE OF THE SECTION 151 OFFICER

The S151 officer

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance;
- submitting regular treasury management policy reports;
- submitting budgets and budget variations;
- receiving and reviewing management information reports;
- reviewing the performance of the treasury management function;
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function;
- ensuring the adequacy of internal audit, and liaising with external audit;
- recommending the appointment of external service providers.
- preparation of a capital strategy to include capital expenditure, capital financing, non-financial investments and treasury management, with a long term timeframe
- ensuring that the capital strategy is prudent, sustainable, affordable and prudent in the long term and provides value for money
- ensuring that due diligence has been carried out on all treasury and non-financial investments and is in accordance with the risk appetite of the authority
- ensure that the authority has appropriate legal powers to undertake expenditure on non-financial assets and their financing
- ensuring the proportionality of all investments so that the authority does not undertake a level of investing which exposes the authority to an excessive level of risk compared to its financial resources
- ensuring that an adequate governance process is in place for the approval, monitoring and ongoing risk management of all non-financial investments and long term liabilities
- provision to members of a schedule of all non-treasury investments including material investments in subsidiaries, joint ventures, loans and financial guarantees
- ensuring that members are adequately informed and understand the risk exposures taken on by an authority

- ensuring that the authority has adequate expertise, either in house or externally provided, to carry out the above
- creation of Treasury Management Practices which specifically deal with how non treasury investments will be carried out and managed, to include the following: -
 - *Risk management (TMP1 and schedules), including investment and risk management criteria for any material non-treasury investment portfolios;*
 - *Performance measurement and management (TMP2 and schedules), including methodology and criteria for assessing the performance and success of non-treasury investments;*
 - *Decision making, governance and organisation (TMP5 and schedules), including a statement of the governance requirements for decision making in relation to non-treasury investments; and arrangements to ensure that appropriate professional due diligence is carried out to support decision making;*
 - *Reporting and management information (TMP6 and schedules), including where and how often monitoring reports are taken;*
 - *Training and qualifications (TMP10 and schedules), including how the relevant knowledge and skills in relation to non-treasury investments will be arranged.*

This page is intentionally left blank

Prudential Indicators 2021/22 for Approval

1. Capital Expenditure

	Actual £m	Estimate £m	Estimate £m	Estimate £m	Estimate £m
Services	7.3	32.7	45.8	19.9	7.5
Commercial activities / non-financial investments	3.5	2.2	-	-	-
Total	10.8	34.9	45.8	19.9	7.5

Financing of capital expenditure	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Capital receipts	8.0	-	7.2	1.0	7.1
Capital grants	2.8	7.9	3.4	0.1	-
Revenue	0.0	0.2	0.2	0.2	0.2
Net financing need for the year	4.5	26.7	35.0	18.6	0.2

Commercial activities / non-financial investments	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Capital Expenditure	4.8	2.2	-	-	-
Financing costs	-	-	-	-	-
Net financing need for the year	4.8	2.2	-	-	-
Percentage of total net financing need %	107%	8%	-	-	-

2. Capital Financing Requirement

	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Capital Financing Requirement					
CFR – non housing	(24.794)	(0.248)	34.715	53.245	53.400
CFR - Commercial activities/ non-financial investments	5.317	7.502	7.502	7.502	7.502
Total CFR	(19.477)	7.254	42.217	60.747	60.902
Movement in CFR	4.530	26.731	34.963	18.530	0.155

Movement in CFR represented by					
Net financing need for the year (above)	15,330	34,864	45,768	19,888	7,463
Less MRP/VRP and other financing movements	(10.800)	(8.111)	(10.805)	(1.358)	(7.308)
Movement in CFR	4.530	26.731	34.963	18.530	0.155

3. Core Funds and expected investment balances

Year End Resources	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m	2022/23 Estimate £m	2023/24 Estimate £m
Fund balances / reserves	16.485	15.411	17.921	16.348	14.761
Capital receipts	-	-	-	-	-
Provisions	2.115	5.500	4.800	3.800	2.800
Other	0.300	-	-	-	-
Total core funds	18.900	20.911	22.721	20.148	17.561
Working capital*	38.000	15.000	3.000	3.000	6.000
Under/over borrowing	1.000	-	-	-	-
Expected investments	57.900	35.911	25.721	23.148	23.561

4. Actual External Borrowing

	2019/20	2020/21	2021/22	2022/23	2023/24
	Actual	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m	£m
External Debt					
Debt at 1 April	7.5	7.5	34.2	26.0	44.5
Expected change in Debt	-	26.7	(8.2)	18.5	0.2
Other long-term liabilities (OLTL)	-	-	-	-	-
Expected change in OLTL	-	-	-	-	-
Actual gross debt at 31 March	7.5	34.2	26.0	44.5	44.7
The Capital Financing Requirement	(19.5)	7.3	42.2	60.7	60.9
Under / (over) borrowing	(7.5)	(26.9)	16.2	16.2	16.2

5. Operational Boundary

Operational boundary	2020/21	2021/22	2022/23	2023/24
	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m
Debt	20.0	40.0	100.0	100.0
Other long term liabilities	10.0	10.0	10.0	10.0
Commercial activities/ non-financial investments	10.0	20.0	30.0	30.0
Total	40.0	60.0	140.0	140.0

6. Authorised Limit

Authorised Limit	2020/21	2021/22	2022/23	2023/24
	Estimate	Estimate	Estimate	Estimate
	£m	£m	£m	£m
Debt	100.0	150.0	150.0	150.0
Other long term liabilities	10.0	10.0	10.0	10.0
Commercial activities/ non-financial investments	10.0	30.0	30.0	30.0
Total	120.0	190.0	190.0	190.0

7. Upper limit for principal sums invested for longer than 365 days

Current investments as at 30.11.20 in excess of 1 year maturing in each year	2021/22	2022/23	2023/24
£m	£m	£m	£m
20.0	40.0	40.0	40.0

8. Creditworthiness policy and counter-party limits

	Colour (and long term rating where applicable)	Money Limit per banking group (at time of investment)	Transaction Limit	Time Limit
Banks *	yellow	£10m	£10m	5yrs
Banks	purple	£10m	£10m	2 yrs
Banks	orange	£10m	£10m	1 yr
Banks – part nationalised	blue	£20m	£20m	1 yr
Banks – part nationalised – Council’s bank	blue	£50m	£30m	1 yr
Banks	red	£10m	£10m	6 mths
Banks	green	£10m	£10m	100 days
Banks	No colour	Not to be used	N/A	N/A
Limit 3 category – Council’s banker (where “No Colour”)	XXX	£30m	£30m	1 day
Property Funds	-	£20m	£10m	Not a fixed term investment so no time limit
DMADF	UK sovereign rating	unlimited	unlimited	6 months
Local authorities	n/a	£10m (per local authority)	£10m	unlimited

	Fund rating**	Money Limit (at time of investment)		Time
				Limit
Money Market Funds CNAV	AAA	£10m (per fund)	£10m	liquid
Money Market Funds LVNAV	AAA	£10m (per fund)	£10m	liquid
Money Market Funds VNAV	AAA	£10m (per fund)	£10m	liquid
Ultra-Short Dated Bond Funds with a credit score of 1.25	Dark pink / AAA	£10m (per fund)	£10m	liquid
Ultra-Short Dated Bond Funds with a credit score of 1.50	Light pink / AAA	£10m (per fund)	£10m	liquid

9. Ratio of financing costs to net revenue stream

%	2019/20 Actual	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate	2023/24 Estimate
Services	3.0%	0.5%	0.5%	1.6%	4.5%

10. Maturity structure of borrowing

Maturity structure of fixed interest rate borrowing 2021/22		
	Lower	Upper
Under 12 months	0%	100%
12 months to 2 years	0%	100%
2 years to 5 years	0%	100%
5 years to 10 years	0%	100%
10 years to 20 years	0%	100%
20 years to 30 years	0%	100%
30 years to 40 years	0%	100%
40 years to 50 years	0%	100%
Maturity structure of variable interest rate borrowing 2021/22		
	Lower	Upper
Under 12 months	0%	100%
12 months to 2 years	0%	100%
2 years to 5 years	0%	100%
5 years to 10 years	0%	100%
10 years to 20 years	0%	75%
20 years to 30 years	0%	50%
30 years to 40 years	0%	25%
40 years to 50 years	0%	25%

Executive

Date of meeting: 19th February 2021

Report by: Councillor Geoffrey Williamson, Deputy Leader & Executive Member for Financial Sustainability

Report title: Budget 2021/22 and Medium Term Financial Plan 2021/22 to 2024/25

Ward(s) affected: ALL

Summary -

The report sets out proposals on the following:

- the Medium Term Financial Plan (MTFP) 2021/22 – 2024/25;
- the savings plan which is the key part of delivering a balanced budget over the medium term;
- the 2021/22 – 2025/26 Capital Programme; and
- the 2021/22 schedule of charges

All decisions and recommendations will be considered within the national context of continued financial uncertainty arising from the pandemic, the lack of a multiple year Comprehensive Spending Review and risks for local government, particularly the impact of Local Council Tax Support on the Council Tax base. Going forward questions remain over the total funding for local government and how this will be shared between authorities including the Fairer Funding review and the review of Business Rates as a tax and its potential replacement.

RECOMMENDATIONS FOR EXECUTIVE:

- a) To recommend to Council that:

- I. The East Herts share of the Council Tax for a Band D property in 2021/22 be set at £179.09, an increase of £5, the maximum permitted within the Council Tax Referendum principles;
 - II. The Budget 2021/22 and the Medium Term Financial Plan 2021 – 2024 is approved;
 - III. The savings plans summarised in Appendix A are approved for implementation and that Council require that compensating savings, delivered to the same timescales, have to be put in place and reported to the next Council meeting should the Executive decide that any savings proposals should not proceed, or are reduced by 10% or more;
 - IV. The capital programme set out in Appendix E is approved; and
 - V. The schedule of charges for 2021/22 set out in Appendix F, with an average increase of 2.5%, is approved.
- b)** Welcome the positive results of the consultation on how the public value services that are provided by the council.
- c)** Endorse the aims of the Transformation Programme and note that further savings will result from this work.

1.0 Proposal(s)

- 1.1** The report sets out proposals for East Herts Council's element of the Council Tax for 2021/22 and a balanced four year Medium term Financial Plan (MTFP) for recommendation to Council.

2.0 Background

- 2.1** The council has undergone significant change over recent years, facing pressures linked to the UK economic and wider global downturns and more recently Brexit uncertainty and Covid19.

- 2.2** The budget is built around the corporate priorities, which are **Sustainability, Enabling our communities, Economic growth, and Digital by design**. This underpins the organisation's direction of travel.
- 2.3** The Executive considered a range of options to reduce net expenditure in November 2020, and this savings plan is included in Appendix A and they have been included in the 2021/22 revenue budget and in the MTFP. The Leadership Team have recommended that the proposals concerning the Emergency Planning Resilience Partnership are now not taken forward and are instead replaced with compensating savings from ending the shared design service with Stevenage Borough Council and no longer producing the print version of the Link magazine. These alternative savings are now included in the current budget and MTFP.
- 2.4** Budget efficiencies required over the next four years, in addition to those savings proposals compiled by Leadership Team and accepted by Executive to prepare this budget and MTFP, are an additional £3.250 million by 2023/24 although there is some flexibility using reserves to meet this target in 2024/25 at the latest.
- 2.5** The cumulative total new reduction is in addition to the cumulative savings delivered by this budget and MTFP proposal of £2.983 million by 2023/24. The cumulative required reduction against the 2020/21 budget is £6.233 million which represents a reduction of 40% in day to day running costs.
- 2.6** The savings target includes a number of new pressures which include the anticipated ending of the Alternative Finance Model (AFM) system after a review by the County Council resulting in a pressure of £0.4 million. The AFM currently rewards Districts and Boroughs for recycling rates by distributing recycling credits.

Hertfordshire is unusual in being one of the few remaining counties to pass on recycling credits in this way.

2.7 As a result of forecasting Business Rates for 2021/22 onwards, the need to increase the provision for bad debts by £1.034 million has been forecast as well as an increase in the appeals provision of £3.4million. The appeals provisions has been increased to take into account a 25% reduction in rates payable for office, retail and leisure businesses as a result of Material Change in Circumstances Appeals being successful. Material Changes in Circumstances covers a temporary environmental change to a business that has a material effect on that business and results in a reduction in rateable value for a period to reflect that change. A simple example would be where access to the road outside a shop is closed for 18 months whilst major highways works are carried out. The reduction would cover the period of works but once completed the rateable value will be reinstated to the previous level. These provisions plus forecasting on outstanding rates has resulted in a forecast Collection Fund deficit of £18.413 million. This deficit is then shared with the government and the County Council with East Herts share being 40% or £7.365 million. A large amount of this deficit is covered by government compensation for irrecoverable losses and then the final figure is recoverable over three years instead of the standard recovery in the next financial year. This is summarised in the table below:

	21/22	22/23	23/24
	£000	£000	£000
EHDC Deficit Share	2,455	2,455	2,455
S.31 Grant	(1,555)	(1,555)	(1,555)
Balance to General Fund	900	900	900

2.8 The grant to compensate for irrecoverable losses is paid as a single payment in January 2022 and will need to be transferred to earmarked reserves to cover the other 2 financial years. In the period 2021/22 to 2023/24, should the appeals and bad debt

provisions not be required, they will be reduced and the resulting credit will flow through the sharing system each year and feed into any potential surplus to be shared with the County and government. It is therefore possible that this contribution to the Collection Fund Deficit may be offset by the distribution of a surplus in future years. The government scheme appears to not require any repayment of the irrecoverable loss grant should provisions not be required but, on the flip side, there will be no government grant in future years to offset any emerging losses. Officers have therefore been prudent in estimating losses and potential appeals looking over the medium term and the deficit should **not** be interpreted as resulting from poor collection rates.

2.9 The report contains the following sections and Appendices:

Report Sections	
2.6	Budget Components
2.7	Net cost of services
2.8	Corporate budgets
2.9	Contributions to/from reserves
2.10	External funding
2.11	Council Tax
2.12	2021/22 Revenue budget
2.13	Consultation
2.14	Capital
2.15	2021/22 schedule of fees and charges

Appendices	
A	Savings Plan
B	Medium Term Financial Plan (MTFP)
C	Consultation
D	Reserves
E	Capital Programme
F	Schedule of charges

2.10 Budget Components

The council's revenue budget consists of five major building blocks as follows:

2.10.1 Net Cost of Services: these are the direct costs incurred by the council in delivering services, less any specific income generated. Any use of reserves to fund these services is included in the contributions to and from reserves.

2.10.2 Corporate budgets: these are the costs incurred and income received by the council that are not service specific, for example pension fund deficit contributions, interest income and payments.

2.10.3 Contributions to and from reserves: this represents funding within the revenue budget from earmarked reserves which has been allocated to fund specific purposes and funding received that is to be transferred into reserves. The impact of the use of reserves is a reduction on the total income demand on council taxpayers. Reserves are a finite source of funding and their use should represent value for money.

2.10.4 External Funding: these income budgets are general and non-service specific income sources. They include funding from Central Government and Non Domestic Rates income.

2.10.5 Council Tax: this income is also a general and non-service specific source of income.

2.11 Net Cost of Services

2.11.1 The proposed net cost of services for 2021/22 is £16.391million. All budgets, with the exception of salaries, major contracts and business rate costs, have been capped at 2020/21 levels.

2.11.2 Salary inflation of 2% has been included in the net cost of services. Budgets for contracts have been increased by inflation in line with specific contracts. Business rate costs have been frozen in 2021/22 to reflect the government's decision not to increase the multiplier in 2021/22.

2.11.3 A report detailing net cost reduction proposals was taken to Executive on 24th November 2020 where reductions to budgets of £1.1m to be built were agreed by the Executive for inclusion into the proposed budget and MTFP to be put to Council. These have been built into the net cost of service budgets.

2.11.4 The table below shows the net cost of services broken down by service:

Table1: Net Cost of Services

REVENUE BUDGET - MEDIUM TERM FINANCIAL PLAN				
	2021/2022	2022/2023	2023/24	2024/25
	£'000	£'000	£'000	£'000
Chief Executive & PA's	401	377	348	359
Communications, Strategy & Policy	1,366	1,377	1,418	1,459
Human Resources & Org Development	574	587	600	614
Strategic Finance & Property	1,703	1,729	1,790	1,853
Legal & Democratic Services	1,412	1,442	1,474	1,506
Housing and Health	2,611	2,629	2,651	2,721
CERA	238	238	238	238
Planning & Building Control	1,206	1,269	1,333	1,400
Operations	3,994	4,004	4,110	4,491
Shared Revenues & Benefits Service	695	734	774	815
IT Shared service	2,191	2,299	2,408	2,416
Net Cost of Services	16,391	16,686	17,145	17,872

CERA = Capital Expenditure Charged to a Revenue Account

2.12 Corporate budgets

2.12.1 The proposed income and expenditure budgets shown in table 2 cannot be directly attributed to specific services and relate to the authority as a whole.

Table 2: Corporate budgets

	2021/2022	2022/2023	2023/24	2024/25
	£'000	£'000	£'000	£'000
Corporate Budgets				
Fees & Charges Annual Review	(17)	(67)	(117)	(167)
NHB Grants to Town & Parish Councils	-	-	-	-
Minimum Revenue Provision	-	-	290	618
Interest Payable on Loans	-	166	334	334
Investment Income	(750)	(750)	(750)	(750)
Pension Fund Deficit Contribution	734	754	976	976
Savings to be identified	-	(2,389)	(3,250)	(3,250)
Total corporate budgets	(33)	(2,286)	(2,517)	(2,239)

2.12.2 It is forecast that the proposed 2.5% increase to fees and charges will generate an additional £17k, further details can be found in paragraph 2.17.

2.12.3 New awards of the New Homes Bonus (NHB) were due to have ended but this was given a one year reprieve by government. Given the pressures on the overall budget and the need to protect the council's cash flow it is proposed to end the automatic payment of NHB resources to Town and Parish Councils. Instead an amount equivalent to the 25% normally paid over to Town and Parish Councils will be held in reserves for eligible Town and Parish Councils to bid for. The payments will be conditional on the Town and Parish Council: having local Member endorsement of the bid; that the bid amount is capped at the amount they would have received under the previous arrangement; that they have spent all New Homes Bonus previously received and that the scheme being bid for meets one or more of the council's SEED priorities. Retaining the cash in the council's reserves will provide assistance with cash flow management as the first precept payments to Town and Parish

Councils, representing 6 months' Council Tax receipts have to be paid by law by the end of April and are effectively forward funded from the council's cash balances.

2.12.4 The capital programme will be largely funded by external borrowing going forward. Borrowing impacts the revenue account through the requirement to pay interest and also by the requirement to set aside Minimum Revenue Provision (MRP) to meet the repayment of the principal amount of loans. Generally loans are repayable over 30 years so for every £1 million borrowed, the revenue account is charged £33,334 a year as well as the interest at the rate set for the life of the loan by the Public Works Loans Board (PWLB). The new format of the capital programme will enable Members to connect the programme and its financing explicitly to the impact on the revenue budget.

2.12.5 The £2.3 million savings target in 2022/23 represents the new target to be achieved from new savings proposals, the transformation programme and infrastructure investment. This new savings target has arisen as a direct result of anticipated pressures such as the ending of the AFM recycling credit distribution, funding spread over three years of the Collection Fund Deficit, contract increases as a result of new properties being completed which results in step change cost increases particularly for refuse and recycling, an anticipated overall contract price increase in 2023/24 of £1 million on the refuse and recycling contract to introduce weekly food waste collections and the inclusion of interest and MRP payments required as a result of the capital programme.

2.13 Contributions to/from reserves

2.13.1 The budget process invariably includes items that are not annually re-occurring and that require finance from the council's

reserves. The proposed reserves contributions are summarised in the table below and include new movements for the irrecoverable losses in the collection fund grant. See Appendix D for more detail.

Table 3: Reserve contributions

	2021/2022	2022/2023	2023/24	2024/25
	£'000	£'000	£'000	£'000
Reserves				
Contributions to Earmarked Reserves	3,369	262	258	274
Contributions from Earmarked Reserves	(769)	(1,975)	(1,985)	(440)
Planned Use of General Fund Balance	-	-	(305)	135
New Homes Bonus Cont to Reserve	299	-	-	-
Total reserves	2,898	(1,713)	(2,032)	(32)

2.13.2 The reserves are an important part of the budget setting process; there are minimum levels of reserves which the section 151 officer sets out in his statutory report on the adequacy of reserves. Authorities are also expected to maintain a level of Earmarked Reserves to fund one-off projects and initiatives. The emphasis for this Medium Term Financial Plan is to protect a healthy minimum reserves position that provides sufficient cover for unforeseen events and provides resources to deliver the transformation programme at the fastest possible speed. Reserves will be subject to a full review as part of the year end closing of accounts. This will include a review of their purpose and whether some consolidation of reserves is possible to provide flexibility to fund the transformation programme and also provide a sufficient buffer in the General Fund Reserve should the phasing of savings delivery not match the target amount. However, it is only prudent to use the balance in a

planned way to assist with smoothing delivery of change. The use of the balance simply to avoid making savings decisions will significantly increase the risk that the council does not become financially sustainable in the medium term.

2.13.3 It is anticipated that the New Homes Bonus Grant will cease to exist from 2023/24 and be replaced by a new grant designed to incentivise house building through the planning system. As it is imprudent to anticipate income when there are no proposals from government to model any potential awards, no income has been assumed other than the New Homes Bonus allocations already announced.

2.14 Sources of External Funding

2.14.1 The 2021/22 Provisional Local Government Finance

Settlement was published on 17th December 2020, this provides details of provisional grant allocations and baseline figures within the Business Rate Retention scheme. Full details can be found on the MHCLG website. The table below shows the forecast funding.

Table 4: Funding

	2021/2022	2022/2023	2023/24	2024/25
	£'000	£'000	£'000	£'000
Funding				
Capital Salaries	(150)	(150)	(150)	(150)
NDR	(2,721)	(2,716)	(2,770)	(2,868)
Section 31 Grants	(4,666)	-	-	-
(Surplus)/Deficit on Collection Fund	2,455	2,455	2,455	-
Government Grant	(874)	(227)	(223)	(239)
New Homes Bonus	(2,244)	(571)	-	-
Total Funding	(8,200)	(1,209)	(688)	(3,257)

2.14.2 The Collection Fund is made up of two elements – Council Tax and Business Rates. Each one of these taxes can make a surplus or deficit for the year and those surpluses deficits are shared between East Herts and Principal Preceptors for Council Tax and the County Council and government for business rates. The deficit shown relates Business Rates. The Collection Fund position on Council Tax was a net break even position as the forecast deficit of £0.111 million for the year was absorbed by the brought forward balance. The Business Rates deficit is covered in paragraphs 2.6 and 2.7 above.

2.14.3 Members should be aware that there is a considerable risk that the Business Rates do not yield the funding level assumed in the budget and MTFP. In a worst case scenario the council could lose up to 7.5% of income below its Baseline Funding Amount within the Rates Retention System. Beyond a 7.5% loss the council is protected by the Safety Net arrangements under which that income level is guaranteed by government. So that Members can appreciate the risk the Business Rate income at the Safety Net level is £2.516 million which is £0.347 million less than the current estimates.

2.14.4 The 2021/22 allocations for New Homes Bonus were announced as part of the provisional finance settlement. These will be paid with the legacy amounts for 2018/19 and 2019/20. Members should note that the 2021/22 new award is a single year payment only and there will be no legacy amount payable in the future. A consultation is expected around reform to the New Homes Bonus scheme in due course.

