James Ellis
Head of Legal and Democratic Services

MEETING	:	EXECUTIVE
VENUE	:	COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE	:	TUESDAY 6 JULY 2021
TIME	:	7.00 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 Jonathan Kaye	- Executive Member for Communities
Councillor Graham McAndrew	- Executive Member for Environmental Sustainability
Councillor Geoffrey Williamson	- Deputy Leader and Executive Member for Financial Sustainability

CONTACT OFFICER: Katie Mogan
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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.)

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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.

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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 - 16)

    To approve as a correct record the Minutes of the meeting held on 30 March 2021.

4. Declarations of Interest

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

5. Hertford Hydro (Pages 17 - 30)

6. Transformation Programme (Pages 31 - 68)

7. Annual Plan and Refreshed Corporate Plan (Pages 69 - 116)

8. Draft Equalities, Diversity and Inclusion Strategy for East Herts (Pages 117 - 132)

9. Statement of Licensing Policy (Pages 133 - 296)

10. Access to Information Policy (Pages 297 - 326)

11. Data Retention Policy (Pages 327 - 344)

12. <u>Data Breach Policy</u> (Pages 345 - 370)

13. <u>Adoption of Bengeo Neighbourhood Area Plan following Referendum</u> (Pages 371 - 440)

14. <u>Adoption of Sele Neighbourhood Area Plan following Referendum</u> (Pages 441 - 506)

15. <u>Adoption of Thundridge Neighbourhood Plan following Referendum</u> (Pages 507 - 580)

16. <u>Adoption of Gilston Area Neighbourhood Plan following Referendum</u> (Pages 581 - 722)

17. <u>Update from Overview and Scrutiny Committee</u>

   To receive a report of the Committee Chairman.

18. <u>Update from Audit and Governance Committee</u>

   To receive a report of the Committee Chairman.

19. <u>Urgent Business</u>

   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.

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

PRESENT:

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

ALSO PRESENT:

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

OFFICERS IN ATTENDANCE:

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

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447   APOLOGIES

There were no apologies for absence.

448   LEADER'S ANNOUNCEMENTS

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

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

449   MINUTES - 19 FEBRUARY 2021

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

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

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

RESOLVED – that the Minutes of the

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

450   DECLARATIONS OF INTEREST

There were no declarations of interest.

451   QUARTERLY CORPORATE BUDGET MONITOR – QUARTER 3 DECEMBER

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

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

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

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

> **RESOLVED -** That (A) The net revenue budget forecast overspend of £159k in 2020/21 be noted (table 1); and
>
> (B) The revised capital budget for 2020/21 is £64.323m, of which £27.401m is estimated to be carried forward to future years be noted (paragraph 5.1.1).

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

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

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

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

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

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

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

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

RESOLVED - To recommend to Council

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

453   <u>REVIEW OF SCRUTINY BY THE CENTRE FOR GOVERNANCE AND SCRUTINY</u>

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

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

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

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

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

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

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

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

454   UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

There was no update.

455   UPDATE FROM AUDIT AND GOVERNANCE COMMITTEE

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

456   <u>URGENT BUSINESS</u>

There was no urgent business.

<u>The meeting closed at 7.25 pm</u>

Chairman ....

Date   ....

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East Herts Council Report

Executive

Date of meeting: 6th July 2021

Report by: Cllr Geoffrey Williamson

Report title: Proposal to cease the Hertford Hydro project

Ward(s) affected: Hertford wards

Summary

The Hertford Hydro project was approved in 2010 to design and build a hydro scheme at Castle Weir, Hertford. Over the last decade the project team has worked through an iterative design process to meet a range of Environment Agency recommendations and requirements. This design process has resulted in a number of changes that have reduced the potential outputs from the Hydro whilst increasing the cost of the design and delivery, this means that the potential payback period for the project has increased substantially. During this time the Council has pursued a number of alternative sustainability schemes as part of its commitment to put 'Sustainability at the heart of everything we do'. The Environment Agency (EA) has objected to all planning applications put forward to date for the Hydro scheme and there is an ongoing material risk that the EA are not able to support an application. In light of the increased costs and reduced benefits that the scheme would now deliver, the ongoing risk that the EA will not support a planning application for the scheme and the many alternative sustainability

measures that the Council has and is pursuing, it is recommended that the Council cease the delivery of the Hydro project.

RECOMMENDATIONS FOR EXECUTIVE

a) The Hertford Hydro project should be ceased in light of increasing costs and reduced benefits associated with delivery and the alternative sustainability measures being introduced by the Council.

1.0   Background

1.1   The Hydro project was approved by the Executive at its meeting of 1st December 2010 when it was agreed that:

(A)   the comments from the meeting of the Environment Scrutiny Committee on 16 November 2010, be received;

(B)   the business case for the design and build of a micro hydro scheme at Castle Weir, Hertford, set out within the report be agreed in principle; and

(C)   the decision to proceed with the tender for the design and build of a micro hydro power scheme at Castle Weir, Hertford, be delegated to the Director of Customer and Community Services, in consultation with the Executive Member for Community Safety and Protection.

2.0   Reason(s)

2.1   This paper recommends that Executive consider ceasing the Hydro project in light of a number of significant risks attached to the project which include:

- The reduced benefits / outputs from the Hydro as a result of changes made to date to meet EA requirements
- The increased period of payback as a result of the reduced energy outputs and increasing costs over the years meaning payback could now exceed 50 years
- Considerable sustainability benefits being achieved as part of the Hertford Theatre Growth and Legacy project
- Considerable investment in alternative sustainability initiatives
- The ongoing risk that the Environment Agency will not support the planning application

2.2 Table A below demonstrates that the level of financial rewards originally envisaged from the Hertford Hydro scheme have dropped considerably since the scheme's inception in 2010 and review in 2018. This is the result of:

- government feed in tariffs for electricity generation no longer being available – this reduces accrued income by c£8,000 a year

- the redesign required (to date) by the Environment Agency resulting in the power that can be generated dropping by at least a third, with a corresponding drop in the percentage of Hertford Theatre's energy that can be provided

The current capital budget for the scheme is £211,000 of which £35,000 has been spent to date on survey work and the like.

In 2018, members were informed that the overall capital requirement could rise to £252,359.

While further detailed financial modelling has not been carried, it is anticipated that overall costs could increase by at least further 10% to £277,595.

The budget for Hertford Hydro is in the approved but not yet committed part of the Capital Programme. This means that that the Minimum Revenue Provision and interest costs from borrowing are not included in the revenue budget and will have an effect of increasing the payback period even further.

Table A: Comparison of 2010, 2018 and 2021 modelling

	Modelled figures		
	2010	**2018**	**2021**
Electricity that would be generated per year	85,000 kWh	85,000 kWh	42,000 – 58,000 kWh
Percentage of Hertford Theatre's electricity consumption that would be met by the hydro scheme	40%	40%	20% - 28% of current Theatre requirement *6% - 9% of redeveloped Theatre requirement*
Estimated total capital cost	£211,000	Estimated max of £252,359	Estimated max of £277,595
Payback period (value of electricity plus value of any feed in tariff minus maintenance costs / total capital costs)	7.4 years	11.31 years	50.5 years

2.3 In 2010, the payback period was anticipated to be 7.4 years.

By 2018, this had extended to 11.3 years. With the value of electricity generated per year now estimated to be in the region of c£6,500 and maintenance costs being c£1,000, the payback period is likely to be c50.5 years, based on a total capital cost of £277,595. Of note, the income would be less than the revenue costs of

(a) servicing the debt to finance the scheme; and

(b) making the necessary provision to set aside resources to repay the debt itself (the minimum revenue provision).

Of course, a lower capital cost than modelled plus a higher level of electricity would reduce the payback period as would a small level of income from exporting to the grid (this would be likely to only be a few £100s a year). A shorter payback could therefore be c40 years but this would be based on the most optimistic assumptions for all inputs and so it would not be prudent to rely on this figure.

2.4 Whilst the potential benefits of the Hydro scheme have been significantly reduced as a result of a number of changes to the design of the scheme that the Environment Agency have required, considerable sustainability benefits are being achieved as part of the Hertford Theatre Growth and Legacy project, which will see an anticipated 58% reduction in carbon emissions on completion of the new building in 2023, without the Hydro.

2.5 Considerable investment has also been made in alternative sustainability initiatives, since the commencement of the Hydro

scheme in 2010, which will yield better returns, including in excess of £500k on Hertford based projects, including Hertford Theatre and Hartham Leisure Centre, installation of e-vehicle chargers, the e-car club and energy efficiency upgrades to the council's office buildings. The Council's new electricity supply from 1st April 2021 will be from 100% renewable sources.

2.6 There is still a considerable risk that the Environment Agency will not support a full planning application for the Hertford Hydro scheme.

The council made a full planning application in 2012. This was not supported by the Environment Agency despite considerable engagement in the lead-up to submitting the application. While the council's Development Management Committee is not obliged to act on the EA's advice, it is to be expected that the lack of EA support will result in the application not being granted.

The council then made an outline planning application in 2019. This has not been determined while the council continues to work with the EA on the issues they raised as a result of this latter planning application.

In December 2020, the council formally wrote to the EA in an attempt to gauge how they would respond to a full planning application now being made. The council asked the EA if they *'could confirm whether you are minded to support a planning application for the Hertford Hydro if a planning application was formally submitted by the council in March 2021'*. Council's letter attached at Appendix A.

While stating they are supportive and despite considerable ongoing work with the agency, the EA responded to say:

- *'there are still matters that will need satisfactory resolution before an application can be determined'* (to the EA's satisfaction)
- *'different flow requirements will need to be safeguarded either through the scheme design and/or by local monitoring arrangements*
- *'the potential changes to the local flood risk are always important' parts of our response to a planning application. In November 2019 we did object to a previous application due to the lack of an appropriate Flood Risk Assessment. It is recommended to avoid a similar outcome separate discussions are commenced to progress this important planning aspect'.*

EA's letter attached at Appendix A.

It is felt that continued querying of matters which have been and continue to be subject to much discussion, data exchange and significant scheme redesign indicate that a material risk that the EA will not support a full planning application still remains

3.0 Risks

3.1 There is a risk that delay in delivery of the Hydro scheme (or ceasing it altogether) adversely impacts on achieving the council's carbon neutrality target. However, at an estimated saving of 14,000kg CO_2 equivalent, the Hydro project represents less than 1% of the council's overall carbon offset requirement to achieve the carbon neutrality target. The council moved to an electricity provider and tariff from 1st April 2021 based on 100% renewable sources.

3.2 There is a potential reputational risk arising from ceasing the project, which has been a part of the East Herts project portfolio for over a decade and would contribute to the Councils objective to put 'sustainability at the heart' of

everything it does. However the Executive first approved thy Hydro scheme in December 2010 and there is increasing reputational risk that the scheme has yet to be delivered.

4.0 Implications/Consultations

Community Safety

NA

Data Protection

NA

Equalities

NA

Environmental Sustainability

Yes

The Hydro represents a source of renewable power produced by the council which would allow the council to draw on this as part of its trajectory to carbon neutrality by 2030. That said, at 14,000kg CO_2 equivalent, this represents less than 1% of the council's overall carbon offset requirement to achieve the carbon neutrality target .

Financial

The project would cost in the region of £277,595 to be delivered.

The budget for Hertford Hydro is in the approved but not yet committed part of the Capital Programme. This means that that the Minimum Revenue Provision and interest costs from borrowing are not included in the revenue budget. 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.

Health and Safety

NA

Human Resources

NA

Human Rights

NA

Legal

NA

Specific Wards

NO

5.0   Background papers, appendices and other relevant material

Appendix A – EHDC letter to Environment Agency

Appendix B – Environment Agency response to EHDC letter

Contact Member

Geoffrey Williamson

Deputy Leader and Executive Member for Financial Sustainability

Geoffrey.Williamson@eastherts.gov.uk

Contact Officer

Jonathan Geall – Head of Housing and Health

01992 531594

Jonathan.geall@eastherts.gov.uk

Report Author

Tamara Jarvis – Major Projects Manager

tamara.jarvis@eastherts.gov.uk

Appendix A: Council's letter to the Environment Agency, 14ᵗʰ December 2021

Mr Alastair Wilson
Environmental Planning Specialist (Water Resources)
Environment Agency
Hertfordshire and North Area Office
Alchemy Offices
Bessemer Road
Welwyn Garden City
AL7 1HE

14ᵗʰ December 2020

Dear Alastair,

Re: Hertford Hydro Project

I trust you are well.

As part of our 2021/22 Financial Year planning, we will shortly be conducting a final risk assessment as to whether a planning application for the Hertford Hydro Project at Hertford Theatre, which we have programmed for submission in March 2021, is likely to be successful. Our risk assessment review will commence on Wednesday 20th January. The EA's response to a planning application is very likely to be a key element taken into consideration by our Development Management Committee when determining the application and thus, you will appreciate, we wish to take account of your current position in our risk assessment.

We understand that you are not in a position to give us your definitive view in advance of a planning application. As you are aware, however, the council has been working with the EA for some time on this scheme and so we are seeking confirmation of your current position. We would be grateful if you could confirm whether you are minded to support a planning application for the Hertford Hydro if a planning application was formally submitted by the council in March 2021.

With our timescales in mind, we would welcome your final feedback on this matter, addressed to me at jonathan.geall@eastherts.gov.uk, by close of play on Friday 15th January.

We very much look forward to hearing from you.

Kind regards

Jonathan Geall

Head of Housing and Health

Appendix B: EA's response, 8th January 2021

creating a better place

Environment Agency

Jonathan Geall
Head of Housing & Health
East Herts District Council
Pegs Lane
Hertford
SG13 8EQ

Our ref: Castle Weir HEP

Date: 08 January 2021

Sent by email to
Jonathan.Geall@eastherts.gov.uk

Dear Jonathan

Castle Weir Hydropower Scheme, Hertford

Thank you for your letter dated the 14 December 2020

The Environment Agency supports the development of sustainable hydropower schemes. The design of a hydropower scheme needs to be proportionate to the flow regime and provide adequate environmental protection. This will include not contributing towards a material change to the local flood risk.

Renewable technologies like hydropower are often seen as not being exhaustible but they do have limits. A hydropower scheme will need to be sustainable in relation to the local environment in which it is to operate. Individual schemes have to be based on those local environmental constraints and not viewed solely from an energy demand perspective.

We have been working with David Thorogood and your appointed consultants, JBA Group on some of these matters. The consultants are now considering the hydrological data to prepare their turbine design option(s). The design capacity of the turbine will be better served by maximising the medium flows rather being oversized to capture the occasional higher flows. This does came back to the sustainability aspect of renewable technologies and not to over expect what can be delivered by an individual scheme. We will await further correspondence from your consultants on the design option(s).

There are still matters that will need to satisfactory resolution before an application can be determined. The scheme will need to incorporate a fish pass with an associated reserve flow, and an amenity flow for other parts of weir. These flow requirements will also be supplied from flows generated by the Rivers Lee and Mimram. These different flow requirements will need to be safeguarded either through the scheme design and/or by local monitoring arrangements. This could include the use of the Agency's flow gauging stations and/or the existing water level recorder located at the weir.

The potential changes to the local flood risk are always important parts of our response to a planning application. In November 2019 we did object to a previous application due to the lack of an appropriate Flood Risk Assessment. It is recommended to avoid a similar outcome separate discussions are commenced to progress this important planning aspect. A copy of our letter dated 14 November 2019 is attached.

We remain committed to assisting the Council with their proposal, and will wherever possible provide further technical advice on this scheme. It is important for the Council to recognise the type of scheme that is feasible compared to the financial costs involved. This will be a matter for your consultants but I'm always willing to explain the Agency's regulatory role linked to hydropower schemes.

Where there are matters you would like to clarify, please contact me.

Yours sincerely

Alastair Wilson
Environmental Planning Specialist (Water Resources)

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East Herts Council Report

Executive

Date of meeting: 6 July 2021

Report by: Councillor Linda Haysey - Leader of the Council

Report title: Transforming East Herts

Ward(s) affected: All

Summary – **This report sets out proposals for the Transforming East Herts Programme to help reduce the net cost of operating the council, increase efficiency, deliver improvements in customer service and upskill and empower staff as part of requirements to deliver a financially sustainable council.**

RECOMMENDATIONS FOR EXECUTIVE

a) Approve the vision for the **Transforming East Herts** Programme that 'By 2025 East Herts Council will be a customer focused, financially sustainable, effective organisation with flexible, empowered employees.'

b) Agree that the Head of Strategic Finance and Property be authorised to allocate such funding as required from the Transformation Reserve to deliver the Transforming East Herts Programme

c) Authorise officers to commencement of the 'discovery' phase of the programme, with an update to be brought back to Executive in Autumn 2021.

1.0 Proposal(s)

1.1 The Executive is asked to support the principles of flexible working and transformation of the council, driving out savings in order to ensure the council is financially sustainable and to protect the services supplied to our residents.

2.0 Background

2.1 Many councils are facing unprecedented financial pressures brought on not only by COVID but also reduced funding (in real terms) as well as an increasing demand for services. In addition to the savings already identified as required in future years, a budget gap of £2.389m has been identified for 22/23 rising to £3.25m in 23/24 and beyond.

REVENUE BUDGET - MEDIUM TERM FINANCIAL PLAN

	2020/2021	2021/2022	2022/2023	2023/24	2024/25
	£'000	£'000	£'000	£'000	£'000
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)
Total reserves		2,898	(1,713)	(2,032)	(31)

2.2 Events brought about by the COVID 19 pandemic in March 2020 and ongoing as at the date of this report, has seen the council adopting new ways of working both for officers and members as well as new delivery mechanisms forced by the

national lockdown, within a few days of it being announced.

2.3   This has resulted in accelerated channel shift with customers making much more use of our website, telephone and email services.

2.4   The new chargeable garden waste service saw 92% of customers sign up and pay on-line without any need to contact the council by traditional methods. The challenge moving forward is to move even more customer contact on-line and to automate processes, including updating records in back office business systems, without the need for officers to rekey data or to check and confirm changes.

2.5   Working remotely has become a way of life for many, but it is recognised that better collaboration take place face to face and it is recognised that not all officers or members have found the transition as easy as others. Through Transforming East Herts it is proposed that blended, flexible ways of working are adopted to help reduce the councils carbon footprint, supporting sustainability, reduce the required office space, enabling options such as renting out office space to be explored to provide an income as well as a reduction in operating costs.

2.6   In particular our younger, less experienced staff have struggled without someone to ask questions and advice of and some have experienced feelings of isolation as a result.

3.0   Transforming East Herts – Opportunities

3.1   Our vision has been defined as 'By 2025 East Herts Council will be a customer focused, financially sustainable, effective organisation with flexible, empowered employees.'

3.2   Leadership team have taken this once in a lifetime opportunity to review how the council services are delivered to the

customer and what we can achieve as an organisation to serve our residents even more efficiently and effectively.

3.3 The organisational and cultural changes that will result from the programme will require significant determination by Members, Leadership Team and Service Managers to modernise the Council and put it on a financially sustainable footing. It is vital that Members, Leadership Team and Service Managers all model the new behaviours. We need to make a significant contribultion to the savings targets in order to achieve a balanced budget. Our resources will need to be prioritised to deliver the Corporate Plan priorities whilst identifying new ways of working and delivering services to improve efficiency and customer service standards. This will result in some difficult and unpopular decisions being taken in coming months.

3.4 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:
   a. Ensuring our staff teams are resourced appropriately, allowing us to focus on our corporate plan priorities;
   b. Contribute to reducing the budget gap by delivering savings through Transforming East Herts of £1m
   c. Accelerating a number of operational projects to improve efficiency such as bringing together administrative and business support functions;
   d. Recognising the need to identifying and harnessing new ways of generating income to the council to mitigate some of the savings requirements. to how the council operates;

e. Ensuring flexibility and collaboration – working across council services and with partners to share expertise, capacity and space;

f. Consulting with our residents to understand what services they find most useful and why;

g. Undertaking a flexible working review to:

i. 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

ii. create a culture which acknowledges the benefits that flexible working can bring to both the employee and the organisation

iii. maximise customer self-service and digital engagement

iv. identify and then deliver new ways of working smarter through IT and technology solutions that will underpin how we collaborate and communicate; and

v. review our future office and space needs and ensure that we have the right space of the right size in the right place.

3.5 The Transformation Programme proposal will help deliver, firstly and most importantly, a financially sustainable council by transforming the staff and operations of the council and the amount of office space required. Secondary benefits will include customer service improvements and more efficient operations.

3.6 East Herts has long had aspirations to improve its Customer Service and reform how services are provided. The pandemic has provided the catalyst for this work and the Appendix A shows the detailed work that Leadership Team have already undertaken.

Customer focussed
- involve our customers in designing our services
- move as much work forward, to self-service or customer facing roles, as possible
- tell customers what to expect and keep them up to date along the way
- deliver cashable savings through process change not service reduction

Financially sustainable
- deliver the best outcomes for our customers at an affordable cost
- re-use common processes, systems and functions where it makes sense to do so
- prioritise limited resources to deliver the corporate plan and make the most of opportunities to generate income and funding

Deliver £1 million cashable savings

Effective and flexible
- make evidence based decisions and design services that meet the needs of our customers
- use technology and modern ways of working to innovate and deliver continuous service improvement
- keep our processes simple and our employees empowered

Empowered employees
- work as one team to meet the needs of our customers
- empower employees at the right level to make decisions
- foster a culture, through developing staff skills, that delivers innovation and continuous service improvement

3.7   A number of work streams have been identified

- Core Digital Platform
- Central Business Support Function
- Customer Service Improvement
- Wallfields (Future)
- Asset Management
- Fit for purpose Front of House facilities
- Flexible working
- Office 365 roll-out
- Commercial Strategy
- Charging Policy
- Other opportunities (Shared Services/Outsourcing/Insourcing)

4   **Our Customer Vision**

4.1 Our ambition is for our customers to be able to have a single view of their transactions with East Herts Council. A 'My East Herts' Portal where they can check their council tax, benefit payments, waste services and more.

The Transformation Programme will be made up of a number of work streams that will deliver our vision and crucially the benefits to be delivered by each project.

4.2 Benefits will be measured in the following way

   a) Financial benefits are quantified in terms of money saved that contribute towards closing the council's budget gap. These are cashable savings, measurable cost avoidance, and income generation opportunities.

   b) Efficiency benefits relate to people or processes being more productive (i.e. doing more for less), reducing the cost of service delivery, reducing errors, duplication and multiple hand-offs, but do not necessarily result in a cashable saving.

   c) Customer benefits relate to improved satisfaction, a better experience (quicker response and resolution time, direct access to information), including online and digital experience.

4.3 Projects will not be undertaken unless they deliver financial benefits. Any projects that do not deliver financial benefits will not proceed.

Work is on-going on projects that will be part of the foundations of the Programme. These are:

   a) Microsoft 365
   b) New Horizon Virtual Desktop Environment
   c) Assessment of Thin Client v. Chromebooks
   d) Top twenty processes by volume being prepared for lean process review
   e) Assessment of centralising business support and administration into one central team

f) Replacement of the debit/credit card payments software which is no longer fit for purpose

g) Commercial strategy project including a consistent charging policy for how the council will set fees and charges

h) Service reviews including an assessment of creating one officer team to serve a number of district councils and the identification of willing partners

i) Flexible return to some office working

5   Budget Requirements

5.1 As part of the Transformation Programme, costs, return on investment and benefit realisation will be determined and a further report will outline the options available and the implications.

5.2 As part of the evaluation to date it has been identified that there is a resourcing requirement to enable the programme delivery. Leadership Team have already endorsed in principle a Business Analyst post, required on a fixed term basis for 2 years at a total cost of £79k (£39.5K pa) It is anticipated that all additional work can, at this stage, be absorbed within the current workforce.

5.3 The proposed timeline can be found in Appendix A along with the governance arrangements.

6.0 Options

6.1 Do nothing – this has been considered however, due to the requirement for the Council to achieve a balanced budget position, this option would pose the highest risk to the organisation both in terms of service delivery and staffing. Balancing the budget could only be achieved through reducing or stopping the delivery of non-statutory services as well as reducing the offer wherever possible to statutory services. This is most likely to be the least popular amongst residents, staff and Members

6.2 Proceed with the 'discovery' phase of the Transformation programme to evaluate what could realistically be achieve and bring the proposals back before members in autumn 2021

7.0 Risks

7.1 The Transformation Programme will have a risk register established as part of the major projects protocols.

7.2 The main risks to the programme are:

a)   Insufficient resources – having the right people available at the right time

b)   Benefits not being clearly defined, delivered or communicated

c)   Lack of buy-in/support – Members and staff

d)   Financial imperatives overriding transformation ambitions - 'savings' and 'transformation' being perceived as separate, potentially competing activities

e)   Forgetting support services in the change.

7.3   A number of critical success factors will have to be met to mitigate risk. These are:

a)   Member leadership
b)   Leadership Team and senior management ownership
c)   Sufficient resources, investment and financial planning
d)   Clarity of purpose and a shared understanding of objectives and agreed priorities
e)   Clear benefits realisation
f)   Consistent, easy-to-use programme management process
g)   The right communications at the right time

A diagram with "BENEFITS" at the center, surrounded by arrows labelled: Service Reviews, Modern workspace, Commercial skills, Agile working, Lean Process reviews, Technology.
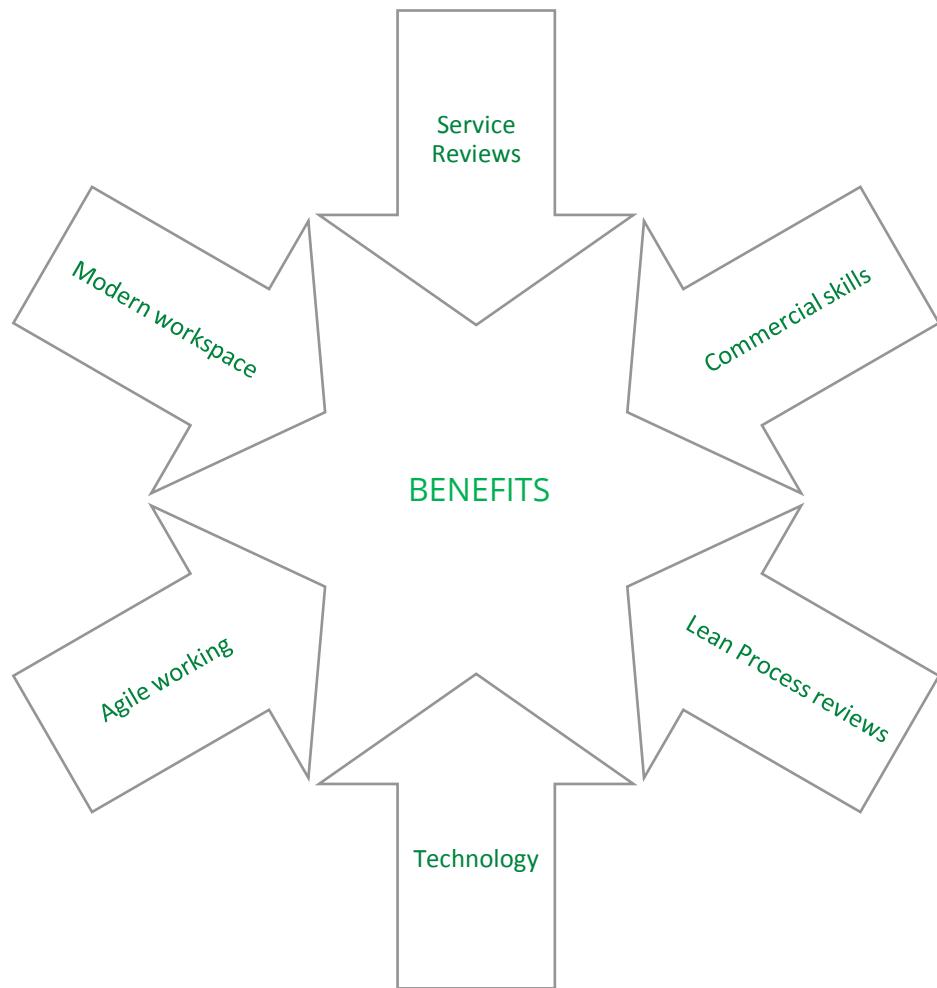
7.0 Implications/Consultations

Community Safety

No

Data Protection

Yes – the one view of the customer and increase in digital interactions will require systems and processes to be designed with data protection and privacy inbuilt.

Equalities

Yes – an equalities impact assessment will be drawn up for the programme. Initially the impact digital will require reasonable adjustments to be made and the reason for the customer services assisted digital service by telephone or face to face appointment. There will also need to be community based reassurance and skills sessions in which people with devices are given the confidence and skills to use them. This will also open up other advantages to residents who do no access the digital economy e.g. utilities switching for best deals, reduced prices on goods delivered from websites etc.

Environmental Sustainability

Yes reducing the need for travel will significantly reduce emissions from transport. Switching to email communication by default will also reduce the carbon footprint of business activities.

Financial

Yes/No

Health and Safety

Yes/No

Human Resources

Yes/No

Human Rights

No

Legal

Yes/No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

Appendix 1 - Presentation

Contact Member

Linda Haysey - Leader of the Council

Linda.haysey@eastherts.gov.uk

Contact Officer

Helen Standen Deputy Chief Executive

helen.standen@eastherts.gov.uk

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Transformation Programme

Presented to you by
Helen Standen

The savings challenge

REVENUE BUDGET - MEDIUM TERM FINANCIAL PLAN

	2020/2021	2021/2022	2022/2023	2023/24	2024/25
	£'000	£'000	£'000	£'000	£'000
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)**
Total reserves		**2,898**	**(1,713)**	**(2,032)**	**(31)**

East Herts Council

The savings challenge

- £3.250 million new savings requirement is on top of the comprehensive spending review savings plan of:

2021/22   **2022/23**   **2023/24**

£1.129million   £1.797million   £2.893million

- The reasons for new savings was detailed in the budget report to Council on 2 March 2021

How do we fill the budget gap?

- "Austerity is over" yet in 2021/22 we got a 0.3% increase in resources **including** the Council Tax increase

- 2021/22 budget was subject to comprehensive spending review and savings proposals were submitted by Leadership Team

- Some savings proposals were not taken forward c. £0.355 million

- We could change the service offer to residents, including stopping non-statutory services and reductions in statutory services to the minimum. Example:
  - Leisure

How do we fill the budget gap?

- **Transformation Programme**
  - Other councils have been doing this from 2010 onwards
  - The scope and deliverables have been done elsewhere
  - **It needs to deliver at least £1 million in cashable savings**
  - **Digital** is key so instead of by design it becomes **by default** the way customers will contact us
  - If a process is rules based, there is no interpretation or discretion, then it will be delivered end to end via digital self service.
  - Example – bulky waste collection

Delivering £1 million cashable savings

Vision

By 2025 East Herts Council will be a customer focused, financially sustainable, effective organisation with flexible, empowered employees.

Delivering £1 million cashable savings

What does the vision mean?

Customer focussed

- involve our customers in designing our services
- move as much work forward, to self-service or customer facing roles, as possible
- tell customers what to expect and keep them up to date along the way
- deliver cashable savings through process change not service reduction

Financially sustainable

- deliver the best outcomes for our customers at an affordable cost
- re-use common processes, systems and functions where it makes sense to do so
- prioritise limited resources to deliver the corporate plan and make the most of opportunities to generate income and funding

Deliver £1 million cashable savings

Effective and flexible

- make evidence based decisions and design services that meet the needs of our customers
- use technology and modern ways of working to innovate and deliver continuous service improvement
- keep our processes simple and our employees empowered

Empowered employees

- work as one team to meet the needs of our customers
- empower employees at the right level to make decisions
- foster a culture, through developing staff skills, that delivers innovation and continuous service improvement

Critical success factors

- In order to succeed, the following factors need to be in place:
    - Member leadership
    - Leadership Team and senior management ownership
    - Sufficient resources, investment and financial planning
    - Clarity of purpose and a shared understanding of objectives and agreed priorities
    - Clear benefits realisation -
    - Consistent, easy-to-use programme management process
    - The right communications at the right time

Benefits realisation

- **Cashable Savings** are quantified in terms of money saved that contribute towards closing the council's budget gap. These are real budget reductions, measurable cost avoidance, and income generation opportunities.

- **Non-cashable savings** relate to people or processes being more productive (i.e. doing more for less), reducing the cost of service delivery, reducing errors, duplication and multiple hand-offs, but do not necessarily result in a cashable saving.

- **Customer benefits** relate to improved satisfaction, a better experience (quicker response and resolution time, direct access to information), including online and digital experience.

Delivering £1 million cashable savings

Transformation Programme Governance

Member Champion:
Cllr Linda Haysey,
Leader of the Council

Executive

Member Stakeholder Group

Leadership Team

East Herts Together

Major Projects Team

Service Reviews

Commercial

Lean Processes

Digital Infrastructure

Flexible working

Modern Workspace

Delivering £1 million cashable savings
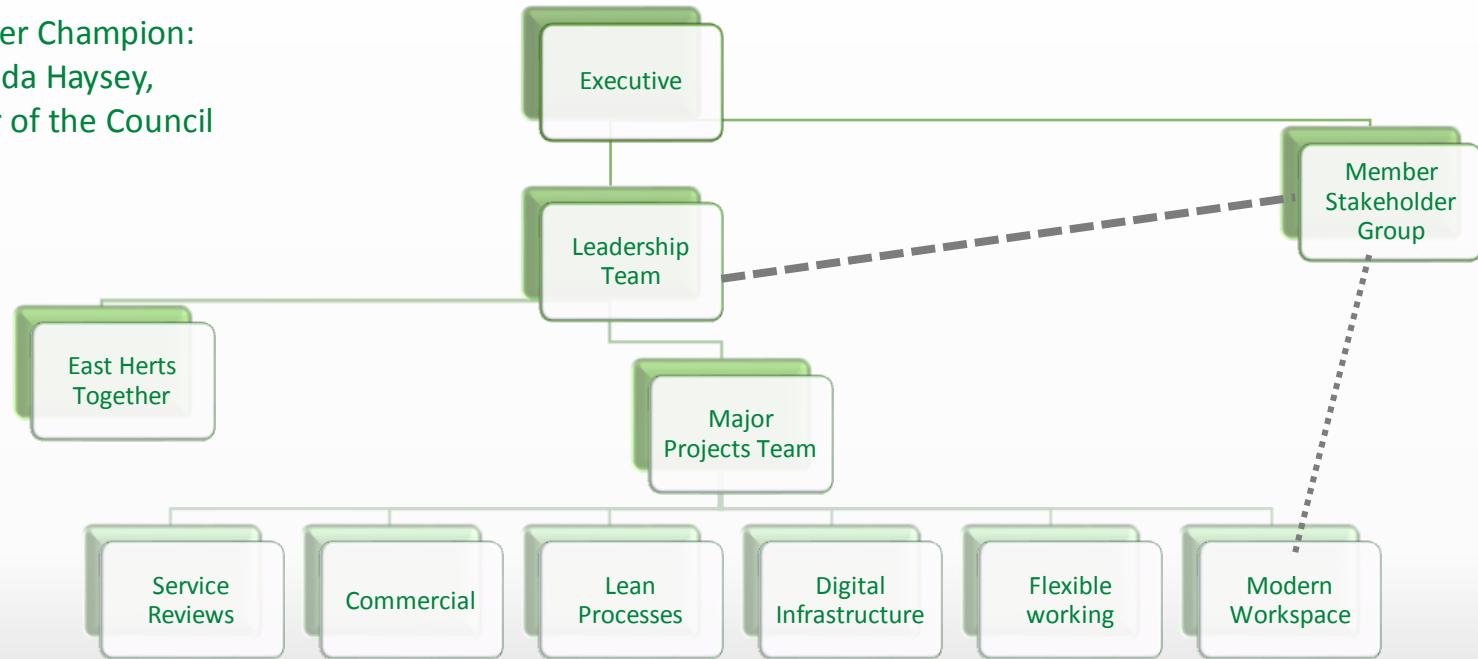
Service Reviews

- Service Reviews to consider:
  - Outcomes, levels of service, if non-statutory should we stop providing?
- Delivery options:
  - In house
  - Shared service
  - Procurement
  - Shared procurement
  - Special purpose vehicle e.g. Trust, "Teckal" company
  - Shared Service Plus with a shared workforce between 2 or more councils

Delivering £1 million cashable savings

Service reviews

- Best way to deliver the service

- Move to other service delivery models where it makes sense

- Evaluate Shared Service Plus and explore interest with other districts.

Delivering £1 million cashable savings

Commercial

- Commercial Strategy

- Behaving in a more business like way - adopting the skills and culture of commercial organisations.

- Being business friendly - promoting local economic growth and prosperity.

Delivering £1 million cashable savings

Lean processes

- "We've always done it this way".

- Process reviews:
  - focus on the customer journey
  - eliminate unnecessary and wasteful steps
  - Implemented as soon as possible to realise the savings

- Staff empowered to push work and decisions nearer the customer

- Professional officers will be free from low level queries and only deal with complex cases

- Only lean processes go forward to be made digital

East Herts Council

Delivering £1 million cashable savings

Nudge theory

- Simply put, nudges aim to influence the choices we make, but without taking away the power to choose

- Nudges are beneficial as we don't always think and decide logically and consciously, weighing up all of the costs and benefits

Delivering £1 million cashable savings

Digital Infrastructure

- A single view of the customer is key

- Seek to resolve at first point of contact whether web or telephone

- Where we work won't affect customer service

- Improved IT and telephony will deliver a connected council

- Significant investment required to deliver the digital infrastructure

- Digital self service will drive out costs and it is key that Members fully support it

East Herts Council

Delivering £1 million cashable savings

Digital by design to become digital by default

When we say Digital by default we mean a portal online will be the default contact point.

My Council Tax Accounts

Here are a list of the accounts that are linked to your profile

Liable Address	Start	End	Balance	
Acc # 007103100102	01-Apr-1993	18-Mar-2021	£0.00	**Q VIEW ACCOUNT**

☑ **You are registered for e-billing**

We will send an e-mail to   @gmail.com whenever a new bill is generated

If you wish to change the address that we use, please update your e-mail address in My Profile

Request a domestic bulky items collection

Here is the latest information about your request

Reference number	201001554040
Current status	**Closed**
Reason for closure	Closed date : 2021-03-24 13:53:06.943 - Waste & Recycling job has been completed Waste & Recycling job has been completed by the back office
Related to	
Request opened	16/03/2021 12:47:00
Request due	23/03/2021 17:00:00
Request closed	24/03/2021 13:53:06

Delivering £1 million cashable savings

East Herts Council

Making digital by default inclusive

- 10% of adults will always need assistance due to severe disability or lack of literacy

- Inclusion comes through Customer Service Assisted Digital Service:
  - Telephone
  - Web chat
  - Face to face
  - Outreach

- **The key aim of assisted digital is to increase the numbers able to use the 'digital by default' services for themselves.**

East Herts Council

Delivering £1 million cashable savings

Customer Service Assisted Digital Service

- **Face-to-face**: Outreach visit or at a Council location using customer's own device or desktop PCs.

- **Telephone**: Can be guided over the phone to complete themselves or customer services operator can register and then complete for customer

- **Web-chat**: Customer services operator can support the customer through the process when they are already online and require intervention / support

- **The key aim of assisted digital is to increase the numbers able to use the 'digital by default' services for themselves.**

Delivering £1 million cashable savings

Flexible Working Principles

- Flexible working will be the norm

- Customer self-service and digital engagement will be maximised

- New IT and technology solutions will underpin collaboration and communication

- We will have smaller, flexible, generic working spaces

- The employee – employer relationship will be underpinned by trust: employees will have greater flexibility and autonomy to fulfil their roles where benefits to the business can be demonstrated (the win-win)

Delivering £1 million cashable savings

Modern workspaces

- Most employees will not have an assigned workspace. Instead, each time they go to the office they can book an available workspace that meets their needs at that moment
- Our workspace needs to support individual and collaborative working in both informal and formal settings, including:
  - Banks of bookable desks for regular use by different staff
  - Individual desks in quiet areas
  - Standing countertops for quickly checking email or making a phone call
  - Informal spaces for face to face collaboration to solve problems
  - A mixture of formal meeting rooms, informal meeting spaces and pods

East Herts Council

Delivering £1 million cashable savings

Timeline

	2021	2022	2023	2024	2025
Service Reviews	Service Reviews				
Commercial	Commercial Strategy / Charging Policy	Commercial Skills Training			
Flexible Working	Flexible Working Pilot / Flexible Working Policies	Flexible Working			
Modern Workspace	Wallfields Configuration options / Asset Management Strategy	Market space to seek tenants / Wallfields reconfiguration	Wallfields reduced footprint/reduced cost		
Lean Processes	Central Business Support Team / Customer Services Team Improvement / Top 20 Lean Process Reviews	Lean Process Reviews / Customer Single View onboarding			
Digital	Office 365/VDI/Network / Telephony Review / Customer Single View Solution Business Case / Replace ICON card payments system	New ICT equipment procurement & roll out / Customer Single View Solution Implementation			

Delivering £1 million cashable savings

Risks

- Insufficient resources – having the right people available at the right time

- Benefits not being clearly defined, delivered or communicated

- Lack of buy-in/support – Members and staff

- Financial imperatives overriding transformation ambitions - 'savings' and 'transformation' being perceived as separate, potentially competing activities

- Forgetting support services in the change

Delivering £1 million cashable savings
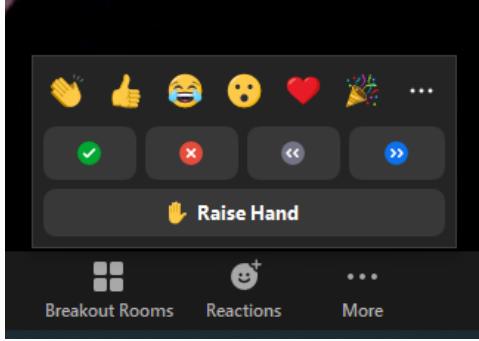
Questions

Please use "Raise Hand" and Richard will come to you for your question

East Herts Council Report Template

Executive

Date of Meeting: 6th July 2021

Report by: Linda Haysey, Leader of the Council

Report title: Annual Plan for 2020/21 and Refreshed Corporate Plan for 2021/22

Ward(s) affected: All

Summary

RECOMMENDATIONS FOR Executive to recommend to Council

   a) **That Executive Members review and agree the refreshed Corporate Plan before it is proposed to Council for adoption**

1.0 Proposal(s)

   1.1   Executive are invited to review progress on the corporate plan to date and comment on refreshed priorities for 2021/22 onwards.

2.0 Background

   2.1   The Corporate Plan, *East Herts, A Place to Grow* and the four 'SEED' themes were adopted by Council on 29th January 2020. The Plan sets the strategic direction and priorities for the Council from 2020/21 – 2023/24.

   2.2   One year into the plan is a good time to review achievements thus far (the Annual Report) and adjust any priorities and actions going forward (the refreshed

Corporate Plan).

2.3   The Annual Report is a summary of achievements in 2020/21 against the 4 SEED themes and consists of the following:

- A one page summary of highlights (Appendix A)

- A short animated video of highlights which is available on the council website: https://www.eastherts.gov.uk/latest-news/2021/annual-report-2020-2021

- A detailed spreadsheet showing progress against each of the actions (Appendix B)

- A detailed spreadsheet showing data against each of the performance measures (Appendix C)

2.4   At the time of adopting the Corporate Plan the UK had not felt the impact of the Covid-19 pandemic which has since become a major focus of activity at a local, district, county and national level. This year's refresh of priorities has therefore been a more substantial process, accommodating various additional actions as well as keeping a focus on original priorities and consists of the following:

- A 'one page plan' for each of the 4 SEED themes – summarising the challenges faced and the updated high level priorities (Appendix D)

- A detailed spreadsheet showing all the actions and indicators under each theme with a summary of any changes made since last year (Appendix E). Please note the "Sustainability at the heart of everything we do theme is in a different format to the other themes as the action plan is updated on a monthly basis

2.5   The refreshed corporate plan was shared with Overview and Scrutiny Members on the 8th July. Feedback included:

- The highlight video was positively received (as a result it has now been placed on the website)
- Many of the proposed actions could be benefit from further detail at the ward level so Members can understand the impacts at a very local level. In future reporting of progress against the priorities it was agreed that this would be provided where possible
- Some changes were suggested regarding overall profile of some actions and whether they needed to be more significant (eg. working with the community to plant trees)
- Suggested change to re-implement the discretionary grant scheme for new businesses. This is likely to be addressed by the additional of a new, central government funded scheme aimed at encouraging businesses to take on vacant premises in the district (plans to be finalised in late June)
- Additional clarity sought from some Members on actions such as receptions and when/ if they will re-open

2.6   Once agreed, the priorities and actions in the corporate plan will be built into service, team and individual performance plans to ensure that all officers are clear how their work is directed towards achieving Council objectives.

3.0 Reason(s)

3.1   To seek Executive views on the new Corporate Plan.

4.0 Options

4.1   The new Corporate Plan priorities have been developed

by Executive Members with support and advice from officers on deliverability, risks and financial implications. No alternatives are currently being considered, as to do so would disregard the development process which has been undertaken.

5.0 Risks

5.1   There is no legal requirement for councils to develop a corporate plan, however, should the Council fail to refresh it's Corporate Plan there may be a risk that resources are not directed towards achieving key priorities.

5.2   The impact of these risks would be moderate, however the likelihood would be high should further measures against stopping the spread of Covid be announced.

6.0 Implications/Consultations

6.1   The new Corporate Plan priorities will guide the organisation's work over the coming years. They will be reviewed on an annual basis and agreed at Council.

Community Safety

Actions regarding community safety are captured within the refreshed Corporate Plan (See Enabling Communities theme)

Data Protection

No

Equalities

Actions regarding equalities are captured within the Corporate Plan (see Enabling Communities theme)

Environmental Sustainability

Actions regarding sustainability are captured within the Corporate Plan (see Sustainability at the Heart of Everything We Do theme)

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

Appendix A: A one page summary of highlights

Appendix B: A detailed spreadsheet showing progress against each of the actions

Appendix C: A detailed spreadsheet showing data against each of the performance measures

Appendix D: A 'one page plan' for each of the 4 SEED themes – summarising the challenges faced and the updated high level priorities

Appendix E: A detailed spreadsheet showing all the actions and indicators under each theme with a summary of any changes made since last year

Contact Member

Linda Haysey, Leader of the Council

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Contact Officer

Benjamin Wood, Head of Communications, Strategy and Policy

Contact Tel No 01992 531699

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Report Author

Benjamin Wood, Head of Communications, Strategy and Policy

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benjamin.wood@eastherts.gov.uk

Introduction from Linda Haysey, Leader of the Council

2021-21 has been one of the most challenging in my time as a Council Leader. Responding to Covid-19 has had a massive impact on people's lives across the world and whilst there are some things we may have chosen to do differently with hindsight, I have been hugely impressed with the ability of our partners, from the NHS to the police, our Councillors and our staff to work together in addressing the most significant challenge we have faced in a generation.

As well as playing our part in county, national and global efforts to address Covid we have still managed to deliver much of our core business, continuing to serve our local residents and undertake our community leadership role. This paper highlights some of our achievements over the past 12 months.

Cllr Linda Haysey
Leader

Playing our part in the fight against Covid-19:

- Staff contacted almost 1000 people in the district, known to GPs and classed as vulnerable but whom hadn't yet made contact with the county council or NHS to discuss any support they might need

- Over 500 wellbeing checks made through referrals from social prescribing project

- Hertford Theatre set up as a vaccination centre

- £29.9m given out in grants to 2381 businesses

Corporate Priorities:

Sustainability at the heart of everything we do:

- Adopted the sustainability Supplementary planning document

- Leading a food waste reduction communications campaign

Enabling Communities:

- Continued to work on delivering the new Grange Paddocks Leisure Centre

- Worked with community groups to design new play areas (such as Hartham Common Wild Play)

Encouraging economic growth:

- Launched a 3 year business support project for those in the bio-science, airport MRO and social enterprise sectors

- Undertook a 'Shop safe, shop local' campaign to encourage people to buy online from local retailers
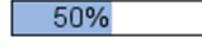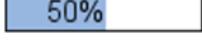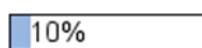
Digital by design:
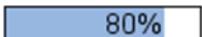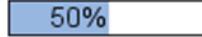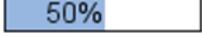
- Continued to support development of Harlow and Gilston Garden Town

- Trialled webchat as a tool for customers whilst our receptions were forced to close

@Eastherts
EastHertsDC
easthertscouncil

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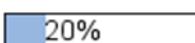
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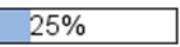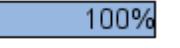
Action code and title	Expected Outcome	Progress Bar	Latest update
Sustainabilty at the Heart of Everything We Do			
S CSP Creation of East Herts awards scheme to encourage local organisations to implement sustainable activities	❌	25%	Several options identified in terms of running an award ceremony including setting up our own panel and judging or taking part in wider award ceremonies (eg. BS Independent Community Awards). This would require a budget however to cover costs. Business case being prepared however proposals for growth unlikely to fit easily into the MTFP.
S CSP Implement a smart approach to publicity	▶	100%	Undertaking an 'all-channels' approach (web, social and events) to communicate climate change and sustainability messages across the district to enable engagement, progress sharing, information exchange and behaviour change.
S OPS Maximise environmental sustainability efforts through upgrade of Hertford Theatre	▶	50%	The Hertford Theatre project is aiming for BREEAM excellence.
S CSP Work with Bishop's Stortford BID and other business groups to promote sustainability	▶	50%	Continued joint working on sustainability initiatives with The BID and business groups.

This includes business recycling schemes, potential electric scooter scheme in Stortford.

This action has been severeley affected by Covid19 and will be going forward. |
| **S HH** Audit of council's vehicles | ⏰ | 10% | Range of options for van fleet procurement being explored. EV trial pending possibilities once lockdown is lifted. |
| **S HH** Determine the feasibility of becoming a white label supplier of renewable energy | ▶ | 10% | Awaiting next steps advice from Scheme lead still awaited expected end September. Need to allocate staff time to achieve match fund element from end September. |

Task	Status	Progress	Comments
S HH Draw up carbon assessment tool to be used to assess all council projects	✓	100%	Completed
S HH Establish and run a multi-agency/stakeholder Environmental and Climate Change Forum	▶	50%	Meeting held via Zoom on 21 September. Main topic for discussion was Env Sust SPD to link with formal consultation period Sept/Oct 2020, plus initial high level presentation on Climate Action Plan and also update on cross Hertfordshire working.
S HH Hold a Schools Climate Conference	⏰	0%	On Hold at current time due to COVID19
S HH Identify benefits of green walls	▶	100%	Completed and included in draft SPD. Opportunity to identify possible EHC exemplar sites for green walls
S HH Identify options for Millstream to build to a higher energy efficiency standard	▶	0%	This is dependent on the council requesting Millstream to cost up development to a higher standard. Millstream will seek the council's views on this when work commences on the Watton-at-Stone scheme in quarter 3
S HH Install rapid e-chargers in support of move to more e-taxis	▶	30%	Our partner, Electric Blue (EB) is leading this scheme and linked to ERDF grant scheme obtained by EB.
S HH Provide and promote energy efficiency grants/support	▶	50%	Three installs completed. Potential 29 in pipeline with home surveys just restarting following halt due to Covid19.
S HH Run EV roadshows and demonstrations	⏰	10%	B/S event not achievable for 2020 due to ongoing Covid 19 restrictions. Moving to early Spring 2021 with date to be confirmed by local group leading on the Eco Festival and which this is part of. Hertford Arts Hub have expressed interest in looking at running similar Hertford event also in 2021.

S HH Run two climate change film festivals (Hertford and Stortford)	⏰	10%	B/S event not achievable for 2020 due to on-going Covid 19 restrictions. Moving to early Spring 2021 with date to be confirmed by local group leading on the Eco Festival and which this is part of. Hertford Arts Hub have expressed interest in looking at running similar Hertford event also in 2021.
S HH Site Visits to Council Premises	⏰	10%	On hold due to COVID19
S HH Survey locally active residential developers to better understand barriers to higher energy efficiency/Passivhaus development	▶	80%	Survey completed. Results being considered
S HH Work with HCC on introducing anti-idling signage and fines	▶	50%	Cllr McAndrew has selected winning entry to be announced on CAD. Series of social media out for CAD. Issue of anti-idling raised at meeting with local East Herts MPs. Anti idling also part of HCCSP Transport action plan. Anti-idling also part of proposed Herts wide Defra AQ bid.
S HH Working in partnership to operate an energy services company	▶	50%	Formal sign off achieved. Awaiting next steps advice from Scheme lead expected October 2020. Aniticipated that this project element is in phase 2 ie 2021
S HROD Deliver programme of training on carbon neutrality/sustainability	▶	40%	APSE are working on a face to face and e-learning training that could be delivered at East Herts. Once we see what is on offer from APSE then we can devise a delivery programme.
S HROD Draw up, maintain and use a list of environmental sustainability interventions that could be funded with s106 contributions	▶	30%	Meeting held. No single list currently. Aim to commence production of "shopping list" for use in readiness for future S106 as and when these arise. Have a draft list by January 2021
S HROD Use of e-car pool by officers	▶	90%	Incentives approved by LT however use of e-cars decreased over 2020/21 due to Covid. The Covid Marshals have been using the e-cars to travel around the district to provide support to residents and businesses
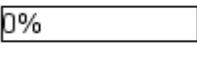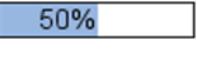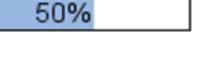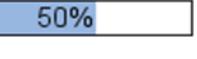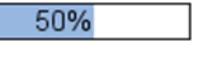
S IT Installation of video conferencing in council buildings	✅	100%	This will be informed by the agile working project
S OPS Actively implement and encourage waste minimisation initiatives	▶	100%	Social media continues to be used to promote waste minimisation messages coinciding with WasteAware current campaigns. Seasonal messages will go out for specific national days. A facebook group has also been set up as a community page to share composting and waste reduction ideas.
S OPS Identify options for tree planting	⏰	10%	Tree planting taking place as part of leisure centre refurb projects.
S OPS Maximise sustainability opportunities through development of Grange Paddocks Leisure Centre	▶	34%	Work on site continues to be delivered on programme. Works are just under over 6 months from completion at Grange Paddocks. Willmott Dixon are operating the considerate contractor's scheme on site and have positively been scored of their environmental impact. Some examples include using Solar PV to power their site cabins and rainwater recycling for their toilets.
S OPS Maximise sustainability opportunities through development of Hartham Leisure Centre	▶	20%	Planning for this porject was approved with an aim of achieve BREEAM excellence, Cadman Construction have been awarded the contract to deliver this project. Qualitative assessment criteria for the tender included reference to sustainability and BREEAM excellent. The team are working through RIBA Stage 4 (technical design) where further BREEAM credits will be sought (5 achieved so far). The sustainability appraisal can be found on the planning pages and further information in the Design and Access Statement under the planning reference 3/20/1814/FUL.
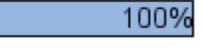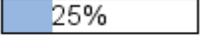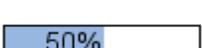
S OPS Reduce domestic residual waste bins to 140 Litre capacity	▶	10%	Liaising with Planning regarding introduction of 140 bins for new build one and two beds. Alternative and more sustainable and financially viable approaches are being considered.
S OPS Work with Hertfordshire Waste Partnership partners and others to explore synergies of working across administrative boundaries	▶	10%	The WasteAware partnership provides ongoing waste related campaign material which is used by EHC to promote sustainability messages in particular waste prevention & minimisation messages. Waste composition analysis commenced 08.09.20. Discussions continue in the background regarding joint working.
S PBC Develop sustainability advice geared towards listed buildings / conservation areas	▶	50%	This is included in the draft Environmental Sustainability SPD. SPD currently out for formal public consultation. Presentation and discussion held at East Herts Environment and Climate Forum
S PBC Maximise environmental sustainability through the Harlow Gilston Garden Town Development	▶	20%	The outline planning applications are still be considered by officers with a decision anticipated by the end of the year. Sustainability guidance is also being prepared for the HGGT
S PBC Publish an Environmental Sustainability SPD	▶	50%	SPD currently out for formal public consultation. Presentation and discussion held at East Herts Environment and Climate Forum
S SFP Amend procurement regulations to explicitly include consideration of the carbon footprint	✓	100%	CPR's have been approved and Head of Service has confirmed the amendment.