2.14.5 Using Central Government's New Homes Bonus calculator, it is anticipated that the only payment expected in 2022/23 will be

the final year's legacy payment from 2019/20. As shown in the table above.

2.15 Council Tax:

2.15.1 The Spending Review 2020 published in November 2020, set the council tax referendum limit at 2%. The provisional settlement confirmed that district councils will be allowed to apply the higher of the referendum limit of 2% or £5.

2.15.2 In setting the council's proposed budget, the maximum of £5 has been used in all years of the MTFP, giving a band D equivalent Council Tax of £179.09 for 2021/22.

2.15.3 Members have discretion over a number of Council Tax Discounts and a long term empty property premium that can be used to improve Council Tax yields, for example the premium applied to long term empty properties is 100% for properties empty between 2 and 5 years and can be increased to 200% for properties empty for more than 5 years. This premium is in addition to the 100% Council Tax due on the property and would see long term empty properties paying 300% Council Tax after 5 years. Currently the council only applied the 100% uplift. This is a potentially useful policy tool to assist bringing empty properties back into use. The council also has flexibility to set the empty and unfurnished discount which could be reduced to 4 weeks in common with most local authorities and acts as incentive to landlords to reduce void times and increase the supply of rented accommodation. A review of these discounts would also benefit the County, Police and Town and Parish Councils' elements of the total Council Tax charge for the property concerned.

2.15.4 Members have set the Local Council Tax Support Scheme (LCTSS) for working age claimants (pensioners are covered by the MHCLG national scheme which replicates the awards under the old Council Tax Benefit scheme and means that up to 100% of liability is covered). Members should consider whether the LCTSS could be changed over to a scheme using, for example income bands, and other simplifications that would reduce assessment and administration costs. Members will also need to consider in the coming year, especially in the economic climate when the LCTSS comes up for approval at Council in November, whether to change the relatively generous liability covered within the East Herts LCTSS of 91.5% when the national average for Councils in England is 80% of liability is covered.

2.16 2021/22 Revenue Budget

2.16.1 The council is required to set a balanced budget each year. The Local Government Finance Act 1992 (as amended by the Localism Act 2011) requires the council to estimate revenue expenditure and income for the forthcoming year from all sources, together with government grant and contributions from reserves, in order to determine a basic Council Tax Requirement. The proposed budget for 2021/22 is shown on the next page:

Table 5: 2021/22 Revenue budget

	2021/2022
	£'000
Net Cost of Services	16,391
Total corporate budgets	(33)
Total reserves	2,898
Funding	
Capital Salaries	(150)
Non Domestic Rates	(2,721)
Section 31 Grants	(4,666)
(Surplus)/Deficit on Collection Fund	2,455
Government Grant	(874)
New Homes Bonus	(2,244)
Total Funding	(8,200)
Demand on Collection Fund	11,056

2.17 Consultation

2.17.1 To assist Members with understanding how the public value the services provided by the council, an on-line consultation was undertaken for two weeks closing on 20 December 2020. Details of the questions and the answers are provided in Appendix C

2.17.2 Some 696 members of the public took part and generally they are positive about the way the council is run and provides value for money. Indeed the very satisfied score for value for money is double the average score seen at other local authorities for this question. Services that came out with very positive scores from residents were waste, parks and open spaces and leisure. Parking and dealing with antisocial behaviour came out as broadly neutral. Residents expressed some dissatisfaction with the Planning Service but from comments this appears to a

number of people who did not like development in their local area. Questions on housing and support to businesses were answered very heavily with don't know. This is disappointing given the cash passed on to support businesses during the pandemic and the important work the council does to prevent homelessness and ensuring the building of affordable housing for local people.

2.17.3 No consultation has taken place with the public on the overall budget proposals. Individual savings proposals which have a significant impact will be subject to consultation exercises on their implementation as has happened, for example, for garden waste charging.

2.18 Capital Programme

2.18.1 During 2020/21 a review of the major capital projects' business cases has been completed as well as a review of the phasing and financing of the whole programme over five years. The five year Capital programme from 2021/22 can be found in Appendix E and delivers the substantial capital ambitions of the council with major investments in leisure, culture, and the revitalisation of Bishop's Stortford.

2.18.2 Going forward, the capital programme will need to be financed predominately by borrowing with resulting revenue costs in terms of interest and Minimum Revenue Provision (MRP). MRP is a statutory requirement to ensure that the council sets aside revenue to repay the loan principal and Council will be requested to approve the MRP Policy as part of the Capital Strategy. It is proposed that MRP will be on the asset life method which has several advantages. Firstly, MRP is not payable whilst the asset is under construction which can take two to three years. Once the asset is brought into use the asset life must be set and once set it is fixed and cannot be changed. MRP then becomes payable only in the first full year the asset is in service.

Asset lives have to have regard to the statutory guidance and are set by the s.151 officer. We will usually phase loan repayments to utilise the MRP accrued and to create borrowing headroom. Generally the useful asset life will be 30 years for buildings. Whilst this might, on the face of it, seem too short for a building, the various components of the building are likely to need substantial replacement after 30 years (windows, wiring, plumbing, roof, fixtures and fittings and so on.). When undergoing major refurbishment, the building is often stripped back to the core structural elements therefore a useful life of 30 years covering loan debt structured to be paid down over 30 years is a prudent method.

2.18.3 On 25 November 2020 the Government announced changes to borrowing rules to access the Public Works Loans Board (PWLB) lending facility. The PWLB forms part of HM Treasury and provides loans to local authorities at substantially cheaper rates than local authorities could access from the market. The announcement informed local authorities that the government would withhold lending from any local authority that seeks to borrow for investment in “assets primarily for yield”. The prohibition will cover all lending even if there is just a single item that is an investment primarily for yield in a three year capital programme, regardless of how that item is financed. It will be for the s.151 officer (Head of Strategic Finance and Property) to certify that no investments fall into the primarily for yield category. This change applied from 9am 26 November 2020.

2.18.4 As a result of the announcement further acquisitions by the Financial Sustainability Committee were halted as their target acquisitions were investments primarily for yield. Acquisition of further properties by Millstream has also been paused for 2021/22 onwards. There is some uncertainty as to whether housing is an investment primarily for yield; as these are complex legal areas and the general power of competency cannot be applied in an unfettered way, in this case the Head of Strategic Finance and Property will seek Counsel’s advice on this

issue. In order to protect the council's access to PWLB borrowing, Millstream has been asked to bring forward a business plan that holds its current position and does not involve new acquisitions or development until Counsel's advice has been received and considered.

2.18.5 The Financial Sustainability Committee has been provisionally allocated a £6 million budget and this is preserved within the capital programme as the Committee wish to explore a number of infrastructure investments which are not currently being provided by the market (and thus would not be counted as investment in assets primarily for yield) but will also provide an income to the council in the medium term. The types of proposals to be considered are commercially confidential and if Members wish to discuss these then it will be necessary to exclude the press and public from the meeting by virtue of Paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972 . *Information relating to the financial or business affairs of any particular person (including the authority holding that information).*

2.18.6 In order to ensure the capital programme at Appendix E remains affordable it has been necessary to make provision for the disposal of all the residential properties at Northgate End (both affordable and market units) with the capital receipt being used to finance the scheme. This is essential to protect the revenue account from further pressure in the medium term.

2.18.7 Members will also note that Revenue Expenditure Funded as Capital Under Statute (REFCUS) is now charged to the revenue account. Borrowing is not a suitable financing method for REFCUS because it results in no asset for the council. In examining the grants in this area it is now proposed that Home Improvement Grants and Historic Building Grants are offered as interest free loans secured against the equity in the property going forward. Where this change has been implemented elsewhere money starts to return to the council after about five years and as they are capital receipts these are then applied to the capital programme providing for revolving funding.

2.18.8 It is also proposed that the home energy improvement grants be rebranded as East Herts Green Deal Loans. The council will provide funding for the installation of ground source or air source heat pumps to replace electric storage heaters, gas or oil fired boilers. This will help homeowners move away from fossil fuel burning heating systems and assist those on low incomes to become carbon neutral. These installations are substantially more expensive than conventional boilers but do result in reductions of around 60% in energy bills. The funding will be in the form of an interest loan secured against the equity in the property. The applicant will have their energy bills examined before and after and asked to pay 50% of the saving to the council to repay the loan.

2.19 Prudential Code implications

2.19.1 The council is required under the Local Government Act 2003 to 'have regard' to the requirements of the CIPFA Prudential Code which requires that certain performance indicators and limits known as Prudential Indicators are calculated.

2.19.2 The Prudential Indicators must be approved by Council before the beginning of each financial year. Their purpose is to help the council ensure that its capital investment plans are affordable, prudent and sustainable.

2.19.3 In the opinion of the Head of Strategic Finance and Property the capital programme being proposed in this budget report is affordable, prudent and sustainable. However, it should be noted that the Minimum Revenue Provision Policy, is subject to validation with the Council's external auditor. The policy contains a proposed treatment of historic set aside capital receipts which can only be utilised for repaying borrowing. The Policy utilises receipts to repay borrowing but there is a risk that if the external auditor does not agree with the treatment of the historic set aside receipts that the council will need to revisit the

capital programme and its financing

2.20 2021/22 Revenue schedule of fees and charges

2.20.1 Fees and charges have been increased by an average 2.5%, the estimated impact of this increase is additional income of £17k in 2021/22. Detailed Fees and Charges are shown in Appendix F.

2.20.2 The table below shows the impact of the changes proposed in the schedule of charges to the 2021/22 budget.

Table 6: Fees and charges

Service	2020/21 budget	Impact of proposed average 2.5% charges increase	2021/22 budget
	£	£	£
Env. Heath Promotions	2,100	50	2,150
Env. Health Licences	24,950	550	25,550
Taxi Licensing	290,750	7,200	297,950
Dev & Building Control	132,450	3,300	135,750
Legal fees	33,100	800	33,900
Markets	19,030	500	19,530
Bed & Breakfast	16,100	400	16,500
Residents Parking	141,750	3,500	145,250
Parking – season tickets	33,350	800	34,150
	693,580	17,150	710,730

2.20.3 A report aligning the Waste shared service pricing structure was approved at Full Council on 16th December 2020. This report

included proposals for a common pricing structure for residual commercial and chargeable household waste, to introduce charges for recyclable commercial and recyclable chargeable household waste in line with existing shared waste service charging and to agree to a new pricing structure for chargeable household bulky waste collections. The report forecasts a net positive budget impact of £103k, this has been included in the net cost of services.

2.21 Transformation Programme

2.21.1 The Transformation Programme will be delivered alongside savings plans. Savings from the programme will be calculated and agreed for delivery as the Programme evolves. The aims of the programme are:

- Ensuring our staff teams are resourced appropriately, allowing us to focus on our corporate plan priorities.
- Accelerating a number of operational projects to improve efficiency such as bringing together administrative and business support functions.
- Recognising the need to drive and realise a more commercial approach to how the council operates.
- Ensuring flexibility and collaboration – working across council services and with partners to share expertise, capacity and space.
- Consulting with our residents to understand what services they find most useful and why
- Undertaking an agile working review to:
 - transform existing working practices to ones that are more effective and efficient and ensure that previous investment in technology is being fully utilised to support agile working, starting with the finance system

- create a culture which acknowledges that it is about the work you do not where you do it
- maximise customer self-service and digital engagement
- identify and then deliver new ways of working smarter through IT and technology solutions that will underpin how we collaborate and communicate; and
- review our future office and space needs and ensure that we have the right space of the right size in the right place.

2.21.2 The operational review will allow proposed changes to the way services are delivered to be properly evaluated, costed and delivered over the next three years ensuring that, combined with the income generation proposals, the council's resources are focussed on delivering the new Corporate Plan. Without this review and a transformation programme to deliver these significant changes there is a highly probable risk that in future Members will have to make significant reductions in services so as to operate within a funded budget or risk intervention from central government.

3.0 Reason(s)

3.1 The council is required to set a balanced budget in advance of the beginning of each financial year in accordance with the provision of the Local Government Finance Act 1992.

4.0 Options

4.1 The budget process included consultation and discussion around alternative savings options. This paper presents the recommended options.

5.0 Risks

5.1 The council's Medium Term Financial Plan is a complex model subject to many factors and the forecasts are, by necessity,

subject to continuous review and refinement to reflect the latest information as it emerges.

5.2 The budget report considers emerging risks to the funding the council receives and issues are set out in the appropriate parts of the report.

5.3 Section 25 of the Local Government Act 2003 requires the Statutory s151 Officer (Head of Strategic Finance and Property) to give advice to Council on the level of reserves held and the robustness of the budgets of the budgets at the time Council makes its decision on the budget proposals

5.4 COVID-19 – the budget has been produced on the basis that substantial progress will have been made on the roll out of the vaccine nationally and that Government funding will cover quarter 1 lost income. From July 2021 the budget assumes a steady return to levels of activity prior to the pandemic. However, we foresee that activity may be different as people work from home two to three days a week with different travel patterns and different demands on services, for example, commuter parking versus shoppers parking. The council continues to monitor service patterns and will be well placed to respond to these changes.

6.0 Implications/Consultations

6.1 Consultation with residents on the satisfaction with services and their perception of the value for money provided by the council has been undertaken and the results have improved the budget proposals put forward. Specific consultation exercises will take place on implementing significant service changes such as the design of the charged for garden waste service.

6.2 The budget and MTFP was subject to scrutiny at a meeting of Joint Scrutiny Committees on 10 February 2021 and there were no recommended amendments to the budget or MTFP.

Community Safety

The budget underpins delivery of the council's policies and priorities in relation to community safety, for example, a previous proposal to withdraw from the Hertfordshire Emergency Planning Resilience Partnership has been put on hold for the time being.

Data Protection

The costs of monitoring and complying with Data Protection regulations are included in the base budget. There are no resources set aside to meet any possible fines and these would have to be funded from reserves.

Equalities

The council has a number of statutory duties under the Equality Act 2010. These includes the requirements on the council to have due regard to the need to eliminate discrimination and harassment, to advance equality of opportunity, to foster good relations and to remove or minimise disadvantages suffered by persons who share protected characteristics.

In setting the budget, decisions on some matters may be particularly relevant to the discharge of this duty and an equalities impact assessment will be undertaken at the implementation phase to assess and ensure compliance with this duty.

Environmental Sustainability

The budget underpins policies and priorities in relation to the environmental and sustainability areas e.g. it provides staffing and capital investment resources.

Financial

All financial implications are included in the report.

Health and Safety

The council's budget provides resources to discharge its health and safety duties in relation to staff as employer and to the public as service users.

Human Resources

The budget will provide a provision for a pay award of up to 1.5% but the actual award is subject to national NJC negotiations. This provision is set in the light of

forward inflation estimates consensus contained in the Bank of England Monetary Policy Report November 2020. Progression up the incremental scale has been included in the base budget salary costings.

Human Rights

No

Legal

The Council is required to set a balanced budget each year. The Local Government Finance Act 1992 (as amended by the Localism Act 2011) requires the Council to estimate revenue expenditure and income for the forthcoming year from all sources, together with government grant and contributions from reserves, in order to determine a basic Council Tax Requirement.

Section 25 of the Local Government Act 2003 requires the Chief Finance Officer to report on the robustness of the estimates and adequacy of reserves to the Council when it is considering the budget.

Section 114 of the Local Government Finance Act 1988 requires the Chief Finance Officer to report to the full Council if there is or is likely to be unlawful expenditure or an unbalanced budget. This would include situations where reserves have become seriously depleted and it is forecast that the authority will not have the resources to meet its expenditure in a particular financial year. The issuing of a Section 114 report requires the Full Council to meet within 21 days to consider the report and during that period the Council is prohibited from entering into new agreements involving the incurring of expenditure.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

Appendices	
A	Savings Plan
B	Medium Term Financial Plan (MTFP)
C	Consultation
D	Reserves
E	Capital Programme
F	Schedule of charges

Contact Member

Councillor Geoffrey Williamson, Deputy Leader
& Executive Member for Financial Sustainability

geoffrey.williamson@eastherts.gov.uk

Contact Officer

Steven Linnett, Head of Strategic Finance and
Property

Contact Tel. No. Ext 2050

steven.linnett@eastherts.gov.uk

Report Author

Alison Street, Financial Planning Manager

alison.street@eastherts.gov.uk

This page is intentionally left blank

Savings proposals to be taken forward £000s

Description	Cost Centre	2021/22		2022/23		2023/24	
		£000	£000	£000	£000	£000	£000
		Proposed	Include	Proposed	Include	Proposed	Include
Operations							
Garden Waste charging	OPS12	(703)	(703)	(735)	(735)	(735)	(735)
Car Parking proposals EXCLUDING Blue Badge	OPS20-26			(484)	(444)	(551)	(511)
Leisure centres	OPS11	100	100	100	100	(404)	(404)
Litter and dog waste bins - combine	OPS6	(19)	(19)	(19)	(19)	(19)	(19)
Hertford Theatre	OPS27-29	34	34	88	88	(400)	(400)
Parks and Open Spaces - catering concessions	OPS6	(8)	(8)	(15)	(15)	(20)	(20)
Environmental Inspection	EN001	31	31	(0)		(0)	
Chief Executive							
Senior Management restructure	CED1	(30)		(65)	(30)	(65)	(65)
Corporate Support Team review	CED2	(5)		(10)	(5)	(10)	(10)
Communications, Strategy & Policy							
Communications - Option 1 reduce communications activity	CM002	(30)	(30)	(30)	(30)	(30)	(30)
Cease printing Link and make digital only.	CM002	(10)	(10)	(10)	(10)	(10)	(10)
Digital Receptions - Delete vacant posts and remove payment kiosks.	CS001	(50)	(50)	(63)	(63)	(63)	(63)
Ec Dev Subscriptions - Cease payments CZA and BBfA subs included only	ED101	(5)	(5)	(20)	(20)	(20)	(20)
Housing & Health							
Community Grants - Community Transport	CW103	(84)	(21)	(84)	(42)	(84)	(63)
Community Wellbeing Team - restructure	CW001	(25)		(50)	(25)	(50)	(50)
Delete housing survey	EH106	(31)	(31)	(31)	(31)	(31)	(31)
Environmental Health - End van leases and use electric pool cars	EH001	(10)	(10)	(12)	(12)	(12)	(12)
Human Resources							
Apprentices - Option 3 recruitment limited to 2 more apprentices	HR2	(53)	(17)	(73)		(73)	
HR&OD - Savings limited to local training budgets - reverting to pre-increase level.	HR1	(24)	(12)	(34)	(12)	(37)	(12)

Description	Cost Centre	2021/22		2022/23		2023/24	
		£000		£000		£000	
		Proposed	Include	Proposed	Include	Proposed	Include
Legal & Democratic							
Legal Services - Hiring permanent staff instead of incurring external agency costs	LDS1	(7)	(7)	(27)	(27)	(63)	(63)
Electoral Registration - Annual Canvas reform	LDS4	(25)	(25)	(25)	(25)	(25)	(25)
Cease webcasting. To be permanently replaced with YouTube channel	LDS2	(15)	(15)	(15)	(15)	(15)	(15)
Electoral Registration - postage	LDS4	(4)	(4)	(4)	(4)	(4)	(4)
Electoral Registration - Invitation to Register reminders	LDS4	(2)	(2)	(2)	(2)	(2)	(2)
Planning							
Archive digitisation	PL001	(41)	(41)	(41)	(41)	(41)	(41)
Online adverts except for some major applications	PL001	(30)	(30)	(30)	(30)	(30)	(30)
Staffing restructure. Part of ongoing review.	PL001	(30)	(15)	(30)	(30)	(30)	(30)
Building Control - Cost pressure due to incorrect budget set after dividend for Dacorum joining the company	PBC2	23	23	23	23	23	23
Revenues and Benefits							
Revenues and Benefits retained costs - various budget adjustments	RB002	(83)	(83)	(83)	(83)	(83)	(83)
Staffing changes. 1 retirement 2020. Other savings deferred by 1 year.	RB001	(59)	(13)	(59)	(59)	(59)	(59)
Shared ICT Service							
Shared ICT Service - End Print service	SS001	(100)	(100)	(100)	(100)	(100)	(100)
Shared ICT Service - End design service	SS001	(20)	(20)	(20)	(20)	(20)	(20)
Strategic Finance & Property							
Facilities Management - Post Room and Courier service changes.	SP002	(33)		(33)	(33)	(33)	(33)
Finance - target for the new Head of Service to deliver through efficiencies	SF001 - 6		(50)		(50)		(50)
		(0)					
Total		(1,348)	(1,133)	(1,993)	(1,801)	(3,096)	(2,987)
Target			(1,102)		(2,003)		(3,963)
			(31)		202		976



REVENUE BUDGET - MEDIUM TERM FINANCIAL PLAN

2021/2022	2022/2023	2023/24	2024/25
£'000	£'000	£'000	£'000

Chief Executive & PA's	401	377	348	359
Communications, Strategy & Policy	1,366	1,377	1,418	1,459
Human Resources & Org Development	574	587	600	614
Strategic Finance & Property	1,703	1,729	1,790	1,853
Legal & Democratic Services	1,412	1,442	1,474	1,506
Housing and Health	2,611	2,629	2,651	2,721
CERA	238	238	238	238
Planning & Building Control	1,206	1,269	1,333	1,400
Operations	3,994	4,004	4,110	4,491
Shared Revenues & Benefits Service	695	734	774	815
IT Shared service	2,191	2,299	2,408	2,416
Net Cost of Services	16,391	16,686	17,145	17,872

Corporate Budgets

Fees & Charges Annual Review	(17)	(67)	(117)	(167)
NHB Grants to Town & Parish Councils	-	-	-	-
Minimum Revenue Provision	-	-	290	618
Interest Payable on Loans	-	166	334	334
Investment Income	(750)	(750)	(750)	(750)
Pension Fund Deficit Contribution	734	754	976	976
Savings to be identified	-	(2,389)	(3,250)	(3,250)
Total corporate budgets	(33)	(2,286)	(2,517)	(2,239)

Reserves

Contributions to Earmarked Reserves	3,369	262	258	274
Contributions from Earmarked Reserves	(769)	(1,975)	(1,985)	(440)
Planned Use of General Fund Balance	-	-	(305)	136
New Homes Bonus Cont to Reserve	299	-	-	-
Total reserves	2,898	(1,713)	(2,032)	(31)



APPENDIX B

2021/2022	2022/2023	2023/24	2024/25
£'000	£'000	£'000	£'000

Funding

Capital Salaries	(150)	(150)	(150)	(150)
NDR	(2,721)	(2,716)	(2,770)	(2,868)
Section 31 Grants	(4,666)	-	-	-
(Surplus)/Deficit on Collection Fund	2,455	2,455	2,455	-
Government Grant	(874)	(227)	(223)	(239)
New Homes Bonus	(2,244)	(571)	-	-
Total Funding	(8,200)	(1,209)	(688)	(3,257)

Budget gap		-	-	-
------------	--	---	---	---

Demand on Collection Fund	11,056	11,478	11,908	12,345
Council Taxbase	61,734	62,352	62,975	63,605
Council Tax at Band D (£)	179.09	184.09	189.09	194.09

Percentage Increase in Council Tax	2.87%	2.79%	2.72%	2.64%
£ increase in Council Tax	5.00	5.00	5.00	5.00

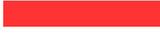
What do residents think of East Herts Council services?

1. Introduction

1. Overall, how satisfied or dissatisfied are you with the way East Herts Council runs things?

								Response Percent	Response Total	
1	Very satisfied							9.68%	67	
2	Satisfied							45.09%	312	
3	Neutral							27.46%	190	
4	Dissatisfied							12.86%	89	
5	Very dissatisfied							4.34%	30	
6	Don't know							0.58%	4	
Statistics	Minimum	1	Mean	2.59	Std. Deviation	1.01	Satisfaction Rate	31.76	answered	692
	Maximum	6	Variance	1.02	Std. Error	0.04			skipped	4

2. Did you know that for every £1 of council tax collected, East Herts only gets to keep 10p of it? Around the same amount is kept by the police and the majority (around 75p in every £1) goes to the County Council.

								Response Percent	Response Total	
1	Yes							32.07%	220	
2	No							67.93%	466	
Statistics	Minimum	1	Mean	1.68	Std. Deviation	0.47	Satisfaction Rate	67.93	answered	686
	Maximum	2	Variance	0.22	Std. Error	0.02			skipped	10

3. To what extent are you satisfied or unsatisfied that East Herts Council provides value for money?

								Response Percent	Response Total	
1	Very satisfied							9.24%	64	
2	Satisfied							35.93%	249	
3	Neutral							35.06%	243	
4	Dissatisfied							12.70%	88	
5	Very dissatisfied							5.77%	40	
6	Don't know							2.02%	14	
Statistics	Minimum	1	Mean	2.76	Std. Deviation	1.1			answered	693
	Maximum	6	Variance	1.2	Std. Error	0.04			skipped	3

2. How satisfied are you with the following services run by the district?

4. Recycling and waste collection? We collect black bins, blue lidded bins, brown bins and paper boxes from outside your homes. Please note the household waste centres are not run by East Herts Council.

						Response Percent	Response Total	
1	Very satisfied					44.73%	310	
2	Satisfied					40.69%	282	
3	Neutral					6.06%	42	
4	Dissatisfied					6.78%	47	
5	Very dissatisfied					1.88%	13	
6	Don't know					0.29%	2	
Statistics	Minimum	1	Mean	1.82	Std. Deviation	0.98	answered	693
	Maximum	6	Variance	0.96	Std. Error	0.04	skipped	3

5. Parks and open spaces? East Herts Council owns and manages around 120 open spaces including "village greens", formal gardens, woodland and naturalised areas. We own and manage 45 main parks and 56 equipped play areas.

						Response Percent	Response Total	
1	Very satisfied					20.12%	139	
2	Satisfied					50.94%	352	
3	Neutral					17.37%	120	
4	Dissatisfied					7.67%	53	
5	Very dissatisfied					1.74%	12	
6	Don't know					2.60%	18	
Statistics	Minimum	1	Mean	2.28	Std. Deviation	1.08	answered	691
	Maximum	6	Variance	1.17	Std. Error	0.04	skipped	5

6. Leisure services? East Herts Council funds or partially funds facilities including Hartham Leisure Centre in Hertford, Grange Paddocks Leisure Centre in Bishop's Stortford, Fanshawe swimming pool and gym in Ware, Leventhorpe pool and gym in Sawbridgeworth and Ward Feeman swimming pool in Buntingford.

						Response Percent	Response Total	
1	Very satisfied					6.66%	46	
2	Satisfied					29.67%	205	
3	Neutral					34.01%	235	
4	Dissatisfied					11.14%	77	
5	Very dissatisfied					3.33%	23	
6	Don't know					16.21%	112	
Statistics	Minimum	1	Mean	3.23	Std. Deviation	1.48	answered	691
	Maximum	6	Variance	2.19	Std. Error	0.06	skipped	5

7. Housing advice and support for homeless people?

								Response Percent	Response Total	
1	Very satisfied							2.76%	19	
2	Satisfied							7.70%	53	
3	Neutral							28.20%	194	
4	Dissatisfied							6.54%	45	
5	Very dissatisfied							2.47%	17	
6	Don't know							52.33%	360	
Statistics	Minimum	1	Mean	4.55	Std. Deviation	1.63	Satisfaction Rate	71.05	answered	688
	Maximum	6	Variance	2.65	Std. Error	0.06			skipped	8

8. Planning services? This includes dealing with planning applications and planning enforcement.

								Response Percent	Response Total	
1	Very satisfied							3.47%	24	
2	Satisfied							14.60%	101	
3	Neutral							26.01%	180	
4	Dissatisfied							20.66%	143	
5	Very dissatisfied							15.46%	107	
6	Don't know							19.80%	137	
Statistics	Minimum	1	Mean	3.89	Std. Deviation	1.45	Satisfaction Rate	57.89	answered	692
	Maximum	6	Variance	2.09	Std. Error	0.05			skipped	4

9. Parking services? This includes resident's permits zones, running town centre car parks and parking enforcement.

								Response Percent	Response Total	
1	Very satisfied							5.92%	41	
2	Satisfied							26.16%	181	
3	Neutral							25.29%	175	
4	Dissatisfied							25.29%	175	
5	Very dissatisfied							12.86%	89	
6	Don't know							4.48%	31	
Statistics	Minimum	1	Mean	3.26	Std. Deviation	1.26	Satisfaction Rate	45.29	answered	692
	Maximum	6	Variance	1.6	Std. Error	0.05			skipped	4

10. Support for businesses? This includes giving out grants to eligible businesses as well as providing advice and guidance for operating safely under Covid-19 restrictions.

								Response Percent	Response Total	
1	Very satisfied							5.07%	35	
2	Satisfied							13.62%	94	
3	Neutral							29.13%	201	
4	Dissatisfied							4.20%	29	
5	Very dissatisfied							3.48%	24	
6	Don't know							44.49%	307	
Statistics	Minimum	1	Mean	4.21	Std. Deviation	1.75	Satisfaction Rate	64.17	answered	690
	Maximum	6	Variance	3.06	Std. Error	0.07			skipped	6

11. Dealing with anti-social behaviour and nuisance?

								Response Percent	Response Total	
1	Very satisfied							2.17%	15	
2	Satisfied							19.57%	135	
3	Neutral							31.30%	216	
4	Dissatisfied							19.57%	135	
5	Very dissatisfied							9.13%	63	
6	Don't know							18.26%	126	
Statistics	Minimum	1	Mean	3.69	Std. Deviation	1.42	Satisfaction Rate	53.74	answered	690
	Maximum	6	Variance	2.02	Std. Error	0.05			skipped	6

12. Please provide any other information here regarding your thoughts on our services.

			Response Percent	Response Total
1	Open-Ended Question		100.00%	219
			answered	219
			skipped	477

3. Last part!

13. You do not need to provide an email address to take part in this survey however this is needed if you want to be considered for the £50 voucher to spend in a local business. If you wish to be considered please provide your email address:

			Response Percent	Response Total
1	Open-Ended Question		100.00%	440
			answered	440

13. You do not need to provide an email address to take part in this survey however this is needed if you want to be considered for the £50 voucher to spend in a local business. If you wish to be considered please provide your email address:

	Response Percent	Response Total
	skipped	256

14. For the purposes of current data protection laws the information (email address) you supply the Council as part of this survey will be used for the purposes outlined above and retained as per our published corporate data protection privacy policy which can be found on the East Herts District Council Data Protection page: <https://www.eastherts.gov.uk/information-requests/data-protection> Please confirm you have read the above privacy notice

	Response Percent	Response Total
1 I confirm I have read the notice	100.00%	660
Statistics	answered	660
Minimum 1 Mean 1 Std. Deviation 0 Satisfaction Rate 0	skipped	36
Maximum 1 Variance 0 Std. Error 0		

This page is intentionally left blank

PROJECTED BALANCES ON RESERVES

	2020/21 Est Balance 31 Mar '21 £000	2021/22 Balance 31 Mar '22 £000	2022/23 Balance 31 Mar '23 £000	2023/24 Balance 31 Mar '24 £000	2024/25 Balance 31 Mar '25 £000
General Fund	3,854	3,854	3,854	3,854	3,854
General Reserve	676	580	580	580	580
Other Earmarked Reserves					
Interest Equalisation Reserve	1,685	1,685	1,685	1,685	1,685
Insurance Fund	935	943	943	943	943
Emergency Planning Reserve	36	36	36	36	36
LDF - Public Exam / Green Belt Review	62	62	62	62	62
Housing Condition Survey	104	104	104	104	104
Provision for future whole Council elections	35	70	105	140	175
Sinking Fund - Leisure utilities / pension	228	228	228	228	228
Performance reward grant	10	10	10	10	10
Waste recycling income volatility reserve	103	103	103	103	103
Footbridge over the River Stort	150	150	150	150	150
DCLG Preventing Repossessions	18	18	18	18	18
New Homes Bonus Priority Spend	3,666	3,296	3,118	2,932	2,737
Collection Fund Reserve	2,554	5,364	3,809	2,254	2,254
DEFRA Flood Support for Local Businesses Grant Reserve	4	4	4	4	4
Neighbourhood Planning Grant	64	64	64	64	64
IER grant	106	106	106	106	106
MTFP Transition Funding Reserve	673	673	673	673	673
Flexible Homelessness Grant	354	461	570	683	623
Preventing Homelessness New Burdens	31	31	31	31	31
Rough Sleeping Initiative Grant	0	16	32	38	54
Healthy Lifestyle Promotions	33	33	33	33	33
Land Charges New Burdens	30	30	30	30	30
HB Subsidy Volatility	0	0	0	0	0
Total Earmarked Reserves	10,881	13,487	11,914	10,327	10,123
Total Reserves	15,411	17,921	16,348	14,761	14,557

This page is intentionally left blank

EAST HERTS DISTRICT COUNCIL CAPITAL PROGRAMME 2021/22 TO 2025/26

APPROVED SCHEMES	Major Schemes expenditure to 31 /03/20 £000	2020/21 Forecast Outturn £000	2021/22 Original Budget £000	2022/23 Original Budget £000	2023/24 Original Budget £000	2024/25 Original Budget £000	2025/26 Original Budget £000	Scheme Total £000
Land and Buildings								
Investment in operational assets		211	250	250	250	250	250	1,461
Buntingford Depot		208	-	-	-	-	-	208
Grange Paddocks Leisure Centre	2,100	13,009	9,558	-	-	-	-	24,667
Hartham Leisure Centre - Extension	931	900	9,290	-	-	-	-	11,121
Hartham Leisure Centre - Boiler Replacement		23	-	-	-	-	-	23
Ward Freman - Gym		0	881	-	-	-	-	881
Ward Freman - Pool Circulation Pipework		24	-	-	-	-	-	24
Car Park Resurfacing		10	555	-	-	-	-	565
Rose Court - Resurfacing		15	-	-	-	-	-	15
Northgate End Regeneration (MSCP, domestic and non-domestic units)		12,425	2,810	-	-	-	-	15,235
Old River Lane Regeneration and Arts Centre	3,275	250	10,000	10,000	6,475	-	-	30,000
Land on London Road, Bishops Stortford		351	-	-	-	-	-	351
New Hostel		1,838	-	-	-	-	-	1,838
Hertford Theatre	684	1,006	9,700	8,700	-	-	-	20,090
Total Land and Buildings	6,990	30,270	43,044	18,950	6,725	250	250	106,479
Vehicles and Equipment								
LED Lighting Upgrades		195	110	-	-	-	-	305
Heat Detection Unit at Buntingford Depot		305	-	-	-	-	-	305
ICT Rolling programme		804	811	450	450	450	450	3,415
Total Vehicles and Equipment		1,304	921	450	450	450	450	4,025

APPROVED SCHEMES	Major Schemes expenditure to 31 /03/20 £000	2020/21 Forecast Outturn £000	2021/22 Original Budget £000	2022/23 Original Budget £000	2023/24 Original Budget £000	2024/25 Original Budget £000	2025/26 Original Budget £000	Scheme Total £000
------------------	---	-------------------------------	------------------------------	------------------------------	------------------------------	------------------------------	------------------------------	-------------------

Community Assets								
<i>Open Space Improvements:</i>								
The Wash, Hertford		0	-	50	-	-	-	50
Folly View, Hertford		0	15	-	-	-	-	15
Cannons Mill Lane, Bishops Stortford		0	-	30	-	-	-	30
Trinity Close - Open Space Project		127	-	-	-	-	-	127
Replacement play equipment across the district		23	50	50	50	50	50	273
Play Area and other projects, Hartham Common		375	-	-	-	-	-	375
Castle Park - HLF - Delivery Phase		200	1,500	120	-	-	-	1,820
Total Community Assets		725	1,565	250	50	50	50	2,690

Loans to Wholly Owned Companies								
Millstream Property Investments Limited		2,185	-	-	-	-	-	2,185
Total Loans to Wholly Owned Companies		2,185	-	-	-	-	-	2,185

Revenue Expenditure Funded as Capital Under Statute (REFCUS)								
Home Improvement Loans		20	20	20	20	20	20	120
Affordable Housing		33	-	-	-	-	-	33
Community Capital Grants		155	80	80	80	80	80	555
Green Deal Loans		20	20	20	20	20	20	120
Rivers and Watercourse Maintenance		82	48	48	48	48	48	322
Land Management Asset Register & Associated Works		50	50	50	50	50	50	300
Historic Building Loans		20	20	20	20	20	20	120
Total REFCUS		380	238	238	238	238	238	1,570
TOTAL CAPITAL EXPENDITURE	6,990	34,864	45,768	19,888	7,463	988	988	116,949

FUNDED BY:

Borrowing (Internal)		(23,431)	(34,963)	-	(155)	-	-	(58,549)
Borrowing (External)		(3,300)	-	(18,530)	-	-	-	(21,830)
Capital Receipts		-	(7,190)	(1,000)	(7,070)	(988)	(988)	(17,236)
Capital Grants Applied		(7,895)	(3,377)	(120)	-	-	-	(11,392)
Capital Expenditure Charged to a Revenue Account		(238)	(238)	(238)	(238)	-	-	(952)
TOTAL CAPITAL PROGRAMME FUNDING	(6,990)	(34,864)	(45,768)	(19,888)	(7,463)	(988)	(988)	(116,949)

APPROVED BUT NOT YET COMMITTED			2021/22 Original Budget £000	2022/23 Original Budget £000	2023/24 Original Budget £000	2024/25 Original Budget £000	2025/26 Original Budget £000	2025/26 Original Budget £000
--------------------------------	--	--	---------------------------------------	---------------------------------------	---------------------------------------	---------------------------------------	---------------------------------------	---------------------------------------

Schemes approved not yet committed								
Castle Weir Micro Hydro Scheme			192	-	-	-	-	-
Home Improvement and Green Deal Loans			100	100	100	100	100	100
Transformation Programme			1,000	2,000	2,000			
Investment in Millstream Property Investments Limited			5,500	-	-	-	-	-
Financial Sustainability Committee			6,000	-	-	-	-	-
Capital Contingency - Major Projects			2,500	-	-	-	-	-
TOTAL APPROVED BUT NOT YET COMMITTED			15,292	2,100	2,100	100	100	100

Funded by:

Borrowing			(14,000)	-	-	-	-	-
Capital Receipts			-	-	-	-	-	-
Capital Grants Applied			-	-	-	-	-	-
Use of Earmarked Reserves			(1,000)	(2,000)	(2,000)			
Capital Expenditure Charged to a Revenue Account			(292)	(100)	(100)	(100)	(100)	(100)
TOTAL APPROVED BUT NOT YET COMMITTED			(15,292)	(2,100)	(2,100)	(100)	(100)	(100)

NOTE:

Schemes Approved but not yet Committed are those schemes where past experience has indicated there are traditionally underspends or there are specific issues with a scheme proceeding that is outside the control of the Council. Approval by Council provides protection for the budgeted scheme for the year(s) indicated. Schemes are Committed by the Head of Strategic Finance in consultation with the Executive Member for Financial Sustainability. Virements are forbidden from these budgets without the authority of Council to prevent these budgets being committed to cover overspends or for immediate transfer to new schemes that do not have Council approval.

This page is intentionally left blank



Housing and Health

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

Environmental Health Licences

Animal licences - Grant or renewal cost of one licensable activity	Cost Recovery	Every 1 to 3 years	355.10	364.00	OS
Animal licences - Grant or renewal cost per additional licensable activity	Cost Recovery	Every 1 to 3 years	225.90	231.60	OS
Animal licences - Additional annual inspection fee for the hiring of horses, where a renewal inspection is not due (invoiced annually after each inspection)	Cost Recovery	Every 1 to 3 years	196.50	201.40	OS
Animal licences - Minor variation of a current licence (no site visit)	Cost Recovery	per variation	32.30	33.10	OS
Animal licences - Variation of a current licence (involving site visit)	Cost Recovery	per variation	196.50	201.40	OS
Animal licences - Re-evaluation of a licenced premises star rating	Cost Recovery	per inspection	196.50	201.40	OS
Animal licences - Re-evaluation of a licenced premises star rating per additional licensable activity	Cost Recovery	per inspection	196.50	201.40	OS
Animal licences - Additional charge for businesses found to be operating without a valid licence	Cost Recovery	per premises	48.30	49.50	OS
Zoos - New Licence (excl. vet fees)	Cost Recovery	per 4 year registration	2,269.35	2,326.10	OS
Zoos - Year 3 renewal licence inspection (excl. vet fees)	Cost Recovery	per inspection	1,754.60	1,798.50	OS
Zoos - Year 6 renewal licence inspection (excl. vet fees)	Cost Recovery	per 6 years	1,754.60	1,798.50	OS
Zoos - Transfer of Licence	Cost Recovery	per transfer	890.90	913.20	OS
Dangerous Wild Animals (excl. vet fees)	Cost Recovery	per 2 years	278.40	285.40	OS
Registration for Skin Piercing (Static/Home Business)	Cost Recovery	per business	222.70	228.30	OS
Registration for Skin Piercing (Person)	Cost Recovery	per person or premises	139.70	143.20	OS
Registration for Peripatetic Skin Piercing	Cost Recovery	per business	222.70	228.30	OS
Update to an existing Skin Piercing registration	Cost Recovery	per update	139.70	143.20	OS
Street Trading: Occasional Registered Charity (up to one month)	Cost Recovery	per month	65.60	-	OS
Street Trading: Occasional (up to one month)	Cost Recovery	per month	129.00	-	OS
Street Trading: Peripatatic (e.g. ice cream van)	Cost Recovery	per annum	371.90	-	OS
Street Trading: Static (e.g. burger van)	Cost Recovery	per annum	377.70	-	OS
Street Trading: Occasional (up to one month)	Cost Recovery	per month	129.00	132.23	OS
Street Trading: Annual	Cost Recovery	per annum	377.00	386.43	OS
Transfer of street trading consent	Cost Recovery	per transfer	55.00	56.38	OS
Variation of street trading consent	Cost Recovery	Per variation	55.00	56.38	OS
Street trading consent refund - greater than 6 months left on consent	Cost Recovery	per consent	25% of fee paid	25% of fee paid	OS
Street trading consent refund - between 3 and 6 months left on consent	Cost Recovery	per consent	10% of fee paid	10% of fee paid	OS



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT £	2021/22 Charge Ex. VAT £	VAT
Additional Licence fee for second reminder letter	Cost Recovery	per letter	26.20	26.90	OS
Additional Licence fee for chasing applications after the expiry of current licence	Cost Recovery	per licence	56.60	58.00	OS
Replacement of any environmental health licence, FHRS sticker or registration certificate	Cost Recovery	per licence	21.00	21.50	OS

Training Courses

Foundation Level Food Safety Training	Cost Recovery	per person	42.00	43.00	OS
Foundation Level Food Safety Training (Online Course)	Cost Recovery	per person, per course	15.40	15.80	OS
Foundation Level Food Safety Training (up to 10 places at customer's premises)	Cost Recovery	per course	378.20	387.70	OS
Cancellation Fee (less than 10 working days before course)	Cost Recovery	per person, per course	100% of fee paid	100% of fee paid	OS

Food Hygiene and Safety

Food register	Cost Recovery	per single entry	14.40	14.80	OS
Food register	Cost Recovery	per category	30.80	31.60	OS
Food register	Cost Recovery	per full copy	89.10	91.30	OS
Issue of certificate following surrender of food (excl. disposal costs)	Cost Recovery	per hour or part	56.58	58.00	OS
Food export health certificate	Cost Recovery	per hour or part	56.58	58.00	OS
Replacement Food Hygiene Rating certificate	Cost Recovery	per certificate	21.00	21.50	OS
Letter confirming food premises registration	Cost Recovery	per letter	21.00	21.50	OS
Food Hygiene Rating Scheme Rescoring Visit	Cost Recovery	per visit	167.10	171.25	OS
Safer Food, Better Business Coaching Visit	Cost Recovery	per visit	167.10	171.25	S
Cancellation Fee for SFBB Coaching Visit (less than 10 working days before course)	Cost Recovery	per visit	100% of fee paid	100% of fee paid	S

Miscellaneous Fees & Charges

Contaminated Land/ additional land charge enquiry (simple land search)	Cost Recovery	per enquiry	70.20	72.00	OS
Contaminated Land/ additional land charge enquiry (detailed land search)	Cost Recovery	per enquiry	174.25	178.60	OS
Statement of fact for civil cases	Cost Recovery	per hour or part	56.58	58.00	S
Attendance at Exhumations	Cost Recovery	per hour or part	56.58	58.00	OS
Costs associated with public health burials	Cost Recovery	per hour or part	56.58	58.00	OS

Private Water Supplies

Risk Assessment (smaller supplies - Regulation 10)	Cost Recovery	per hour or part	56.58	58.00	OS
Risk Assessment (larger supplies - Regulation 9)	Cost Recovery	per hour or part	56.58	58.00	OS
Risk Assessment (Desktop)	Cost Recovery	per hour or part	56.58	58.00	OS



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
			£	£	
Sampling Visit (excl. analysis costs)	Cost Recovery	per hour or part	56.58	58.00	OS
Investigation (excl. analysis costs)	Cost Recovery	per hour or part	56.58	58.00	OS
Granting of Authorisation	Cost Recovery	per authorisation	102.50	105.00	OS
Granting of Authorisation	Cost Recovery	per hour or part	56.58	58.00	OS
Analysis Costs (Regulation 10)	Cost Recovery	per set of samples	full cost charged by laboratory	full cost charged by laboratory	OS
Analysis Costs (Check Monitoring)	Cost Recovery	per set of samples	full cost charged by laboratory	full cost charged by laboratory	OS
Analysis Costs (Audit Monitoring)	Cost Recovery	per set of samples	full cost charged by laboratory	full cost charged by laboratory	OS

Private Sector Housing

Standards inspection for immigration	Cost Recovery	per inspection	169.66	173.91	S
Housing Notices (excluding any costs incurred for additional reports required to support notice service eg EICR, Structural Engineering Report, Damp Survey which will be charged separately)	Cost Recovery	fixed charge	390.10	390.10	OS
Fixed penalty for failure to belong to an approved redress scheme		fixed charge	5,000.00	5,000.00	OS
Licence for a HMO with no more than 5 bedrooms (initiated by applicant without LA intervention)	Cost Recovery	per licence	932.75	-	OS
Licence for a HMO with no more than 5 bedrooms (initiated by applicant with LA intervention)	Cost Recovery	per licence	1,265.90	-	OS
Licence for a HMO with no more than 5 bedrooms (initiated by applicant without LA intervention) - Full fee upon application.	Cost Recovery	per licence	-	950.00	OS
Licence for a HMO with no more than 5 bedrooms (initiated by applicant without LA intervention)	Cost Recovery	per licence - initial at application	-	770.00	OS
	Cost Recovery	per licence - final before issuing licence		230.00	OS
Licence for a HMO with no more than 5 bedrooms (initiated by applicant with LA intervention) - Full fee upon application	Cost Recovery	per licence	-	1,300.00	OS
Licence for a HMO with no more than 5 bedrooms (initiated by applicant with LA intervention)	Cost Recovery	per licence - initial at application	-	1,120.00	OS
	Cost Recovery	per licence - final before issuing licence		230.00	OS
Additional bedrooms	Cost Recovery	each	17.00	17.40	OS
Variation of licence	Cost Recovery	per variation	141.40	-	OS
Renewal of HMO Licence	Cost Recovery	per licence	774.50	793.90	OS
Renewal of HMO Licence - Full fee upfront.	Cost Recovery	per licence	-	795.00	OS
Renewal of HMO Licence - Two-part fee	Cost Recovery	per licence - initial at application	-	815.00	OS