S SFP Audit of Council buildings	▶	25%	Baseline of Energy Performance for the Key Corporate Buildings achieved. Wallfields, Buntingford Depot, Charingtons, and Hertford Theatre. Works ongoing to improve energy efficiency mainly at Wallfields and Buntingford Depot as the pay back for the investment is the improvement is achievable. Any improvements at Charingtons House and Hertford Theatre would not be economical with the future of buildings due for full or partial demolitions within 12 -18 months.
S SFP Develop a programme to increase minimum EPC rating over the next three years	▶	10%	Energy Efficiency baselined for Wallfields. Current Assessment in February 2020 set the building at a score of 92 (Grade D) on the scale. This had improved from 115 (grade E) from Sept 2018. This improvement related to LED light fitting replacement on parts of the second floor. Since February we have completed the LED lighting replacement of the whole second and ground floors, with the 1st floor to be undertaken next financial year.
S SFP Explicitly refer to sustainability outcomes in MTFP from 2021/22 budget onwards			Action achieved in 2019/20
Enabling Communities			
C CSP Evaluate the impact of any comms and campaigns	▶	100%	A littering campaign took place across the summer months which was evaluated in a similar format to previous campaigns, so to was the food waste reduction campaign. Analysis looked at reach across different platforms and types of content. Average reach for facebook posts was 925, Insta was 826 and twitter was 1407, showing twitter remains our most popular social media channel.
C CSP Grow our digital communication channels	▶	100%	All social media channels continue to see an increase in following/likes (see performance data)

C CSP Maintain the register of community assets	▶	100%	Register is up to date. 20/21 has seen an unprecedented number of applications across the district.
C CSP Trial new communication and engagement tools with different audiences	▶	100%	Selection of Facebook posts have recently been boosted - JobSmart, resident survey - and have seen positive results with more engagement.
C HH Continue to deliver social prescribing project and launch the Hertford and Bishop's Stortford Healthy Hubs	✓	100%	Healthy Hub operated on a virtual model bringing together a range of partners from across the district to offer virtual health and wellbeing services, during the pandemic. Plans to use a hybrid model of face to face and virtual sessions, expanding the offer of more traditional sessions to more wellbeing based sessions (such as book clubs, health walks, social events) in 2021 are now under way.
C HH Deliver the community grants scheme	✓	100%	Final round of funding was oversubscribed. All grant monies awarded. Priorities for 2021-22 agreed at Council. Next round of funding now open, closing in May 2021
C HH Develop a cultural strategy for East Herts	▶	100%	Cultural Strategy adopted at Council 02.03.21.
C HH Manage the SLA with the Citizens Advice Service	▶	100%	SLA has been agreed for 21/22
C HH Manage the SLA with the CVS to deliver support to voluntary and community organisations and community transport	▶	100%	20-21 KPIs all achieved and in many cases exceeded.
C HH Provide temporary accomodation to those in need	▶	100%	At the end of March 2021 the council was providing 50 households with temporary accommodation under statutory homeless duties. This is an increase fo 10 families compated to 31 March 2020
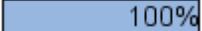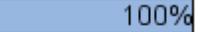
C HH Review CCTV provision and management arrangements		90%	Meetings between Town Councils and EHC ongoing. Town Councils have opted to take on a tender process and a way forward will hopefully be agreed when this has completed.
C HH Support community safety		100%	The eight actions identified within the CSP Action Plan, which contribute to the five overarching priorities have all been achieved; however it was noted that some were significantly impacted by the pandemic. Work is now being undertaken to develop the priorities and plan for 2021/22.
C HH Support delivery of chatter tables		75%	Action to restart post lifting of lock down measures in June 21. 5 venues had been set up, 3 of which had begun delivery when the pandemic hit. Mekhola Ray remains in contact with venues with a view to restarting once lockdown measures are lifted (hopefully from June 2021)
C HH Support the East Herts Dementia Friendly Action Group		100%	Virtual groups continued to meet throughout pandemic. Dementia Friendly District status has been renewed and MR has been asked to speak on the work of East Herts at the National Dementia Awareness Week conference.
C HH Support the Herts 2020 Year of Culture with HCC		75%	The majority of events through the year were postponed due to the pandemic. East Herts continued to promote virtual events, work with the HYOC delivery group and engage the HYOC group in the development of a cultural strategy for East Herts.
C HH Undertake Active Local initiative based on Asset Community Development		100%	Work continues through the Active Local programme. This year's big successes saw the agreement of Active In to take on the old Scout Hut in Sele Farm and a disused plot of land on the Sele Estate being identified to be repuposed as a community allotment. CP working with community groups to establish a constituted group to take forward this work in 2021.
C OPS Deliver £20m investment in Hertford Theatre		50%	Planning consent granted on 31 March for the growth and legacy project to continue. Marketing and Branding Consultant has been appointed. Work will commence in Autumn 2021 and project completion due 2023

C OPS Deliver parks and open spaces strategy	⏰	0%	Consultation on a draft strategy is due Summer 2021
C OPS Deliver the Castle Park Heritage Lottery Funded project	▶	50%	All design work completed including modification to building for sustainable air heat source pumps to replace traditional heating. Minor adjustments made to landscape designs to satisfy planning condition. Construction due to commence Spring 21 pending successful tender award.
C OPS Maintain street cleanliness	▶	100%	Roads included in the contract currently under review, in advance of a review of schedules. The majority of roads inspected by the client team are at expected standards. High speed road litter picking started in April 2021. Member briefing took place 20th May on street cleanliness
C OPS Respond to fly-tipping in a timely manner	▶	100%	Related PI QC OP 2.4 indicates collection times well under target of 2 days at 0.44 days and remains an area in which performance is strong
C PBC Complete construction of a refurbished and extended Hartham Leisure Centre	▶	50%	Project due to complete in Autumn 2022
C OPS Complete construction of new Grange Paddocks Leisure Centre	▶	50%	Project still on track to deliver on time and in budget. Wilmott Dixon took posession of the site in March 2020 and work has continued at pace. Contractual completion date is October 2021 however Willmott Dixon are still targeting practical completion Autumn 2021.
C PBC Support local communities with the neighbourhood planning process	▶	50%	Ongoing - 4 neighbourhood plans. Thunderidge, Bengeo & Sele and Gilston in progress

C RB Ensure all new applications for Housing Benefit and/or Council Tax support are processed on average within 10 days	▶	100%	Despite additional pressures in the service around dealing with administration of grants performance was 4.63 day average over 2020/21 - well below target
Encouraging Economic Growth			
E CSP Adopt a policy on viability and intervention on commercial schemes on new developments including BS South, BS North, Caxton Hill, NE of Ware	❌	25%	Action on hold pending changes to national planning legislation and consultation in 20/21 (particularly with regards to PDR and new use classes). The commercial property market is very uncertain currently which means producing a policy is challenging until we have more certainty
E CSP Begin construction of the multi-story car park on the Old River Lane site (72 week building)	▶	100%	Completion on track for Spring /Summer 2022
E CSP Deliver the 3 year ERDF Funded SME Competitiveness project focusing on expanding the Stortford and Ware Launchpads and supporting the bio-science, social enterprise and Airport MRO sectors	▶	33%	Dayton Bell have been appointed as the delivery partner to the project as of 21st December 2020 and will be delivering business support until 2023
E CSP Ensure Section 106 contributions are allocated in accordance with agreements	▶	100%	All allocations made during this financial year (2020/21) will be reported in the Infrastructure Funding Statement which will be published on the council's website before 31 December 2021 in accordance with the CIL Legislation.
E CSP Grow revenues from trading companies	🔑	50%	Herts Building Control continues to be viable however the CCTV company made a loss in 20/21. The Company Directors have appointed a sales manager to bring in new contracts in 21/22. If, after 12 months, this is not successful the future of the company will be considered by shareholders.

E CSP Implement Article 4 Directions on designated employment sites	▶	100%	Conformation of Direction signed off 1/4/21 retrospectively to a start date of 2/1/21. However one of these notices on a particular site is being challenged. Changes to national legislation which are due to come in next year also mean the future of Article 4 Directions as a tool for planning authorities are uncertain
E CSP Provide a programme of business networking and support activities	✅	100%	Launchpad continues to run services for members and EHC ED signposting companies to appropriate schemes and providers of info including the Growth Hub and LEP programmes.
E CSP Provide discretionary business rate grants to incentivise new businesses to set up/ existing businesses to expand	❌		The scheme was made redundant following the COVID-19 restrictions and government support for businesses. East Herts administered £18m in rate reliefs and £31m in grants to 2500 businesses in the district in 20/21
E CSP Provide support for local business representative organisations including Chambers of Commerce and the Bishop's Stortford BID	▶	100%	We have worked closely with business representative organisations over the past year particularly focusing on Covid recovery and will continue to provide support to the BID and local chambers of commerce. Hertford Hub were also supported to set up as a CIO and represent Hertford retailers
E CSP Undertake a pilot project with stakeholders on Hertford Town Centre to get a vision and strategy in place	▶	100%	Town centre action plan was produced, however COVID restrictions from December 2020 meant that the focus was on safety as opposed to growth. Focus for 21/22 will be on recovery and supporting businesses.
E CSP Work in partnership with the LSCC (Innovation Corridor) and Central Zone Alliance to lobby for inward investment	▶	100%	Innovation core brochure has been produced.
E CSP Work with Visit Herts to ensure local businesses and venues are supported	✅	100%	Vist Herts have continued to disseminate information and advice to leisure and tourism sectors along with guidance and virtual workshops about operating safely.

E CX Support the Herts Growth Board with presenting a case for additional infrastructure investment in Hertfordshire	▶	100%	Joint Governance Committee set up which means all Board meetings are now open to the public to attend, bringing increased transparency about ambitions and future priorities. Priorities for 21/22 will be on economic recovery, joint housing delivery, sustainability and the role of digital in service delivery
E HH Deliver the Millstream Property Investment Ltd's Business plan	▶	25%	The Rectory Hall acquisition is not now proceeding as a Millstream scheme; the council has decided to purchase the property directly. There will be no substitute for this scheme within the business plan as the council has vired the monies to fund its own acquisition. The business plan included plans to acquire 10 individual properties. In response to Covid 19, the directors have decided to proceed with purchasing five properties, while keeping market conditions under review. To date, two of the five have been acquired, with an offer accepted on a third. The business plan also included the Watton-at-Stone development scheme. Initial works are timetabled to commences in quarter 3. This is on track
E HH Grow the East Herts Lottery	✅	100%	The 12 month forecast, as of 31.03.21 was £46,831, showing continued growth of the East Herts lottery every quarter.
E HH Potential for charging for regulatory advice	🔨	0%	No progress to date due to Covid
E HH Provision of advice and support around licensing function - alcohol, food, noise - and compliance.	▶	100%	The team have been helping and advising businesses throughout the pandemic. Pavement licensing procedure and process in place for new legislation

E HH Support the Better Business for All Partnership	▶	100%	Funding agreed by CE for one year rather than proposed 5 years. Better Business for All partnership has continued to focus on providing Covid support, advice and guidance to businesses
E HH Supporting the crowdfunding platfrom for community causes	▶	100%	Five campaigns have signed up through the platform with 2 successfully receiving a pledge of £2,000 so far.
E OPS Introduce parking permits for town centre business employees	🔔	0%	Parking permits for town centre workers is being explored. Currently there are no capacity issues within long stay car parks following covid-19 restrictions and we are unsure how parking facilities will be used in the context of changes to the workplace

E PBC Agree masterplans on: the Gilston Area Villages 1-7; NE of Ware; East of Welwyn Garden City; significant windfall development sites through collobarotive process with developers and Members	▶	50%	Work on the Gilston Area Village Masterplans is due to commence shortly. The Gilston Area Charter SPD was adopted by Council on the 22 July 2020. The role of the Charter is to support the production of Masterplans and Design Codes specific to the Gilston Area villages and the important network of greenspaces that will surround and connect them in accordance with the District Plan Policy DES1. The Charter seeks to ensure that the Gilston Area is planned and delivered comprehensively involving site promoters, land owners, East Herts Council, parish councils and other relevant stakeholders and informed by public participation. The Masterplanning Framework for land North and East of Ware (WARE2) was approved by Council on the 23 October 2019. Further masterplanning work will be undertaken prior to submission of a planning application for the site (currently anticipated before end 2021). Ongoing discussions with the site promoter are taking place on land East of Welwyn Garden City (EWEL1) pending outcome of Welwyn Hatfield Local Plan Examination. Allies and Morrison have been appointed to do some early scoping work on a Supplementary Planning Document for the site. A number of other sites are currently going through or about to embark on masterplanning work, including the Goods Yard site and the Old River Lane site in Bishop's Stortford, Hertford Industrial Estate (Caxton Hill) in Hertford, and land to the east of the A10, west of Ermine Street in Buntingford.
E PBC Delivery of the strategic sites allocated in the District Plan	▶	10%	Ongoing delivery is in accordance with the district plan
E PBC Undertake planning enforcement activity where required in keeping with the district plan and NPPF	▶	50%	Site visits were suspended for the early part of lockdown which has meant some enforcement cases are still on-going. Site visits have now resumed

E RB Ensure all business rate reliefs are applied in a timely manner	✓	100%	Completed. £18m of reliefs granted
E SFP Develop financial Sustainability Group acquisitions/ investments	▶	10%	Financial Sustainability Committee hosted on Zoom in August. Committee agreed latest investment criteria, which again confirmed that no investment properties should be acquired with an EPC score of E, F or G.
Digital By Desgn			
D CSP Implement new conditions of contract for customer services team	✗	0%	Action was paused pending COVID-19 restrictions and closure of receptions. Work planned for 21/22 to redefine customer service offering. £50k revenue savings made in 2020/21 as a result of not undertaking face to face services.
D CSP Improve website accessibility	▶	100%	Final fixes identified by the audit have been tested and our statement has been updated: https://www.eastherts.gov.uk/accessibility-statement There are still some challenges due to the presence of inaccessible PDFs and the Gov Metric widge. These will be reviewed in 21/22
D CSP Launch new Member case management system	▶	100%	The new system was launched on 29 June in conjunction with the portfolio holder for Corporate Services. However there is more work to do with Leadership Team to improve response times.
D CSP Provide a programme of business networking and awareness raising on GDPR and cyber-security	✓	100%	All COVID related grants dispersed or in the process of being dispersed. Plans being discussed re use or ARG, Levelling up fund and Welcome back fund to provide a comprehensive support package for the local economy and business in 2021/22.
D CSP Undertake training on complaints handling	✓	100%	Training with champions and other members of staff has been undertaken over zoom. We hope this will assist with addressing performance issues around timeliness of complaints responses and data indicates some improvement have been made

Action	Status	Progress	Comment
D DCX Sign up to the MHCLG Digital Declaration	✅	100%	East Herts signed up to the MHCLG Digital Declaration on 8th July - Action Complete
D DCX Support the Digital Innovation Zone to lobby for investment in our towns and villages	▶	100%	Local Full Fibre Network project on track to complete Summer 2021. A priority for 21/22 will be to look at digital inclusion for communities following COVID-19 restrictions. HCC recently joined the DIZ as full board members.
D HROD Develop and implement customer service standards/behaviours as part of core competency behavioural development	✅	100%	Customer charter was developed and is being used in the PDR process to assist with assessing performance against values and behaviours
D PBC Ensure fibre to the premise (FTTP) is provided on all new developments	▶	50%	Ongoing action - taking forward approval of the planning applications
D PBC Support joint delivery of Harlow and Gilston Garden Town as a fully sustainable and digital 'place'	▶	10%	Work remains on-going and in 20/21 applications were submitted. Village 7 due to considered by Development Management Committee and May and Villages 1-6 in July 2021
D RB Develop and publish the East Herts Customer Charter	✅	100%	Completed and cleared for publication 20.7.20
D SFP Improve customer journey and self-service in Wallfields reception	❌	10%	Design work was commissioned however this was put on hold during lockdown as both receptions were closed. This action will be reviewed for 21/22

KEY
Action Expected Outcome

Action achieved	✅
Action on target	▶

Revised completion date	
Action to be deleted/suspended	
Action off target	

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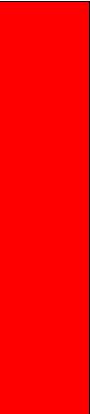
Performance Indicator	2020/21 Q3 performance OR 2019/20 annual performance	2020/21 Q4 performance OR 2020/21 annual performance	Performance target	General trend compared to previous quarter/ year	Performance Data Trend	Notes & History
Sustainability at the Heart of Everything We Do						
MC HH 228: Number of e-chargers installed on council premises	13	13 (annual)	N/A			No new e-chargers have been installed over the quarter due to COVID 19. However, looking to the future a significant number of chargers will be installed as part of the Northgate End MSCP development (20 active /20 passive).
MC HH 232: Number of chargers installed in Bishop's Stortford and Hertford	13	13 (annual)	N/A			No new e-chargers have been installed over the quarter due to COVID 19 Rapid chargers at sites in both Hertford and Stortford are currently being progressed, to primarily facilitate electric taxi recharging (having been delayed due to the extended furlough of the contractor partner). In addition a significant number of chargers will be installed as part of the Northgate End MSCP development (20 active /20 passive).
QC HH 234 Number of energy efficient grants made	1	4	N/A			First time central heating installations provided through Herts Warm Homes Fund. Aiming to award to 20 privately owned homes for vulnerable customers who are currently off the gas network and required first time central heating.
QC HROD 223: Attendance at carbon neutrality training		0%	0%			Training package is being drafted in conjunction with APSE (Association of Public Service Excellence) with an aim to commence training in 2021/22
Enabling Communities						

Indicator					Chart	Commentary
QC HH 151 Number of homeless households living in temporary accommodation at the end of the quarter	41	50 (as at 31 March)	N/A	(Red)	QC HH 151 Number of homeless households living in temporary accommodation at the end of the quarter.	At the end of March 2021 the council had 50 households in temporary accommodation under statutory homeless duties. Nineteen were accommodated in the council's hostel accommodation, 5 were in private sector leased accommodation and a further 26 were in B&B accommodation. The number of households in temporary accommodation remains high due to an increase in homeless approaches from single complex needs households and because fewer general needs properties have been advertised this year through Choice Based Lettings. In addition a further 14 households were being provided with discretionary B&B accommodation under the governments rough sleeper 'Everyone In' and Protect Plus initiatives due to their vulnerabilities to COVID 19.
QC OP 2.4 Fly-tips: Time taken for removal.	0.44 days	0.42 days	2.00 days	(Green)	QC OP 2.4 Fly-tips: Time taken for removal.	Performance remains strong in this area
MC OP 192 % of household waste sent for reuse, recycling and composting.	48%	49.32% (annual)	50.00%	(Green)	MC OP 192 % of household waste sent for reuse, recycling and composting.	Performance was just shy if the 50% target for 2020/21
MC OP 191 Residual household waste per household.	433kg (2019/20)	459 kg (annual)	450kg	(Red)	MC OP 191 Residual household waste per household.	The target for 2020/21 was reduced from 475kg to 450kg per household due to continuing trends in reduction of household waste. Figure has increased from 433kg last year to 459 kg in 2020/21. Covid-19 restrictions has led to more people being forced to stay home and thus generating more waste
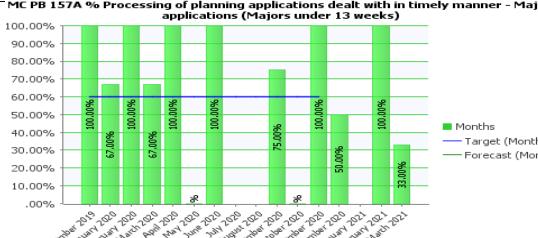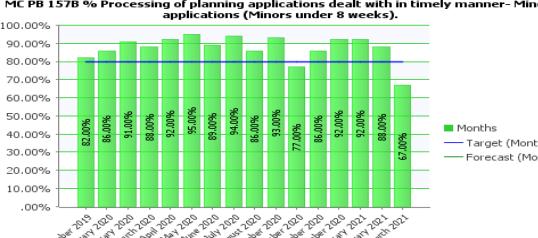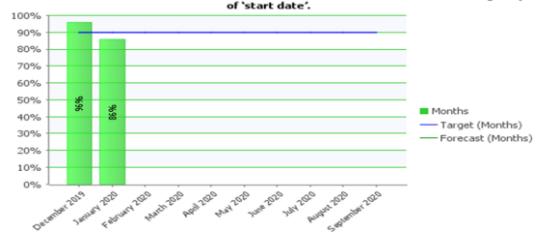
MC RB 181: Time taken to process Housing Benefit new claims and change events	5.31 days	4.63 days	10 days		MC RB 181 Time taken to process Housing Benefit new claims and change events.	Performance remains strong despite the face the shared Revenues and Benefits service have been working on admnistration of additional grants to businesses
HC HH 148 Number of applicants on the housing register	2003	2.168	Trend only		HC HH 148 Number of applicants on the housing register	At the end of March 2021 there were 2,168 households on the East Herts Housing Register . The breakdown of accommodation required was: 1 bedroom - 1,100 households, 2 bedrooms 635 households, 3 bedrooms 334 households and 76 households required 4 bedroom accommodation. The demand for 2 bedroom and 4 bedroom homes has seen the most significant increase since the beginning of 20/21.
Q CSP 5.12A: Number of Twitter followers	10 856	11 351	N/A		Q CSP 5.12A Number of Twitter followers	Twitter followers have increased over the year and this channel remains our most popular channel for engagement
Q CSP 5.12C: Number of Instagram followers	1 943	2 244	N/A		Q CSP 5.12C Number of Insta followers	Insta followers have steadily increased over the year
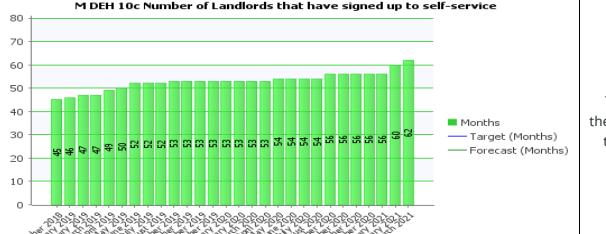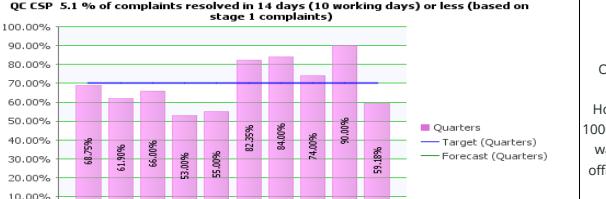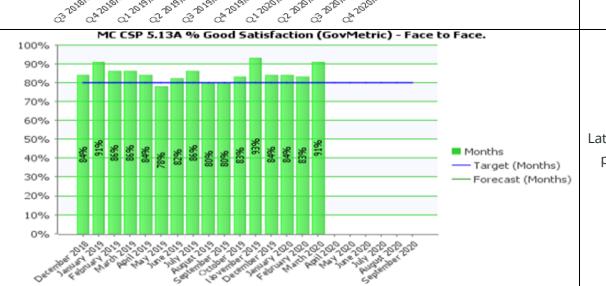
Q CSP 5.12D: Press favourability score	67	-5	N/A			This is measured by looking at whether press coverage is positive or negative which then translates into an overall score. Scores were negative in Feb and March due to articles and letters from residents raising concerns over ORL, garden waste, and council tax rises.
Q CSP 5.12F: Number of Facebook likes and followers	4 044	5 059	N/A			Facebook continues to grow as a channel
Q CSP 5.12G: Number of email subscribers to network	2 656	3 290	N/A			Number of subscibers have increased over the year
Q CSP 5.12H: Number of Linkedin Followers	1 081	1 366	N/A			LinkedIn continues to grow as a platform for sharing business to business news, events and job advertisements
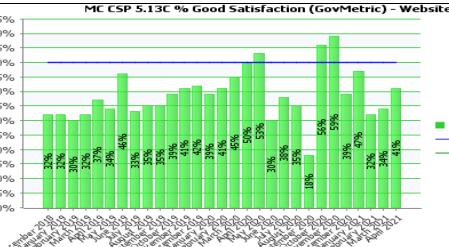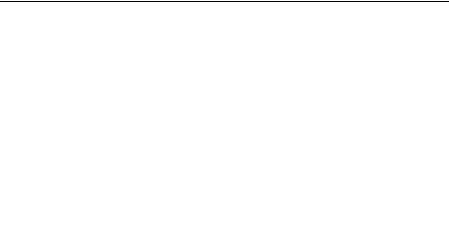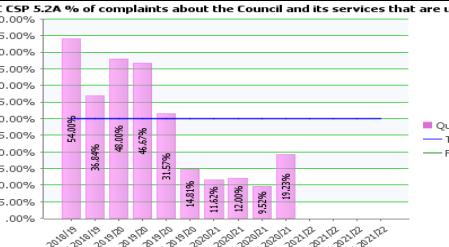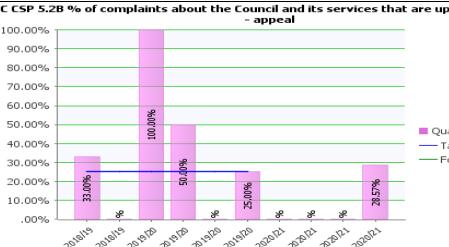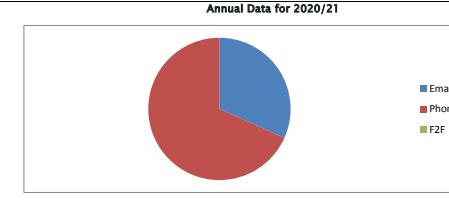
Q HH 238A: Number of unique clients supported through the EH Social Prescribing Service	50	36	N/A	RED	Q HH 238A Number of unique clients supported through the EH Social Prescribing Service		Referrals dipped through the winter lockdown. EHSPS services now merged with Healthy Hubs moving forward.
Q HH 238B: Number of unique clients engaging with healthy hub services	4	10	N/A	GREEN	Q HH 238B Number of unique clients engaging with healthy hub services		A successful Facebook campaign, messaging through OWL and a review of promotional approach are taking an impact on the awareness and sign up of Healthy Hub.
QC HH 239A: Unique number of cases raised by antisocial behaviour	57	29	N/A	GREEN	QC HH 239A Unique number of cases raised by ASB		
QC HH 239B: Number of safeguarding referrals	7	29	N/A		QC HH 239B Number of safeguarding referrals		Referral continued to increase in Q4. Cases included Mental Health, Homelessness, Emotional Abuse and self neglect.

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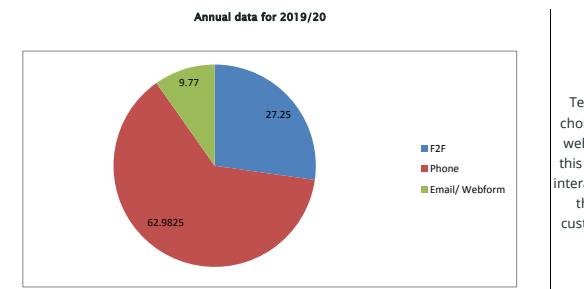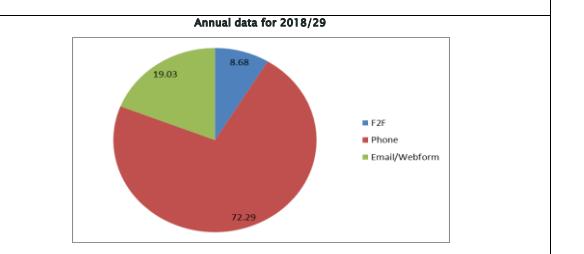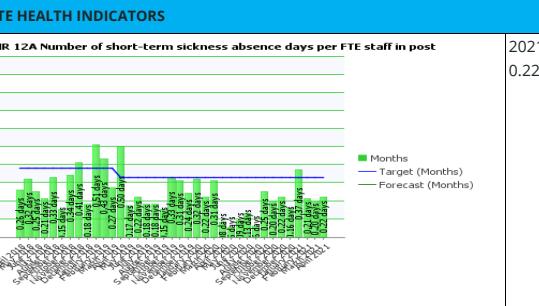
Indicator					Chart	Comment
QC HH 240A: Number of agencies trained/signed up to the Dementia Friendly pledge	2	21	N/A	(green)		
QC HH 240B: Number of staff attending dementia friendly awareness sessions	6	2	N/A	(red)		Event took place on 12 May 2021 which was well attended after futher work was undertaken to publicise events to staff and encourage more participation
Encouraging Economic Growth						
AC CSP 111 Vacancy Rates in Town Centres	8.89%	7.90%	N/A	(green)		The vacancy figures show a slight decrease over December's figures, partly due to stirring demand for small retail premises. Overall vacancy rates in the district are very healthy considering the impact of the pandemic with plenty of demand for vacant retail space in our towns. Our smallest towns (Buntingford and Sawbridgeworth) have the lowest vacancy rates.
AC CSP 13.1 Total number of businesses using the Launchpad facility	56	37	N/A	(red)		The Launchpad closed in March 2020 due to Covid restrictions meaning there were zero users until the facility re-opened in June. Space has been limited since then due to the need for Covid restrictions however clients have started to return. As at March 31st there were 34 regular users (6 in Ware and 28 in Bishop's Stortford). This is down from the pre-Covid high of 58 in March 2020 however we are receiving high volumes of queries from new clients and, as restrictions ease, expect user numbers to increase
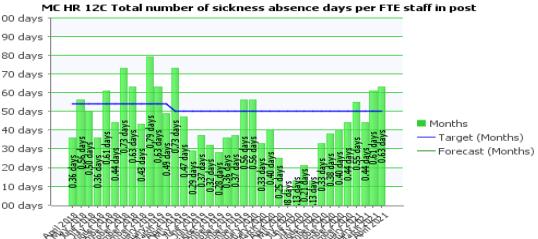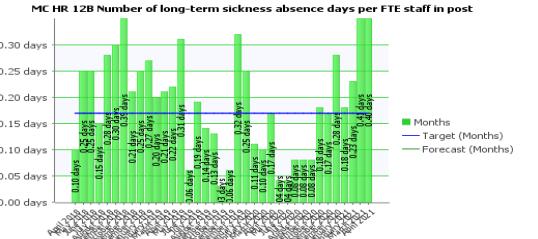
AC CSP 13.3 Total income from businesses using the Launchpad facility	£57,500 (2019/20)	£44,737 (annual)	N/A			Despite having no income for 3 months the facility has recovered well and managed to achieve income just above the annual target. Income for 2020/21 was below that the of the previous year but we anticipate income for 2021/22 to be return to previous levels

Total income from businesses using the facility (£)

Total income from businesses using the facility (£)

AC CSP 217 Amount of section 106 contributions awarded (£)	574,946.53 (2019/20)	1518285.73 (annual)	N/A		Payment was triggered from thirteen (13) individual Section 106 Agreements in 2020/2021. resulting in receipt of £1,518,285.73 in financial contributions. This figure includes the indexation added on to the original contribution amount.

AC CSP 217 Amount of section 106 contributions awarded (£)

£574,946.53 — 2019/20
£1,518,285.73 — 2020/21
Years
Target (Years)

MC RB 10.4: NNDR (Business rates) collection, % of current year liability collected	55.80%	95.40%	97.50%		Business rates collection percentage decreased in April due to Covid 19 pandemic but this has seen a steady increase over quarter 2 as businesses start to reopen

MC RB 10.4 NNDR (Business rates) collection, % of current year liability collected.

Months, Target (Months), Forecast (Months)

QC HH 155 Number of affordable homes delivered (gross)	239	200	N/A		Cumulatively to the end of March 2021 a total of 239 new affordable homes (104 affordable rented homes and 135 shared ownership) were completed and advertised through the council's Choice Based Lettings Service or Home Buy Agent. The majority of the properties were developed as part of Section 106 planning obligations aside from 2 affordable rented homes on a redevelopment site owned by Clarion and a site developed by Metropolitan Housing predominately for shared ownership. The handover of properties was slightly delayed during the year because of the suspension of building works during the lock down period earlier in the pandemic.

QC HH 155 Number of affordable homes delivered (gross)

Quarters, Target (Quarters), Forecast (Quarters)

Indicator					Chart	Comment
MC PB 157A: % Processing of planning applications dealt with in timely manner- Major applications (Majors under 13 weeks)	75.00%	33.00%	60.00%		MC PB 157A % Processing of planning applications dealt with in timely manner – Major applications (Majors under 13 weeks)	Over the last 6 months there has been a steady increase of planning applications. This increase to workload is not unique to East Herts and is being experienced nationwide as a result of Covid-19 as people look to make improvements to their living environment. Unfortunately, the marked increase in planning applications has coincided with some staff turnover during a very short period of time mainly due to retirement and change in individual circumstances. In addition to this, we have also been experiencing some delays with conservation input to applications. This is a result of COVID-19 restrictions and the ability to undertake internal site visits.

Officers are continuing to work hard in determining planning applications as quickly as possible and are doing everything they can to minimise delays.

There is an Action Plan in place in order to address these matters as swiftly as possible. As part of this, the Council has been successful in securing further support to help determine planning applications and provide conservation advice and this will start to assist matters over the coming months. Recruitment for new officers is also well underway.

Regular correspondence is being provided to |
MC PB 157B: % Processing of planning applications dealt with in timely manner- Minor applications (Minors under 8 weeks)	93.00%	67.00%	80.00%		MC PB 157B % Processing of planning applications dealt with in timely manner- Minor applications (Minors under 8 weeks).	
M PB 206: % of site visits undertaken in relation to all other cases within 15 workings days of 'start date'	N/A	N/A	90%	N/A	M PB 206 % of site visits undertaken in relation to all other cases within 15 workings days of 'start date'.	Site visits have not been achievable due to Covid 19 restrictions
Digital by Design						
M DEH 10a: % of households that have signed up to Council Tax Self Serve	13.67%	16.74%	N/A		M DEH 10a % of households that have signed up to Council Tax Self Serve	The last quarter has seen a steady increase in the number of households accessing Council Tax Self Service as this may be attributed to the Council offices being closed and more people making use of our online services.

M DEH 10b: % of Businesses that have registered to self-service (business rates)	3.18%	3.50%	N/A			The last quarter has seen a steady increase in the number of businesses accessing Self Service. This may be attributed to the COVID19 response and businesses preferring online options.
M DEH 10c: Number of Landlords that have signed up to self-service	56	62	N/A			The last quarter has seen an increase in the number of landlords that have signed up to Self-Service. This may be attributed to council offices being closed.
QC CSP 5.1: % of complaints resolved in 14 days (10 working days) or less (based on stage 1 complaints)	64% (2019/20)	78.57% (annual)	70.00%			Over the year we have 155 formal, stage 1 complaints and 32 stage 2 complaints. However it is worth noting we also had over 1000 complaints and concerns regarding green waste charges. These were not recorded as offical complaints as they related to a Council decision
MC CSP 5.13A: % Good Satisfaction (GovMetric) - Face to Face	N/A	N/A	N/A	N/A		Latest statistics not recorded due to COVID19 preventing us from offering a face to face service.

MC CSP 5.13C: % Good Satisfaction (GovMetric) Website	51.00%	41.00%	50%		MC CSP 5.13C % Good Satisfaction (GovMetric) – Website.	Despite making numerous changes to the website and improving content, we still struggle to gain satisfaction scores.
MC CSP 5.13D % Good Satisfaction (GovMetric) - Email	79.00%	64.00%	80.00%			152 green, 21 amber and 64 red for the quarter. No trend data as this was only introduced mid way through 2020
QC CSP 5.2A: % of complaints about the Council and its services that are upheld: 1st stage	32.00%	19.23%	30.00%		QC CSP 5.2A % of complaints about the Council and its services that are upheld: 1st stage	Final quarter - Out of 52 stage 1 complaints, only 10 were upheld.
QC CSP 5.2B: % of complaints about the Council and its services that are upheld: 2nd Stage - appeal	18.00%	28.57%	N/A		QC CSP 5.2B % of complaints about the Council and its services that are upheld: 2nd stage - appeal	For the last quarter - 2 out of 7 stage 2 complaints were upheld.
					Annual Data for 2020/21	

| QC 1A - C Volume + Proportion of Contacts by Channel | F2F: 0.00% Email/ Webform: 24.57% Phone: 75.43% | F2F: 0.00% Email/Webform: 31.67% Phone: 68.33% | Trend only | | | Telephony remains the contact channel of choice for most residents however email and webforms are increasing. We aim to contiue this trend by encouraging more customers to interact online where possible as in most cases this leads to a quicker resolution for the customer (eg. reporting a missed bin) as well as reduced costs for us |

Annual data for 2019/20

Annual data for 2018/29

| QC CSP 243: % of member enquiries responded to within 10 working days | 39.58% | 89.39% | N/A | | | 132 members enquiries received between 01.01.21 and 31.03.21

118 of these were completed within 10 working days however we are aware that there have been issues with responses not being delivered |

CORPORATE HEALTH INDICATORS

| MC HR 12A Number of short-term sickness absence days per FTE staff in post | 0.22 days | 0.33 days | | | | 2021 S/T absence for the year so far = 0.22 (end of year target = 4) |

MC HR 12C Total number of sickness absence days per FTE staff in post	0.63 days	0.50 days			MC HR 12C Total number of sickness absence days per FTE staff in post	Total absence for the year so far = 0.63 (end of year target = 6) Over target this month due to a number of ongoing long term sickness cases which HR Officers are working on with Managers.
MC HR 12B Number of long-term sickness absence days per FTE staff in post	0.40 days	0.17 days			MC HR 12B Number of long-term sickness absence days per FTE staff in post	L/T absence for the year so far = 0.40 (end of year target = 2) Over target this month due to a number of ongoing long term sickness cases which HR Officers are working on with Managers.
MC DL 5.15 % of FOI cases closed in month that were closed within 20 working days or less		100.00%	90.00%		MC DL 5.15 % of FOI cases closed in month that were closed within 20 working days or less	The lower figure in March is due to an issue with our software not correctly displaying cases where a response was ready.

KEY
PI Status

Performance is 6% or more off target	(red)	**** NOTE FOR BEN - MISSED BINS INFO IS MISSING
Performance is less than 6% or more off target	(yellow)	
Performance is on target or exceeding target	(green)	
No target to set performance against	Trend Only	
Monthly/Q4/Annual data unavailable	(purple)	

Movement since last period

Value is higher than previous period & this is positive movement	(green up)
Value is higher than previous period but this is negative movement	(red up)
Value is lower than previous period but this is positive movement	(green down)
Value is lower than previous period & this is negative movement	(red down)
Value is the same as previous period	(blue)
N/A -Cumulative so will always be above previous period	n/a

East Herts: A Place to Grow

Corporate Plan Refresh for 2021/ 2022

The Council's Corporate Plan (2020/21 – 2023/24) was agreed in January 2020 and sets outs a range of actions and objectives against 4 overall, 'SEED' priorities. Whilst the aspirations in that plan are still relevant Covid-19 has changed local, national and global priorities for public service delivery and impacted how and where East Herts Council is deploying its resources. This refreshed plan outlines amended objectives for the 2021/ 2022 year which better reflect the needs of the district in this context.

Each of the 'one page plans' for the 4 themes have been updated. New priorities have been included where relevant and actions which have either been completed or are now less relevant compared to one year ago have been removed. Please note that for each theme there is a wider set of actions and measures which sit underneath the one page plan.

Sustainability at the heart of everything we do 2021/ 2022

The council's work towards achieving its nine commitments for tackling climate change has continued at pace in 2020/21. For example, over the last 12 months, we have developed a carbon assessment tool to assess the carbon footprint of council projects, adopted a new Sustainability Supplementary Planning Document to guide new development and switched our electricity contract to 100% renewable energy sources.

Work in 2021/22 will focus on further encouraging residents and partners to make sustainable choices and working with other Hertfordshire authorities to deliver larger, multi-agency projects. Notably, we aim to promote higher energy efficiency in housing roll-out the installation of more e-vehicle chargers and provide more information to facilitate positive behaviour change.

Strategy/ objectives	Actions/ key projects	Who	When
1. We will make changes to how the council manages its own premises, people and services	1a. Train council staff and councillors on carbon neutrality and sustainability	David Thorogood	30/09/21
	1b. Complete redevelopment of Grange Paddocks Leisure Centre, Bishop's Stortford and in doing so reduce the building's carbon emissions by at least 18%, that is, 93 tonnes of CO_2	Jess Khanom-Metaman	31/10/21
	1c. Reduce the number of fossil-fuelled vehicles in the council's fleet	Jonathan Geall	31/03/22
2. We will use our regulatory powers to promote action by others	2a. Implement the council's new Sustainability Supplementary Planning Document	Sara Saunders	30/06/21
	2b. Facilitate moves toward more e-taxis in the district	David Thorogood	31/12/21
	2c. Encourage the building of additional energy efficient properties in the private and affordable housing sectors	Jonathan Geall	31/03/22
	3a. Update council's sustainability website including the provision of a numerical tracker of the council's progress towards its target to be carbon neutral by 2030	Linda Meehan	30/09/21
	3b. Run a food waste minimisation publicity campaign	Jess Khanom-Metaman	30/09/21
3. We will influence and encourage others to be more environmentally sustainable	3c. Work with partners to install e-vehicle chargers in more locations in East Herts	David Thorogood	31/03/22

Enabling our communities 2021/ 2022

Over the past 12 months we have kept up momentum on delivery of our capital programme where possible and within covid-19 guidelines, demonstrating on-going commitment to the wellbeing of our communities. However we have also seen increasing demand for important services such as housing and benefits advice and support. Social isolation has increasingly become a challenge for many individuals due to restrictions on movement. As we move towards recovery from the economic and social impact of Covid-19 it is paramount no one in East Herts is left behind.

Over 2021/22 we will focusing on continuing to deliver our capital programme, services to our most vulnerable residents and supporting partners with Covid recovery efforts. Other key activities will include delivery of our new Cultural Strategy and developing a new Equalities, Diversity and Inclusion Strategy.

Strategy/ objectives	Actions/ key projects	Who	When
1. We will invest in our places	1a. Complete refurbishment of Hartham Leisure Centre 1b. Deliver £20m investment in Hertford Theatre 1c. Deliver the Castle Park project 1d. Deliver the Cultural Strategy	Jess Khanom Jess Khanom Ian Sharratt Nick Phipps	1/9/22 1/8/23 30/3/23 TBC
2. We will ensure all voices in the community are heard	2a. Grow our digital communications channels (Instagram, Twitter, Facebook and Linked in) 2b. Implement a new Equalities, Diversity and Inclusion Strategy	Communications Manager Corinne Crosbourne	31/3/22 28/7/21
3. We will support our vulnerable residents	3a. Relaunch the East Herts Healthy Hub to promote easier access to health and wellbeing advice and support 3b. Provide specialist support to those facing or recovering from homelessness	Simon Barfoot Claire Bennett	30/6/21 31/3/22
4. Keeping communities safe	4a. Support roll out of testing and vaccination centres 4b. Support national and county led campaigns on vaccine roll out and vaccine hesitancy 4b. Provide regulatory advice and support to businesses for safe re-opening 4c. Provision of Covid marshals in town centres, neighbourhood shopping centres and green spaces	Geoff Hayden Communications Manager Paul Thomas-Jones Ben Wood	31/3/22 31/3/22 21/6/21 30/6/21

Encouraging economic growth 2021/ 2022

There has been a substantial shift in priorities around this theme over the past 12 months. The focus of our activity has been around business survival as oppose to supporting growth with over £30m awarded in grants and £18m in reliefs between May 2021 and April 2021. Our High Streets are under enormous pressure to recover and remain relevant and with changing patterns of workplace distribution we will face additional pressure on viability of commercial development. However this may also bring opportunities for the district and our housing delivery rate of 104% over the past three years against District Plan targets give us reason to be optimistic.

Over 2021/22 we will continue to focus on delivery of major projects such as Old River Lane and our European Funded Launchpad 2 business support programme. Working in partnership with the County Council, Town Councils, police and businesses will be an important means of ensuring residents feel comfortable and confident when visiting their town centres. Continuing to work with developers on delivery of growth sites across the district and supporting communities with neighbourhood planning will be key to ensuring East Herts remains a vibrant place to live.

Strategy/ objectives	Action/ key projects	Who	When
1. We will develop new sources of income	1a. Deliver the Millstream Property Investment Ltd's Business Plan	Jonathan Geall	31/3/22
	1b. Grow the East Herts Lottery to bring in more resources for local good causes	Claire Pullen	31/3/22
2. We will support businesses and town centres with post Covid recovery	2a. Deliver the ERDF Launchpad 2 project2b. Work in partnership to support recovery of town centres and deploy 'Welcome Back' funding	Chris Smith Andrew Figgis	31/3/23 31/3/22
	2c. Deliver the Jobsmart employment support programme	Ben Wood	31/3/22
	2d. Continue to support administration of businesses grants	Su Tarran	31/3/22
3. We will create viable places	3a. Support the Herts Growth Board with presenting a case for additional infrastructure investment in Hertfordshire	Richard Cassidy	31/3/22
	3b. Complete construction of the multi-story car park on the Old River Lane site	Rob Mayo	31/12/21
	3c. Deliver an SPD and Masterplan for the Old River Lane site	Sara Saunders	31/12/21
	3d. Delivery of the strategic sites allocated in the District Plan in accordance with the housing trajectory.	Sara Saunders	31/3/22

Digital by default 2021/ 2022

Following the onset of the COVID-19 pandemic, our main reception areas were closed and residents were encouraged to contact us by telephone, email or via the website. The availability of more customer service staff (following face 2 face closure) has resulted in more telephone calls being answered and an overall improvement of the service. The changes in working practice have, on the whole, been a positive experience for our customers and has enabled us to embrace digital technology through the provision of grant claim forms on the website, appointment booking, webchat and 'call back' software. This has enabled businesses across the District to access much needed support grants almost solely through digital means and helped manage customer contact demand. We will build on this impetus to further enhance the digital offer to residents, businesses, employees and members.

The Council has also effectively continued to deliver services with staff working remotely and our emerging agile working project will maximise opportunities arising from this global change in the workplace.

Strategy/ objectives	Action/ key projects	Who	When
1. We will improve the customer experience for those who use council services	1a. Undertake a transformation programme to make it easier for our customers to interact with us (including Implement new online and telephony payments software and a customer relationship management system)	Steven Linnett	TBC
	1b. Implement self-service reception and increase range of digital channels available	Ben Wood	30/6/21
2. We will work with partners to ensure our communities are digitally enabled	2a. Ensure fibre to the premise (FTTP) is provided on all new developments	George Pavey	31/3/22
	2b. Support joint delivery of Harlow and Gilston Garden Town as a fully sustainable and digital 'place'	Jenny Pierce	31/3/22
	2c. Support the Digital Innovation Zone to lobby for investment in our towns and villages	Helen Standen	31/3/22
3. Implement agile working across the organisation	3a. Agree an agile working policy with staff	Simon O'Hear	21/7/21
	3b. Agree a business case for creating modern workspaces	Geoff Hayden	TBC

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Objective	Action	Lead	By when	Relevant indicators/ measures/ targets	Reporting frequency	Lead for uploading to pentana	Portfolio holder	Changes
				ENABLING COMMUNITIES THEME				
We will invest in our places	**Complete construction of new Grange Paddocks Leisure Centre**	Jess Khanom	31/9/2021		Quarterly	Emily Coulter	Eric Buckmaster	Capture in sustainability theme
	Complete construction of a refurbished and extended Hartham Leisure Centre	Jess Khanom	01/09/22		Quarterly	Emily Coulter	Eric Buckmaster	
	Deliver the Castle Park Heritage Lottery Funded project	Jess Khanom	01/06/21		Quarterly	Ian Sharratt	Eric Buckmaster	
	Deliver £20m investment in Hertford Theatre	Jess Khanom	01/04/23		Quarterly	Tamara Jarvis	Eric Buckmaster	
	Support the Herts 2020 Year of Culture with HCC (one promotion each month depending on theme)	Mekhola Ray	31/03/21		Quarterly	Nick Phipps	Eric Buckmaster	Completed
	Develop a cultural strategy for East Herts (agree by December 2020)	Nick Phipps & Mekhola Ray	31/12/20		Annual	Nick Phipps	Eric Buckmaster	Completed - now into delivery phase
	Produce a business case for the refurbishment and extension of Pinehurst Community Centre	Geoff Hayden	31/03/21		Annual	Geoff Hayden	Geoffrey Williamson	New action
	Deliver the cultural strategy	Nick Phipps & Mekhola Ray	31/03/21		Annual	Nick Phipps	Eric Buckmaster	New action
	Respond to fly-tipping in a timely manner	Chloe Hipwood	31/03/21	Fly-tips: time taken for removal	Quarterly	Louise Overington	Graham McAndrew	
	Maintain standards of cleaniness in our streets	Chloe Hipwood	31/03/21	Inspector's grading of Urbaser street cleaning	Quarterly	Louise Overington	Graham McAndrew	Amended measure
	Deliver the community grants scheme	Claire Pullen	31/03/22	Number of grants given	Annual	Nick Phipps	Suzanne Rutland-Barsby	
	Maintain the register of community assets (Assets of Community Value)	Esther Piper	31/03/22		Annual	Kirsty McKenzie	Geoffrey Williamson	
	Undertake a review of the EHC owned Community Centres in East Herts, understanding how they are currently used and the support they may require going forward, undertake pubic engagement to understand our communities needs and how we can match these up with the use of our Community Centres	Claire Pullen	31/03/22		Bi-annual	Nick Phipps	Geoffrey Williamson	Amended measure taking account of the impact of Covid
	With Herts Sports Partnership, undertake Active Local initiative based on Asset Based Community Development, promoting physical activity and increased use of green spaces in the Sele area	Claire Pullen	31/03/21		Bi-annual	Nick Phipps	Eric Buckmaster	Completed - new action below
	Sett up a Charitable Incoporated Organisation with residents to repurpose a council allotment site into a community garden	Claire Pullen	31/03/22		Bi-annual	Nick Phipps	Eric Buckmaster	New action
We will ensure all voices in the community are heard	Grow our digital communications channels	Communicatinos and Digital Media Manager	31/03/22	Number of Twitter followers Number of LinkedIn followers Number of Insta followers Press favourability score Number of Facebook likes Number of email subscribers to Network	Quarterly	Communicatinos and Digital Media Manager	George Cutting	
	Evaluate the impact of any comms and campaigns (eg. behaviour change/ awareness raising)	Communicatinos and Digital Media Manager	31/03/22	**Audience attention** – e.g., unique visitors, views, clickthroughs **Awareness** – e.g., recall **Understanding** – e.g., comments **Interest and liking** – e.g., likes, follows, shares, retweets.	Annual	Communicatinos and Digital Media Manager	George Cutting	
	Trial new communication and engagement tools with different audiences (including ORL masterplan and HGGT)	Communicatinos and Digital Media Manager	31/03/22	**Engagement** – e.g., return visits, subscribing, positive comments. **Consideration** – e.g., comments, subscribing, registering.	Annual	Communicatinos and Digital Media Manager	George Cutting	
	Support our local communities with the neighbourhood planning process	George Pavey	31/03/22		Annual	George Pavey	Jan Goodeve	
	Agree and implementa new Equalities, Diversity and Inclusion Strategy	Corinne Crossboure	28/07/21		Annual	Gemma Bates	Linda Haysey	New action

	Action	Lead	Date	Measure	Frequency	Officer	Member	Notes
We will support our vulnerable residents	Relaunch the East Herts Healthy Hub to promote easier access to health and wellbeing advice and support	Simon Barfoot	31/03/21	Number of clients supported through EH Social Prescribing Service / Number of EH residents registering for Healthy Hubs / Number of EH residents attending Healthy Hub sessions / Number of Healthy Hub sessions delivered / Number of onward referrals through Healthy Hubs	Quarterly	Nick Phipps	Eric Buckmaster	Amended action due to impact of Covid
	Provide temporary accomodation to those most in need	Claire Bennett	31/03/22	Number of homeless households living in temporary accomodation	Quarterly	Claire Bennett	Peter Boylan	
	Ensure all new applications for Housing Benefit and/or Council Tax support, including changes in circumstances, are processed on average within 10 days	Su Tarran	31/03/22	Time taken to process new benefit claims (10 days)	Quarterly	Su Tarran	Geoffrey Williamson	
	Manage the SLA with the CVS to deliver support to voluntary and community organisations and community transport	Nick Phipps	31/03/22		Quarterly	Nick Phipps	Eric Buckmaster	
	Manage the SLA with the Citizens Advice Service	Nick Phipps	31/03/22		Quarterly	Nick Phipps	Eric Buckmaster	
	Support community safety	Nick Phipps/ Julie Pomfrett	31/03/22	Neighbourhood watch membership (as OWL is a useful way of reaching communities)* / ASB data around the issuing of CPWs / CPNs where the conduct that has led to the issuing of the CPW/N is relevant * / Number of safeguarding referrals?	Quarterly	Nick Phipps	Peter Boylan	
	Review CCTV provision and management arrangements	Nick Phipps	31/03/22		Annual	Nick Phipps	Peter Boylan	
	Inspection, licensing and regulation of HMOs	Paul Thomas-Jones	31/03/22		Annual	Paul Thomas-Jones	Eric Buckmaster	
	Provide support to hoarding cases	Paul Thomas-Jones	31/03/22		Annual	Paul Thomas-Jones	Eric Buckmaster	
	Undertake public burials	Paul Thomas-Jones	31/03/22		Annual	Paul Thomas-Jones	Eric Buckmaster	
	Deal with nuisance and noise cases	Paul Thomas-Jones	31/03/22		Annual	Paul Thomas-Jones	Eric Buckmaster	
	Support the East Herts Dementia Friendly Action Group	Mekhola Ray	31/03/22	Renewal of Dementia Friendly District Status	Annual	Nick Phipps	Eric Buckmaster	
				Number of agencies signed up to action group	Quarterly	Nick Phipps	Eric Buckmaster	
				Number of staff attending awareness sessions	Quarterly	Nick Phipps	Eric Buckmaster	
	Support delivery of chatter tables in the 5 towns to address social isolation and loneliness for vulnerable residents.	Mekhola Ray	31/03/22	Number of chatter tables running in 5 market towns, not requiring EHC facilitation	Annual	Nick Phipps	Eric Buckmaster	
				Number of people attending chatter tables	Quarterly	Nick Phipps	Eric Buckmaster	
	Support the East Herts Dementia Friendly Action Group	Mekhola Ray	31/03/21		Annual	Mekhola Ray	Eric Buckmaster	
	Identify community assets that are managed via a third party and investigate SLAs and appropriate policies are in place (eg. safeguarding)	Claire Pullen	31/03/22	Assets identified and timescales for engagement with them agreed	Bi-annual	Claire Pullen	Geoffrey Williamson	
	Provide training and support for third parties who manage community centres to engage effectively with wider community, including vulnerable residents.	Claire Pullen	31/03/22	No. of training activities provided	Bi-annual	Claire Pullen	Eric Buckmaster	
	Continue to administer self-isolation grants	Su Tarran	31/03/22	No. of grants administered	Bi-annual	Su Tarran	Geoffrey Williamson	New action
Keeping Communities Safe	Support roll out of testing and vaccination centres	Geoff Hayden	31/03/22		Bi-annual	Geoff Hayden	Geoffrey Williamson	New action
	Support national and county led campaigns on vaccine roll out and vaccine hesitancy	Communicatinos and Digital Media Manager	31/03/22		Bi-annual	Communicatinos and Digital Media Manager	George Cutting	New action
	Provide regulatory advice and support to businesses for safe re-opening	Paul Thomas-Jones	31/03/22		Bi-annual	Paul Thomas-Jones	Peter Boylan	New action
	Provision of Covid marshals in town centres, neighbourhood shopping centres and green spaces	Ben Wood	30/06/21		Bi-annual	Ben Wood	Jan Goodeve	New action