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
			£	£	
	Cost Recovery	per licence - final before issuing licence	-	230.00	OS
Confirmation of empty home status for VAT reduction	Cost Recovery	per letter	87.10	-	OS
HMO Confirmation Letters for licensable HMOs after application has been received	Cost Recovery	per letter	20.50	21.00	OS
Housing Advice Visit	Cost Recovery	per visit	-	300.00	S

Miscellaneous Engineering Fees

Sewer Records/Plans		per item	30.80	31.60	OS
---------------------	--	----------	-------	-------	----

OTHER LICENCES

Sex Establishments		per annum	2,956.50	2,956.50	OS
Sex Establishments		per renewal	2,617.70	2,617.70	OS
Sex Establishments		transfer	84.80	84.80	OS
Hypnotism Act 1952 - Occasional licensed premises			158.40	162.40	OS
Hypnotism Act 1952 - Occasional unlicensed premises			610.40	625.70	OS
Scrap Metal Site Licence		per licence granted	278.20	278.20	OS
Scrap Metal Site Licence		per licence renewed	207.00	207.00	OS
Scrap Metal Site Licence - Variation, Name Change, Change of Site		per change	49.20	49.20	OS
Scrap Metal Collectors Licence		per licence granted	251.60	251.60	OS
Scrap Metal Collectors Licence		per licence renewed	180.10	180.10	OS
Scrap Metal Collectors Licence - Variation, Name Change		per change	49.20	49.20	OS

TAXI LICENSING

Private Hire vehicle (new) - 1 year		per new licence	293.00	293.00	OS
Private Hire vehicle (renewal) - 1 year		per renewal	287.00	287.00	OS
Vehicle - either Hackney Carriage or Private Hire (new) HC only - 1 year	HC	per new licence	400.00	400.00	OS
Vehicle - either Hackney Carriage or Private Hire (renewal) HC only - 1 year		per renewal	318.00	318.00	OS
Dual Driver or Private Hire Driver (new) - 3 year PH			393.50	393.50	OS
Dual Driver or Private Hire Driver (renewal) - 3 year PH			284.00	284.00	OS
Dual Driver or Private Hire Driver (new) - 1 year			343.00	343.00	OS
Dual Driver or Private Hire Driver (renewal) - 1 year			233.70	233.70	OS
Private Hire Operator - 5 year (new)			302.00	302.00	OS



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
			£	£	
Private Hire Operator - 5 year (renewal)			296.00	296.00	OS
Private Hire Operator - 1 year (new)			269.50	269.50	OS
Private Hire Operator - 1 year (renewal)			269.50	269.50	OS
Each additional vehicle above 6			-	-	OS
Change of vehicle (new vehicle on old plate number)			55.00	56.00	OS
Change of vehicle (courtesy car)			85.00	87.00	OS
Vehicle Inspection (5 year check)			33.00	34.00	OS
Private Hire Driver converted to Dual Driver			51.00	52.00	OS
Private Hire Driver converted to Hackney Carriage			101.00	103.00	OS
Change of vehicle proprietor			38.00	39.00	OS
Change of DVLA details (registration number etc.)			57.00	58.00	OS
Change of Drivers address			11.00	11.00	OS
Knowledge test and training day (all new applicants)			98.00	98.00	OS
Resit of both routes and rules & regulations tests			52.00	52.00	OS
Resit of routes test only			34.00	34.00	OS
Update training for existing drivers			59.00	59.00	OS
Enhanced DBS Online			62.00	58.00	OS
Basic Disclosure Online			43.00	41.00	OS
Roof light (complete)		per light	74.00	75.83	S
Roof light (top cover or base plate)(new cost for top cover only)		per light	37.00	37.91	S
Roof Light (base)			28.00	28.66	S
Replacement badges			25.00	25.58	S
Replacement plate (or additional for a trailer)			41.00	42.00	S
Roof light bulbs			3.00	3.08	S
Magnets (sold as a pair)			6.00	6.16	S
Executive Disc (private hire vehicles only)			11.00	11.25	S
Refund per full calendar month of unexpired drivers licence PH (new)			2.00	2.00	OS
Refund per full calendar month of unexpired drivers licence PH (renewal)			1.00	1.00	OS
Refund per full calendar month of unexpired drivers licence HC (new)			2.00	2.00	OS



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT £	2021/22 Charge Ex. VAT £	VAT
Refund per full calendar month of unexpired drivers licence HC (renewal)			1.00	1.00	OS
Refund per full calendar month of unexpired vehicle licence PH (new)			4.00	4.00	OS
Refund per full calendar month of unexpired vehicle licence PH (renewal)			4.00	4.00	OS
Refund per full calendar month of unexpired vehicle licence HC (new)			4.00	4.00	OS
Refund per full calendar month of unexpired vehicle licence HC (renewal)			4.00	4.00	OS
Refund per full calendar year of unexpired operators licence (new)			11.00	11.00	OS
Refund per full calendar year of unexpired operators licence (renewal)			11.00	11.00	OS

PREMISES LICENCES

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

OTHER FEES AND CHARGES

Supply of copies of information contained in register		per black & white A4 sheet	0.11	0.11	S
Supply of copies of information contained in register		per black & white A3 sheet	0.23	0.23	S



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT £	2021/22 Charge Ex. VAT £	VAT
Supply of copies of information contained in register		per black & white A0 sheet	1.25	1.25	S
Supply of copies of information contained in register		per colour A4 sheet	0.23	0.23	S
Supply of copies of information contained in register		per colour A3 sheet	0.56	0.56	S
Supply of copies of information contained in register		per colour A0 sheet	1.91	1.91	S
Application for copy of licence or summary on theft, loss etc. of premises licence or summary	Statutory Fee	per application	10.50	10.50	OS
Notification of change of name or address (holder of premises licence)	Statutory Fee	per change	10.50	10.50	OS
Application to vary or to specify individual as premises supervisor	Statutory Fee	per application	23.00	23.00	OS
Application to transfer premises licence	Statutory Fee	per application	23.00	23.00	OS
Interim authority notice	Statutory Fee	per notice	23.00	23.00	OS
Application for making of a provisional statement	Statutory Fee	per statement	315.00	315.00	OS
Application for copy of certificate or summary on theft, loss etc. of certificate or summary	Statutory Fee	per copy	10.50	10.50	OS
Notification of change of name or alteration of club rules	Statutory Fee	per change	10.50	10.50	OS
Change of relevant registration address of club	Statutory Fee	per change	10.50	10.50	OS
Temporary event notice	Statutory Fee	per notice	21.00	21.00	OS
Application of copy of notice on theft, loss etc. of temporary event notice	Statutory Fee	per copy	10.50	10.50	OS
Application of copy of licence on theft, loss etc. of personal licence	Statutory Fee	per copy	10.50	10.50	OS
Notification of change of name or address (personal licence)	Statutory Fee	per change	10.50	10.50	OS
Notice of interest in any premises	Statutory Fee	per notice	21.00	21.00	OS

Gambling Act 2005

Bingo Premises		per licence	3,027.50	3,103.20	OS
Bingo Premises		per variation	1,514.00	1,551.90	OS
Bingo Premises		per transfer	1,038.00	1,064.00	OS
Bingo Premises		Annual Fee	865.00	886.60	OS
Adult Gaming Centre Premises		per licence	1,749.90	1,793.70	OS
Adult Gaming Centre Premises		per variation	865.00	886.60	OS
Adult Gaming Centre Premises		per transfer	1,017.00	1,042.40	OS
Adult Gaming Centre Premises		Annual Fee	865.00	886.60	OS
Betting Premises (Track)		per licence	2,163.10	2,217.20	OS
Betting Premises (Track)		per variation	1,082.10	1,109.10	OS



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
			£	£	
Betting Premises (Track)		per transfer	822.00	842.60	OS
Betting Premises (Track)		Annual Fee	865.00	886.60	OS
Betting Premises (Other)		per licence	2,600.70	2,665.70	OS
Betting Premises (Other)		per variation	1,298.10	1,330.50	OS
Betting Premises (Other)		per transfer	1,038.00	1,064.00	OS
Betting Premises (Other)		Annual Fee	339.20	347.70	OS
Family Entertainment Centre Premises		per licence	1,730.00	1,773.20	OS
Family Entertainment Centre Premises		per variation	865.00	886.60	OS
Family Entertainment Centre Premises		per transfer	822.00	842.60	OS
Family Entertainment Centre Premises		Annual Fee	649.00	665.20	OS
Temporary Use Notices		per notice	565.40	579.50	OS
Temporary Use Notices		per copy	28.20	28.90	OS
Gaming Machine Permit 10 years (Up to 2 machines)	Statutory Fee	per permit	150.00	150.00	OS
Gaming Machine Permit 10 years (Up to 2 machines)	Statutory Fee	per variation	100.00	100.00	OS
Gaming Machine Permit 10 years (Up to 2 machines)	Statutory Fee	per transfer	25.00	25.00	OS
Notification 2 gaming machines	Statutory Fee	per notice	50.00	50.00	OS
Club Gaming Machine Permit 5 years (Up to 3 machines)	Statutory Fee	per permit	100.00	100.00	OS
Club Gaming Machine Permit	Statutory Fee	Annual Fee	50.00	50.00	OS
Small Lotteries	Statutory Fee	per setup	40.00	40.00	OS
Small Lotteries	Statutory Fee	per renewal	20.00	20.00	OS

CCTV Cameras

Ware Town Council		per annum	11,986.00	12,285.70	OS
Hertford Town Council		per annum	24,119.00	24,772.00	OS
Bishop's Stortford Town Council		per annum	24,650.00	25,266.00	OS

HOSTELS

Hostel Single Room (excl. service charges)		per week	195.00	195.00	Z
Hostel Double Room (excl. service charges)		per week	220.00	220.00	Z
Hostel Family Room (excl. service charges)		per week	230.00	230.00	Z
Bed & Breakfast Single person		per week	107.75	110.40	Z



Housing and Health

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
			£	£	
Bed & Breakfast - Single person		per day	15.40	15.80	Z
Bed & Breakfast - Single person and one child		per week	142.80	146.40	Z
Bed & Breakfast - Single person and one child		per day	20.40	20.90	Z
Bed & Breakfast - Single person and two children		per week	155.20	159.00	Z
Bed & Breakfast - Single person and two children		per day	22.20	22.80	Z
Bed & Breakfast - Couple		per week	142.80	146.40	Z
Bed & Breakfast - Couple		per day	20.40	20.90	Z
Bed & Breakfast - Couple and one child		per week	167.60	171.80	Z
Bed & Breakfast - Couple and one child		per day	23.90	24.50	Z
Bed & Breakfast - Couple and two children		per week	176.70	181.10	Z
Bed & Breakfast - Couple and two children		per day	25.90	26.60	Z
Bed & Breakfast - Additional children up to 16		per week	14.70	15.10	Z
Bed & Breakfast - Additional children up to 16		per day	2.10	2.10	Z



Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

HERTFORD THEATRE

HIRE CHARGES

WEEKDAYS Auditorium am (9am to 1pm)			284.00	284.00	E
WEEKDAYS Auditorium am per hour			71.00	71.00	E
WEEKDAYS Auditorium pm (1pm to 6pm)			436.00	436.00	E
WEEKDAYS Auditorium pm per hour			87.00	87.00	E
WEEKDAYS Auditorium Evening (6pm to midnight)			587.00	587.00	E
WEEKDAYS Auditorium Evening per hour			98.00	98.00	E
WEEKDAYS Auditorium 9am-6pm (discounted rate)			612.00	612.00	E
WEEKDAYS Auditorium 1pm-midnight (discounted rate)			862.00	862.00	E
WEEKDAYS Auditorium 9am-midnight (discounted rate)			1,093.00	1,093.00	E
WEEKDAYS Studio am (9am to 1pm)			108.00	108.00	E
WEEKDAYS Studio am per hour			27.00	27.00	E
WEEKDAYS Studio pm (1pm to 6pm)			134.50	134.50	E
WEEKDAYS Studio pm per hour			27.00	27.00	E
WEEKDAYS Studio Evening (6pm to midnight)			161.00	161.00	E
WEEKDAYS Studio Evening per hour			27.00	27.00	E
WEEKDAYS Studio 9am-6pm (discounted rate)			215.00	215.00	E
WEEKDAYS Studio 1pm-midnight (discounted rate)			269.00	269.00	E
WEEKDAYS Studio 9am-midnight (discounted rate)			376.50	376.50	E
WEEKDAYS River Room am (9am to 1pm)			108.00	108.00	E
WEEKDAYS River Room am per hour			27.00	27.00	E
WEEKDAYS River Room pm (1pm to 6pm)			134.50	134.50	E
WEEKDAYS River Room pm per hour			27.00	27.00	E
WEEKDAYS River Room Evening (6pm to midnight)			161.00	161.00	E
WEEKDAYS River Room Evening per hour			27.00	27.00	E
WEEKDAYS River Room 9am-6pm (discounted rate)			215.00	215.00	E
WEEKDAYS River Room 1pm-midnight (discounted rate)			269.00	269.00	E
WEEKDAYS River Room 9am-midnight (discounted rate)			376.50	376.50	E



Hertford Theatre

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT £	2021/22 Charge Ex. VAT £	VAT
WEEKDAYS Foyer am (9am to 1pm)			108.00	108.00	E
WEEKDAYS Foyer am per hour			27.00	27.00	E
WEEKDAYS Foyer pm (1pm to 6pm)			134.50	134.50	E
WEEKDAYS Foyer pm per hour			27.00	27.00	E
WEEKDAYS Foyer Evening (6pm to midnight)			161.00	161.00	E
WEEKDAYS Foyer Evening per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium am (9am to 1pm)			348.50	348.50	E
WEEKENDS AND BANK HOLIDAYS Auditorium am per hour			87.00	87.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium pm (1pm to 6pm)			490.00	490.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium pm per hour			98.00	98.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium Evening (6pm to midnight)			839.00	839.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium Evening per hour			140.00	140.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium 9am-6pm (discounted rate)			731.00	731.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium 1pm-midnight (discounted rate)			1,167.00	1,167.00	E
WEEKENDS AND BANK HOLIDAYS Auditorium 9am-midnight (discounted rate)			1,463.00	1,463.00	E
WEEKENDS AND BANK HOLIDAYS Studio am (9am to 1pm)			108.00	108.00	E
WEEKENDS AND BANK HOLIDAYS Studio am per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS Studio pm (1pm to 6pm)			134.50	134.50	E
WEEKENDS AND BANK HOLIDAYS Studio pm per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS Studio Evening (6pm to midnight)			161.00	161.00	E
WEEKENDS AND BANK HOLIDAYS Studio Evening per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS Studio 9am-6pm (discounted rate)			215.00	215.00	E
WEEKENDS AND BANK HOLIDAYS Studio 1pm-midnight (discounted rate)			269.00	269.00	E
WEEKENDS AND BANK HOLIDAYS Studio 9am-midnight (discounted rate)			367.50	367.50	E
WEEKENDS AND BANK HOLIDAYS River Room am (9am to 1pm)			108.00	108.00	E
WEEKENDS AND BANK HOLIDAYS River Room am per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS River Room pm (1pm to 6pm)			134.50	134.50	E
WEEKENDS AND BANK HOLIDAYS River Room pm per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS River Room Evening (6pm to midnight)			161.00	161.00	E



Hertford Theatre

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT £	2021/22 Charge Ex. VAT £	VAT
WEEKENDS AND BANK HOLIDAYS River Room Evening per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS River Room 9am-6pm (discounted rate)			215.00	215.00	E
WEEKENDS AND BANK HOLIDAYS River Room 1pm-midnight (discounted rate)			269.00	269.00	E
WEEKENDS AND BANK HOLIDAYS River Room 9am-midnight (discounted rate)			376.50	376.50	E
WEEKENDS AND BANK HOLIDAYS Foyer am (9am to 1pm)			108.00	108.00	E
WEEKENDS AND BANK HOLIDAYS Foyer am per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS Foyer pm (1pm to 6pm)			134.50	134.50	E
WEEKENDS AND BANK HOLIDAYS Foyer pm per hour			27.00	27.00	E
WEEKENDS AND BANK HOLIDAYS Foyer Evening (6pm to midnight)			161.00	161.00	E
WEEKENDS AND BANK HOLIDAYS Foyer Evening per hour			27.00	27.00	E
WEEKLY Auditorium Mon - Sunday (amateur)			5,785.00	5,785.00	E
WEEKLY Auditorium Mon - Sunday (professional)			7,264.00	7,264.00	E
WEEKLY Studio Mon - Sunday			2,314.00	2,314.00	E
WEEKLY River Room Mon - Sunday			2,314.00	2,314.00	E

CINEMA PRICES

Adults			6.25	6.25	S
Concessions			4.50	4.50	S

PIANOS

Concert Grand Piano		per session	140.00	140.00	S
Piano Tuning		per tune	70.41	70.41	S
Electric Piano		per session	41.25	41.25	S

STAGE LIGHTING EQUIPMENT

VL2000s (all floor)		per day	42.91	42.91	S
VL2000s (all floor)		per week	129.00	129.00	S
UV floods		per week	28.16	28.16	S
Rotating disco light (large)		per week	33.25	33.25	S
Smoke machine (includes fluid)		per week	41.66	41.66	S
Point source Hazer		per day	17.08	17.08	S
Point source Hazer		per week	45.66	45.66	S



Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

SOUND EQUIPMENT

Batteries	each	0.41	0.41	S
Radio Microphones (single)	per day	32.50	32.50	S
Radio Microphones (4)	per day	112.75	112.75	S
Radio Microphones (8)	per day	220.41	220.41	S
Radio Microphones (14)	per day	376.66	376.66	S
Radio Microphones (single)	per week	80.83	80.83	S
Radio Microphones (4)	per week	281.66	281.66	S
Radio Microphones (8)	per week	550.66	550.66	S
Radio Microphones (14)	per week	941.25	941.25	S
Sound support tech (4 hour blocks)	per radio mic hire	64.50	64.50	S
AKG 747 condensor microphones	per day	6.66	6.66	S
SM57 microphone	per day	4.79	4.79	S
SM58 microphone	per day	4.79	4.79	S
Condensor microphones	per day	4.79	4.79	S
Seinnheiser vocal mics	per day	5.66	5.66	S
Seinnheiser bass mic	per day	5.66	5.66	S
DI boxes	per week	6.66	6.66	S
Portable PA system (mains or battery)	per day	50.41	50.41	S

PROJECTION EQUIPMENT

Epson data projector & small screen	per day	39.50	39.50	S
Kodak slide projector & small screen	per day	11.66	11.66	S
Barco cinema projector & screen with technician	per hour	56.33	56.33	S

STAFFNG

Technician	per hour	17.08	17.08	S
Followspot operator	per hour	17.08	17.08	S
Projectionist	per hour	39.50	39.50	S
Lighting Design fee	per design	141.33	141.33	S



Hertford Theatre

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT £	2021/22 Charge Ex. VAT £	VAT
Seating Removal inc. rake			134.50	134.50	S
Rows A&B removal			37.58	37.58	S
Rows A to D removal			64.58	64.58	S
Studio tiered seating		per day	67.50	67.50	S
Aluminium staging sections 2m x 1m		per day	22.41	22.41	S
Starcloth		per day	23.08	23.08	S
Starcloth		per week	94.00	94.00	S
Gauze		per day	23.08	23.08	S
Gauze		per week	94.00	94.00	S
Stage Dance Floor		per lay	33.33	33.33	S

PYROTECHNICS

Effects prices vary - Prices on application

Booking Fee			1.50	1.50	
--------------------	--	--	------	------	--



Legal and Democratic Services

Basis of Charge	Unit of Charge	2020/21		2021/22		VAT
		Charge	Ex. VAT	Charge	Ex. VAT	
		£		£		

LAND CHARGES

Registration of a charge in Part II of the register	Statutory	per charge	67.00	67.00	OS
Filing a definite certificate of the Lands Tribunal under rule 10 (3)	Statutory	per certificate	2.50	2.50	OS
Filing a judgement or order, or written request for the variation or cancellation of any entry in Part 11 of the register	Statutory	per item	7.00	7.00	OS
Inspection of documents filed in the register under rule 10, in respect of each parcel of land	Statutory	per parcel of land	2.50	2.50	OS
Office copy of any plan or other document filed pursuant to the rules	Statutory	per copy	Individual Charge	Individual Charge	OS
Standard search fee (LLC1 + CON29)		Fixed	£116.35	£116.35	S
Extra parcel fee with standard search		Fixed	£21.00	£21.00	S
Standard search including all CON290 questions		Fixed	£364.15	£364.15	S
LLC1		Fixed	£22.05	£22.05	Z
CON29		Fixed	£94.30	£94.30	S
Con290 Qu.4 -21		Fixed	£12.60	£12.60	S
Con29o Qu.22		Fixed	£21.00	£21.00	S
Extra parcel fee (LLC1)		Fixed	£5.25	£5.25	Z
Extra parcel fee (Con29)		Fixed	£15.75	£15.75	S

LEGAL CHARGES

Authorised Guarantee Agreement	Discretionary	Fixed	529.68	542.91	S
Commercial lease assignment	Discretionary	Fixed	717.08	735.00	S
Leases	Discretionary	Fixed	827.50	848.16	S
Licences	Discretionary	Fixed	386.08	395.75	S
Deed of covenants	Discretionary	Fixed	£499.16 PLUS 3%	£511.66 PLUS 3%	S
Landlord licence	Discretionary	Fixed	604.58	619.66	S
Deed of variation (complex)	Discretionary	Fixed	1,103.16	1,130.75	S
Easements	Discretionary	Fixed	1,103.16	1,130.75	S
Drafting Rent Reviews	Discretionary	Fixed	275.83	282.75	S
s.106 TCPA 1990 – simple	Discretionary	Fixed	1,103.16	1,130.75	S
s.106 TCPA – complex	Discretionary	Fixed	2,757.91	2,826.83	S
Deed of Surrender	Discretionary	Fixed	661.91	678.41	S
Transfer of Open Space	Discretionary	Fixed	882.50	904.59	S
Licence of alternations	Discretionary	Fixed	772.16	791.50	S



Legal and Democratic Services

	Basis of Charge	Unit of Charge	2020/21		2021/22		VAT
			Charge	Ex. VAT	Charge	Ex. VAT	
			£		£		
Licence to assign leasehold premises	Discretionary	Fixed	772.16		791.50		S
Notice of Assignment	Discretionary	Fixed	90.33		92.58		S
Notice of charge	Discretionary	Fixed	90.33		92.58		S
Postponement of Charge	Discretionary	Fixed	90.33		92.58		S
Sale of land	Discretionary	Fixed	827.33		848.00		S
Footpath/Bridleway Creation or Diversion Agreement	Discretionary	Fixed	1,654.75		1,696.08		S

Electoral Registration Fees

Fee for sale of the full register and notices of alteration	Statutory	per sale provided electronically	£20.00		£20.00		Z
and an additional	Statutory	per thousand or part thousand entries	£1.50		£1.50		Z
Fee for sale of the full register and notices of alteration	Statutory	per sale printed	£10.00		£10.00		Z
and an additional	Statutory	per thousand or part thousand entries	£5.00		£5.00		Z
Fee for sale of the open Register	Statutory	per sale provided electronically	£20.00		£20.00		Z
and an additional	Statutory	per thousand or part thousand entries	£1.50		£1.50		Z
Fee for sale of the open Register	Statutory	per sale printed	£10.00		£10.00		Z
and an additional	Statutory	per thousand or part thousand entries	£5.00		£5.00		Z
Fee for sale of the list of overseas electors	Statutory	per sale provided electronically	£20.00		£20.00		Z
and an additional	Statutory	per hundred or part hundred entries	£1.50		£1.50		Z
Fee for sale of the list of overseas electors	Statutory	per sale printed	£10.00		£10.00		Z
and an additional	Statutory	per hundred or part hundred entries	£5.00		£5.00		Z
Fee for sale of the marked document (register or absent voters list)	Statutory	per sale provided electronically	£10.00		£10.00		Z
and an additional	Statutory	per thousand or part thousand entries	£1.00		£1.00		Z
Fee for sale of the marked document (register or absent voters list)	Statutory	per sale printed	£10.00		£10.00		Z



Legal and Democratic Services

	Basis of Charge	Unit of Charge	2020/21		2021/22		VAT
			Charge	Ex. VAT	Charge	Ex. VAT	
			£		£		
and an additional	Statutory	per thousand or part thousand entries		£2.00		£2.00	Z
Photocopies of Election expense returns	Statutory	Per side copied		£0.20		£0.20	Z
Certificate of Registration	Discretionary	per elector per year		£20.50		£21.00	Z

Street Name & Numbering

Change/addition of house name	Discretionary	Per property		80.70		83.00	Z
Registering 1 plot	Discretionary	Single properties		80.70		83.00	Z
Registering 2-24 plots	Discretionary	Per plot		53.80		55.00	Z
Registering 25-49 plots	Discretionary	Per plot		43.00		44.00	Z
Registering 50-74 plots	Discretionary	Per Plot		32.30		33.00	Z
Registering 75-99 plots	Discretionary	Per Plot		26.90		28.00	Z
Registering 100+ Plots	Discretionary	Per Plot		16.15		16.50	Z
Naming a new street/block where the Council Chooses a Name	Discretionary	Per road name		215.25		220.00	Z
Naming a new street/block where the developer chooses a name (Subject to consultation**)	Discretionary	Per road name		269.05		275.00	Z
Renaming of street where requested by residents and/or the Town/Parish Council	Discretionary	Per address		80.70		83.00	Z
Change to new addresses due to development changing after the schedule has been issued (applies to all amended plots)	Discretionary	Per plot		53.80		55.00	Z



Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

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

FOI Request	Statutory	Under 18 hours of staff time	No charge other than disbursements	No charge other than disbursements	
FOI Request	Statutory	In excess 18 hours of staff time	£25 an hour	£25 an hour	

- However, where possible, we will assist the applicant to refine the request and determine what might be achieved within the £450 limit.

Disbursements (photocopying, copying to different media, postage etc)			Free up to £10, above this will be charged at the full cost	Free up to £10, above this will be charged at the full cost	
EIR Request	Statutory	Under 18 hours of staff time	No charge other than disbursements	No charge other than disbursements	
EIR Request	Statutory	In excess 18 hours of staff time	£25 an hour + any additional fees identified in departmental fee structures	£25 an hour + any additional fees identified in departmental fee structures	



Finance & Support Services

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

Letting of Council Offices

Council Chamber - Hertford	per hour	33.00	33.80	n/a
Other Rooms - Hertford	per hour	21.00	21.50	n/a



Waste Services

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

REFUSE COLLECTION - Commercial Refuse Collection

Paid Collections (excl. HCC disposal costs)	medium	83.33	85.25	S
Paid Collections (excl. HCC disposal costs)	large	173.33	177.32	S
Mixed Heridataments - charged according to the proportion of trade waste collected.		Individual charge	Individual charge	
Commercial Events - Cleansing / Refuse Collection	per hour	85.83	87.80	S

REFUSE COLLECTION - Domestic Refuse Collection

Bulky Waste Collection - 1 Item	per collection	29.00	-	n/a
Bulky Waste Collection - 2 Items	per collection	40.00	-	n/a
Bulky Waste Collection - 3 Items	per collection	50.00	-	n/a
Bulky Waste Collection - 4 Items	per collection	62.00	-	n/a
Bulky Waste Collection - Up to 6 Items	per collection	45.00	46.04	n/a
Bulky Waste Collection - Load - small	per collection	73.00	74.64	n/a
Bulky Waste Collection - Load - medium	per collection	106.00	108.44	n/a
Bulky Waste Collection - Load - large	per collection	160.00	163.68	n/a
Bulky Collection Cancellation Fee	per cancellation	11.00	11.25	n/a

REFUSE COLLECTION - Other

Cleansing private land (Performance area - regular schedule)	per linear metre per annum	26.66	27.27	S
Cleansing private land - ad hoc litter picking	per hour	83.33	85.25	S
Abandoned Vehicles (end of life vehicles) surrendered and removed by LA	per vehicle	45.83	46.66	S
Abandoned Vehicles (end of life vehicles) surrendered and removed by LA	per caravan	71.66	73.31	S
Cleaning graffiti on private land (chemical cleaning only. Subject to damage waiver from land owner and site survey. Graffiti removal from private land is at the discretion of the Head of Environmental Services and will not be undertaken where there is a risk of damaging surfaces, traffic management requirements or significant health and safety implications. Individual charges may be waived at the discretion of the Head of Environmental Services as part of campaigns or in the interests of preventing or discouraging significant levels of crime and disorder)	per m ²	60.00	61.38	n/a
Cleaning graffiti - small items	per item	37.00	37.85	n/a

REFUSE COLLECTION - Clinical

Charge per site	per visit (max 26)	16.25	16.62	S
-----------------	--------------------	-------	-------	---



Waste Services

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT £	2021/22 Charge Ex. VAT £	VAT
Sharps containers		per container	10.41	10.65	S
Sacks - trade (infectious waste)		per sack	6.41	6.56	S
Sacks - domestic (infectious waste)		per sack	1.30	1.33	n/a
Sacks - trade (Offensive waste)		per sack	3.83	3.92	S
Sacks - domestic (Offensive waste)		per sack	1.30	1.33	n/a
Extra Sacks delivery charge		per occasion	28.58	29.24	n/a

COMMERCIAL WASTE

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

Commercial Waste Collection Services - sacks		per 50	99.00	122.76	n/a
Commercial Waste Collection Services - 240 litres		per bin per annum	452.00	478.92	n/a
Commercial Waste Collection Services - 340 litres		per bin per annum	515.00	531.96	n/a
Commercial Waste Collection Services - 660 litres		per bin per annum	884.00	904.28	n/a
Commercial Waste Collection Services - 1,100 litres		per bin per annum	1,107.00	1,132.56	n/a
Prescribed Waste Collection Service - Sacks		per 50	57.00	114.58	n/a
Prescribed Waste Collection Service - 240 litres		per bin per annum	335.00	425.36	n/a
Prescribed Waste Collection Service - 340 litres		per bin per annum	358.00	470.60	n/a
Prescribed Waste Collection Service - 660 litres		per bin per annum	600.00	755.56	n/a
Prescribed Waste Collection Service - 1,100 litres		per bin per annum	649.00	930.80	n/a
Prescribed Waste for Educational Establishments - Sacks		per 50	57.00	114.58	n/a
Prescribed Waste for Educational Establishments - 240 litres		per bin per annum	304.00	310.96	n/a
Prescribed Waste for Educational Establishments - 340 litres		per bin per annum	339.00	388.24	n/a
Prescribed Waste for Educational Establishments - 660 litres		per bin per annum	556.00	568.56	n/a
Prescribed Waste for Educational Establishments - 1,100 litres		per bin per annum	600.00	706.10	n/a
Bin removal & re-delivery charge following non-payment		per occasion	29.00	29.67	n/a
Extra sacks delivery charge		per occasion	29.00	29.67	n/a



Markets

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

Markets

Street Trading Consent (Static)			377.70	387.15	OS
Street Trading Consent (Static) (registered charity)			188.85	193.60	OS
Street Trading Occasional			128.95	132.20	OS
Street Trading Occasional (registered charity)			65.60	67.20	OS
Street Trading Occasional for one day only			32.24	33.00	OS
Street Food Market - up to 10 stalls	per event (includes electricity / promotion)		205.00	205.00	OS
Group consent - Commercial - up to 10 stalls	per event (excludes electricity / promotion)		36.20	36.20	OS
Group consent - up to 11 - 30 stalls	per event (excludes electricity / promotion)		60.60	60.60	OS
Group consent - up to 31plus stalls	per event (excludes electricity / promotion)		126.00	126.00	OS
Group consent - Charity market	per event (excludes electricity / promotion)		25.00	25.00	OS
Electricity - Cooking per trading day			5.54	5.70	OS
Electricity - Lighting/tills only	per trading day		2.86	2.95	S
Electricity - Lighting/tills only	monthly trader		37.20	38.10	S
Electricity - Lighting/tills only	weekly trader		148.80	152.50	S

VAT Key:

S - Standard (20%)

Z - Zero (0%)

E - Exempt

OS - Outside Scope of VAT



Operations

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

ANIMAL CONTROL

Stray dog with ID chip (unless first offence and dog is collected the same day)		per dog	25.50	26.00	n/a
Stray dog without ID chip	Statutory		25.00	25.00	n/a
Stray dog collected			21.00	21.00	n/a
Kennel Charges		per night	15.00	15.00	n/a
ID chipping dogs (Ind)		per chip	20.41	20.83	S
ID chipping dogs (Campaign)		per chip	9.66	9.91	S
Assistance to third party organisations		per hour	33.58	34.41	S
Provision of dog waste bag		per box of 5000	33.58	34.41	S
Dog Fouling Sign		per sign	14.16	14.58	S

Allotments

Allotments (25.3m ²)		per annum	4.00	4.10	n/a
----------------------------------	--	-----------	------	------	-----

Pest Control

Concessionary fee for residents in receipt of income related benefit - waived in cases of hardship at the discretion of the Head of Environmental Services		per job	17.08	17.50	S
--	--	---------	-------	-------	---

Outdoor Exercise Group Activities *

Charges for personal trainers and organisations are levied to commercial organisations and individuals using EHC owned land for organised group activities where a charge is levied to participants either directly or through a membership scheme. These are ceiling prices and may be reduced at the discretion of the Head of Environmental Services for shorter time periods or where activities are undertaken in partnership with the Council in pursuit of corporate objectives relating to health and well being. These charges do not apply to the Council's own Leisure Services contractor.

Organisations - per site			1,390.00	1,425.00	n/a
Personal Trainers - per trainer			524.00	537.00	n/a



Parking

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

Parking

Off Street Resident Season Ticket - Port Vale		245.83	251.66	S
Off Street Resident Season Ticket - Crown Terrace		1,104.17	1,131.66	S
Off Street Resident Season Ticket - Baldock Street - Ware		862.50	884.16	S
Off Street Business Permit - Charrington's House BS Long Stay		1,113.33	1,140.83	S
On Street Resident Season Ticket - 1st Permit		41.00	42.00	n/a
On Street Resident Season Ticket - 2nd Permit		82.00	84.00	n/a
On Street Resident Season Ticket - 3rd Permit (only available where possible in B1 (Stansted Rd, BS), B2 (Dunmow Rd, BS), B3 (Windhill BS), B7 Chantry BS), W2 (Coronation Rd Ware))		82.00	84.00	n/a
On Street Resident Season Ticket - Motorcycle permit		19.00	19.00	n/a
On Street Resident Season Ticket - Contractor permit	per week	15.00	15.00	n/a
On Street Resident Season Ticket - Business permit	per annum	320.00	328.00	n/a
On Street Resident Season Ticket - Carers/ Special permits (discretionary)		36.00	36.00	n/a
On Street Resident Season Ticket - Vistors Vouchers	per hour	0.10	0.10	n/a
On Street Resident Season Ticket - Vistors Vouchers	per hour pensioners	0.05	0.05	n/a
On Street Resident Season Ticket - Charge for Temporary Dispensation from Parking Restrictions		15.00	15.00	n/a
On Street Residents Parking Permits - Folly Island - 2nd Permit		56.00	57.00	n/a
Penalty Charges issued under Regulation 9 of the General Regulations - Higher Level Penalty Charge - Paid within 21 days	per PCN	35.00	35.00	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Higher Level Penalty Charge - Paid after 21 days	per PCN	70.00	70.00	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Higher Level Penalty Charge - Paid after service of charge certificate	per PCN	105.00	105.00	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Lower Level Penalty Charge - Paid within 21 days	per PCN	25.00	25.00	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Lower Level Penalty Charge - Paid after 21 days	per PCN	50.00	50.00	OS
Penalty Charges issued under Regulation 9 of the General Regulations - Lower Level Penalty Charge - Paid after service of charge certificate	per PCN	75.00	75.00	OS
Penalty Charges issued under Regulation 10 of the General Regulations. - Higher Level Penalty Charge - Paid within 21 days	per PCN	35.00	35.00	OS
Penalty Charges issued under Regulation 10 of the General Regulations. - Higher Level Penalty Charge - Paid after 21 days	per PCN	70.00	70.00	OS
Penalty Charges issued under Regulation 10 of the General Regulations. - Higher Level Penalty Charge - Paid after service of charge certificate	per PCN	105.00	105.00	OS
Penalty Charges issued under Regulation 10 of the General Regulations - Lower Level Penalty Charge - Paid within 21 days	per PCN	25.00	25.00	OS



Parking

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
			£	£	
Penalty Charges issued under Regulation 10 of the General Regulations - Lower Level Penalty Charge - Paid after 21 days		per PCN	50.00	50.00	OS
Penalty Charges issued under Regulation 10 of the General Regulations - Lower Level Penalty Charge - Paid after service of charge certificate		per PCN	75.00	75.00	OS
Bishop's Stortford market traders' tariff - Link Road		per Thursday or Saturday	3.00	3.00	S
Bishop's Stortford market traders' tariff - Northgate End		per Thursday or Saturday	3.00	3.00	S
Bishop's Stortford market traders' tariff - Apton Road		per Thursday or Saturday	3.00	3.00	S
Old London Road - Hertford - Market Traders		per day	3.00	3.00	S
Old London Road - Hertford - Coach / Lorry tariff		per visit	12.50	12.50	S

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

Misc Development Management Charges

Copies of any documents	per black & white A4 sheet	0.10	0.10	n/a
Copies of any documents	per colour A4 sheet	0.20	0.20	n/a
Copies of any documents	per black & white A3 sheet	0.20	0.20	n/a
Copies of any documents	per colour A3 sheet	0.40	0.40	n/a
Copies of any documents	per black & white A2 sheet	1.00	1.00	n/a
Copies of any documents	per colour A2 sheet	2.00	2.00	n/a
Copies of any documents	per black & white A1 sheet	1.50	1.50	n/a
Copies of any documents	per colour A1 sheet	3.00	3.00	n/a
Copies of any documents	per black & white A0 sheet	2.00	2.00	n/a
Copies of any documents	per colour A0 sheet	4.40	4.60	n/a
Copies of documents provided on an electronic disc	per disc provided	17.00	17.90	n/a
Historical Research (where records available)	per hour (or part)	87.00	91.20	n/a
Legal obligation agreements - clause monitoring fee	per obligation issue	-	-	n/a
Legal obligation agreements - confirmation of compliance by third parties or where the monitoring fee has not been paid	per hour (or part of) after first hour	85.00	89.10	n/a
Fee for discharge of or compliance with a condition	per request (any number of conditions) relating to works of extension or alteration to an existing dwelling	34.00	34.00	n/a
Fee for discharge of or compliance with a condition	per request (any number of conditions) all other developments	116.00	116.00	n/a
Retrieval of externally stored microfilmed records	per microfilmed record	5.00	5.00	n/a

PRE-APPLICATION ADVICE

Householder proposals	Initial fee	131.67	138.33	S
Householder proposals	Secondary fee	61.25	64.50	S
Request for formal confirmation that proposed development comprises 'permitted development'. (Not Lawful Development Certificate)	Initial fee	119.17	125.16	S

	Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
			£	£	
Request for informal confirmation that proposed development comprises 'permitted development'. (Not Lawful Development Certificate)		Secondary fee	-	-	S
Largescale Major Development Proposals		Initial fee	Individually Quoted Price	Individually Quoted Price	S
Largescale Major Development Proposals		Secondary fee	-	-	S
Smallscale Major Development Proposals		Initial fee	Individually Quoted Price	Individually Quoted Price	S
Smallscale Major Development Proposals		Secondary fee	-	-	S
Minor Development (single new or replacement dwellings and other development of less than 50sqm floorspace)		Initial fee	330.83	347.66	S
Minor Development (single new or replacement dwellings and other development of less than 50sqm floorspace)		Secondary fee	-	-	S
Minor Development (all other minor development)		Initial fee	413.24	434.16	S
Minor Development (all other minor development)		Secondary fee	-	-	S
Minor Development (all other minor development)		Initial fee	413.33	434.33	S
Minor Development (all other minor development)		Secondary fee	-	-	S
Any development where affordable housing is required by virtue of the Council's planning policies and is to be provided		Initial fee	-	-	S
Other Development		Initial fee	110.00	115.58	S
Other Development		Secondary fee	55.00	57.83	S
Advertisement proposals		Initial fee	91.67	96.33	S
Advertisement proposals		Secondary fee	-	-	S
Heritage advice		Initial fee	119.17	125.25	S
Heritage advice		Secondary fee	60.00	63.00	S
Meetings - major and minor developments			Included in quoted fee	Included in quoted fee	
Meetings - all other development types		per officer present / per hour	39.17	41.16	S
Provision of urgent advice		within 5 working days	2 X quoted fee	2 X quoted fee	

Self-build and Custom Housebuilding Register

Entry onto Part 1 of the Register (Individuals)		per officer rate	240.00	252.16	S
Entry onto Part 2 of the Register (Individuals)		per officer rate	95.84	100.66	S
Entry onto Part 1 of the Register (Groups and Associations)		per officer rate	240.00 + 56.00 per individual	252.16 + 58.83 per individual	S
Entry onto Part 2 of the Register (Groups and Associations)		per officer rate	95.00 + 56.00 per individual	98.25 + 57.41 per individual	S



Finance & Support Services

Basis of Charge	Unit of Charge	2020/21 Charge Ex. VAT	2021/22 Charge Ex. VAT	VAT
		£	£	

Revenues

Council Tax penalty for failure to promptly notify or provide information		per first offence	70.00	70.00	n/a
Council Tax penalty for failure to promptly notify or provide information		per subsequent offence	280.00	280.00	n/a
Summons and Liability Order		per order	80.00	80.00	n/a

Executive

Date: 19th February 2021

**Report by: Councillor Geoffrey Williamson, Deputy Leader &
Executive Member for Financial Sustainability**

**Report title: Capital Strategy Minimum Revenue Provision Policy
2021/22 Onwards**

Ward(s) affected: All

Summary

The report contains the Council's Capital Strategy and Minimum Revenue Provision (MRP) policy for 2021/22 onwards.

RECOMMENDATIONS FOR EXECUTIVE to recommend to Council:

(a) To approve the Capital Strategy and Minimum Revenue Provision policy 2021/22 onwards (Appendix A to this report).

1.0 Proposal(s)

1.1 This report proposes that Council approves the Capital Strategy and the Minimum Revenue Provision policy 2021/22 onwards.

2.0 Background

2.1 The East Herts Council Capital Strategy provides a valuable opportunity for engagement with Full Council to ensure that overall strategy, investment ambition, risk appetite and governance procedures are fully understood by all elected Members and other Council stakeholders.

2.2 The East Herts Council Capital Strategy is intended to be a strategic corporate document which will both be influenced by and in turn influence policy and decision making in respect of capital investment.

2.3 The Strategy will continue to develop and evolve as external

influences do and will be updated as required in order that this Strategy is responsive to the challenges, opportunities, priorities and objectives that the Council must consider.

- 2.4 The current capital programme was formulated over the last two years. As the council continues to deliver, review and update the capital programme, it will do so within the context of the council's Climate Change commitments, most notably the commitment to the council itself becoming carbon neutral by 2030. To that end, the council has devised a carbon assessment tool which it is now beginning to use to assess its existing major projects. As new proposals for capital funding come forward, a carbon assessment will be included as an integral part of the business case to inform decision-making.
- 2.5 Progress updates on the council's Sustainability Action Plan are posted on the council's website each month, with greater detail on projects' carbon assessments and the overall assessment of progress against the council's schedule to achieve carbon neutrality to be added shortly.

3.0 Reason(s)

- 3.1 Revised reporting was required from the 2019/20 reporting cycle due to revisions of the MHCLG Investment Guidance, the MHCLG Minimum Revenue Provision (MRP) Guidance, the CIPFA Prudential Code and the CIPFA Treasury Management Code. The primary reporting changes included the introduction of a capital strategy, to provide a longer-term focus to the capital plans, and greater reporting requirements surrounding any commercial activity undertaken under the Localism Act 2011.
- 3.2 This report includes the third capital strategy since the revisions. The first version of the report was welcomed by Members last year and no comments or suggestions for improvement have been received from either internal or external audit.

4.0 Options

- 4.1 Update the Capital Strategy as required, at least once annually in accordance with statutory requirements.

5.0 Risks

- 5.1 Risks are discussed in detail, within the Capital Strategy, including the uncertainty around future funding.

6.0 Implications/Consultations

- 6.1 The Capital Strategy and Minimum Revenue Provision policy was presented to Audit and Governance Committee on 10 February 2021 and there were no matters to be brought to the attention of the Executive or Council.

Community Safety

Building and refurbishment schemes design out crime and safety issues and public realm works in particular are required to ensure that the community feel safe.

Data Protection

All investment in IT systems are required to check where data is held and that systems comply with data protection legislation.

Equalities

All capital schemes meet the necessary legislation and are subject to access audits. Design also takes into account dementia friendly design elements particularly around colour.

Environmental Sustainability

The council has established a carbon assessment tool that it is beginning to apply to existing capital projects. In the future, a carbon assessment of proposed capital projects will be included within the overall business case so as to inform decision-making. To date, individual schemes have sustainability features designed into them

and may include, for example: meeting BREEAM ratings for buildings and refurbishments; flood resilience and sustainable underground drainage systems; opportunities for renewable energy generation; and carbon reduction such as replacement of the council's internal combustion engine vehicles with battery electric vehicles.

Financial

The strategy guides the capital programme and detailed financial implications are included with that in the budget report

Health and Safety

All contractors are required to have compliant health and safety policies. Where a health and safety issue requires capital expenditure it will be fast tracked to deal with the issue

Human Resources

None

Human Rights

None

Legal

A Capital Strategy is a requirement of the Prudential Code which the council is required to follow under the Local Government Act 2003.

Specific Wards

None

7.0 Background papers, appendices and other relevant material

7.1 Appendix A - East Herts District Council Capital Strategy and Minimum Revenue Policy 2021/22 Onwards

Contact Member

Councillor Geoffrey Williamson, Deputy Leader & Executive Member for Financial Sustainability
geoffrey.williamson@eastherts.gov.uk

Contact Officer

Steven Linnett, Head of Strategic Finance and Property
Contact Tel No: 01279 502050
steven.linnett@eastherts.gov.uk

Report Author

Nicola Munro, Finance Business Partner
nicola.munro@eastherts.gov.uk

This page is intentionally left blank

Capital Strategy and Minimum Revenue Provision Policy 2021 onwards



 @Eastherts

 EastHertsDC

 easthertscouncil

01279 655261

www.eastherts.gov.uk



Contents

Introduction	4
Influences on Capital Investment	6
Capital investment ambition by Corporate Priority	17
Commercial Investment Strategy	22
Capital Investment Plan	24
Minimum Revenue Provision (MRP) policy statement	30
Risk Management	36
Capital Investment Appraisal Process	49
Governance	53
Appendix 1: Capital Programme by Corporate Plan priority	57

Introduction

The East Herts Council Capital Strategy provides a valuable opportunity for engagement with Full Council to ensure that overall strategy, investment ambition; risk appetite and governance procedures are fully understood by all elected Members and other Council stakeholders.