ENCOURAGING ECONOMIC GROWTH THEME								
We will develop new sources of income	Deliver the Millstream Property Investment Ltd's Business plan	Jonathan Geall/ Helen Standen/ Jess Khanon-Metaman	On-going	Annual return on investment/ dividend (£)	Annual	Jonathan Geall	Geoffrey Williamson	
	Develop Financial Sustainability Group acquisitions / investments	Geoff Hayden	31/03/22	Income targets as agreed in the MTFP	Annual	Geoff Hayden	Geoffrey Williamson	
	Develop a new Asset Management Strategy	Steven Linnett	30/06/21				Geoffrey Williamson	New action
	Grow revenues from trading companies	Helen Standen	31/03/22	Share dividend from the Herts Building Control Company	Annual	Helen Standen	Geoffrey Williamson	
		Ben Wood	31/03/22	Share dividend from Herts CCTV Ltd	Annual	Ben Wood	Geoffrey Williamson	
	Grow the East Herts Lottery	Claire Pullen	31/03/21	Number of players	Annual	Claire Pullen	Geoffrey Williamson	Slightly adjusted wording on measures
				Number of groups signed up to take part				
				Income raised for good causes (£)				
	Supporting the crowdfunding platform for community causes	Claire Pullen	31/03/21	Number of groups who have created a campaign	Annual	Claire Pullen	Geoffrey Williamson	
				Amount pledged (£)				
We will support businesses and town centres with post Covid recovery	Deliver the 3 year ERDF Funded SME Competitiveness project focusing on expanding the Stortford and Ware Launchpads and supporting the bio-science, social enterprise and Airport MRO sectors (Expand the Launchpad Offering)	Chris Smith	31/03/23	Number of Launchpad uses (both sites)	Annual	Paula Beades	Jan Goodeve	
				Income generated (both sites) (£)	Annual	Paula Beades	Jan Goodeve	
				Number of businesses supported across the 3 sectors	Annual	Hilary Marsh	Jan Goodeve	
				Number of businesses receiving financial support	Annual	Hilary Marsh	Jan Goodeve	
				Number of businesses receiving non financial support	Annual	Hilary Marsh	Jan Goodeve	
	Find alternative accomodation for the BS Launchpad	Chris Smith	31/03/22		Annual	Chris Smith	Jan Goodeve	New action
	Provide discretionary business rate grants to incentivise new businesses to set up/ existing businesses to expand	Ben Wood	31/03/21	Number of grants awarded	Biannual	Ben Wood	Jan Goodeve	Scheme no longer relevant following Covid business support from central
				Amount awarded (£) (max value £65,000)	Biannual	Ben Wood	Jan Goodeve	
	Support the Better Business for All Partnership	Oliver Rawlings	31/03/22		Annual	Oliver Rawlings	Jan Goodeve	
	Ensure all business rate reliefs are applied in a timely manner	Sandra Huntingford	31/03/22	NNDR (Business rates) collection, % of current year liability collected	Monthly	Sandra Huntingford	Geoffrey Williamson	
	Provide support for local business representative organisations including Chambers of Commerce and the Bishop's Stortford BID	Chris Smith	31/03/22		Annual	Chris Smith	Jan Goodeve	
	Work in partnership with the LSCC (Innovation Corridor) and Central Zone Alliance to lobby for inward investment	Ben Wood	31/03/22		Annual	Ben Wood	Linda Haysey	
	Provision of advice and support around licensing function (alcohol, food, noise) and processing pavement licences to support town centres	Oliver Rawlings	31/03/22	Number of pavement licences granted	Annual	Oliver Rawlings	Peter Boylan	Measure expanded to include pavement licences
	Undertake a pilot project with stakeholders on Hertford Town Centre to get a vision and strategy in place	Ben Wood	31/03/21	Town centre vacancy levels	Quarterly	Andrew Figgis	Jan Goodeve	Replaced by new action on town centre plans thruogh Welcome Back Fund
	Work with Visit Herts to ensure local businesses and venues are supported	Andrew Figgis	31/03/22	Total value of visitor economy to East Herts and by town	Annual	Andrew Figgis	Jan Goodeve	
				Total number of day trips and overnight trips to district and by town				
				Total number of jobs in district and by town attributed to visitor economy				
	Provide a programme of business networking and support activities	Andrew Figgis	31/03/21	Total number of businesses supported	Annual	Andrew Figgis	Jan Goodeve	Action completed
	Work in partnership to support recovery of town centres and deploy 'Welcome Back' funding	Andrew Figgis	31/03/22	Production of town centre visions and action plans	Biannual	Andrew Figgis	Jan Goodeve	New action
	Continue to administer business grants including the Restart Grants and Additional Restrictionc (discretionary) grants	Su Tarran	31/03/22	Number of grants awarded and amount (£) given out	Quarterly	Su Tarran	Geoffrey Williamson	New action
	Implement grant scheme to support businesses taking up vacant retail, commerical and industrial premises	Chris Smith	31/03/22	Number of grants awarded	Biannual	Chris Smith	Jan Goodeve	New action
	Deliver the Jobsmart employment support programme	Ben Wood	31/03/22	Number of referrals	Biannual	Ben Wood	Jan Goodeve	New action
We will create viable places	Complete construction of the multi-story car park on the Old River Lane site (72 week build)	Rob Mayo	31/03/22		Annual	Gemma Bates	Linda Haysey	
	Support Cityheart with progressing a planning application for the Old River Lane Site (including preparing the masterplan and an SPD) and cinema led arts centre	Rob Mayo	31/03/22		Annual	Gemma Bates	Linda Haysey	New action
	Implement Article 4 Directions on designated employment sites	Andrew Figgis	31/03/21		Annual	Andrew Figgis	Jan Goodeve	Action completed
	Adopt a policy on viability and intervention on commercial schemes on new developments including BS South, BS North, Caxton Hill, NE of Ware	Andrew Figgis	31/03/21		Annual	Andrew Figgis	Geoffrey Williamson/Jan Goodeve	Action under review following effect of Covid on commerical property market
	Support the Herts Growth Board with presenting a case for additional infrastructure investment in Hertfordshire	Richard Cassidy	On-going		Annual	Ben Wood	Linda Haysey	
	Deliver a fit for purpose planning service including provision of pre-application advice, determination of planning applications and approcal of the strategic sites allocated in the District Plan in	Sara Saunders	31/03/22	Approval of strategic sites	Quarterly	Paul Burt	Jan Goodeve	
				Determine major applications within 13 weeks				
				Determine 80% of minor/other applications within 8 weeks				
	Ensure housing development meets the needs of the district population	Sara Saunders	31/03/22	Delivery of at least 839 new dwellings per year and delivery of affordable homes	Quarterly	Paul Burt	Jan Goodeve	
	Develop Neighbourhood Plans with all neighbourhoods requesting this	Sara Saunders	31/03/21	Neighbourhood Plans agreed	Quarterly	George Pavey	Jan Goodeve	Removed as covered under the enabling theme
	Agree masterplans on: the Gilston Area Villages 1-7; NE of Ware; East of Welwyn Garden City; significant windfall development sites through colloborative process with developers and Members	Sara Saunders	31/03/22		Annual	Sara Saunders	Jan Goodeve	
	Ensure Section 106 contributions are allocated in accordance with agreements	Jackie Bruce	31/03/22	Amount awarded	Annual	Jackie Bruce	Jan Goodeve	
	Undertake planning enforcement activity where required in keeping with the district plan and NPPF	TBC	31/03/22	Site visits undertaken for non urgent cases within 15 working days	Quarterly	Paul Burt	Jan Goodeve	

				DIGITAL BY DEFAULT THEME				
We will improve the customer experience for those who use council services	Sign up to the MHCLG Digital Declaration	Helen Standen	30/09/20	Increase proportion of customer contacts undertaken through digital channels	Quarterly	Alex Cook	George Cutting	Action complete
	Implement a new core digital platform	Steven Linnett	TBC		Annual	Steven Linnett	George Cutting	New action linked to transformation programme
	Implement a central business support function	Ben Wood	31/03/22		Annual	Ben Wood	George Cutting	New action linked to transformation programme
	Implement a front of house offering at Hertford and Bishop's Stortford aimed at maximising self-service	Ben Wood	30/09/20	Ensure 80% of govmetric ratings for face to face are rated as good	Quarterly	Alex Cook	George Cutting	Action amended following behaviour changes from Covid-19
				Increase customer satisfaction with East Herts web	Quarterly	Lauren Hague	George Cutting	
				Increase % of households that have signed up to self service	Quarterly	Mark Eldridge	George Cutting	
				Increase % of businesses that have signed up to self service	Quarterly	Mark Eldridge	George Cutting	
				Increase % of landlords that have signed up to self service	Quarterly	Mark Eldridge	George Cutting	
	Maintain website accessibility (WCAG 2.1) standards	Lauren Hague	30/06/20	Socitim accessibility rating	Annual	Lauren Hague	George Cutting	Action amended after significant work in 20/21 to achieve good accessibility rating
	Deliver an effective complaints and member query management system	Sharon Bunce	31/03/22	Ensure 80% of stage 1 complaints are dealt with within 10 working days	Quarterly	Sharon Bunce	George Cutting	Action amended to incorproate member query system
				% of complaints that are upheld at stage 1	Quarterly	Sharon Bunce	George Cutting	
				% of complaints that are upheld at stage 2	Quarterly	Sharon Bunce	George Cutting	
				Number of complaints upheld by the ombudsman	Annual	Ben Wood	George Cutting	
	Launch new Member case management system	Sharon Bunce	30/06/20	Ensure 80% of Member enquiries are responded to within 10 working days	Quarterly	Sharon Bunce	Suzanne Rutland-Barsby	Action completed - PI to be included in action above
	Implement new conditions of contract for customer services team	Ben Wood	30/09/20		Annual	Ben Wood	George Cutting	Action suspended due to Covid. To be part of transformation programme
	Develop and publish the East Herts Customer Charter, including development of service specific customer standards where appropriate	Su Tarran	01/07/20		Annual	Su Tarran	George Cutting	Action completed
	Develop and implement customer service standards/behaviours as part of core competency behavioural development	Simon O'Hear	30/09/2020		Quarterly	Simon O'Hear	George Cutting	Action completed
We will work with partners to ensure our communities are digitally enabled	Ensure fibre to the premise (FTTP) is provided on all new developments	George Pavey	On-going		Annual	George Pavey	Jan Goodeve	
	Support joint delivery of Harlow and Gilston Garden Town as a fully sustainable and digital 'place'	Sara Saunders	On-going		Annual	Sara Saunders	Jan Goodeve	
	Support the Digital Innovation Zone to lobby for investment in our towns and villages	Helen Standen	On-going		Annual	Ben Wood	Linda Haysey/Jan Goodeve	
	Provide a programme of business networking and awareness raising on GDPR and cyber-security	Andrew Figgis	31/03/21		Annual	Andrew Figgis	Jan Goodeve	Action completed
Implement agile working across the organisation	Agree an agile working policy with staff	Simon O'Hear	31/9/2021		Annual	Simon O'Hear	Geoffrey Williamson	New action
	Agree a business case for creating modern workspaces	Geoff Hayden	31/03/22		Annual	Geoff Hayden	Geoffrey Williamson	New action
	Roll out MS Teams for all staff	Zoe Taylor-Dixon	31/03/22		Annual	Gemma Bates	Geoffrey Williamson	New action

East Herts Council Report

Executive

Date of meeting: 6 July 2021

Report by: Executive Member for Engagement

Report title: Draft Equalities, Diversity and Inclusion Strategy

Ward(s) affected: All

Summary – A new draft strategy for Equalities, Diversity and Inclusion has been developed which will be proposed for adoption by Full Council on 28th July. It was considered at Overview and Scrutiny Committee on 8 June and Committee Members recommended it be proposed for adoption via Executive.

RECOMMENDATIONS FOR Executive to recommend to Council:

a) To review the draft strategy and agree it is proposed to Full Council for adoption on the 28th July, following support from Overview and Scrutiny Committee

1.0 Proposal(s)

1.1   Executive review the draft strategy and process to date before it is proposed for adoption by Council on 28th July

2.0 Background

2.1   East Herts Council entered into a shared service with Hertfordshire County Council to provide Equalities and

Diversity support in November 2020. This equates to 2 days per week of time from the Joint Equalities and Diversity Officer. The first task of this officer has been to lead on the overall process for refreshing the East Herts strategy for Equalities, Diversity and Inclusion. The process to date has been as follows:

- A self-assessment of East Herts Council approach to equalities using the Local Government Association's Equality Framework (November 2020 – January 2021)
- Workshops and discussion with East Herts Council's Leadership Team and Senior Manager's Forum (January 2021)
- Initial engagement with key partners including Hertfordshire County Council, Broxbourne and East Herts Council for Voluntary Services, the Citizens Advice Service, GATE, Herts for Learning, (February – present)
- Discussion with Executive Members (March)
- A briefing and discussion for East Herts Members (20 May)
- Formal consideration by Overview and Scrutiny Committee (8 June)

2.2   The result of this work is a draft strategy, setting out the issues and challenges which is attached at Appendix A. This was also shared with the Overview and Scrutiny Committee was the first time the draft strategy had been placed in the public domain. The draft was generally well received with positive feedback about the tangible actions proposed. Comments from Committee Members included:

- Whether advice and guidance from the National Autism Association could be considered in the strategy to ensure we are capturing the needs of autistic residents and customers in the district (also to consider whether something could be included for this

group in the calendar in relation to world health day
- Members commented on disability injustice, that many might not be in receipt of benefits and of the need to include some more appropriate titles and images which encompassed chronic and visible illnesses.
- Whether proposals for unconscious bias training could be made mandatory for staff and whether East Herts Council Members should also be invited to undertake this training
- That collaboration with HCC and the BAME network continues so we can ensure alignment of priorities and that any changes in language or acronyms are consistent
- A recognition that the timescales for adoption are quite tight and whether officers feel there is enough time to consult with key stakeholders

2.3 The draft strategy will be made available for public comment in the lead up to Full Council however we do not anticipate a large response through this general approach. Targeted consultation with specific groups and communities as outlined in (2.3) is more likely to result in meaningful feedback and engagement. Throughout June and July officers will be seeking formal feedback from the Citizen's Advice Service, Age Concern, CDA Herts, the Dementia Friendly Action Group and LGBTQ representatives. Alongside this a number of East Herts Councillors have offered to share the draft strategy with contacts from different communities in our district and this will be an invaluable part of the engagement process.

3.0 Reason(s)

3.1 The Council's current equalities strategy is in urgent need of refresh

4.0 Options

    4.1   Alternative option is to not have an equalities strategy

5.0 Risks

    5.1   The strategy mitigates risks of the Council not complying with requirements of the Equalities Act 2010

6.0 Implications/Consultations

    6.1   Targeted consultation will be undertaken in June

Community Safety

No

Data Protection

No

Equalities

Yes – strategy will promote a stronger approach to equalities across the organisation

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

No

7.0 Background papers, appendices and other relevant material

     7.1   Appendix A: Draft Strategy

Contact Member

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East and Equal

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Strategy for Equalities, Diversity and Inclusion

East and Equal

Why do we need an Equality and Diversity Strategy?

The council has a public sector equality duty to care for all our residents for legal and ethical reasons. This is stipulated under the requirements of the Equality Act 2010. However, our duty is more than a legal one. Global events over the past 18 months have highlighted the need for East Herts to have a focused vision and set of actions to address equalities' challenges.

Health inequalities have been reported and recognised as a result of the COVID-19 pandemic and a spotlight has been shone on race and ethnicity within our BAME communities as a result of the Black Lives Matter movement. These events have highlighted how we as an organisation need to understand the challenges some of our communities face.

A new strategy will enable us to identify some of the challenges specific to East Herts and how we as a District Council can work collaboratively with a focused vision to address them.

What are the demographics in East Herts?

RURAL OUTPUT AREAS

29.2% of Output Areas in East Herts are Rural in East Herts. Our leafy districts are picturesque, but often residents can feel isolated and struggle to access services, transport and broadband.

AGEING POPULATION

In East Hertfordshire, statistics show that there is a projected percentage change in residents aged 65 plus, up until 2040 of 72.2%. Age is one of the 9 protected characteristics of the Equality Act 2010

EU NATIONALS

7,180 people living in the district applied for Settled Status. The highest countries of origin were Poland (1,200), Italy (1080) and Romania (1,030)

DISABLITY BENEFITS

11.1% of East Hertfordshire's working age population claims disability benefits. Disability is one of the 9 protected characteristics of the Equality Act 2010.

RACE & ETHNICITY

The white British population is the largest ethnic group in Eas**DEMENTIA**

Nearly 1,400 residents in East Hertfordshire have Dementia. The Director of Public Health

LGBTQ+

An estimated 6% of our population are Lesbian, Gay, Bisexual, Bisexual, Transgender or Questioning their sexual identity. Sexuality is one of the 9 protected characteristics of the Equality Act 2010.;

DEMENTIA

Nearly 1,400 residents in East Hertfordshire have Dementia. The Director of Public Health for Hertfordshire County Council has recognized that the current pandemic has lead to an increased need to focus on issues relating to mental health and wellbeing.

What process did we follow?

November 2020	• Self assessment audit of current equalities challenges
January 2021	• Identification of key priorities and actions
March 2021	• Draft priorities shared with Leadership Team and Managers
April 2021	• Soft engagement with key stakeholders on priorities and actions
May 2021	• Formal consultation
June onwards	• Adoption of strategy

What is 'East and Equal'?

Our strategy branded 'East and Equal' has simplified the aspirations we want for East Herts within the next 5 years.

Our Equality and Diversity Officer, who also works for Hertfordshire County Council curated this piece of work, drawing inspiration from both the Hertfordshire County Council Equality Strategy and the East Herts District Council Cultural Strategy.

It combines the Local Government Authority's Framework and the aspirations within the East Herts Corporate SEED plan:

Sustainability at the heart of everything we do
Enabling our communities
Encouraging economic growth
Digital by design

And uses these aims to create our East and Equal three Rs of 'Respond, Relate, Reach Out'.

Respond

'Responsive Services and Customer Care'

'Enable Economic Growth'

Relate

'Leadership and Organisational Commitment'

'Diverse and Engaged Workforce'

Reach out

'Understanding and working with your communities'

'Enabling our communities'
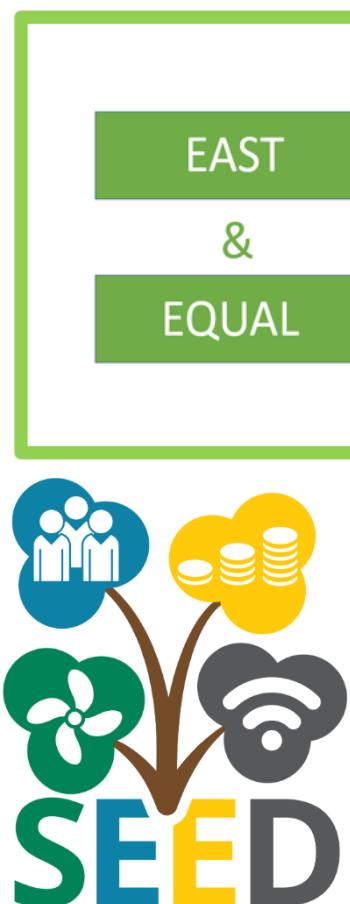
RESPOND

This value is a combination of the Equality Framework for Local Government criteria 'Responsive Services and Customer Care' with our Corporate SEED plan pledge to 'Enable Economic Growth'

What are the Issues?

- **We have data and information about our communities but not all of it is up to date. The joint working with Hertfordshire County Council and Public Health regarding the COVID-19 pandemic has provided much needed insight about communities and individuals, however we do need to share and collaborate much more to receive a more accurate picture of our communities.**

- **In terms of consultation and engagement there have been specific examples of focused work such as engaging with young people over proposals in the District Plan. However, we have struggled to make sure a diverse range of voices are heard in the district. We need to be pro-actively engaging with different demographics when undertaking consultation.**

- **The grading within the LGA Framework found that our quality of Equality Impact Assessments and the approach taken towards needs development. Their visibility on places such as the website and intranet needs improving, because it is currently difficult to see how they are being embedded into the decision making processes in the council. Furtherrmore, they are a crucial part of understanding how our services need to be changed and adjusted to ensure fair access and to minimise any discrimination..**

What are the Priorities?

- Improve the methods through which we gather, analyse and store data to inform decision making
- Strengthen our Equality Impact Assessment process and their role in decision making

What Actions do we need to take?

- Conduct an internal staff survey to assess current understanding, uptake and content of Equality Impact Assessments.
- Use the data to forecast trends between the percieved impact on protected characteristics and different services to create a bank of Equality Impact Assessments and use these to produce workshops and training where needed.
- Ensure Equality and Diversity Officer supports staff, provide constructive challenge and act as a central point of expertise and advice between councillors and the council]
- Develop a Staff Network which champions Diversity, identifying where there is a need for it from the data

RELATE

This value is a combination of the EFLG criteria 'Leadership and organisational commitment', which looks at how our senior members and executives can embed Equality initiatives within East Herts District Council, and aspires to achieve a 'Diverse and Engaged Workforce'. Due to the nature of our increasingly digital world as a result of the COVID-19 pandemic, this strategy aims to ensure our 'Relate' phase is Digital by Design in accordance with our corporate SEED plan. The Relate phase takes the data that we have gathered and looks inwardly, and takes on a workforce theme. It aspires to use integrity by practising our values amongst our own staff and leadership, to make sure we can accurately and fairly relate to our communities.

What are the Issues?

- The existing Annual Equalities Report produces demographics which includes actions on how we can improve recruitment to attract candidates from wider fields as well as other issues. We need to build on this to take the work insight further.
-
- Having undertaken a self assessment of the organisation against the Equalities Framework for Local Government, East Herts does take steps to ensure its services are accessible to all. These steps include work completed on making the website accessible, using plain text in social media posts and offering text services instead of phones for those who are hard of hearing. However we need to ensure we are makng all reaonable adjustments and the thethe profile of this work could be raised both within the council and externally amongst residents, to show how relatable we are as local government.

- A recent staff survey indicated staff feel equalities issues are well understood across the council and very few employees face discrimination. In previous years, a staff network would meet to discuss equalities issues, however it has been disbanded for quite some time which means we are unable to take this dialogue further

What are the Priorities?

- Maximise joint working with Hertfordshire County Council
- Create a East Herts internal dialogue on Equality and Diversity
- Improve self-awareness on equalities issues in the district, such as those on race, ethnicity, disability and age

What Actions do we need to take?

- Reconvene the staff network on equalities, with a clear Terms of Reference, which offers guidance and challenge on Equality Impact Assessments
- Involve East Herts District Council staff in the BAME Network for Hertfordshire County Council and where necessary, make use of the Equality and Diversity Officer's ties to the Resources within Hertfordshire County Council. Ensure that the 'Ethnic Minority' part of the Committee is representative of East Herts' Eastern European and Gypsy, Roma & Traveller Community
- Undertake an Ethnicity Pay Gap report to acknowedge the influence of Gender Pay Gap Regulations under the Equality Act 2010
- Undertake bespoke training on unconscious bias and providing safe spaces, with Member support
- Undertake a mystery shop on our services to see how we respond to equalities issues and making reasonable adjustments

REACH OUT

The 'Reach Out' element of 'East and Equal' acknowledges the widespread inequalities highlighted by the COVID-19 pandemic. This value aspires to access the economically underprivileged, those suffering from health inequalities and also address the needs of the LGBT+ community. The emphasis is on the 'whole' community, demonstrating our commitment to inclusion. This uses 'Understanding and working with your communities' from EFLG and fuses it with the Corporate SEED ambition of 'enabling our communities.

This value is a combination of the Equality Framework for Local Government criteria Understanding and working with your communities' and 'Enabling our communities' within our Corporate SEED plan pledge.

What are the Issues?

Some of our staff and residents feel East Herts needs to have a higher profile on equalities issues generally. Although we have been heavily involved in the countywide Covid response work, there is a recognition of the fact that East Herts needs to publicise the work done, so as to access and therefore enable communities.

We know there have been particular tensions between the Gypsy, Roma and Traveller Community and the housed community regarding planning issues. Whilst not easily resolved, we need to consider how these tensions can be addressed.

What are the Priorities?

- We need to champion, and be seen to champion equality and diversity in a way that gives our residents' confidence we take the issues seriously
- We need to Support and collaborate with the County Council on the BAME action plan and post Covid recovery plans

What Actions do we Need to take?

- Create and follow an East Herts Calendar of Events designed to engage with the public to celebrate and acknowledge the protected characteristics :
    -
    - August 2021: International Day of Rememberance of the Slave Trade and its Abolition
    - October 2021: Mental Health Awareness Day
    - January 2022: Holocaust Memorial Day
    - February 2022 LGBT+ Awareness Month

- March 2022: International Women's Day

- Within the East Herts Calendar of Events engage with the public to celebrate and acknowledge the identity of East Herts:
    - April 2022: World Health Day (with an emphais on Nerurodiversity and Autism)
    - May 2022: Mental Health Awareness week (with emphasis on Dementia)
    - June 2022: **Carer's Week** & **World Refugee Day**
    - July 2022: Southern Maltings July Festival in Ware
    - November 2022: Rememberance Day

- Collaboration between the BAME Network and GATE on raising awareness of Gypsy, Roma and Traveller Community
- Support healthy engagement on health and vaccinations and in-person dialogue with caravan sites

East Herts Council Report

Executive

Date of meeting: 06 July 2021

Report by: Oliver Rawlings, Service Manager – Licensing & Enforcement

Report title: Consideration of the draft revision of the Statement of Licensing Policy 2021-26

Ward(s) affected: All

Summary – The Licensing Act 2003 requires each Local Authority to adopt and publish a Statement of Licensing Policy (SLP) at least every five years. The purpose of the Policy is to set out the principles the Local Authority will apply when carrying out its licensing functions under the Act.

There is a requirement for public consultation and the consideration of any responses that are received.

RECOMMENDATIONS FOR Executive:

a) Consider the consultation responses; and

b) Propose any amendments considered necessary to the draft Statement of Licensing Policy; and

c) Endorse a final version of the Statement of Licensing Policy 2021-26 for presentation to Council for approval.

1.0 Proposal(s)

1.1 That the wording of the proposed Statement of Licensing Policy 2021-26 be considered in light of the consultation responses.

2.0 Background

2.1 The Licensing Act 2003 regulates the provision of sale of alcohol, regulated entertainment and late night refreshment (hot food and/or drink between 23:00-05:00) in England and Wales.