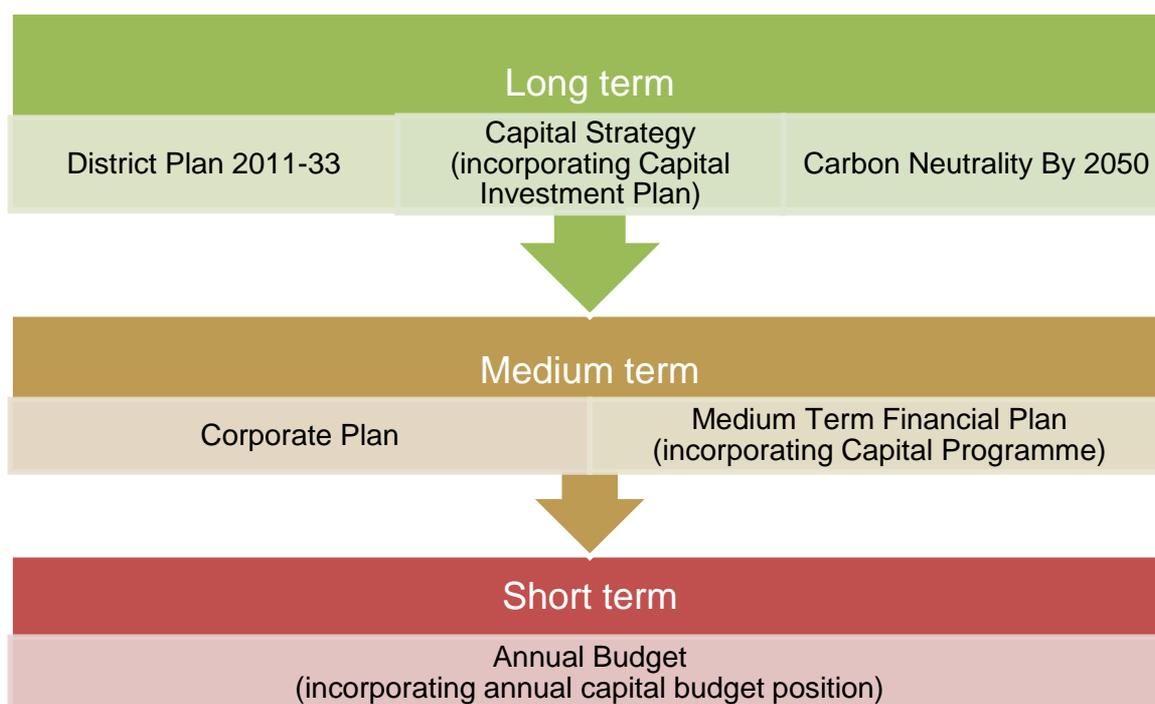
The East Herts Council Capital Strategy is intended to be a strategic corporate document which will both be influenced by and in turn influence policy and decision making in respect of capital investment.

The Strategy will continue to develop and evolve as external influences do and will be updated as required in order that this Strategy is responsive to the challenges, opportunities, priorities and objectives that the Council must consider.

The CIPFA Prudential Code, updated in 2017, includes the requirement for local authorities to produce a Capital Strategy.

The Capital Strategy has not been developed in isolation. The diagram below summarises the relationship between this Capital Strategy and other key corporate strategies and plans.

Figure 1: Long, medium and short term strategic planning at East Herts Council



The Capital Strategy is closely aligned with the priorities and objectives contained within the above, as well as a number of external strategies and plans, which will be explored further in Section 2 of this Strategy.

The East Herts Capital Strategy includes a number of important actions, which will help to implement the Capital Strategy across the organisation and improve overall financial planning in the long term. We recognise the benefits of long term strategic financial planning and therefore this Capital Strategy is seen as key to looking beyond the medium term to fully explore the opportunities which may lie ahead and the role the Council will play in shaping the future for our residents, communities and businesses.

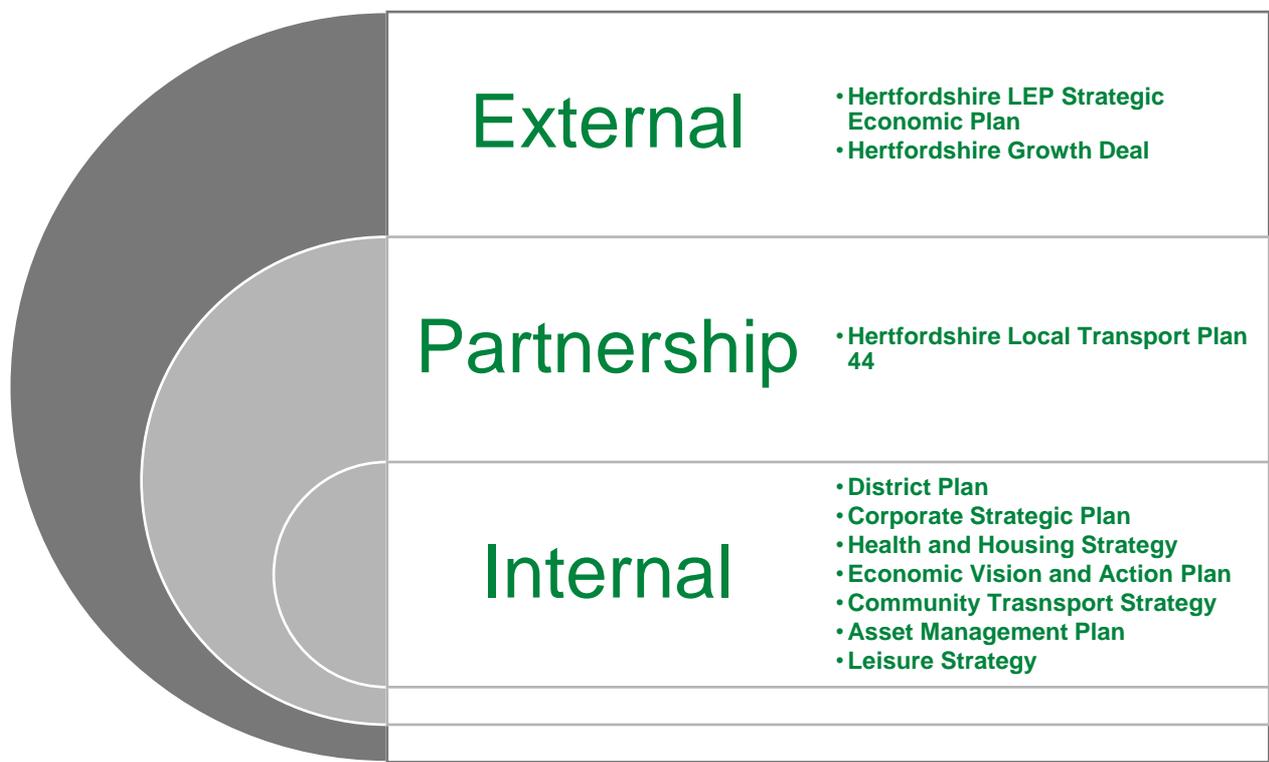
Influences on Capital Investment

The Capital Strategy is influenced by many different factors, which must be taken into account before establishing the appropriate strategy for contributing to the delivery of our corporate priorities.

Our Capital Strategy has considered external, partner and internal influences when shaping our approach. There are many strategies and plans that inform and influence our capital investment plan. It is important to ensure that consideration is given to the aims and objectives that could influence the Council's capital investment ambition over the longer term.

An examination of external and partner influences assists us with supporting decision making on individual capital investment schemes. In future we will therefore use external objectives / targets, alongside our own corporate priorities, to inform decision making when prioritisation needs to be applied to available funding.

Figure 2: Core influences on the Capital Strategy



Our Capital Strategy has taken account of the external, partner and internal influences in shaping our approach. The following sections provide a summary of main points for consideration in each case:

External influences
Hertfordshire LEP Strategic Economic Plan and Hertfordshire Growth Deal
<p>The strategic priorities, as set out in the Hertfordshire Local Enterprise Partnership (LEP) Strategic Economic Plan (SEP), influence the Council’s strategic financial planning direction.</p> <p>The Gilston Area Concept Framework is referenced as a key element of the SEP priorities, with the new Garden Town of Harlow & Gilston acknowledged by government as one of three new Garden Towns nationally.</p>

The new Garden Town initiative for Harlow & Gilston, links through to the now adopted District Plan, working to the detailed Gilston Area Concept Framework and the project governance that is in place via the Gilston Steering Group.

The Growth Deal expanded further in 2017, with additional investment of £43.95m.

This is on top of £221.5m of government funding already awarded to Hertfordshire to date to invest in its people, places and businesses. The Council made a successful bid for Growth Deal funding for Bishop's Stortford Town Centre, an allocation of £9.6m in the form of grant and loan funding, now fully spent.

[Link to Hertfordshire LEP Strategic Economic Plan 2017-30](#)

[Link to Hertfordshire Growth Deal](#)

Partnership influences

Hertfordshire County Council Local Transport Plan 4

We acknowledge the Hertfordshire Local Transport Plan and its main objectives.

The relationship with Hertfordshire County Council (HCC) is very important when considering the longer-term Capital Strategy for the Council. As a planning authority and billing authority, the Council is in a very influential position when it comes to setting the scene for the future development and growth in the area and considering the impact on funding streams at both the County and District level.

Each year, we will examine any County capital schemes that are focused in the East Hertfordshire area, in order that the Council has sight of these schemes as they progress and any potential implications they may have for capital schemes being delivered by the Council, particularly related to our property partnership with the County and the green transport plan.

[Link to Hertfordshire County Council Local Transport Plan 4, 2018 to 2031](#)

Internal influences

District Plan

The vision and strategic objectives contained within the District Plan influence the Council's investment ambition directly. It is important to provide a good view of the long-term impact of the District Plan in the Capital Strategy and the part that the Council's capital investment will play in contributing to meeting the long term needs of the local population and area.

The strategic objectives link to important regional activity, such as the London Stansted Cambridge Corridor Core Area, working with partner authorities, namely Broxbourne, Epping Forest, Harlow and Uttlesford across Hertfordshire and Essex County boundaries.

The District Plan has strategic influence on the following areas of important investment for the Council:

- Housing
- Town Centres
- Provision of leisure facilities

We will ensure that the Capital Strategy demonstrates the links to the District Plan strategic objectives and specific projects, as part of the capital investment plan.

[Link to District Plan 2011-33 \(adopted October 2018\)](#)

Corporate Strategic Plan, Economic Vision and Action Plan

The Corporate Strategic Plan drives the Council's capital investment ambition. The Corporate Strategic Plan includes reference to strategic projects for each year against the aims that support the four priority areas. When the Corporate Strategic Plan is refreshed we will ensure that the Capital Strategy links the capital investment plan to the relevant strategic projects and will therefore demonstrate how the Council's capital investment will contribute to the achievement of the Plan priorities and more detailed aims.

This will help with the evaluation and prioritisation of future capital schemes, where a

business case needs to consider the contribution to the achievement of priorities, as well as non-financial and financial benefits.

The Economic Vision for East Herts sets out the strategic areas of focus in order to achieve this vision. The Economic Vision is backed up by a detailed action plan, which assists with making links to the Hertfordshire LEP SEP, Corporate Strategic Plan and District Plan.

The Economic Vision picks up the thread for major projects, such as the development of a planning framework for Bishop's Stortford Town Centre, which has since resulted in a significant funding package via the Hertfordshire LEP from the Growth Fund. Also, the London Stansted Cambridge growth corridor initiatives, where mention is made of lobbying for the right infrastructure.

The Council has already achieved success in lobbying and bidding for regional funding. As the Capital Strategy is developed it will further contribute strong evidence of local need and highlight where the Council cannot deliver as an individual authority and / or has not got sufficient available capital resources.

[Link to Action Plan](#)

[Corporate Plan 2020-2024](#)

Health and Housing Strategy

We recognise that it is important for the objectives in the Health and Housing Strategy to be reflected in the Council's Capital Strategy both from a direct capital investment perspective and an enabling perspective. The Council plays a vital role in ensuring that the District Plan is delivered in terms of projects, housing mix, health focus and timescale.

The Health and Housing Strategy highlights the importance of working in partnership, particularly related to affordable and suitable housing to meet identified needs. Any associated capital investment requirement can be put into this context in the Capital Strategy to demonstrate how this investment is contributing to the achievement of

important health and housing targets.

[Link to Health & Wellbeing Strategy 2019-23](#)

Emerging Leisure Strategy

It is important to consider the Council's Leisure Facilities Strategy in the Capital Strategy to make the direct strategic link to the capital investment plan. This provides strong justification for the significant current investment and demonstrates why this service area is being prioritised.

These are very important initiatives, which are directed at the Council's community, to improve health and wellbeing across the area, working with health partners, town and parish councils, voluntary sector and community groups. This is important context for the significant capital investment by the Council, already included in the Capital Programme.

As the delivery of the Leisure Facilities Strategy progresses, we will reflect the emerging expected outcomes in future Capital Strategy updates, both from a financial and outcome perspective.

Vision for Leisure Facilities

In order to provide the guiding principles for the proposed direction of travel it was important to work with a vision for leisure centres across East Herts. It is proposed that the vision is one of enabling everyone to have the opportunity to participate. The Council has a pivotal role in providing pay and play opportunities which traditionally are not provided through other sectors. In this context the suggested vision is as follows:

"The Council will provide attractive facilities available to the whole community which complement the wider provision of recreation opportunities in the community and voluntary sector. In addition, it will ensure that leisure facilities contribute fully to the health and wellbeing objectives of the Council."

[Grange Paddocks Leisure Centre Development Project](#)

[Hartham Leisure Centre Redevelopment Project](#)

Asset Management Plan

The importance of the link between the Asset Management Plan (AMP), and its constituent asset categories, is stressed in the CIPFA Prudential Code. There is no doubt that the Asset Management Plan should inform the Capital Strategy, but this also works both ways. The vision and ambition that is articulated in the Capital Strategy should set the scene for the direction that the asset management, in any particular area of operation, should take.

There is an emphasis on the investment property portfolio in the aims, priorities and ambitions in the AMP. Highlighting the Council's good management of the current portfolio and the approach to due diligence and strong decision making for new property investment. There is also an emphasis on town centre improvements, which links to major projects, such as the work in Bishop's Stortford and the master-planning in the District Plan.

The key improvement priorities have been mapped to corporate priorities, outcomes, key milestones and timescales in the current AMP. We will ensure that this links effectively with the capital investment plan as work gets underway to refresh the AMP over the coming year.

[Link to Asset Management Plan](#)

Financial Sustainability Policy

As a result of the changes to the PWLB borrowing rules which prohibit investment principally for yield this section will be updated in due course, once guidance becomes clearer and the Financial Sustainability Committee has had time to consider an alternative strategy, that concentrates on investment in infrastructure which will yield income but is being principally provided to meet targets such as the district being carbon neutral by 2050.



One of the council's corporate goals is *to put sustainability at the heart of everything we do*. Council unanimously made a Climate Change Declaration in July 2019. This was accompanied by nine specific commitments to tackling climate change including the council becoming carbon neutral by 2030.

As the council continues to deliver, review and update its capital strategy and programme, it will do so within the context of these nine Climate Change commitments. Notably, the council has devised a carbon assessment methodology which it will use to assess its existing major projects. As new proposals for capital funding come forward, a carbon assessment will be included as an integral part of the accompanying business case to inform decision-making.

Progress updates on the council's Sustainability Action Plan are posted on the council's website each month, with greater detail on projects' carbon assessments and the overall assessment of progress against the council's schedule to achieve carbon neutrality to be added shortly.

Core influences action plan:

Action	Why is this required?	Responsibility	Timescale
We will ensure that the Capital Strategy demonstrates the links to the District Plan strategic objectives and specific projects, as part of the development of the capital investment plan	In order to identify how we can strengthen our decision making and prioritisation process, informing what we are doing directly towards these objectives via capital investment	Leadership Team	During 2021/22
When the Corporate Strategic Plan is refreshed we will ensure that the Capital Strategy links the capital investment plan to the relevant strategic projects	In order to continue to demonstrate how the Council's capital investment will contribute to the achievement of the Corporate Strategic Plan priorities and more detailed aims	Strategic Finance & Property, S151 Officer	In line with Corporate Strategic Plan refresh timescale

Action	Why is this required?	Responsibility	Timescale
<p>As the delivery of the Leisure Facilities Strategy progresses, we will reflect the emerging expected outcomes in future Capital Strategy updates, both from a financial and outcome perspective</p>	<p>In order to demonstrate the importance of this major element of the capital investment plan and the intended outcomes for the future</p>	<p>Strategic Finance & Property, S151 Officer</p>	<p>During 2021/22</p>
<p>The key improvement priorities have been mapped to corporate priorities, outcomes, key milestones and timescales in the current Asset Management Plan, we will ensure that this links effectively with the capital investment plan as</p>	<p>In order to strengthen the influence of the AMP on the Capital Strategy and also enable the Capital Strategy intention and ambition to inform the emerging refreshed AMP</p>	<p>Leadership Team</p>	<p>In line with AMP refresh timescale</p>

Action	Why is this required?	Responsibility	Timescale
work gets underway to refresh the AMP over the coming year.			
In order to deliver the council's Climate Change commitments, the capital strategy will continue to be developed with regard to the nine commitments, including evaluating the carbon impact of existing and emerging capital projects.	This action is integral to achieving the council's Climate Change commitments, notably, that the council will become carbon neutral by 2030	Head of Housing & Health	During 2021/22 and ongoing in line with individual capital project timescales

Capital investment ambition by Corporate Priority

The intention of this section is to set out the long-term ambition for capital investment in terms of the contribution made towards achieving the priorities identified in the Council’s Corporate Strategic Plan. The future intention will be to articulate the capital investment plan in terms of achievement of priorities, intended outcomes for all key stakeholders and intended timescales.

The Corporate Strategic Plan priority initiatives are currently going through the approval process. To demonstrate our current approach ahead of producing a longer-term capital investment plan, we have set out the Corporate Strategic Plan initiatives below which relate to capital investment:

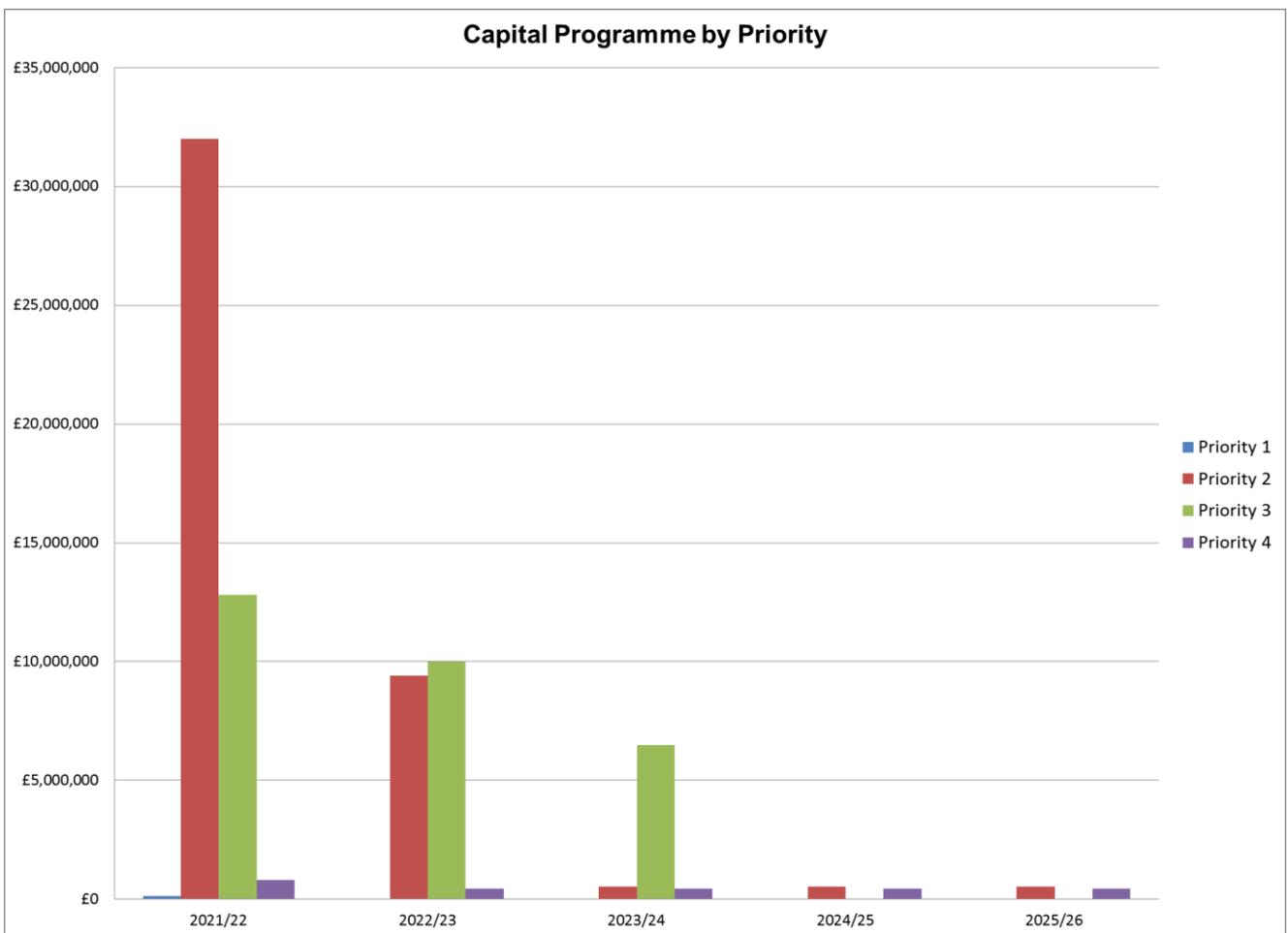
Priority	Aims and initiatives
Priority 1: Sustainability at the heart of everything we do	<p><i>We will make changes to our own premises, people and services</i></p> <ul style="list-style-type: none"> Making direct investment in energy efficiency schemes: for example, energy efficiency measures in leisure capital schemes; installing/upgrading LED lighting in our buildings and car parks – Ongoing <p><i>We will use our regulatory powers to promote action by others</i></p> <p>Installing rapid e-chargers in support of move to more e-taxis – Ongoing</p> <p><i>We will influence and encourage behaviour change</i></p> <ul style="list-style-type: none"> Providing financial incentives to increase sustainability: for example insulation grants and loans – Ongoing
Priority 2: Enabling our	<p><i>We will invest in our places</i></p> <ul style="list-style-type: none"> Investing £36m in our Leisure Centres in Hertford, Bishop’s Stortford and Buntingford – Ongoing

Priority	Aims and initiatives
communities	<ul style="list-style-type: none"> Investing £20m in Hertford Theatre – Ongoing Delivering improvements in our green spaces (e.g. Castle Park) – Ongoing Providing community grants – Ongoing <p><i>We will ensure all voices in the community are heard</i></p> <ul style="list-style-type: none"> Growing our digital communication channels (twitter, Facebook, Instagram, network) to keep residents informed – Ongoing <p><i>We will support our vulnerable residents</i></p> <ul style="list-style-type: none"> Delivering affordable homes – Ongoing Increasing and improving our Homeless Accommodation – Ongoing
Priority 3: Encouraging economic growth	<p><i>We will develop new sources of income</i></p> <ul style="list-style-type: none"> Delivering Financial Sustainability through Green agenda investment purchases – Ongoing <p><i>We will support business growth</i></p> <ul style="list-style-type: none"> Delivering the Old River Lane project to improve Bishop’s Stortford Town Centre – Ongoing Expanding the Launchpad – Ongoing <p><i>We will create viable places</i></p> <ul style="list-style-type: none"> Delivering the district plan – Ongoing Ensuring developer contributions are used effectively – Ongoing
Priority 4: Digital by design	<p><i>We will improve the customer experience for those who use council services</i></p> <ul style="list-style-type: none"> Increase our investment in digital technology – Ongoing <p><i>We will work with partners to ensure our communities are digitally enabled</i></p> <ul style="list-style-type: none"> Delivering Harlow and Gilston Garden Town as a fully sustainable and digital ‘place’ – Ongoing

Priority	Aims and initiatives
	<ul style="list-style-type: none"> • Agreeing a countywide digital infrastructure strategy - Ongoing •

The planned capital investment programme for 2021/22 onwards, from an expenditure perspective, is undergoing the same approval process as this strategy. At this stage we have undertaken a simple mapping exercise to demonstrate the contribution of planned capital investment to each Corporate Strategic Plan priority. This will be developed further as the Capital Strategy is strengthened during 2021/22.