2.2 The Act makes Local Authorities responsible for licensing premises that are used for these activities within their District or Borough.

2.3 It also requires each Local Authority to adopt and publish a Statement of Licensing Policy at least every five years. The purpose of the Policy is to set out the principles the Local Authority will apply when carrying out its licensing functions under the Act.

2.4 In 2018 the Licensing Authority created a 'Night Time Economy Position Statement' as an addendum to the Statement of Licensing Policy. This document contained additional information and explanations around 'Licensing Decision Making relating to the Night Time Economy'.

3.0 Reason(s)

3.1 As the Licensing Authority East Herts Council is required to have a Statement of Licensing Policy and revise it at least every 5 years.

3.2   The current Statement of Licensing Policy expires in July 2021 so as a result an up-to-date revision of the document has been consulted upon as required by the Act.

3.3   The SLP is an important document which sets out the principles we will apply when carrying out our licensing function. For this reason extensive consultation was carried out during the drafting process which included:
- the responsible authorities;
- the licensed trade;
- a reference group of elected Members;
- Community Safety Partnership and Joint Action Group members.

3.4   As part of the revision the relevant parts of 'Night Time Economy Position Statement' were integrated into the SLP. This will add all stakeholders in licensing as there will now be one document to reference which will contain all the relevant information.

3.5   Some of the changes that were proposed in the draft were:
- A new section on pre-application advice and engagement
- Licensing Hours – Revised premises definitions and timings
- Town Centres – Revised locations and the introduction of a Sensitive Licensing Area
- Revised section on stakeholder engagement and representations
- Revised section on enforcement and inspection

3.6 The changes to the original SLP reflect the changes that have been seen in relation to licensing over the last number of years and reflect local trends and issues as well as dealing with issues that were not prevalent when the Policy was last reviewed. Examples of these issues are:

- Modern Slavery;
- Child sexual Exploitation (CSE);
- Psychoactive substances.

3.7 At the same time as consulting on the SLP the opportunity was taken to seek views on the 'Pool of Model conditions' which the authority already had in place. This is a separate document to the SLP with no statutory requirement to consult on changes however it was felt that it was best practice to take the opportunity to seek opinions on this document as well.

3.8 Extensive consultation was undertaken on the proposed revised SLP and during this consultation seven responses were received. Each consultation response is a separate appendix to this report and contains:

- the consultees response;
- the Licensing Authorities response to the consultee; and
- details of any amendments to the draft Statement of Licensing Policy proposed as a result of that consultation response.

3.9 The first response which is **Appendix A** was received from a Parish Council. This response raised the issue of advertising applications with local residents and sighted a specific example relating to a small music festival.

3.10 The Licensing Authority response explains the prescriptive nature of the rules within which applications and advertising must take place and that it is not possible to mandate a different process. The additional steps that the Council will take to facilitate residents engagement were detailed and links included that can be shared with the Parish residents.

3.11 The second response which is **Appendix B** was sent on behalf of the holder of a premises licence for an educational establishment.

3.12 The response simply stated that they were grateful that we had shared the information and that they were satisfied with the document.

3.13 The third response which is **Appendix C** was received from the Fire and Rescue service and is in reference to the 'Pool of Model conditions' rather than the SLP. The point raised was regarding a model condition which required an Event Management Plan to be submitted 28 days prior to the event. The Fire Service felt that this time period was not long enough for a responsible authority to properly consider such documents. Having amended the model condition and informed the Fire Service a further email was received on the same point.

3.14 This additional response is **Appendix D.** After consideration it was felt that inclusion of the point within the body of the Statement of Licensing Policy was appropriate.

3.15 **Appendix E** contains the Fire service 'Guidance for Event Organisers' referenced in the second email.

3.16 The fourth response at **Appendix F** was received from the Hertfordshire Modern Slavery Partnership Coordinator.

3.17 The response dealt solely with section 25 of the draft policy which contains information regarding Modern Slavery. Insertions of new information and changes to the original text were proposed in support of the issues identified in this section of the policy.

3.18 There was also a question around the feasibility of including two sections in the Pool of Model conditions.

3.19 The fifth response which is **Appendix G** was received from Hertford Town Council and dealt with two areas of the draft policy.

3.20 The first point related to making it mandatory for applicants to engage early with a variety of bodies and the setting of a minimum period for this to happen.

3.21 The second point raised relates to the area defined within the draft policy as being considered Hertford Town Centre and so covered by the proposed 'Sensitive Licensing Area'. Concerns were raised that certain areas were excluded from this definition.

3.22 The sixth response which is **Appendix H** was received from Environmental Health, a responsible authority under the Licensing Act 2003.

3.23   Of the eight points raised several were in support of the wording of different parts of the draft policy. Slight amendments were suggested to two paragraphs, a typo was highlighted and there was a request for additional information regarding Late Night Levy's.

3.24   The seventh response which is **Appendix I** was received from the Police, a responsible authority under the Licensing Act 2003.

3.25   The Police response states that they are happy with the draft policy and in particular it is good to see the Sensitive Licensing area for Hertford and the comments made in paragraphs 7.4, 7.5 and 7.9.

3.26   The Police commented on various parts of the policy including section 8 (Licensing Objectives), section 9 (Stakeholder engagement and representations), section 16 (Conditions) and section 20 (Festivals and outdoor events). Some more general comments and questions were also included.

3.27   Below is a table containing all the amendments to the draft Statement of Licensing Policy which were endorsed by Licensing Committee following consideration of the consultation responses and officer recommendations.

Para. No. or Section	Proposed amendment to draft Statement of Licensing Policy as a result of consultation responses
Foreword	The foreword to be amended slightly to highlight the introduction of a Sensitive Licensing Area (SLA) and the increased detail regarding public health and well-being. Adding an acknowledgement that the foreword is by Executive Member for Neighbourhoods.
4.14	Add a footnote to stating: *Such small scale events may still benefit from contacting the East Herts Safety Advisory Group:* *https://www.eastherts.gov.uk/community-wellbeing/community-events*
7.0	Add *Castle Street* and *The Folly* to the area considered Hertford Town Centre, and subsequently the Sensitive Licensing Area.
8.0	Add additional paragraphs dealing with under 18's working in licensed premises (8.40-8.44)
8.24	Add the words 'manage or' to start of bullet point 3 so that it reads: • *manage or prevent queuing (either by pedestrian or vehicular traffic);*
8.9	Add an additional bullet point stating: • *the use or not of an ID scanning type system;*
8.37	Change 'premise' to 'premises'.
9.2	The wording of bullet point 5 amended to read: • *on the first day after the statutory consultation closed, the licence is automatically granted as applied for, that is, without any variation or additional conditions beyond those offered as part of the application.*
9.2	Add a footnote to stating: *Amendments made by the applicant during the consultation process become part of the application as 'applied for' and will be reflected in any licence which is **automatically** granted.*
16.0	Add additional paragraphs dealing with mandatory

Para. No. or Section	Proposed amendment to draft Statement of Licensing Policy as a result of consultation responses
	licence conditions and irresponsible drinks promotions (16.8-16.15) as detailed in Appendix I.
18.1	Wording revised to better demonstrate the interplay between the role of the Licensing Committee and the Executive Member.
20.5	Add a footnote to stating: *Small scale events may still benefit from contacting the East Herts Safety Advisory Group: https://www.eastherts.gov.uk/community-wellbeing/community-events*
20.8	Add an additional paragraph to 'Festivals and outside events' section stating: *Where the nature of an event means an Event Management Plan, or other similar document, is required it is likely that the responsible authorities will need the final version of these documents to be provided 6 weeks in advance of the event start date. This sort of time scale allows the responsible authority time to properly consider the documents, respond with any concerns and then those concerns to be addressed in good time. Late submission of complex and lengthy documents is likely to result in representations being made against applications*
25.0	Amend the section on Modern Slavery as detailed in Appendix F to this report.
Appendix 1 - Consultation	Additional paragraphs added to the start of the appendix to document the engagement work carried out prior to a draft Policy being finalised for consultation.

3.28 Below is a table containing proposed amendments to draft Statement of Licensing Policy which have been identified by officers. These are not substantive changes but are proposed for clarity.

Para. No. or Section	Proposed amendment to draft Statement of Licensing Policy as a result of consultation responses
7.2	Wording amended to indicate that maps of the Town Centre locations are contained in Appendix 5.
9.19 (point 4)	Wording revised to indicate that any application licence application within East Herts will be notified to all local councillors and all parish/town councils instead of just applications within that particular ward.
Appendix 5 – Town Centres	Maps showing the Town Centre locations described in the Policy included for clarity.

3.29   The revised wording, containing the above amendments, of the draft Statement of Licensing policy 2021-26 is contained in **Appendix J**.

3.30   The Pool of Model conditions, as amended following the consultation, is attached as **Appendix K** to this report. It is included for information only as it is a separate document to the Statement of Licensing Policy.

4.0   Options

4.1   Endorse the draft Policy for presentation to Council without amendment.

4.2   Endorse the draft Policy for presentation to Council following appropriate amendments.

4.3   Do not endorse the draft Policy for presentation to Council.

4.3   Endorse the existing Statement of Licensing Policy for presentation to Council.

4.4   Make amendments to the draft Policy and consult again.

5.0   Risks

5.1   The Licensing Authority is required to review its Statement of Licensing Policy at least every 5 years. To fail to do so would leave the authority unable to carry out its licensing function until such time as it has been so reviewed.

5.2   Failure to address any perceived or actual gaps within the current Statement of Licensing Policy could be detrimental to the authority's ability to make and defend robust decisions.

5.3   If the authority does not have robust policies and procedures in place then it is unable to ensure that the Licensing Objectives are promoted.

6.0   Implications/Consultations

Community Safety

The Statement of Licensing Policy is an important document which seeks to promote the four licensing objectives: Prevention of Crime and Disorder, Public Safety, Prevention of public nuisance; and Protection of children from harm. Therefore Community Safety has been considered when drafting the Policy.

Data Protection
No changes are proposed to how data will be held or handled so no additional implications.

Equalities

Consideration has been given to the Equality Act 2010 and the Public Sector Equality Duty whilst drafting the Policy.

Environmental Sustainability

None

Financial

None

Health and Safety

None

Human Resources

None

Human Rights

As with all Policies and Council functions, the Human Rights Act 1998 has been considered when drafting the Policy.

Legal

All statutory requirements have been considered in preparing this report, including the requirement for public consultation.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – Parish Council Consultation response

7.2 Appendix B – Licence Holder consultation response

7.3 Appendix C – Fire & Rescue consultation response

7.4 Appendix D – Fire & Rescue second response

7.5 Appendix E – Fire & Rescue, Guidance for event organisers

7.6   Appendix F – Hertfordshire Modern Slavery Partnership Coordinator consultation response

7.7   Appendix G – Hertford Town Council consultation response

7.8   Appendix H – Environmental Health Consultation response

7.9   Appendix I – Police consultation response

7.10   Appendix J – Proposed amended wording of the Statement of Licensing Policy 2021-26

7.11   Appendix K – Pool of Model Conditions

7.12   Revised Guidance issued under section 182 of the Licensing Act 2003 (April 2018) - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705327/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003__April_2018_.pdf

7.13   East Herts Statement of Licensing Policy 2016 – https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Statement_of_Licensing_Policy.pdf

7.14   Night Time Economy (NTE) Position Statement – https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Night_Time_Economy_NTE_Position_Statement.pdf

Contact Member

Councillor Peter Boylan (Executive Member for Neighbourhoods)

Peter.Boylan@eastherts.gov.uk

Contact Officer

Jonathan Geall (Head of Housing & Health)

Contact Tel No 01992 531594

Jonathan.geall@eastherts.gov.uk

Report Author

Oliver Rawlings (Service Manager - Licensing & Enforcement)

oliver.rawlings@eastherts.gov.uk

Little Hadham Parish Council consultation response (10/05/2021):

Thank you for giving Little Hadham Parish Council the opportunity to respond to the Consultation on the draft statement Policy 2021-2026

We were concerned recently when a licence was given to a small music festival at Little Hadham without the affected residents having the opportunity to give their concerns to the body considering whether or not to grant the alcohol License for this event.

They were not aware that the event was being considered and once they became aware were very alarmed as the event was very likely to have loud music very close to their homes. They would have wished to give their concerns to the body considering the request so that these concerns could have been taken into account.

I would suggest that letters should be sent to the close residents so that they can be aware of the planned event and be clear who to contact to give their views.

They felt that the holders of the event deliberately did not display notices near their homes but rather further away from where the event was to be held so that the residents did not object as it would not affect them.

I would suggest a method that is used when consulting close neighbours for planning applications, which is by letter and by notices this is then clear and gives people the opportunity to give their views.

Thank you for consulting us and hopefully this method of improved consultation will now be used for such events

Licensing Authority response:

Thank you for taking the time to respond to the consultation.

I am afraid that as highlighted in the draft policy the way in which applications are made and the requirements for advertising them are very prescriptive. We are unable to require applicants to do more than is required under the regulations, which is:
1.   advertise the application (new application or variation of an existing licence) for a period of no less than 28 consecutive days;

2.   publish at least once, within 10 working days of making the application, a notice in a local newsletter or similar.

As the Licensing Authority we ensure that these obligations are properly fulfilled for each application and take action where they are not.

In addition to this there is an obligation on us to advertise the application (new application or variation of an existing licence) on our website for a period of no less than 28 consecutive days. By checking this webpage any individual can see any new or variation application within all of East Herts as they will be shown under 'Current Applications': https://www.eastherts.gov.uk/licences-registration/alcohol-entertainment-late-night-refreshment/notices-application-objecting-licence-applications. Please feel free to share this link.

The Council appreciates the points you make and whilst we are not able to mandate a similar process to that in the Planning regime we are doing our upmost to ensure anyone wishing to make representation. We will:

- encourage applicants to hold informal discussions with local residents and businesses, the responsible authorities, Town Council's, Parish Council's and others prior to submitting formal licence applications
- alert ward members and parish/town councils of applications in their areas to enable them to discuss matters with residents should they wish
- alert all local councillors of applications on a weekly basis through the Members Bulletin
- include a link to the webpage containing notices of application in the Network email that residents can subscribe to (https://www.eastherts.gov.uk/network-0)
- assist residents to register on public access so that they can be notified if an application is received relating to a particular premises (https://publicaccess.eastherts.gov.uk/online-applications/search.do?action=simple&searchType=LicencingApplication)

Please feel free to pass this information on to the residents you mentioned or any others that may have concerns about licensed premises or licence applications. Any enquiries can be directed to: community.protection@eastherts.gov.uk or complaints about licensed premises can be directed to: licensing.enforcement@eastherts.gov.uk.

Proposed amendments to draft policy:
No amendments proposed.

Premises licence holder response (13/05/2021):

Dear Oliver,

Thank you for sharing this information, we're satisfied with this document.

Kind regards,

Licensing Authority response:

Thank you for taking the time to consider the draft document and respond to the consultation.

Proposed amendments to draft policy:
No amendments proposed.

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<u>Fire and Rescue Service consultation response (14/05/2021):</u>

Good afternoon

I would like to make a comment in relation to the <u>Pool of Model Conditions</u> 16.3.

Would 28 days be sufficient time to receive and assess an Event Management Plan for all occasions and then make representations against a new premises licence or for concerns leading to a review of an existing premises licence? Bearing in mind the intention of making the representations or requesting a review would be to prevent an event taking place or wanting to curtail the identified concerns.

Could it be better to set a 6 week / 42 day time frame to meet the desired objective? This is suggested with the anticipation of a responsible authority requiring 2 working weeks to assess an EMP & engage with the applicant or their representative and other stake holders including other authorities and maybe convene a SAG. It would be prudent to also note the version of the EMP should be described as the finalised version and developing versions of the EMP formed in liaison with responsible authorities would be gratefully received in phases prior to the 6 week deadline.

Kindest regards

Station Commander |Fire Safety Manager | Fire Protection| Fire and Rescue Service
Hertfordshire County Council
Room 346 Old Block, County Hall, Pegs Lane, Hertford, Hertfordshire SG13 8DQ, Postal Point: CH0331
T: 01707)
T – Admin: 01707
E:

<u>Licensing Authority Response:</u>

Thank you for taking the time to respond to the consultation.

You make a very valid point and as such we have amended the model condition (16.3) to remove "28 days" and replace it with [insert minimum time period]. This makes it clearer to all stakeholders that the minimum time period in relation to

this condition is subject to negotiation in the particular circumstances of an application.

Your second point regarding liaison with the responsible authorities is covered within various sections of the draft Statement of Licensing Policy including "Pre-application advice & engagement" and "Festivals and outdoor events". These sections recommend early engagement and submission, contact with the SAG. As a responsible authority you are able to request a condition requiring the matters you mention either as part of negotiations with an applicant or following making a representation.

If you have a particular wording in mind for a condition to be added to the pool then please send to us for consideration.

Proposed amendments to draft policy:
No amendments proposed to the draft policy but condition 16.3 of the Pool of Model conditions amended to remove "28 days" and replace it with [insert minimum time period].

Fire and Rescue Service further response (27/05/2021):

Hi Oliver

Suggestion below which would be consistent with our services guidance (attached).

The premises licence holder will provide a final copy of the Event Management Plan to the Fire Authority (note: *could change to all responsible authorities*) no later than six (6) weeks prior to the commencement of the event build-up on site of each year's event.

Does that work?

Station Commander |Fire Safety Manager | Fire Protection| Fire and Rescue Service
Hertfordshire County Council
Room 346 Old Block, County Hall, Pegs Lane, Hertford, Hertfordshire SG13 8DQ, Postal Point: CH0331
T: 01707 292396 (**Internal:** 82396)
T – Admin: 01707 292310
E:

Licensing Authority Response:

Thank you for coming back to me on this point. We consider it important enough to be added to the section of the Licensing Policy which deals with festivals and outside events. As such we have added an additional paragraph as shown below:

20.8   Where the nature of an event means an Event Management Plan, or other similar document, is required it is likely that the responsible authorities will need the final version of these documents to be provided 6 weeks in advance of the event start date. This sort of time scale allows the responsible authority time to properly consider the documents, respond with any concerns and then those concerns to be addressed in good time. Late submission of complex and lengthy documents is likely to result in representations being made against applications.

We felt that it was better to include this point in the body of the Policy as, unlike the Pool of Model Conditions, a Licensing Sub-Committee must have reference to the Policy when making a decision on an application.

We hope this amendment satisfactorily addresses your point but if you would like to discuss it further then please let me know.

Proposed amendments to draft policy:
Add an additional paragraph to the section of the Statement of Licensing Policy relating to 'Festivals and outside events' (20.8):

Where the nature of an event means an Event Management Plan, or other similar document, is required it is likely that the responsible authorities will need the final version of these documents to be provided 6 weeks in advance of the event start date. This sort of time scale allows the responsible authority time to properly consider the documents, respond with any concerns and then those concerns to be addressed in good time. Late submission of complex and lengthy documents is likely to result in representations being made against applications.

Relevant Conditions for a Premises Licence and details to be accounted for within an Event Management Plan

Conditions suggested by Fire Authority, in their role as a responsible authority, deemed appropriate for the promotion of the public safety licensing objective relating to the Licensing Act 2003

1. The premises licence holder will notify the Fire Authority of the dates of each year's event no later than (insert number) calendar months prior to the commencement of the event.

2. The premises licence holder will provide draft copies of the Event Management Plan and Risk Assessments to the Fire Authority no later than (insert number) calendar months prior to the commencement of each year's event.

3. The premises licence holder will provide a final copy of the Event Management Plan to the Fire Authority no later than six (6) weeks prior to the commencement of the event build-up on site of each year's event.

The final Event Management Plan will form part of the premises licence operating schedule conditions for each year's event..

4. The premises licence holder will ensure that the Event Management Plan covers the following areas to the complete satisfaction of Fire Authority.

4.1 A scaled electronic site plan showing how each part of the area will be used, identification of all structures, access routes and ingress/egress points;

4.2 Capacities and evacuation plans for all areas of the event;

4.3 Roles and responsibilities of all key personnel responsible for managing the event, including names, contact telephone numbers and back-up contact details in the event of non-availability;

4.4 Risk assessments for all activities relating to public safety, including fire;

4.5 Full details of security and stewarding arrangements.

4.6 Details of any proposed special effects and the proposed safety arrangements associated with their use;

4.7 Details for managing all traffic and vehicle movements on site, including within parking areas, during the event build-up phase, during the event and during the site breakdown phase;

4.8 Management arrangements for site access and egress, including specific arrangements for emergency services;

4.9 Details of any camping and provided sleeping accommodation, in respect of event attendees, staff and volunteers;

4.10 Details of power supplies, including all generators; Provision of artificial lighting , including emergency escape lighting;

4.11 Provision of adequate fire-fighting cover, including facilities, personnel and water supplies;

4.12 Technical details for all proposed temporary demountable structures;

4.13 Details of all proposed safety barriers and fencing to be erected on site, including the positioning;

4.14 Relevant independent certification or manufacturers' details to demonstrate that any fabric, or other material, used in the construction of, or in conjunction with, tents, marquees and similar structures, roof coverings, weather protection covers, curtains, drapes, backdrops, scrims and other materials used in, or upon, structures shall be rendered flame resistant to the current applicable British Standard;

4.15 Identification of competent persons, including proof of competence, in relation to the construction of structures and the continual monitoring of them during the event;

4.16 Details of the proposed maximum occupancy of each area, the method of controlling numbers therein;

4.17 An event running order should be made available including times for when artists appear on stage and expected time of completion of set;

4.18 Details of a suitable communication network;

4.19 Means for giving warning of an emergency, including the initiating and effecting of any evacuation, including from structures;

4.20 Provision of adequate emergency exit routes and emergency exits, both within structures and externally, and suitable provision of emergency signage;

4.21 The profiles of the performers and the anticipated attendees;

4.22 Contingencies for degraded systems.

4.23 Contingencies in respect of points 4.1 to 4.22 inclusive above regarding the effects of adverse weather conditions including, but not limited to, wind, rain and heat.

5. In the event that the premises licence holder requires the attendance of a representative from the Fire Authority within the Emergency Liaison Team, other than in the event of an emergency response, the cost of the attendee will be paid by the premises licence holder.

6. If the premises licence holder, due to exceptional or unforeseen circumstances, wishes to make any amendment to the final Event Management Plan (that being the version that forms part of the premises licence operating schedule conditions) that would impact upon any public safety issue covered by conditions 1 to 5 inclusive above, he may only do so with written consent from the Fire Authority.

For further assistance contact:

Fire Protection

Room 346 Old Block, County Hall, Pegs Lane, Hertford, Hertfordshire SG13 8DQ, Postal Point: CH0331
Email – administration.cfs@hertfordshire.gov.uk
Telephone – 01707 292310

Hertfordshire Fire and Rescue Service
Working to protect. Acting to save - **www.hertfordshire.gov.uk/fire**

Dear Colleagues,

As part of the current consultation, please see attached for my proposed additional content to be included/edited in the modern slavery section on pp.82-83 of the East Herts DC Draft Statement of Licensing Policy 2021 – 2026, with 2 highlighted sections proposed for the Pool of Model Conditions 2021 if feasible in line with requirements within the Licensing Act 2003.

Most of the content added was in direct support to the identified issue on p.82 of 'Staff being recruited through unscrupulous means, leaving them trapped and/or indebted to a trafficker' with some layout changes embedded in line with that.

Changes proposed are in red with some tracked changes and the original content as it stands in the policy out for consultation is provided at the end to enable easier comparison.

If there is anything that requires further clarity or any questions, please do not hesitate to contact me.

Thanks,

Attached:
HMSP Submission – Coordinator:– 27/05/2021: EHDC Consultation on the Draft Statement of Licensing Policy 2021 - 2026 & Pool of Model Conditions 2021: Feedback Submission

Proposed Content (pp.82-83)

Additions and Changes in Red plus Tracked Changes:

25.0 Modern Slavery

25.1 Modern slavery is a crime. The UK Modern Slavery Act 2015 includes the following under the offence of modern slavery:

- Slavery, where ownership is exercised over a person.
- Servitude, where a person is obliged to provide services imposed by coercion.
- Forced or compulsory labour, which involves work extracted under the menace of penalty and for which the person has not offered himself voluntarily.
- Human trafficking, which involves the movement of people by means such as force, fraud, coercion or deception with the aim of exploiting them.

25.2   Modern slavery happens everywhere, including here in the UK. It operates in plain sight and can affect businesses without them even knowing. In the UK, estimates go as high as 136,000 when quantifying the number of hidden victims living in conditions of slavery. In the European hospitality sector, which includes bars and restaurants, a recent study found 110,000 victims of exploitation annually. Government agencies in the UK have specifically identified hospitality as a high-risk area for modern slavery.

25.3 Due to the nature of footfall seen in many licensed premises, employees may identify issues, which should be reported. However, it is also crucial that all businesses, including licensed premises, understand how they might be affected so that they can take steps to reduce the risk. Exploitation accounts for all situations that stray away from 'decent work', from labour market infringements and abuse, all the way to more severe forms of exploitation.

Licensed premises might be unwitting hosts to modern slavery in two ways:

1. 1. Staff being recruited through unscrupulous means, leaving them trapped and/or indebted to a trafficker.
2. Victims and their traffickers visiting the establishment. Sexual exploitation and forced criminality would be the most common forms identified in this way.

2.

25.4   Mitigating Exploitation Risks to Workers

25.5 Licensed premises should be aware of and meeting their obligations under all relevant legislation, including the Modern Slavery Act 2015, The Conduct of Employment Agencies and Employment Businesses Regulations 2003 and the National Minimum Wage Act 1998.

25.6 Examples of labour market infringements that have been known to be experienced by employees of licensed premises include: 1) Long hours, 2) insufficient pay (e.g. non-payment of minimum wage), 3) poor working conditions e.g. denial of sick pay and other entitlements, 4) bogus self-employment; and 5) control by an unscrupulous third-party agency.

25.7 Other examples of labour market infringements include: 1) Lack of personal protective equipment (PPE); 2) Few or no breaks; 3) Demeaning treatment; 4) Retention of identity documents or valuable possessions, 5) Restriction of movement or confinement to the workplace; and 6) Threat of denunciation to authorities (mainly illegal migrant workers).

25.8 There are also specific examples of practice that sometimes occur within licensed premises, which can create vulnerability and increase the risk of exploitation of drivers and office staff. In certain sectors, the use of fixed pay,

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part-time and/or zero-hour contracts is a common practice, which can lead to underemployment or workers being paid below minimum wage. It is important that licensed premises owners and managers take account of their own anti-slavery policies and practices, as well as those of subcontractors and third-party agencies.

25.9 Owners and managers of licensed premises are responsible for ensuring that their employees' rights are upheld. A licence holder can work to prevent labour exploitation and modern slavery by taking steps to mitigate the risks of exploitation and undertaking effective due diligence. Steps to take include the following:

- 1. Promoting awareness of worker rights. Specifically, providing **every worker with a written contract** in a language they understand detailing working hours, pay/overtime rates, deductions (if any), holiday and sick pay entitlements and accommodation arrangements (if relevant)

- 2. Ensuring **clear reporting channels for grievances and whistleblowing** are clear and that workers are made aware of these procedures (see Section 25.14: Identification and Reporting)

- 3. **Conducting internal checks and checks of subcontracto**rs i.e. check payroll to ensure worker's wages are paid directly to them, that workers are being paid the national minimum wage at a minimum, and that no workers have paid any fees related to their recruitment. Also speak to workers directly.

- 4. Committing to **uphold high ethical standards**.

- 5. Ensuring that **all worker communications are translated** into the languages that make up the licensed premise's workforce. (For more information on how to undertake these steps, see the Modern Slavery SME Toolkit)

- 6. **Raising awareness of the signs of exploitation with workers**. It is important to ensure that any independent contractors (e.g. self-employed beauticians) are in fact agreeing to a fair contract and where work, fare and contract termination are agreed by both parties.