Figure 3: Capital Programme by Corporate Priority



Links between the 5-year capital programme and the corporate priorities are provided at Appendix 1.

Corporate priority action plan:

Action	Why is this required?	Responsibility	Timescale
As the longer-term capital investment plan emerges, we will undertake a more detailed mapping exercise against each capital scheme – initially in the capital programme and eventually in the longer-term capital investment plan	This will assist Members and other key stakeholders recognise the contribution that the capital investment is making towards the achievement of the Council's corporate priorities	Strategic Finance & Property, S151 Officer	During 2021/22
As the refreshed Corporate Strategic Plan emerges, we will ensure that the existing capital investment plan is reviewed to ensure that all planned	This will ensure that existing investment plans still meet the identified needs of the District and emerging pipeline schemes are aligned to the newly approved priorities	Strategic Finance & Property, S151 Officer	In line with Corporate Strategic Plan refresh timescale

Action	Why is this required?	Responsibility	Timescale
schemes align with the updated corporate priorities			

Commercial Investment Strategy

In our Financial Sustainability Policy, we set out a vision statement:

For East Hertfordshire District Council to be an innovative authority that safeguards its future through maximising financial independence from government funding sources. It will do this by raising its own revenue through non-traditional ways and smarter spending. Financial sustainability is about ensuring the council can continue to discharge its duties to the public whilst keeping a balanced and sustainable budget, proving itself a responsible custodian of the public purse.

We also set out our intention, saying that we will:

- Move into other areas of business to raise revenue from new sources
- Find newer and more efficient ways of working
- Explore new ways of working with business and charity sector as an enabler, not just provider

As a result of the changes to the PWLB borrowing rules which prohibit investment principally for yield this section will be updated in due course once guidance becomes clearer and the Financial Sustainability Committee has had time to consider an alternative strategy that concentrates on investment in infrastructure which will yield income but is being principally provided to meet targets such as the district being carbon neutral by 2050.

Millstream Property Investments Limited

In line with the Council's corporate priorities, and commercial investment ambition, Millstream Property Investments Limited was incorporated in February 2018.

The council, as the company's sole shareholder, has entered into a Shareholder Agreement with the company. The Shareholder Agreement obliges the company to annually review its business plan and produce a revised 30-year business plan, rebasing the forthcoming financial year as the first year of this 30-year period.

The Millstream Business Plan is under review, in light of the changes to the PWLB borrowing rules detailed above.

Capital Investment Plan

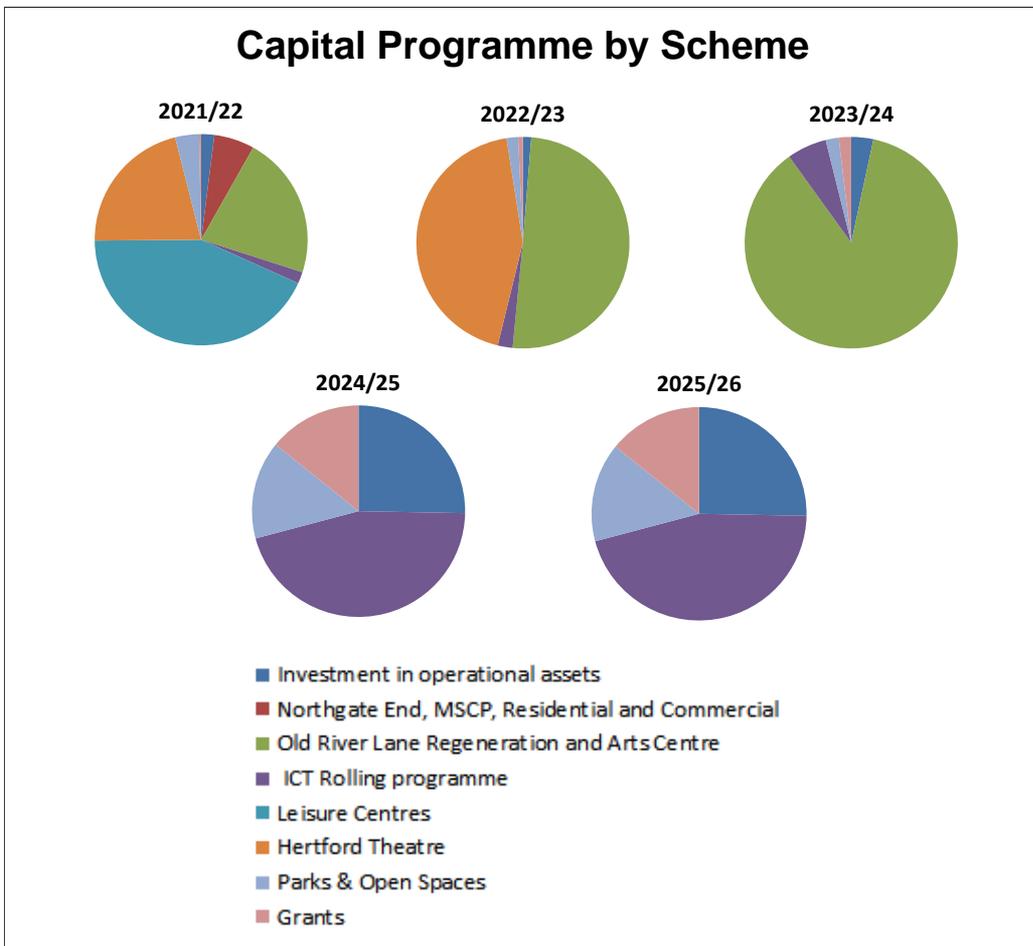
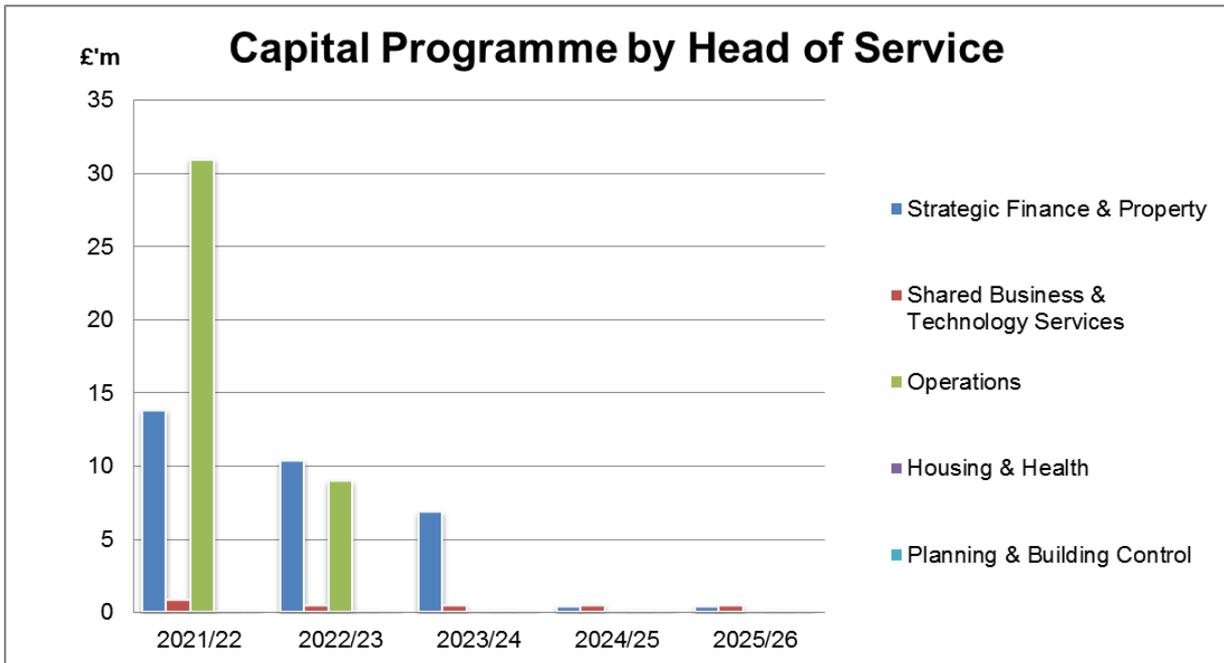
The following sections examine our starting point for a longer-term capital investment plan, the additional analysis that informs our Capital Strategy principles, our capacity to deliver and the potential options for addressing our capital investment ambition gap. We recognise that our Capital Programme currently plans for investment over a five-year period, which is a medium-term view and there is further work to do to extend our plans up to 10 years.

When our strategic planning becomes more mature, and we have identified our plans beyond the four-year horizon, we will update our process for evaluation and prioritisation, to ensure that there is clarity on the level of affordability, based on available capital resources, including a potential borrowing position. It is also important for the Council to establish its potential lobbying position to seek to secure future funding packages from appropriate funding bodies, building on successful bids to date.

We will ensure that our risk assessment examines the risk against the affordability and deliverability assumptions, as the longer-term capital investment plan emerges, and this will inform the ongoing review of performance and update of the capital investment plan to ensure that it is effectively managed.

The following charts provide a view of the current five-year investment plan from an expenditure perspective by Head of Service:

Figure 4: Capital Programme by Head of Service



Approach to capital investment prioritisation

The Medium Term Financial Plan (MTFP) is refreshed annually to accommodate changes in service delivery and financial landscape. Service and financial planning are combined in one report, which demonstrates that we have got an integrated approach to financial planning both from a revenue and capital perspective.

The MTFP is forecast over a 4-year period, in line with the Council's general corporate planning approach. The MTFP sets out the national policy context and describes the impact of this at a local level. It must be recognised that, when looking at a four-year period, the current level of uncertainty makes this an increasingly challenging exercise.

When considering an appropriate long-term period for the Capital Strategy, we are potentially looking at a 20-30 year period but a more realistic period for the capital investment plan, say up to 10 years. This longer-term approach enables a much more robust 5-year Capital Programme forecast and a strong annual budget.

We recognise that the MTFP should be able to articulate the Council's revenue and capital investment plans in the context of a longer-term approach. On this basis, our view is that the MTFP approach needs to be dynamic and aligned to the Council's Corporate Strategic Plan priorities, following an appropriately detailed business planning approach. We feel that the budget setting and service planning process goes a long way towards achieving this approach, however, when it comes to the capital planning process we recognise that we need the process to be less reactive and much more proactive.

As stated in the January 2021 Budget report, the capital programme for 2021/22 onwards contains a number of ongoing major projects and also the rolling capital schemes agreed in previous years.

Currently the review of the Capital programme is undertaken as part of the quarterly health-check report. Any additions to the programme require a funding request to be made through the appropriate governance process. This process is defined by the value of the capital bid.

The council is likely to undertake a further significant capital scheme at the Old River Lane, Bishop's Stortford site, within the medium term. The scope and funding arrangements for this scheme are still in the early stages of project planning. However, it should be noted that East Herts may need to give careful consideration to its reserves provision in the forthcoming years and will require a borrowing facility within this medium term financial period.

As any new schemes are agreed and the funding requirements become more definite they will be included in the capital programme presented within the quarterly health-check report.

As we develop the Capital Strategy we intend this to become better informed over time and strengthened by the capital investment plan, which will stretch up to 10 years. We recognise that it is important to identify all required capital investment commitments, to ensure that all existing capital commitments are required, particularly in light of any refresh of the Corporate Strategic Plan, and those potential commitments from emerging new proposals and ideas are reflected.

We also recognise that, if we have any business as usual commitment missing from our capital investment plan, capital schemes that will no longer deliver against corporate priorities, known capital investment ambition not reflected and a short to medium term delivery profile, it is difficult for us to have a strong capital financing requirement, which in turn will not give us a good view of our potential borrowing requirement in the future.

As we develop our Capital Strategy further in the coming financial year we will make sure that our capital investment plan is comprehensive and profiled realistically, so that the revenue consequence, both positive and negative, are as robust and risk aware as possible, to feed into the budget and the medium term financial plan.

Capital investment plan action plan

Action	Why is this required?	Responsibility	Timescale
Agree an appropriate long-term period for the Capital Strategy – potentially up to 20 years, based on the timeframe of the Council’s current strategies, plans and commercial activity	To enable the Council to plan much more effectively for the future – affording time to be clear about risk appetite, management of risk and management of financial resilience	Council	During 2021/22

Action	Why is this required?	Responsibility	Timescale
Develop a longer-term capital investment plan – potentially up to 10 years, based on an appropriate timescale to suit the agreed period of the Capital Strategy	To enable the Council to improve its capital planning process, strengthen the Capital Programme and assist the effectiveness of delivery against plan	Leadership Team	During 2021/22
Improve the integration with the Council's financial plans and strategies – particularly the MTFP, Treasury Management Strategy, Annual Investment Strategy and Reserves Strategy	To enable an overall view of the Council's delivery of a prudent, affordable and sustainable capital investment plan that contributes positively to the achievement of the Council's corporate priorities	Strategic Finance & Property, S151 Officer	During 2021/22

Minimum Revenue Provision (MRP) policy statement

Minimum Revenue Provision

Where the council finances capital expenditure by debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the council to have regard to the MHCLG Guidance on Minimum Revenue Provision, the most recent edition of which was issued in 2018.

The council is legally obliged to “have regard” to the guidance, which is intended to enable a more flexible approach to assessing the amount of annual provision than was required under the previous statutory requirements. The guidance offers four main options under which MRP could be made, with an overriding recommendation that the Council should make prudent provision to redeem its debt liability over a period which is reasonably commensurate with that over which the capital expenditure is estimated to provide benefits. The requirement to ‘have regard’ to the guidance therefore means that:

1. Although four main options are recommended in the guidance, there is no intention to be prescriptive by making these the only methods of charge under which a local authority may consider its MRP to be prudent; and
2. It is the responsibility of each authority to decide upon the most appropriate method of making a prudent provision, after having had regard to the guidance.

There is no requirement to charge MRP where the Capital Financing Requirement (CFR) is nil or negative at the end of the preceding financial year.

The guidance also provides for the ability to reclaim any charges made over the statutory minimum revenue provision (MRP), voluntary revenue provision (VRP) or overpayments, if deemed necessary or prudent. A detailed analysis of the council's Capital Finance Requirement and the balance sheet, in preparation for the Capital Financing Requirement turning positive and therefore MRP becoming payable, indicates that there is an historic set aside from capital receipts to repay debt of £117,406,522.84 as of 1 April 2007. This balance is fully cash backed and is evidenced by matching cash and investment balances each year in the balance sheet.

In order for this sum to be reclaimed for use in the budget, this policy must disclose the cumulative overpayment position each year. It is also necessary to adjust this balance to take into account financing of capital expenditure and long term investment decisions made prior to 1 April 2020. This position is shown in the table below is tracked from 2007/08 when the Capital Adjustments Account was established. The table includes estimated capital expenditure to be financed from borrowing in 2020/21:

Capital Receipts set aside for the repayment of debt

Year	Bfwd	Borrowing	Investment	Cfwd
2007/08	117,406,522.84	-7,894,055.77		109,512,467.07
2008/09	109,512,467.07			109,512,467.07
2009/10	109,512,467.07			109,512,467.07
2010/11	109,512,467.07			109,512,467.07
2011/12	109,512,467.07	-483,360.33		109,029,106.74
2012/13	109,029,106.74	-1,942,095.36		107,087,011.38
2013/14	107,087,011.38	-1,886,443.19		105,200,568.19
2014/15	105,200,568.19	0.00		105,200,568.19
2015/16	105,200,568.19	-18,815,490.41	-19,999,996.01	66,385,081.77
2016/17	66,385,081.77	0.00		66,385,081.77
2017/18	66,385,081.77	0.00		66,385,081.77
2018/19	66,385,081.77	0.00		66,385,081.77
2019/20	66,385,081.77	-4,531,075.15		61,854,006.62
2020/21	61,854,006.62	-26,731,000.00 ¹		35,123,006.62

¹ Projected expenditure

Members should note that the capital receipts set aside to repay debt are cash backed and the use of these receipts to repay debt will result in the council permanently foregoing investment income from the cash balances, with the exception of the £20 million long term investments in the two property funds. That investment has been deducted from the available cash backed receipts in 2015/16 in the table above and the cash would remain available for investment or repaying debt in the future. The £7.894 million of historic debt brought forward has been deducted from the total set aside balance in 2007/08 and £6 million was repaid on the loan maturity date in 2019/20 using the set aside allowance.

The council's Capital Financing Requirement will become positive in 2020/21 therefore the council's policy is to repay debt incurred on capital expenditure between 2011/12 and 2019/20 during March 2021 in order that no MRP is required to be set aside on that debt. The 2020/21 loan debt will be repaid in 2021/22 and therefore no MRP will be required to be

made for 2020/21 borrowing for completed assets. For 2021/22 and future years the Council will assess MRP in accordance with the main recommendations contained within the guidance issued by the Secretary of State under section 21(1A) of the Local Government Act 2003. The options available to the Council are as follows.

Option 1: Regulatory Method

Under the previous MRP regulations, MRP was set at a uniform rate of 4% of the CFR on a reducing balance method (which in effect meant that MRP charges would stretch into infinity). This historic approach requires the council to operate as if the 2008 Regulations must continue for all capital expenditure incurred in operate as if the 2008 amending Regulations had not revoked Regulation 28 and is only really advantageous to those authorities operating a Housing Revenue Account (HRA) to allow them to take advantage of adjustments relating to HRA debt. It can also only be used for new capital expenditure up to the amount which is deemed to be supported through the Supported Capital Expenditure annual allocation which is no longer published by the Government.

Option 2: Capital Financing Requirement Method

This is a variation on option 1 which is based upon a charge of 4% of the aggregate CFR without any adjustment for Adjustment A, or certain other factors which were brought into account under the previous statutory MRP calculation. The CFR is the measure of an authority's outstanding debt liability as depicted by their balance sheet.

Option 3: Asset Life Method

This method may be applied to most new capital expenditure, including where desired that which may alternatively continue to be treated under options 1 or 2.

Under this option, it is intended that MRP should be spread over the estimated useful life of either an asset created, or other purpose of the expenditure. There are two useful advantages of this option:

1. Longer life assets e.g. freehold land can be charged over a longer period than would arise under options 1 and 2 subject to a maximum life of 50 year for undeveloped land but developed land can have the same life as the asset on it and that can exceed 50 years; and
2. No MRP charges need to be made until the financial year after that in which an item of capital expenditure is fully incurred and, in the case of a new asset, comes into service use (this is often referred to as being an 'MRP holiday'). This is not available under options 1 and 2.

There are two methods of calculating charges under option 3:

1. equal instalment method – equal annual instalments; or
2. annuity method – annual payments gradually increase during the life of the asset.

Option 4: Depreciation Method

Under this option, MRP charges are to be linked to the useful life of each type of asset using the standard accounting rules for depreciation (but with some exceptions) i.e. this is a more complex approach than option 3. The same conditions apply regarding the date of completion of the new expenditure as apply under option 3.

Annual Minimum Revenue Provision Statement 2021/22

The Council's policy is to first utilise the available set aside capital receipts and will repay in full the debt relating to fully incurred capital expenditure or new assets brought into use in the first full year after they are brought into use. Once the available set aside capital receipts balance has been fully utilised to repay debt the Council, having evaluated the options for its MRP policy in respect of capital expenditure incurred, considers that the Asset Life - Equal Instalment Method is the most appropriate for it to use. This provides for a reduction in the borrowing need over approximately the useful life of the asset.

Estimated life periods will be determined by the Head of Strategic Finance and Property. To the extent that expenditure is not on the creation of an asset and is of a type that is subject to estimated life periods that are referred to in the guidance, these periods will generally be adopted by the council. However, the council reserves the right to determine useful life periods and prudent MRP in exceptional circumstances where the recommendations of the guidance would not be appropriate.

As some types of capital expenditure incurred by the Council are not capable of being related to an individual asset, asset lives will be assessed on a basis which most reasonably reflects the anticipated period of benefit that arises from the expenditure. Also, whatever type of expenditure is involved, it will be grouped together in a manner which reflects the nature of the main component of expenditure and will only be divided up in cases where there are two or more major components with substantially different useful economic lives.

Repayments included in finance leases are applied as MRP.

Risk Management

Risk Management Strategy

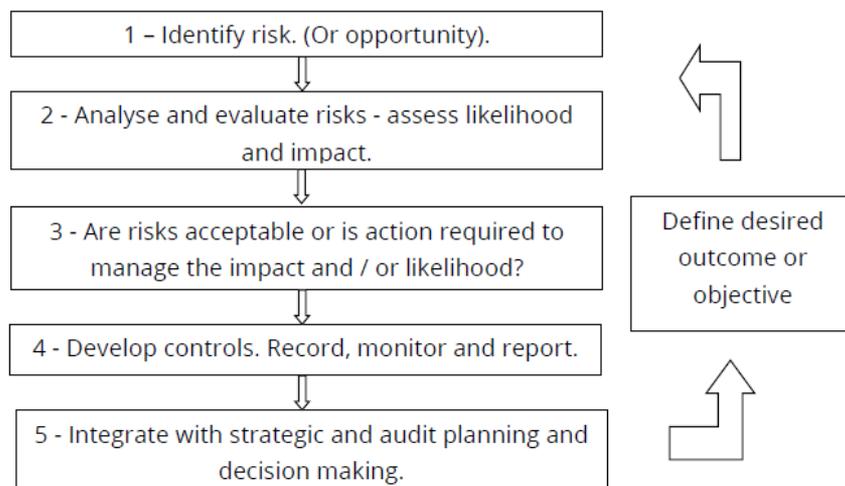
The Council's Risk Management Strategy was last reviewed in spring 2019 and is reviewed on an annual basis.

The Strategy contains a clear definition of risk management as follows:

The process which aims to help organisations understand, evaluate and take action on all their risks with a view to increasing the probability of their success and reducing the likelihood of their failure. (Source: The Institute of Risk Management).

The five stages of risk management are summarised in the diagram below, extracted from the Risk Management Strategy.

Figure 5: Stages of Risk Management



Risk Evaluation and Risk Appetite

The Risk Management Strategy includes a scoring matrix to be used in analysing and evaluating risks as outlined in the image overleaf.