25.10 Third-Party Due Diligence

25.11 Before working with a third-party agency, licensed premise owners/managers should always check that:

- The company is **licensed to provide temporary labour** to the relevant sector of your business.

- The company's directors are **not listed on the Employment Agency Standards Inspectorate's list** of people that have been prohibited from running an employment agency/business due to past misconduct.

- The company only **subcontracts with a licensed premise's authorisation** and conducts their own due diligence on subcontractors when we give permission to subcontract.

- The company has a clear **commitment to not charging recruitment fees** and to covering the cost of recruitment when sourcing workers from overseas.

- The company has an **accessible and transparent reporting mechanism** that all workers can use to report concerns or issues.

- The company **provides information to their workers** on what optional services they offer, how much they cost, and how the workers can refuse or cancel them without penalty.

25.12 In the course of working with a third-party provider of employees, licensed premise owners and managers should periodically review a sample of employee key documents to ensure required labour standards are being met. Key documents to be reviewed could include:

- 1. **Payslips** (i.e. to check that the number of hours match operator records, that all workers are being paid at least the NMW, that optional services are clearly indicated, and that correct taxes and national insurance contributions are being paid);

- 2) **Right to work checks**.

25.13 Additionally, licensed premise owners and managers are encouraged to speak with all workers directly, on occasion, to ascertain if any labour market infringements have been made.

25.14 Identification and Reporting

25.15 Staff at licensed premises can have the power to identify and report any exploitation they encounter, whether experienced by them, a colleague, a customer, or a client. A licence holder may ensure awareness of modern slavery by:

- ~~**Identifying any risks** at the premises and working with relevant business partners and suppliers (i.e. recruitment agencies) to mitigate such risk.~~
- ~~**Actively informing those working on the premises** of their rights and how they can confidentially seek help or advice on modern slavery if required.~~
- Providing **regular training** to all staff on the indicators of modern slavery and how to report concerns.
- Establishing **strong relationships with local police and victims service providers**, such as the national Modern Slavery and Exploitation Helpline (0800 0121 700), in advance of any incident.

25.16 Reporting Protocols

25.17 Having **clear and straightforward protocols** for when an incident is discovered is crucial to ensure that victims get appropriate support. Where employees identify a potential victim, they can follow a specific internal procedure in order to protect the safety of that individual.

25.18 The procedure should **1) not be overly complex, 2) should involve senior level staff and 3) should account for when reporting should go immediately to the police** (i.e. if certain indicators are met, if the potential victim is in immediate danger, if the potential victim is a child).

The Modern Slavery and Exploitation Helpline (0800 0121 700) can provide support to anyone who has a suspicion and would like some guidance on next steps, 24 hours a day.

Original Content:

25.0 Modern Slavery

25.1 Modern slavery is a crime. The UK Modern Slavery Act 2015 includes the following under the offence of modern slavery:

- Slavery, where ownership is exercised over a person.
- Servitude, where a person is obliged to provide services imposed by coercion.
- Forced or compulsory labour, which involves work extracted under the menace of penalty and for which the person has not offered himself voluntarily.
- Human trafficking, which involves the movement of people by means such as force, fraud, coercion or deception with the aim of exploiting them.

25.2 In the UK, estimates go as high as 136,000 when quantifying the number of hidden victims living in conditions of slavery. In the European hospitality sector, which includes bars and restaurants, a recent study found 110,000 victims of exploitation annually. Government agencies in the UK have specifically identified hospitality as a high-risk area for modern slavery.

Licensed premises might be unwitting hosts to modern slavery in two ways:

1.   Victims and their traffickers visiting the establishment. Sexual exploitation and forced criminality would be the most common forms identified in this way.

2.   Staff being recruited through unscrupulous means, leaving them trapped and/or indebted to a trafficker.

25.3 Identification and Reporting

25.4   Staff at licensed premises can have the power to identify and report any exploitation they encounter. A licence holder may ensure awareness of modern slavery by:

- **Identifying any risks** at the premises and working with relevant business partners and suppliers (i.e. recruitment agencies) to mitigate such risk.
- **Actively informing those working on the premises** of their rights and how they can confidentially seek help or advice on modern slavery if required.
- Provide **regular training** to all staff on the indicators of modern slavery and how to report concerns.
- Establishing **strong relationships with local police and victims service providers**, such as the national Modern Slavery Helpline (0800 0121 700), in advance of any incident.

25.5 Reporting Protocols

25.6   Having clear and straightforward protocols for when an incident is discovered is crucial to ensure that victims get appropriate support. Where employees identify a potential victim, they can follow a specific internal procedure in order to protect the safety of that individual.

25.7   The procedure should **1) not be overly complex, 2) should involve senior level staff and 3) should account for when reporting should go immediately to the police** (i.e. if certain indicators are met, if the potential victim is in immediate danger, if the potential victim is a child).

The Modern Slavery Helpline (0800 0121 700) can provide support to anyone who has a suspicion and would like some guidance on next steps, 24 hours a day.

Licensing Authority response:

Thank you for taking the time to look at the draft policy and respond to the consultation.

We have taken on board your suggestions regarding your suggested changes to section 25 relating to Modern Slavery. We have a amend the draft content to reflect all the changes and additions you suggested given that this is your particular area of expertise.

In your submissions you have asked whether two points can be added to the Pool of model conditions. For both of the points you raised there are already obligations on an employer under legislation which already exist. Licence conditions should not duplicate other legislation so I am afraid that these particular points cannot be added to the pool but it is hoped that the content of the Statement of Licensing Policy will bring these matters further to the

forefront of the minds of existing licence holders and those considering applying for licences.

Having gone back to look at what the Revised guidance issued under section 182 of the Licensing Act2003 says about licence conditions I not that it states:

Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises.

Adding conditions to the pool along these lines is something that we can discuss outside of the consultation on the Statement of Licensing Policy if you think that would be beneficial? I would be happy to arrange a meeting for us to discuss it or we could raise it at the Herts & Beds Licensing Group and look at it countywide.

Proposed amendments to draft policy:

Section 25 of the draft Statement of Licensing Policy (Modern Slavery) to be amended to refect all of the proposed changes contained within the consultation response.

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Hertford Town Council (03/06/2021):

Good afternoon,

Thank you for the giving the Town Council an opportunity to comment on this document.

The Councils Planning Sub Committee considered the draft Policy in 1 June 2021 and made the following comments:

It was noted that the policy **encourages** applicants to engage early with a variety of bodies and individuals. Committee felt this consultation should be mandatory and that **it be a requirement to consult early**, along with a minimum period of notice specified for bodies to consult.

Committee noted the roads included in Hertford Town Centre as a Sensitive Licensing Area. There was concern that it excludes the areas around public house on Folly Island; West Street, Castle Street and Port Vale and felt that these should be included. Furthermore late night alcohol licences have been issued to Sainsburys and Tescos Supermarkets which currently fall outside this area.

Kind regards

Civic Administration Manager

HERTFORD TOWN COUNCIL

The Castle, Hertford. SG14 1HR
Direct line: 01992 528062
Reception: 01992 552885
Hertford Town Council website: www.hertford.gov.uk
Hertford Castle website: http://hertfordcastle.co.uk
Hertford Town Centre Directory website: http://gohertford.co.uk

Licensing Authority Response:

We appreciate Hertford Town Council taking the time to respond to the consultation. We will try to address your points in order.

1. Mandatory consultation. The requirements concerning consultation and time scales have been set by central Government. As such we are unable

to place additional mandatory requirements on applicants above and beyond the statutory requirements.

2. With regards to the extent of the Hertford Town Centre, which is the area covered by the proposed Sensitive Licensing Area, we have reviewed your comments with regards to the four additional locations suggested. In considering the proposal to include these areas we have taken into account not just the physical distance from the centre of Hertford but also the types and number of licensed premises in these areas. As such we propose to add Castle Street and The Folly to what is considered to be Hertford Town centre under in the draft Statement of Licensing Policy.

3. Inclusion of Sainsbury's, Hartham Lane and Tesco, Ware Road. Again using similar criteria to point 2 above we would not consider these to be Town Centre locations.

Your suggestions will be put in front of the Members of the Licensing Committee along with this response, which in no way fetters their discretion to depart from the officer observations above. If you have any additional information to support your reasoning for the inclusion of the areas suggested within the definition of Hertford Town centre then please feel free to supply this to us for consideration.

Proposed amendments to draft policy:
That Castle Street and The Folly be added to the area considered Hertford Town Centre, and subsequently the Sensitive Licensing Area, contained within section 7 of the draft Statement of Licensing Policy.

Environmental Health consultation response (04/06/2021):

Good afternoon,

Please see Environmental Health's comments on Licensing's Statement of Licensing Policy below.

1. Great that paragraph 3.22 (page 11/12) talks about protecting the public from nuisance and minimising the regulatory burden. Hope that the latter part opens up more ways we can support each other.

2. With regards to paragraph 4.14 (page 15), should the policy encourage the use of SAG for these events?

3. Support paragraph 5.6 (page 17), though might want to expand on why they may ask them to consult (for example specialist noise advice).

4. Support and encouraged by the sensitive licensing areas, paragraph 7.6 (page 25).

5. Paragraph 7.16 (page 27) plans regarding nuisance prevention could be considered at this stage as one of the licensing objectives is 'preventing public nuisance'

6. Pleased to see paragraph 8.19 (page 33)

7. Typo on paragraph 8.37 (page 37), premises rather than premise

8. Interested in knowing more about why we haven't adopted the late night levy mentioned in section 17.18 (page 66)

Many thanks,

Licensing Authority response:

Thank you for consideration of the draft and taking the time to respond. For ease I will respond to each of your points in order:

1. In your first point I believe that you are referencing pint 3.22 not 3.11 (which is on page 9). We included the points at 3.22 as we thought it was important to layout the key aims and purposes for all stakeholders in licensing, hopefully meaning that everyone is trying to achieve the same thing.

2. We have added a footnote below point 4.14 which contains the web link to the SAG webpage and states: *Such small scale events may still benefit from contacting the East Herts Safety Advisory Group:*

3. Paragraph 5.6 references pre-application advice that is likely to be received from the Licensing Team. This team is not the expert in noise nuisance so we would be highly unlikely to advise contacting a specialist noise consultant. In such a case we would refer them to the appropriate responsible authority (Environmental Health) who would be able to discuss the potential issues and recommend the appropriate course of action to address them.

4. Thank you for your comment regarding the creation of a Sensitive Licensing area for Hertford.

5. We agree that plans regarding nuisance prevention can be considered at this stage or at any point throughout the application process. Consideration of the impact on the 4 licensing objectives will always be considered.

6. Thank you for your comment of support for this paragraph relating to risk assessments for outdoor and large scale events.

7. Thank you for this comment and we will amend this.

8. The assessment of whether or not to implement a Late Night Levy is very complicated, weighing up the benefit of imposing a levy against the negative impact that it can have. Whilst the Late Night Levy was seen by Government as a useful tool for Licensing Authorities only 11 have implemented one since the powers were conferred by The Police Reform and Social Responsibility Act 2011, the vast majority being in London Boroughs or large cities such as Liverpool or Nottingham. The possibility of introducing a Late Night Levy was last revisited in 2019 and I am happy to share this piece of work with you. More information about the levy can be found here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/98126/late-night-levy.pdf. If you wish to discuss it further then please contact me directly.

Proposed amendments to draft policy:
Add a foot note to paragraph 4.14 suggesting that organisers of events that fall under the deregulation might benefit from contacting the SAG.

<u>Police consultation response (06/06/2021):</u>

I am happy with the Policy, in particular it is good to see the Sensitive Licensing area for Hertford and the comments made in paragraphs 7.4, 7.5 and 7.9.

Points for consideration for amendments -

1. Under section 8 – Licensing Objectives, the use of ID scan type systems should be mentioned under the prevention of crime and disorder.

2. Under section 8 – Licensing Objectives, there is a growing trend by premises to offer 'bottomless brunches' – while food is part of the deal the customers are able to drink as much as they want within a set time normally 2 hours (during the afternoon), before being asked to leave as the table is booked for the next round of customers. As a result these have been seen to cause issues as people are getting drunk very early on, they leave the relevant premises and then cause issues trying to get into other premises. Can bottomless brunches be mentioned specifically in some capacity? I believe that because food is involved it doesn't come under the irresponsible drinks promotions?

3. Under 8.24 – restricting the times that outdoor spaces are used and when in use especially in the evenings restrict the numbers using them. Also management of queues – it currently states prevent queues which may not be achievable.

4. Under 8.31 – Protection of children from harm – can something be added in relation to the use of children under 18 years of age being used as glass collectors in certain premises.

5. Under 9.2 – the final paragraph states 'the licence is automatically granted as applied for, that is without any variation or condition' – should this not state 'the licence is automatically granted as applied for, without any variation and with conditions attached that are consistent with the information submitted on the operating schedule'?

6. Under 16.1 – Conditions agreed with other authorities after the submission of the application – where do these sit in relation to what is stated in 16.1?

7. Under 20.4 and 20.5 – I would advise removing 'taking place under the authority of a premise licence' and 'events which include special risk factors'. We have a number of large events (that do not have premise licences – such as Much Hadham Fete) and even smaller events, that should go through SAG. We do not want people to think that they do not need to use SAG unless they have a premise licence. Instead it should be stated that ' event organisers are encouraged to notify the SAG of events they are planning'.

8. Under 20.11 and 20.12 – whilst I agree that there are many events where multiple TEN's are appropriate there are also situations where they are not. Our view is that generally multiple bars at a community event would be fine while trying to licence for example a number of fields under TEN's for music would not be. This section reads as though it is acceptable to use multiple TEN's in this way. Can this be further clarified. Perhaps stating that multiple TEN's may be appropriate for events where the main purpose is something other than alcohol consumption and / or regulated entertainment ie Much Hadham Fete (large numbers attending but the entertainment and alcohol is additional to the main purpose of the event).

Other points to be added -

9. Licensable plans - state that licensable plans submitted with applications should be of a specified quality – ie to scale, clear, accurate and clearly define the licensable area

Also requirement / expectations to update plans when changes are made

10. Expectations in relation to the licence being sent out once granted

Please advise if any of the above is unclear,

Many thanks,

PS 2182
Community Safety Unit East Herts and Broxbourne
Hertford Police Station
Hale Road
Hertford
SG13 8FL

Thank you for the response to the draft policy, and your comments regarding the proposed 'Sensitive Licensing Area' for Hertford. I will respond to your points in order:

1. We have added the use of ID Scanning systems to the matters that will be taken into consideration when determining applications for licences or reviews.

2. We have added a section regarding the mandatory conditions, which includes irresponsible drinks promotions. We have included 'Bottomless Brunches' as a practical example (please see attached).

3. We have added the word manage to the bullet point about queues so that it reads: • *manage or prevent queuing (either by pedestrian or vehicular traffic);* and added another point which reads: • *restrict the number of patrons using outside areas in the evening and at night;*

4. We have added paragraphs regarding under 18's working in licensed premises and these are also attached.

5. We have amended the last bullet point to read: • *on the first day after the statutory consultation closed, the licence is automatically granted as applied for, that is, without any variation or additional conditions beyond those offered as part of the application*.

6. Conditions agreed during the consultation period, with a responsible authority or other party, become part of the application as applied for. We have added a footnote to 9.2 which reads: *Amendments made by the applicant during the consultation process become part of the application as 'applied for' and will be reflected in any licence which is automatically granted.*

7. A similar point has been raised by the response to the consultation received from Environmental Health. As a result point 4.14 was amended with a footnote which contains the web link to the SAG webpage and states: *Such small scale events may still benefit from contacting the East Herts Safety Advisory Group*. We have added the same footnote to 20.5 and do not propose to make any other amendments as the Statement of Licensing Policy details how we will deal with the discharge of our licensing functions rather than being a general event guide for those that do not require a permission to carry out events.

8. Whether multiple temporary events can be used for a particular event must be assessed on its own merits. Whilst it is not desirable for some types of events to operate in this way it is also not always unlawful to do so. As you are aware the Licensing Authority administers the TEN's regime so we cannot specific which types of events should or should not operate under TEN's. If a valid application is received for any type of event it would be for one of the consultees to make a valid objection or the TEN to be allowed to go ahead and then action taken retrospectively for any breaches if they occur.

9. The details of what should be included on plans the scale are covered by the regulation. The Licensing Authority checks the validity of applications including the submitted plans and as such a responsible authority will be notified whether an application is valid or not, any it can only be valid if the plans meet the regulations. If you are notified that an application is valid but you believe that the plans do not meet the requirements of the regulations then please let us know. If on the other hand the plans provided so not show the information you need to make an assessment of whether or not an application will undermine the licensing objectives then please contact the applicant. If they do not subsequently provide plans that mitigate your concerns then it is open to you, as a responsible authority, to make representations against that application. Guidance regarding plans is on the East Herts webpages so we do not propose to include any reference in the Statement of Licensing Policy.

10. Applicants are notified when their applications are granted and are allowed to operate under that licence before receiving the hardcopy from the Licensing Authority. The expectation is that all licences granted to date will be issued by 31st July 2021 and that going forward hardcopies of licences will be issued within a maximum of 2 weeks from grant.

Regards

Proposed amendments to draft policy:
Paragraph 8.9 addition of: • the use or not of an ID scanning type system;

Additional paragraphs dealing with mandatory licence conditions and irresponsible drinks promotions (16.8-16.15).

Paragraph 8.24, added 'manage or' to bullet point 3.

Additional paragraphs dealing with under 18's working in licensed premises (8.40-8.44).

Paragraph 9.2 wording of bullet point 5 amended to read: • on the first day after the statutory consultation closed, the licence is automatically granted as applied for, that is, without any variation or additional conditions beyond those offered as part of the application.

A footnote added to above bullet point that reads: Amendments made by the applicant during the consultation process become part of the application as 'applied for' and will be reflected in any licence which is **automatically** granted.

A footnote added to paragraph 20.5 which reads: Such small scale events may still benefit from contacting the East Herts Safety Advisory Group: https://www.eastherts.gov.uk/community-wellbeing/community-events

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East Hertfordshire District Council

Draft Statement of Licensing Policy 2021-2026

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1.0 <u>Foreword</u>

This Policy supports East Herts Council's Vision and Corporate Priorities.

East Herts: A place to grow

Our vision is supported by four priorities

- Sustainability at the heart of everything we do
- Enabling our communities
- Encouraging economic growth
- Digital by design

Our vision for licensing is to support responsible premises and to encourage the development of a diverse and varied licensed and late night offering across the District.

We recognise the many positive impacts that licensed premises provide, especially our Public Houses which can play a positive role in improving the quality of people's lives and preserving all that is best in East Herts.

East Herts is a very low crime and disorder area, frequently featuring in the '*Halifax Quality of Life Survey*' as one of the best rural places to live in the whole of the UK. However this is no reason to be complacent and East Herts is surrounded by areas which regularly suffer much higher crime levels. This Policy takes a safeguarding approach to prevent crime and disorder escalating.

We want our licensed establishments to contribute to the District remaining a safe and low crime area to live, work and visit. We are committed to ensuring that the district and in particular the town centres and areas of entertainment remain safe, vibrant, diverse and family-friendly.

East Herts enjoys a widespread and diverse selection of licensed premises and venues. More than 500 premises are currently licensed for either the sale or supply of alcohol; the provision of regulated entertainment; and / or the provision of late night refreshment. These range from off-licences, shops and supermarkets; restaurants, cafes and take-away establishments; to pubs, bars, members clubs, night clubs, theatres, cinemas and indoor sports facilities. Together they combine to provide a wide-range of leisure and cultural opportunities; support tourism; provide employment; and make a significant economic contribution to the local community.

As long as premises management strive to act responsibly; run safe, well managed venues and facilities; and work together with the local community, they can make a positive contribution toward building community cohesion and cultural development.

Of course, negative impacts can also occur if good management practices are not followed. Potential negative impacts may arise in the form of noise, nuisance, disturbance and crime and disorder problems. We recognise that the misuse of alcohol does negatively impact upon both public health and well-being. Whilst outside of the scope of this Policy we recognise the impact upon the public purse through the demands made upon hospital emergency departments; additional Policing; additional street cleaning; and the criminal justice system. Examples of other local costs include Night Time Economy enforcement patrols, Taxi marshals in Hertford Town Centre and the Street Pastors.

Our policy, therefore, seeks to provide a necessary balance between providing a platform upon which responsible business operators may contribute towards a thriving business and late night economy while ensuring that the quality of life of those who live and work in the District is protected and enhanced through the licensing system.

To help ensure that the balance is achieved, and that the safety of residents, workers, visitors and service users is maintained, this policy goes some way to address public health and well-being in more detail than previous ones. It also introduces the concept of Sensitive Licensing Areas (SLA) where the impact of licensed premises on a particular area is causing concern and where steps may need to be taken to redress the balance.

We believe these aims are achievable if all parties concerned work together.

Cllr Peter Boylan

Executive Member for Neighbourhoods

2.0 <u>About East Herts</u>

East Herts is the largest of the 10 districts in Hertfordshire. It covers about 480 square miles, around a third of the Hertfordshire, and offers a blend of rural and town living. The benefits of this mixture are greatly appreciated by the 149,748 people who live in the district.

The District has Broxbourne to the south, Welwyn and Hatfield and Stevenage to the west and North Hertfordshire as its northern boundary. To the east, the district borders on the county of Essex.

The majority of the people who live in the district live in one of the five towns. Bishop's Stortford has the largest population at 43,870, followed by Hertford (33,006), Ware (20,092), Sawbridgeworth (9,071) and Buntingford (7,020)[1].

Although the district is mainly comprised of farmland, five busy market towns (Bishop's Stortford, Buntingford, Hertford, Sawbridgeworth and Ware) and more than 100 villages and hamlets are scattered across the area.

East Herts is regarded as an attractive rural location for those moving out from (and commuting into) London because of its excellent transport links.

The people of East Herts are predominantly employed and enjoy higher than average earnings of £714.70 gross weekly pay for full-time workers compared to £587.10 for the whole of the country[2]. Unemployment is very low (2.4%[3]).

House prices are among the highest in the country; in 2014 for the period April to June the average property price was £513983 while the average salary in 2020 was £32,240 compared to £31,165 in Hertfordshire.

The 2011 Census showed a fifth of people are under 16 and a fifth of people are over 60. The average age in the district is 39.5.

Over 89% of people were born in England, 3% were born in other countries in the European Union and 4% in other countries.

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[1]
https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/wardlevelmidyearpopulationestimatesexperimental

[2] https://www.nomisweb.co.uk/reports/lmp/la/1946157224/report.aspx#tabempunemp

[3] https://www.nomisweb.co.uk/reports/lmp/la/1946157224/report.aspx#tabempunemp

East Herts has a low ethnic minority population of just 4.5%. The largest ethnic minority group is Asian/Asian British at 1.9% with Indian being the highest within that group. The second largest minority group is mixed/multiple ethnic groups at 1.6%.

Over a third of people are educated to NVQ level 4 or higher e.g. Bachelor's degree (45.7%, 41,900). However, under a fifth of the population have no qualifications (17.2%, 18,959).

The percentage change between recorded crimes for headline offences in East Herts has fallen by 15% for years ending September 2019 and September 2020.

Whilst the people of East Herts generally enjoy very good health the Public Health Service Herts warn us that:

- Hospital stays for alcohol related harm affects 1882 people per 100,000 of our population.
- Alcohol specific hospital stays for our under 18 year olds is 15.2 per 100,000 of our population.
- Male deaths from chronic liver disease was the highest in Hertfordshire by count at 26 and the fourth highest per 100,000 at 12.7 (Source LAPE all ages)

3.0 **About this document**

3.1   This document is East Herts Council's statement of licensing policy in respect of the regulation of alcohol supplies, regulated entertainment and late night refreshment, and publication of it fulfils the authority's statutory obligation under section 5 of the Licensing Act 2003 ("the Act"). It sets out the policies and principles that we will follow when exercising our powers under that Act, particularly in respect of considering applications in respect of licences and other authorisations. It also gives details of our expectations of applicants and licence-holders. This statement must be published on at least one occasion in each five-year period. The statement must also be kept under review during its validity period, and revised if required, with any revisions published prior to taking effect.

3.2   This Statement of Licensing Policy was adopted by the Council on the xx xxxx 2021, and was published via our website, at https://www.eastherts.gov.uk. The statement will have effect from **XXXX 2021** to **XXXX 2026**.

3.3   This revised Policy has been reviewed and updated to reflect the authority's experiences in exercising its powers that have taken place in the intervening period.

3.4   We are required to exercise our licensing functions under the Act with a view to promoting the licensing objectives, which are:

- **the prevention of crime and disorder,**
- **public safety,**
- **the prevention of public nuisance, and**
- **the protection of children from harm.**

3.5   Each objective has equal importance, and they are explained in greater detail in later chapters.

3.6   We must also have regard to our published Statement of Licensing Policy, and to the Guidance for licensing authorities published by the Secretary of State under section 182 of the Act.

3.7   The purpose of this statement is to provide guidance to committees and officers determining matters under delegated authority, to provide consistency to our decision-making. However, where the circumstances justify doing so, we may depart from any provision of this statement, or of the Government's Guidance, to make an appropriate decision based upon the individual circumstances of a particular case. In any such case we will give a clear explanation and reasons as to why we have done so.

3.8   This policy statement reflects the wide range of competing, and sometimes conflicting, considerations which we must take into account when exercising our powers, and aims to balance these insofar as is possible.

3.9   Our vision

3.10   Licensing authorities are encouraged to include a vision statement within their licensing policies, summarising the strategic aims and intentions that will guide the exercise of their licensing powers. East Herts vision statement, which supports the Corporate Vision and Priorities, is:

"To regulate the operation of a diverse range of safe, well-managed and enjoyable licensed leisure and retail outlets throughout the District, offering a variety of entertainment, cultural and community activities while also ensuring the promotion of the licensing objectives".

3.11   The inclusion of such a statement in no way fetters the authority's discretion to determine cases on their individual merits, but rather seeks to guide applicants as to the authority's expectations of licensed premises.

3.12 Who is affected by this Policy?

3.13   This document applies to all places selling or providing
- Alcohol
- Regulated Entertainment
- Late Night Refreshment

Including:
- Pubs and night-clubs,
- Off-licences,
- Restaurants serving alcohol,
- Restaurants and take-aways open between 11.00pm and 5.00am, serving hot food and drink
- Hotels, guest houses
- Private member's clubs and social clubs
- Theatre and amateur dramatic groups,
- Cinema operators,
- Organisers of Temporary Events,
- Festivals and other outdoor events
- Some community events and village halls.

It is also recognised that how the Policy is applied can have an effect on:
- The lives of East Herts Residents
- Visitors to East Herts
- Businesses not directly involved with the licensed trade
- The local economy and prosperity of East Herts

3.14 Consideration of this Policy

3.15   Each application must and will be considered on its individual merits and must be granted in the absence of any relevant representations; where representations are made regard, as required by law, will be had to our Statement of Licensing Policy. It will be expected that applicants are able to demonstrate that they have read, considered and responded, where relevant, to this Statement of Licensing Policy in their applications. Equally responsible authorities and other persons will also be expected to have read, considered and, where relevant, address this Statement of Licensing Policy in their representations.

3.16   The Council hopes that this Policy will help ensure that local people and visitors are able to enjoy their leisure time safely without fear of violence, intimidation or disorder while on, arriving at or leaving licensed premises.

3.17   Protecting local residents and avoiding nuisance from disturbance and anti-social behaviour caused by the conduct of inconsiderate people visiting places of entertainment, is central to our Licensing Policy. This focus aims to address concerns about the impact of trading hours on behaviour and disturbance at night.

3.18   The Council has to balance protecting the amenity of its local population with the expectations of commercial occupiers to have an environment that is attractive and sustainable for their business.