Figure 6: Risk Scoring Mechanism

4 - HIGH >£300,000 and / or national criticism and / or catastrophic fall in service quality				
3 - MEDIUM £150,000 to £300,000 and / or regional criticism and / or major long term fall in service quality		CONTINGENCY	CRITICAL	
2 - LOW £50,000 to £150,000 and / or long term local media criticism and / or minor long term or major short term fall in service quality		CONTROL	CAUTION	
1 - NEGLIGIBLE <£50,000 and / or short term local media criticism and / or short term fall in service quality				
IMPACT LIKELIHOOD	1 - RARE The event could occur in exceptional circumstances	2 - UNLIKELY The event could occur less frequently than every three years	3 - POSSIBLE The event is likely to occur within, or more than one in three years	4 - PROBABLE The event is likely to occur within a year

The Strategy includes a definition of the Council’s risk appetite i.e. the level of risk that it is prepared to tolerate without need for ongoing monitoring or reporting. A material risk is deemed to be any risk rated higher than 2:2 on the scoring mechanism above. Where a risk rating exceeds this ‘control’ area of tolerance, demonstrable evidence of how risks are being mitigated will be required, together with proposals for future controls.

The Risk Management Strategy acknowledges that with increasing pressure on public finances, Local Authorities are obliged to have more appetite for risk. The Council cannot deliver everything it would ideally like to deliver and tough choices are necessary. The Council is therefore open to considering all delivery options, accepting increased levels of risk in order to secure the successful outcomes or rewards. Risk management is essential in supporting innovation and moving from a ‘risk averse’ to a more ‘risk aware’ approach. An example is the acquisition of Old River Lane, Bishop’s Stortford. The financial commitment is significant but the acquisition provides an opportunity to shape the town centre, and an additional income stream.

Roles and responsibilities

Roles and responsibilities are contained within the Risk Management Strategy and summarised here for ease of reference:

Role	Responsibility
Elected Members	<p>Elected Members are responsible for governing the delivery of services to the local community. Members have a responsibility to understand the strategic risks that the Council faces, and will be made aware of how these risks are being managed.</p> <p>All Members will have the responsibility to consider the risks associated with the decisions they undertake and will be informed of these risks in the reports that are submitted to them. They cannot seek to avoid or delegate this overall responsibility, as it is key to their stewardship responsibilities.</p> <p>All Members can access strategic risks on Pentana Performance (formerly called Covalent).</p>
Full Council	<p>Full Council recognises the importance of effective risk management and considers risk management issues when making decisions.</p>
Executive	<p>To receive an annual report regarding the content of the Strategic Risk Register, then three exception reports each year detailing any change in risk scoring and the reasons why.</p> <p>Agree the Risk Management Strategy on an annual basis, or if significant changes require a revision.</p>

Role	Responsibility
	<p>Agree / set the Council's risk appetite.</p> <p>Allocate sufficient resources to address top risks</p>
<p>Performance, Audit and Governance Oversight Committee</p>	<p>To develop policy options and to review and scrutinise the policies of the Council including Risk Management.</p> <p>To monitor the effective development and operation of risk management and corporate governance in the Council.</p> <p>Receive an annual report regarding the content of the Strategic Risk Register, then three exception reports each year detailing any change in risk scoring and the reasons why.</p>
<p>Chief Executive and Leadership Team</p>	<p>To ensure that effective systems of risk management and internal control are in place to support the Corporate Governance of the Council.</p> <p>Take a leading role in identifying and managing the risks and opportunities to the Council and to set the example and standards for all staff. Advise the Executive and Council on the risk management framework, policy, strategy and processes.</p> <p>Advise on the management of strategic and other significant risks.</p> <p>Ensure that the Policy and Strategy are communicated, understood and implemented by all Members, managers and staff.</p> <p>To report to Members on the management of strategic risks.</p>

Role	Responsibility
	To ensure that the risk management process is part of all major projects, partnerships and change management initiatives.
Heads of Service	<p>To be individually responsible for their service risks.</p> <p>Be actively involved in the identification and assessment of risks through the service planning process.</p> <p>Ensure that all reports of a strategic nature written for Members include risk commentary.</p> <p>To implement the detail of the Risk Management Strategy and risk related corporate policies, e.g. Health and Safety, Data Protection.</p> <p>Ensure that significant service risks are considered by Leadership Team quarterly.</p>
Strategic Finance and Property	<p>Co-ordinate risk management activities and prepare related reports for management and Members.</p> <p>Review and develop the Risk Management Strategy and processes.</p> <p>Facilitate / arrange risk management training for staff and Members.</p> <p>To co-ordinate the Business Continuity Plan.</p> <p>Support the risk based audit planning process.</p>
Shared Internal Audit Service	<p>To provide assurance to the Council through an independent and objective opinion on the control environment comprising risk management, control procedures and governance.</p> <p>To provide an annual Audit Plan that is based on a</p>

Role	Responsibility
	<p>reasonable evaluation of risk, and to provide an annual assurance statement to the Council based on work undertaken in the previous year.</p> <p>Review and challenge the effectiveness of the risk management framework.</p>

Monitoring

Existing controls of strategic risks, their adequacy, new mitigation measures and associated action planning information are to be recorded on the Strategic Risk Register.

Strategic risks are subject to one detailed annual report with quarterly reports on an exception basis only.

Capital Risk Register

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
Political	Change in local government structures	Timetable for any reorganisation would fall outside the substantial capital programme proposed and as already committed would not be stopped by a reorganisation prohibition on items not programmed to use up resources and deny them to the successor authority	Quarterly	Chief Executive	6

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
Finance	<p>There is uncertainty around future funding, both from Government and other areas such as income from commodities markets for recycled materials.</p> <p>The approach used in the MRP Policy of utilising set aside capital receipts from pre-2007 which can only be utilised for the repayment of borrowing to be applied to repay borrowing of the capital programme utilising the cash that backed the receipts is subject to validation by the external</p>	<p>Funding situation is being carefully monitored.</p> <p>Financial Sustainability Committee to consider infrastructure investment.</p> <p>Approach has been sent to CIPFA for comments.</p> <p>Capital Receipts balance and backing cash resources are proven to exist in the Balance Sheet. EHDC situation is unique and if external auditors raise issues a referral to MHCLG to</p>	Ongoing	Head of Strategic Finance & Property	7

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
	auditor	issue a Determination to allow the receipts to be used will be made.			
Social					
Technological					
Legislative / Legal	Challenges to legal powers being employed to deliver capital ambition	Robust technical, expert and legal advice to be sought as required in order to demonstrate that the Council's actions are justified	Ongoing	Head of Legal & Democratic Services	6

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
Continuity / service delivery	Risk of not having capacity / capability and flexibility to continue to deliver service levels over time.	<p>Services are structured to ensure their service offers meet customer demand and are efficient and effective.</p> <p>The Transformation Programme will drive digital self-service for customers and agile working will reduce the need for office accommodation space.</p>	Ongoing	Heads of Service	4

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
	Risk of lack of defined process resulting in disrupted service delivery as decision making processes are impaired	Standard business cases, project evaluation and scoring mechanisms to aid decision making and prioritisation of resources	12 months	Head of Comms, Policy & Strategy	5
Environmental	Development of Old River Lane, Bishop's Stortford: impact on surrounding area	Site options being developed by urban designers and property consultants. Discussions ongoing with other partners such as Hertfordshire County Council, South Mills and Bishop's Stortford Town	Ongoing	Head of Strategic Finance & Property	5

Risk Category	Description of Risk / Uncertainty	Mitigating Factors	Timescale (review or implementation)	Owner	Residual Risk Score
		Council, to ensure any enabling parts of the site are ready			
	Grange Paddocks Leisure Centre built on a flood plain resulting in risk of flooding of the ground floor areas.	The building is located on the boundary of the very low and no risk zone. Design and Access statement, flood risk strategy, and drainage plan produced resulting in 64% less drainage outflow. Plant located on the north side and all on raised plinths.	Ongoing	Head of Operations	5

Risk Management action plan

Action	Why is this required?	Responsibility	Timescale
Monitor operational and strategic risks and update relevant risk registers accordingly, reporting strategic risks annually or quarterly by exception	In order that opportunities are explored in full in a timely fashion, and that risks are acknowledged and managed effectively through project lifecycles	All	As required and at least on a quarterly basis

Capital Investment Appraisal

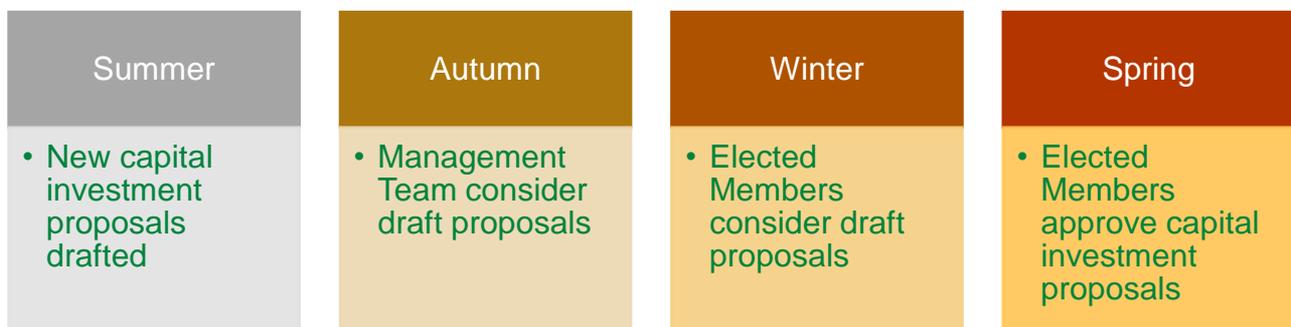
Process

Note: Due to the current high level of approved capital spend and affordability, there are currently no new capital schemes for approval and none expected, other than a potential re-configuration of the Old River Lane, Bishops Stortford, scheme.

Business planning process

The current business planning process for developing investment proposals to be included within the Council's future financial plans is summarised in the diagram below.

Figure 7: Business Planning Process



New proposals are developed by individual Project Managers, approved for consideration at service level by the Head of Service / Directorate following which, the proposals will be considered by Leadership Team and successful proposals will progress for consideration and approval as part of the annual budget cycle.

Investment proposals – consultation and stakeholder engagement

Consultation and engagement is a key part of developing individual proposals and will be tailored to the individual proposal and relevant stakeholders both internal and

external to the Council. Stakeholder engagement and consultation can take place throughout the lifecycle of a proposal (from initiation to close down) and the outputs of any engagement or consultation undertaken should be used to inform the proposal as this progresses.

The diagram overleaf summarises the elements to consider in developing capital investment proposals.

Figure 8: Stakeholder engagement and consultation in developing investment proposals



Developing capital investment proposals – description of current processes

Project and Service Managers are encouraged to consider a range of options in developing individual proposals to determine an appropriate way forward, and to capture project details as a business case. However, although new proposals are required to develop a business case, there is as yet no standardised business case template used consistently across the Council to capture key information. This can lead to gaps in information being captured.

The Council has therefore identified that a standardised business case template is required, to support Officers in recording and maintaining project information and inform decision making. Business case must include estimates of capital costs, revenue implications and how the individual proposal aligns with Council plans and strategies and any partnership or external plans and strategies as relevant. Risks should also be documented as part of developing the proposal, along with mitigating actions and relevant timescales.

Business cases would then be maintained throughout the lifecycle of a project to maintain accurate information relating to delivery and lessons learned should be captured as part of project closure reports.

Prioritising capital investment

The intention is for the standardised business cases referenced above to then be subject to a standardised evaluation process, the outcome of which will be the prioritised capital investment programme. Local authorities continue to face financial challenges and as a result, the need to prioritise and target investment is ever present.

The Council has identified that in order to effectively assess investment proposals against one another, a standardised evaluation process and scoring mechanism may be beneficial to help aid decision making and prioritise investment.

Project appraisal process action plan

Action	Why is this required?	Responsibility	Timescale
Embed the council's carbon assessment tool within standardised business case documentation so as to ensure sustainability issues inform decision-making	To support officers in capturing and maintaining project information, from proposal to project close down, in order to help inform decision making and prioritise investment	Head of Housing & Health	12 months

Governance

Description of existing approval mechanisms

The existing process for development and approval of the Council’s Capital Strategy is summarised in the diagram below.

Figure 9: Capital Strategy Approval process



The internal governance structure will need to be mindful of partners’ and external governance mechanisms and will need to communicate and engage with these structures through delivery of the Council’s overall capital ambition.

Roles and responsibilities

All Officers and elected Members have a role to play in informing and delivering the Capital Strategy. These roles and responsibilities are summarised below:

Role	Responsibility
Elected members	To approve the Capital Strategy and monitor delivery of the Strategy through various scrutiny forums

Role	Responsibility
Leadership / Management Team	To develop and propose the Capital Strategy for approval
Programme / Directorate Managers	To help inform the Capital Strategy, identifying constraints and opportunities and communicate these to both Senior Management and Project Teams
Project Managers	To manage delivery of individual projects aligned to the Capital Strategy and to develop and maintain project information which will inform decision making processes and the direction and delivery of the Capital Strategy
Project Team members	To contribute to the delivery of individual proposals which align with the Capital Strategy

Skills and training

The Council benefits from the skills and experience possessed by both Officers and elected Members which will support delivery of individual capital proposals and the Council's overall capital ambition. The Council is also keen to support Officers and elected Members to continue to develop their skills sets and is therefore mindful of the implications capital proposals may have on the Council's workforce and future training opportunities and requirements.

The Council already has a programme of staff training available and will look to support that staffs who wish to continue their professional development appropriate to their role and subject to appropriate budget availability. Relevant training for elected Members is also undertaken on a routine basis and refreshed as required.

Any skills or experience required which are not already possessed 'in-house' should be identified through individual capital proposals or business cases and will be procured externally as necessary, and in accordance with the Council's Corporate Procurement Strategy.

Capital Strategy engagement

The Capital Strategy is a corporate document which helps stakeholders understand the Council's capital investment objectives and decisions. The Council is therefore keen that the Capital Strategy is informed by knowledge and experience from across the authority.

There is still work to do in fully developing and implementing the Capital Strategy as a corporate strategic document. Therefore, the Senior Management Team will consider a consultation and engagement plan over the coming months which will look to raise awareness of the Strategy and gather stakeholder input for future iterations of the Capital Strategy.

Capital Strategy date for review

The Capital Strategy is intended to be a dynamic document, responsive to changes in policy, strategic influences and delivery.

The Capital Strategy will therefore be updated as required and at least once on an annual basis.

Governance action plan

Action	Why is this required?	Responsibility	Timescale
Update the Capital Strategy as required and at least once annually	To maintain a dynamic and responsive Strategy which evolves as the Council's priorities do	Leadership Team	As required
Consider an engagement plan for the Capital Strategy	To continue to develop and inform the Capital Strategy, and raise awareness of the Council's capital investment ambition	Leadership Team	12 months

Appendix 1: Capital Programme by Corporate Plan priority

	Sustainability at the heart of everything we do	Enabling our communities	Encouraging economic growth	Digital by design
Investment in operational assets	✓	✓	✓	
Grange Paddocks Leisure Centre	✓	✓		
Hartham Leisure Centre	✓	✓		
Ward Freeman		✓		
Car Park Resurfacing		✓		
Northgate End, MSCP, Residential and Commercial		✓	✓	
Arts Centre – Old River Lane	✓	✓	✓	
Hertford Theatre	✓	✓	✓	✓
LED Lighting Upgrades	✓	✓		
ICT Rolling Programme				✓

Appendix 1

	Sustainability at the heart of everything we do	Enabling our communities	Encouraging economic growth	Digital by design
Open Space Improvements		✓		
Improve, maintain & renew structures along rivers and watercourses		✓		
Land Management Asset Register & Associated Works		✓		
Fixtures, Fittings and Equip (Both Centres)		✓		
Grants	✓	✓		

Executive

Date of Meeting: 19 February 2021

Report by: Geoff Williamson. Deputy leader and Executive Member for Financial Sustainability

Report title: Noting the decision of the Chief Executive to approve a scheme for the Local Authority Discretionary Grant Fund under urgency provisions

Ward(s) affected: All

Summary

- To note a decision taken by the Chief Executive on 29 December 2020 to approve the Local Authority Discretionary Grant funding scheme under the urgency provisions contained at Part 3C paragraph 9.2(g) of the Constitution

RECOMMENDATIONS FOR EXECUTIVE:

- (a) That the decision to approve the scheme taken by the Chief Executive is noted.
- (b) That delegated authority is granted to the Head of Revenues & Benefit service in consultation with the Deputy Leader and Executive Member for Financial Sustainability to revise the scheme where appropriate.

1.0 Proposal(s)

- 1.1 In accordance with the Government's response to Covid-19 supports for Business, the local authority is required to determine a scheme to allocate the funding made available under the discretionary grant fund. Government refer to this round of discretionary grants as **Additional Restrictions Support Grant (OPEN)**

2.0 Background

- 2.1 In response to the ending of the national lockdown (5th Nov- 2nd Dec 2020) the Government announced support for businesses liable for business rates that are mandated to closed in tier 2 and above. That scheme is specified by Government and called the

Local restrictions support grant (CLOSED).

- 2.2 They also announced additional funding for a discretionary scheme. This is called the **Local restrictions support grant (OPEN)**, and is intended to support those businesses that whilst not mandated to close are significantly impacted by the restrictions in tiers 2 and 3. Funding is provided for 14 day cycles of payment for the duration that an area remains in either Tier 2 or 3.
- 2.3 The initial payment, received on account is for £377,572, covering the period 2.12.2020 to 18.12.2020.
- 2.4 This report seeks approval of this OPEN scheme
- 2.5 This report is to note the decision taken by the Chief Executive to approve the scheme under the urgency provisions contained at Part 3C paragraph 9.2 (g) of the constitution.
- 2.6 Part 3C Paragraph 9.2(g) states:

in cases of urgency [the Chief Executive can] take any decision which could be taken by the Council, the Executive or a Committee in consultation with the Leader, provided that any such decision shall be reported to the next meeting of the Executive, appropriate Committee or Council unless there is a need for confidentiality, in which case the reporting of the decision may be deferred until the need for confidentiality

3.0 Reasons

- 3.1 The government has announced a Discretionary Business Grant Fund to enable local authorities to support businesses severely affected by the restrictions in place in either tier 2 or above.
- 3.2 East Herts has been awarded **£337,572** but further funding will be received for each period of 14 days that we remain in tier 2 or above. The government has set some qualifying criteria which the Council must follow, and has indicated both the priority businesses to receive funding and indicative funding levels. However there is discretion to determine which businesses to support, and how much to award, In determining this policy, the Council has sought to balance the amount of overall money it has

received to distribute, and the period over which funding is intended to last.

3.3 The Government expects all of this funding to be used for discretionary grants. Local Authorities have the freedom to determine the precise additional eligibility criteria for these grants. However, Government expects the funding to be targeted at **hospitality, hotel, bed & breakfast and leisure businesses**. Government expects Local Authorities to consider how the Local Restrictions Support Grant (Open) funding can help kickstart recovery by supporting sustainable businesses that have not been legally required to close but which are severely impacted by Tier 2 or 3 restrictions.

3.4 Local Authorities are free to provide support to businesses in the area that are not liable for business rates, and it is suggested that consideration be given to fixed costs, employees, the ability to trade online and the scale of loss they suffer as a result of the restrictions.

3.5 Business must also meet the core criteria, in that they were trading on the day before restrictions came into place, have not exceeded state aid levels, and are not be in administration, insolvency or have a striking off notice.

3.6 The government criteria can be seen in full here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/942853/local-restrictions-support-grant-OPEN-dec2-2020-onwards-la-guidance.pdf

3.7 For Businesses with a liability for business rates the government suggests the following;

- Grants of up to £467 per 14-day period for businesses occupying hereditaments with a rateable value of exactly £15,000 or under on the date of the commencement of the local restrictions.
- Grants of up to £700 per 14-day period for businesses occupying hereditaments with a rateable value over £15,000 and less than £51,000 on the date of the commencement of the local restrictions.
- Grants of up to £1050 per 14-day period for businesses occupying

hereditaments with a rateable value of exactly £51,000 or above on the date of the commencement of the local restrictions.

3.8 However the proposed approach to this grant scheme is in two parts.

- **Firstly:** Those business-rated businesses which are explicitly identified in the schedule of Tier 2 & Tier 3 restrictions in the hospitality, hotel, bed & breakfast and leisure businesses will be awarded grants in line with the Governments proposed scheme – but at the maximum level. The Government says ‘up to’ but the proposal is to pay ‘at the top’, so those with RV of £15k or less will get £467.00 etc.
- **Secondly:** Those businesses either rated or not rated which can demonstrate that they have been **specifically indirectly impacted** by these restrictions will be considered for a grant in accordance with the second table below.

<i>Business with Business rates which are under specific restrictions.</i>	Max specified by Gov per 14 days	
Rv less than £15k	£ 467.00	
RV over £15k but less than £51k	£ 700.00	
RV of £51k and above	£ 1,050.00	
<i>Business with or without business rates that can demonstrate they are indirectly affected by restrictions in tier 2 or 3</i>	Lowest score	Highest score
Less than 100 employees	£ 50.00	£ 230.00
More than 100 employees	£ 100.00	£ 525.00

3.9 These would only be awarded where there is a direct correlation between the restrictions in place and their business activity. An example might be that the business provides catering for functions, which are now restricted in size to 50% of usual capacity.

3.10 The maximum value of these grants has been set at no more than 50% of the grants for directly impacted businesses.

- 3.11 If available funding is less than actual demand, the explicitly affected business rated businesses will take priority.
- 3.12 In determining the actual level of grant for indirectly affected businesses, consideration is given to the number of employees, income loss and Fixed costs and the ability to provide their business on the internet or through take away services.
- 3.13 The goal is to try and support as many businesses as possible with the money received from government while keeping the individual grant amounts high enough that they will provide meaningful support to those businesses.
- 3.14 Application process
It is not possible for the Council to quantify how many businesses in our area will potentially meet the criteria set out in the report. The reason for this is that the council does not hold enough data on how many businesses may fall into these categories.
Applications will be determined as received
- 3.15 As this is a discretionary scheme there is no right to appeal and the decision of the Council is final. However it is proposed to offer a review of a decision to reject an application to be considered by officers outside of the Revenues & Benefits service
- 3.16 The Council will create an online form for applications; this is the only mechanism through which the Council will accept applications.

4.0 Options

- 4.1 The draft scheme was discussed informally with Executive members on 22 December 2020 to identify any alternatives to the proposal, and there were none identified.
- 4.2 Various alternatives could be explored but the time delay incurred is considered detrimental to the objective of giving financial support to businesses in need. Consequently very little variation from the Governments core scheme is proposed.

5.0 Risks

- 5.1 Having determined the scheme as above, and acknowledged that not all businesses can be supported, some businesses will feel

aggrieved,

- 5.2 Whilst the scheme cannot be appeal against as it is discretionary, a judicial review can be requested if the process agreed is not applied correctly.

6.0 Implications/Consultations

- 6.1 N/A

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

Finance had been consulted and fully support the proposal.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

Contact Member Geoffrey Williamson, Executive Member for Financial Sustainability

Contact Officer

Su Tarran. Head of Revenues & Benefits Shared Service
Contact Tel No x2075
su.tarran@hertspartnership-ala.gov.uk

Report Author

Su Tarran. Head of Revenues & Benefits Shared Service
Contact Tel No x2075
su.tarran@hertspartnership-ala.gov.uk

This page is intentionally left blank