3.19   An effective Licensing Policy, with other initiatives, can help promote improvements (increasing the leisure industry provision for the community and encouraging regeneration of town centres), as well as reducing the negative impacts (noise, nuisance, anti-social behaviour and crime and disorder).

3.20   Our aim is to have a lighter touch for the majority of businesses and community activities, which enhance peoples' lives by providing worthwhile opportunities for the enjoyment of leisure time without having a negative impact. Premises which cause problems within our communities, allow disorder, threaten public safety, cause public nuisance, or threaten the wellbeing of children, will be targeted for enforcement action.

3.21   This Policy is designed to build upon the work presently carried out by the Council to maintain a dynamic, innovative and attractive place to live, work and relax. The Council has a number of strategies in place that contain the visions, aims and objectives to promote, improve and protect the area. This Licensing Policy has been prepared to promote the four licensing objectives, and the Council has had regard to the local strategies which have been developed for the District, its residents, businesses, workers and visitors. The Council is working to secure the proper integration with local crime prevention, planning, transport, tourism, cultural strategies, race equality schemes and disability and gender discrimination strategies, by ensuring the Licensing Policy is consistent with the aims and objectives of these strategies.

3.22   The Council also recognises that the legislation supports a number of other key aims and purposes and that these too are vitally important and should be principal aims for everyone involved in licensing work.

They include:

- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;

- Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;

- Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;

- Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and

- Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may affect them.

4.0 **The Licensing Act 2003**

4.1   The Act has been in operation since 24 November 2005, and is administered by local authorities. The central purpose of the Licensing Act is to promote the four licensing objectives, and the Licensing Authority will use its powers working with the Police and other agencies to achieve this.

4.2   The Act aims to provide the entertainment/leisure industry with freedom and flexibility over provision of licensable activities and opening hours.

4.3   The Act specifies a set of licensable activities, which may only be provided under an authorisation issued by the relevant local Licensing Authority (East Herts Council for all premises within the District of East Herts). The licensable activities, which are covered in greater detail within this section, include supplying alcohol, providing regulated entertainment, and providing late night refreshment.

4.4   The types of authorisation which Licensing Authorities may issue to permit licensable activities include premises licences, club premises certificates, temporary event notices, and personal licences.

4.5   In exercising its licensing functions under the Act, the Licensing Authority shall:
- aim to promote the licensing objectives,
- have regard to this statement of licensing policy, and
- have regard to the Government's Guidance.

4.6   The Licensing Authority may not reject an application nor revoke a licence in response to representations concerning general moral or ethical objections to the carrying on of licensable activities, unless a direct link to one or more of the licensing objectives can be established. In particular, the supply of alcohol is expressly permitted under UK legislation, and the Licensing Authority has a duty to act fairly and in accordance with the legislation.

4.7   Every matter considered by the Council, in its role as a Licensing Authority, will be considered on its own merits and in accordance with the statutory

requirements of the Act. Nothing in this Statement of Licensing Policy shall:

a) prevent any person from making an application for authorisation or giving a notice under the Act;

b) prevent any person from making representation in respect of an application of a type where the Act provides for them to do so;

c) prevent any person from making an application for the review of a premises licence; or

d) restrict or fetter the Council's discretion to consider and determine applications, or to initiate legal proceedings or other enforcement action, based upon the individual circumstances and merits of a particular case.

4.8   Typically, the Licensing Authority's discretion over whether to refuse applications, to issue counter-notices or to impose additional licence conditions is only engaged if relevant representations or objection notices have been given to the authority within a prescribed period. For many of the application processes under the Act (with a small number of key exceptions), if no relevant representations or objection notices are received within the prescribed period, the Licensing Authority will be obliged to grant the application, subject only to any statutory conditions and conditions consistent with measures proposed by the applicant in their operating schedule.

4.9   The Licensing Authority has a general duty under the Crime and Disorder Act 1998 *'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area'.*

4.10   East Herts Council is a signatory of the Hertfordshire Local Enterprise Partnership's '*Better Business For All*' initiative and we will follow the provisions of the charter[4] when we exercise our regulatory powers in respect of licensable activities.

4.11 Licensable activities

4.12   The Act regulates a set of broad 'licensable activities' relating to the leisure and retail industries, as follows:

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[4] https://www.hertfordshirelep.com/media/5202/069520-bbfa-charter_2.pdf

- Supplies of alcohol, including:
  - ➢ Sale by retail of alcohol,
  - ➢ Supply of alcohol by or on behalf of a club to, or to the order of, a member of the club,

- The provision of regulated entertainment, comprising:
  - ➢ Performances of plays,
  - ➢ Exhibitions of films,
  - ➢ Indoor sporting events,
  - ➢ Boxing and wrestling entertainments,
  - ➢ Performances of live music,
  - ➢ Playing of recorded music,
  - ➢ Performances of dance,
  - ➢ Entertainment which is similar to music or dance,

- The provision of late night refreshment.

4.13 To be considered licensable, entertainment must be provided in the presence of an audience (which may consist of a single person), and either be open to the public or a section thereof, or provided for a consideration (e.g. admission fee, tickets) and with a view to profit. The definitions of these activities were left deliberately wide so as to account for future developments in the industries carrying on those activities – for example in recent years there has been an increase in the number of 'silent discos', which are considered to be regulated entertainment as they consist of recorded music, but which may not have been captured under a narrower definition.

4.14 The Government has pursued a deregulatory agenda in respect of entertainment licensing for community events and lower-impact entertainments by introducing new exemptions. As a result, many smaller-scale entertainments now fall outside of licensing requirements[5]. Where this is the case, it should be noted that we may be unable to use our licensing powers to regulate these events, although other regulatory schemes may be utilised to remedy any issues that arise. Schedule 1 to the Act details the exemptions that apply to entertainment licensing requirements.

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[5] Such small scale events may still benefit from contacting the East Herts Safety Advisory Group: https://www.eastherts.gov.uk/community-wellbeing/community-events

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4.15 Late night refreshment is defined as the sale of hot food or hot drinks, between the hours of 11 p.m. and 5 a.m. Exemptions applying to late night refreshment are set out in schedule 2 to the Act.

4.16 Although the Act has fairly wide application, it does not control every activity which may be carried out in licensed premises, and some premises which are authorised under this Act may also need separate licences and authorisations for other activities carried on at those premises. Where the Licensing Authority is responsible for issuing such authorisations (for example, for gaming machines or prize gaming in licensed premises), we have published separate licensing policies to give details of how applications for those alternate licence types will be considered.

5.0 <u>Pre-application advice and engagement</u>

5.1 The Council's Licensing team are available to assist with what is known as pre-application advice. This is predominantly meant for smaller businesses and individuals who may not be familiar with the licensing process.

5.2 As applications for licences can be quite complex, and have a wide variety of requirements, it may be beneficial to applicants to seek advice prior to completing and submitting an application. One example that highlights the importance of getting the process right is the requirement to use a newspaper notice to alert people to your application. Getting the advert details or timing wrong could lead to the application being invalid, and the applicant losing the money spent on that notice; obtaining advice from the Council is a good way to avoid this sort of mistake, which is not unusual and easily made.

5.3 As well as ensuring the requirements are followed, the Licensing team can assist you in drafting a valid application, which ensures that you are applying for the full extent of the activities that you are likely to require for your business, whilst avoiding inadvertently including or omitting information that increases the likelihood of objections being received.

5.4 Objections to applications can lead to delays in licences being granted, and can cost time away from your business in order to resolves any issues

arising, so it is best that applicants do all that they can to ensure that any unnecessary objections are avoided.

5.5   We may limit the amount of time we spend on pre-application advice particularly for large organisation or those planning large events who should seek independent paid for advice.

5.6   As part of the advice we may recommend that an applicant contacts some or all of the responsible authorities, the Safety Advisory Group (SAG) or other appropriate individuals or organisations.

5.7   Engagement is an important element of the licensing process. Applicants are expected to have considered the location and community it is proposing to operate in. An understanding of the concerns to be addressed can be obtained by early engagement with a variety of bodies and individuals including:

- Responsible authorities
- Ward councillors
- Town councils
- Parish councils
- Residents Associations
- Businesses and residents in the vicinity of the proposed premises.

5.8   Experience shows that early engagement allows concerns to be addressed in the most timely and cost effective way for all parties. Where concerns cannot be addressed before an application is made resulting in representations the expectation is that the dialogue between the parties continues to try and find common ground.

5.9   If a Licensing Sub-Committee has been scheduled the parties have up until 24 hours before the hearing starts to reach agreement and dispense with the hearing. Where necessary the Licensing Authority can facilitate these discussions.

6.0   **Licensing Hours**

6.1 The Licensing Authority recognises the principle of flexibility and the potential benefits of avoiding concentrations of customers leaving premises simultaneously.

6.2 Premises definitions

6.3 The Licensing Authority has recognised that the lines between different types of venues have become blurred since this Policy was last published. As such we have widened the definitions to try to accommodate this change in culture.

6.4 For the purposes of the Policy we define licensed premises as set out below. Upon receiving an application the Licensing Authority will generally place the premises in the most appropriate category shown in the table below.

6.5 Where an application does not clearly fit within a single definition then the Licensing Authority may consider the different elements of the application under separate definitions.

6.6 As an example a restaurant style venue during the day may change into a more night-club style venue in the evening meaning the licensable activities for each part may be considered separately and differing hours applied. Premises with on sales and off sales could be granted different terminal hours for each type of sale if the evidence provided made that decision appropriate and proportionate.

6.7 The category or categories may be referred to at any subsequent Licensing Sub-Committee and applicants will be able to make submissions regarding this point.

Premises	Use
Restaurant	The sale of food and drink for consumption on the premises with full waiter service and/or full food menu throughout the trading period, and which typically has only incidental background music. Alcohol sales do not predominant over activities.
Public house, wine bar, Café-bar or other drinking establishment	Primarily for the sale of alcohol for consumption on the premises, this may or may not include the provision of food or light snacks.

Premises	Use
Café	The sale of food and or light refreshments generally during the daytime but could include opening hours extended into the evening, where alcohol sales are not a predominant feature of the premises.
Hotel bar	The sale of alcohol and/or food, either to hotel residents or to non-residents. Private functions and events maybe a feature.
Night-club (including SEV)	Primarily for the sale of alcohol and provisions of recorded or amplified music with facilities for dancing and opening times past 2300 hours. May include the provision of late night refreshments.
Off-licence	Premises with off sales of alcohol only, for consumption away from the premises.
Alcohol delivery service	Premises used solely for the delivery of alcohol by off sales where customers do not attend the premises.
Qualifying club	Qualify for a club premises certificate under the Licensing Act 2003.
Take-away (Food)	The provision of late night refreshment (hot food and drink) between 11 pm and 5 am, not to be eaten on the premises.
Moveable vessel and structure	Trailers, vehicles and vessels or other moveable structures used in outdoor locations whether public or private.
Festival	An organised event, typically lasting more than one day, featuring all or a combination of licensable activities including performances of live and recorded music. Can involve the audience staying on site.
Other outdoor event	Events that are held outside, with or without the use of temporary or permanent structures, on public or private land and operate on a regular or one off basis. This covers events such as carnivals, fetes, markets. They can include all licensable activities.
Other entertainment venue	Entertainment, whether licensable or not, is the main focus of the premises. The sale of alcohol and provision of late night refreshment (hot food and drink) is either absent or only ancillary to other the other activities.

6.8 Location and operation of premises

6.9   The table below sets out our approach to licensing premises when we have received relevant representations to an application, notwithstanding that each application will be considered on its merits:

Premises type	Location	Timings
Restaurants	Town Centre	Will generally be granted licensable activities no later than **01:00** only.
Restaurants	Other Area	Will generally be granted licensable activities no later than **midnight** only.
Public house, wine bar, Café-bar or other drinking establishment	Town Centre	Will generally be granted alcohol sales for consumption on the premises no later than **midnight** and no later than **22:30** on Sunday.
Public house, wine bar, Café-bar or other drinking establishment	Other Area	Will generally be granted alcohol sales for consumption on the premises no later than **23:00** hours and no later than **22:30** on Sunday.
Cafe	Town Centre	Will generally be granted alcohol sales no later than **21:00**.
Cafe	Other Area	Will generally be granted alcohol sales no later than 20:00.
Hotel bars	Any	Will generally be granted the sale of alcohol only to residents **24 hours**. In relation to private events and events open to non-residents licensable activities will generally be granted no later than **00:30**.
Night-club (including SEV)	Town Centre	Will generally be granted licensable activities no later than **01:00** on Monday to Saturday and until **22:30** on Sunday.
Night-club (including SEV)	Other Area	Will generally be granted licensable activities no later than **midnight** on Monday to Saturday and until **22:30** on Sunday.
Off-licences	Town Centre	Will generally be granted alcohol sales no later than **midnight**.
Off-licences	Other Area	Will generally be granted alcohol sales no later than **23:00**.
Alcohol delivery service	Any	Will generally be granted alcohol off sales no later than **midnight**.
Qualifying clubs	Town Centre	Will generally be granted licensable

Premises type	Location	Timings
		activities no later than **00:30**.
Qualifying clubs	Other Area	Will generally be allowed late-night refreshment sales to **midnight** only.
Take-away (food)	Town Centre	Will generally be granted licensable activities no later than **01:00**.
Take-away (food)	Other Area	Will generally be granted licensable activities no later than **midnight**.
Moveable vessel and structure	Any	Will generally be granted alcohol sales no later than **23:00** Monday to Saturday and **22:30** on Sunday, except for use during private events
Festival	Any	Will generally be allowed licensable activity until **01:00** on Friday and Saturday. On Sunday to Thursday **23:00**, unless the following day is a Bank Holiday or recognised National Holiday.
Other outdoor event	Any	Due to events being so varied times will be considered based on the type of event, activities requested, hours requested and the location.
Other entertainment venues not listed	Town Centre	Will generally be granted licensable activity no later than **midnight** and no later than **22:30** on Sunday.
Other entertainment venues not listed	Other Area	Will generally be granted licensable activity no later than **23:00** hours and no later than **22:30** on Sunday.

6.10   The hours detailed above will not be automatically applied where representations are received and a Licensing Sub-Committee decides the application. Each application will be considered on its own merits and the most appropriate way to mitigate concerns will be taken.

6.11   Where we have to consider an application that involves alcohol sold for consumption on the premises, our policy will be to generally grant the licence with 30 minutes between the end of any sales of alcohol and the closing time of the premises (which we refer to as the "terminal hour").

6.12   We recognise that flexible licensing hours for alcohol sales can help to reduce concentrations of customers from leaving premises simultaneously, and to reduce conflict at late-night take-aways and taxi

ranks. At the same time, we recognise that taxis/private hire vehicles are effectively the only form of post-midnight transport in the District.

6.13   We are adopting this approach with the Government's recommendations at paragraph 14.51 of the statutory guidance in mind[6]. This states that the Government acknowledges different licensing approaches may be appropriate for promoting the licensing objectives in different areas, and Licensing Authorities, in consultation with others, are best placed to make those decisions subject to the over-riding principle that opening hours must be not pre-determined without giving individual consideration to the merits of each application.

6.14   This justifies a more restrictive approach in residential areas when relevant representations have been made.

7.0   **Town Centres**

7.1   Our vision is to create a diverse, safe and family-friendly environment within the District, particularly within the Town Centres. The nature of our Town Centres and the types of people attracted to the offering varies depending on the time of day. We want there to be something for everyone and not a predominance of one type of licensed premises only appealing to one demographic. Whilst we recognise that each application must be considered on its individual merits and must be granted in the absence of any relevant representations, policies will be implemented to achieve our overall aims.

7.2   For the purpose of this Policy Town Centres are described below and maps showing the areas are Appendix 5:

   7.2.1   **Hertford** (Sensitive Licensing Area)[7]
            The area bounded by and including Bircherley Green, Bull Plain, The Folly, Fore Street, South Street, Maidenhead Street, Market Street, Railway Street, Old Cross, Parliament Square, Castle Street, Salisbury Square, Market Place, Mill Bridge, Old Cross, St Andrew Street and The Wash.

   7.2.2   **Bishop's Stortford**

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[6] All references to the Revised Guidance issued under section 182 of the Licensing Act 2003 refer to the April 2018 revision.
[7] See paragraph 7.6 for further details.

The area bounded by and including North Street, Potter Street, Church Street, South Street, Water Lane, Bridge Street, High Street, Riverside, Adderley Road, Station Road and Anchor Street.

7.2.3 **<u>Ware</u>**

The area bounded by and including Baldock Street, High Street, Star Street, Viaduct Road and Amwell End.

7.2.4 **<u>Sawbridgeworth</u>**

The area bounded by and including Bell Street, Knight Street and London Road.

7.2.5 **<u>Buntingford</u>**

The area bounded by and including High Street and Church Street.

7.3 Our starting point is to seek a reduction in crime and disorder, consistent with our statutory duty under the Licensing Act and under section 17 of the Crime and Disorder Act 1998 (as amended), and an improvement in local amenity through the reduction in alcohol-related anti-social behaviour.

7.4 Evidence suggests that violent crime and anti-social behaviour increases with every hour that licensed premises are open. Therefore, in the absence of improvements from other measures, opening hours of premises may need to be restricted to reduce the rise in violent crime and anti-social behaviour.

7.5 We want to encourage more restaurants, cafes, food establishments and venues offering a wide variety of daytime and early evening entertainment and would positively encourage applications for those types of premises whilst discouraging alcohol-led premises. Whether there is a need or not for further premises of a particular type, in accordance with the Secretary of State's guidance at paragraph 14.19, will not be a consideration.

7.6 Sensitive Licensing Area

7.7 Although East Herts is a largely rural District the Town Centres have concentrations of licensed premises and some have the associated issues. In particular over recent years there have been concerns raised by a number of parties regarding the concentrations of particular types of

premises within Hertford Town Centre, their impact on the licensing objectives and the perceived ongoing increase in licensed hours.

7.8   As a result the Licensing Authority has identified Hertford Town Centre (as detailed above) as a *Sensitive Licensing Area*. The Licensing Authority is particularly likely to make representations itself for applications in this area suggesting additional conditions to reduce any impact on the licensing objectives to address concerns about:
- alcohol (both on and off sales) and/or late-night refreshment being available at times later than other premises in that area (undermining the Prevention of Crime & Disorder objective); and
- litter, noise and other nuisances from a concentration of late-night take-aways (undermining the Prevention of Public Nuisance objective).

7.9   Our approach in the Sensitive Licensing Area will be:

1. Where an application for alcohol sales or late-night refreshment has been received, the Licensing Authority will consider making representations and will seek to strictly apply this Policy in relation to those premises.

2. Where additional representations have been made by other parties, our strict starting point in these areas will be to consider whether conditions will be appropriate to address those concerns or whether a refusal is justified on the basis that the licensing objectives would be undermined.

7.10 Justification for creating the Sensitive Licensing Area

7.11   The Sensitive Licensing Area is a mix of commercial and residential properties in a densely built-up area. The concentration of licensed premises in the area has caused considerable concern in terms of the issues detailed above leading to licence reviews and significant levels of representations against licence applications in this area. Levels of recorded crime, disorder, anti-social behaviour and nuisance are higher than in other parts of the District.

7.12   It is hoped that this will be a useful tool in helping to manage alcohol related anti-social behaviour and highlights the issues in this part of the District to both existing licence holders and those that may wish to open new premises there.

7.13 General approach

7.14 Where relevant representations have been received, we will consider granting the application limited to the hours of operation set out in this Policy unless an applicant can demonstrate why an exception should be made.

7.15 Exceptions will not be made solely on the grounds that:

(1) the building design is of a high standard; we would expect all applicants will want to ensure the highest design standards possible;
(2) the applicant is of good character. It is a legal requirement that premises selling alcohol must be under the management of a designated premises supervisor, who must themselves hold a personal licence to sell alcohol;
(3) the premises are small. Even small premises can contribute to crime, disorder and anti-social behaviour.
(4) another premises licence has been granted with the same hours and activities requested.
(5) due to the premises appealing to a niche market they will not contribute to crime, disorder and anti-social behaviour.
(6) the proceeds from the premises/event will be given to a charity or good cause.

7.16 Where relevant representations have been received we will take into account the following factors to fulfil our vision:
(1) Does the application contribute to the development of a diverse offering with our Town Centres
(2) Does the application contribute to a real reduction in the capacity for alcohol sales in that premises (for example by replacing a vertical drinking establishment with seated consumption and waiter/waitress service)
(3) Does the application include entertainment that's provided during the early evening rather than being focussed solely on the consumption of alcohol
(4) Are there links with other activities in the town, to encourage day-time users to stay in the evening;
(5) Is the sale of alcohol only being made to customers purchasing a substantial meal;
(6) Has any transport/dispersal provision been made, particularly during periods when public transport is unavailable;

(7) Style and type of venue. A diverse Town centre is characterised by a range of activities and offers that would appeal to people of all ages and backgrounds. This may (but need not) be characterised by:

- a range of alcoholic and soft drinks suitable for all ages;
- a food menu catering for different tastes and needs, available throughout the duration of the premises' operating times;
- facilities suitable for assisting customers with young children, such as high-chairs and baby-changing facilities, and facilities for family groups such as suitably laid-out seating/table areas;
- a range of activities or entertainment that appeals to a range of age groups, whether provided at the same time or at separate times.

(8) involvement in local community events and organisations.

(9) commitment to involvement in Community Safety Partnership (CSP) initiatives.

(10) use of street pavement licences for outdoor table areas.

7.17 Where an applicant wishes an exception to be considered it is their responsibility to provide evidence to support this.

8.0 **Licensing objectives**

8.1 The Licensing Authority must carry out its functions with a view to promoting the four licensing objectives, each of which has equal importance:

- **the prevention of crime and disorder,**
- **public safety,**
- **the prevention of public nuisance, and**
- **the protection of children from harm.**

8.2 It is recognised that the licensing function is only one means of securing the delivery of the above objectives and should not therefore be seen as a means for solving all local problems. The Licensing Authority will therefore continue to work in partnership with all stakeholders and partners towards the promotion of the licensing objectives.

8.3   The Licensing Authority expects applicants to address the licensing objectives within their operating schedules, having regard to the nature of the premises, the licensable activities to be provided, operational procedures, and the nature of the location and the needs of local communities. The operating schedule should contain sufficient information to enable the Licensing Authority, responsible authorities and other persons who may be affected by the operation of the licensed premises to assess whether the steps which will be taken to promote the licensing objectives are sufficient to mitigate any potential adverse impact.

8.4   The Licensing Authority is committed to empowering local community action, and meeting the needs of its communities through close partnership working with others. The Licensing Authority recognises that licensed entertainment can provide a valuable contribution towards the economy of the District, and seeks to balance the needs of the local businesses and licence holders, whilst protecting those of local residents.

8.5   Further policy considerations in respect of each of the objectives are set out below.

8.6   Prevention of Crime and disorder

8.7   The Authority will endeavour to reduce crime and disorder throughout the District, in accordance with its statutory duty under section 17 of the Crime and Disorder Act 1998.

8.8   The Authority will expect applicants to take appropriate and proportionate measures to promote the crime and disorder objective. Examples of the sources of crime and disorder which the Authority would require applicants to take into consideration may include, but are not limited to:

- Underage drinking
- Drunkenness on the premises
- Public drunkenness
- Drugs
- Violent behaviour
- Overcrowding/occupancy capacity
- Anti-social behaviour

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8.9   When determining licence applications and reviews the Licensing Authority will give consideration to:

- whether the premises make or will make a significant contribution to levels of crime and disorder in the local area, and
- whether the operating schedule demonstrates that an adequate risk assessment of the likelihood of crime and disorder occurring as the result of the issue of an authorisation has been carried out by the applicant.
- the ability and competency of the person in charge of the premises to monitor the premises at all times it is open;
- the training given to staff in how to defuse or manage conflict amongst patrons and crime prevention measures appropriate to those premises;
- the physical security features installed in the premises. This may include matters such as the position of cash registers, and the security of cash boxes in gaming machines on the premises; where alcohol is stored in 'off-licences'; the standard of CCTV that is installed; adequate lighting; metal detection and search facilities; the use of toughened drinking glasses in pubs and clubs; the removal of glasses or glass bottles used or discarded outside of the applicants premises;
- risk assessment of drinks promotions which may contribute to the impact on crime and disorder (e.g. 'happy hours'), and plans for minimising risks;
- measures to prevent the consumption or supply of illegal drugs, including any search procedures and entry policies. On licensed hotel or B&B premises, this should extend to keeping proper registrations of guests, with proofs of identification, and records of car registration numbers. Where applicable, applicants are encouraged to show that they can comply with the Home Office guidance Safer Clubbing in relation to the control of illegal drugs on their premises, and they should agree a protocol with the police on the handling of illegal drugs found on their premises.;
- where premises are subject to age-restrictions, the procedures in place to conduct age verification checks;
- the use or not of an ID scanning type system;

- the likelihood of any violence, public disorder or policing problem if the licence is granted;
- whether design of the premises has been considered having regard to reducing conflict and minimising opportunities for crime;
- the measures taken to control admission to, and dispersal from, the premises, including the use of registered door supervisors;
- any other such measures as may be appropriate, such as participation in a local pub watch scheme or other body designed to ensure effective liaison with the local community, 'music wind-down policies', restrictions on 'happy hours', and other examples of industry best practice;
- the arrangements for delegating and accounting for responsibility for the supply of alcohol on community premises operated without a DPS.

8.10 This list is not exhaustive and the Licensing Authority remains aware of its obligation to consider each case on its merits.

8.11 The authority will work closely with Hertfordshire Constabulary and the other members of the Community Safety Partnership (CSP), both to monitor and investigate incidents of crime or disorder associated with licensable activities, at and around licensed premises, and to identify emerging trends and patterns in such incidents.

8.12 To achieve the best results, the prevention of crime and disorder requires partnership working between statutory bodies and licensed premises. While there are a number of measures which licence-holders can, and will be expected to, implement in order to promote this objective within their premises, the authority also expects licence-holders to understand which issues they will not be able to resolve themselves, and to liaise and co-operate with the Licensing Authority, Police, and other bodies. In particular, incidents occurring outside of but in the vicinity of licensed premises, which do not involve the customers or staff from that premises, are likely to be outside of the direct control of licence-holders, but they may be able to provide evidence or intelligence allowing statutory bodies to investigate the incident in question.

8.13   It is recommended that applicants discuss the crime prevention procedures and management arrangements for their premises with the Licensing Authority and the Police before making a formal application.

8.14 Public Safety

8.15   When considering this objective, the Licensing Authority will concern itself with the physical safety and wellbeing of the people who use licensed premises, and those who may be affected by the use of licensed premises (e.g. non-customers who happen to be in the immediate vicinity of a premise). This will include measures that seek to prevent accidents, injuries and short- or long-term illnesses to staff, customers or other persons.

8.16   The Licensing Authority will have regard to the measures to be taken by applicants to ensure that the physical safety of any person visiting or working in licensed premises is not compromised. This should be demonstrated in an applicant's operating schedule. Factors that may be considered include, but are not limited to:

- The total occupancy capacity (staff, customers, others) of the premises
- Physical environment of the premises
- Customer profile
- Traffic management including access for emergency vehicles
- Crowd management
- Special arrangements for large events
- Use of special effects
- Lighting – emergency and general
- Temporary electrical installations

8.17   There are several regulatory regimes concerned with public safety, and the Licensing Authority will seek to avoid duplication as much as possible. In particular the Licensing Authority recognises that the Regulatory Reform (Fire Safety) Order 2005 replaced the previous fire safety legislation. Accordingly the Authority will not seek to impose the fire safety conditions on a licence/certificate where the Order applies.

8.18   However, where representations are made by responsible authorities responsible for enforcing these regimes concerning the failure of a licence-holder to adhere to or comply with another regime, the Licensing Authority may consider whether this is indicative of a wider systemic failure on the part of the licence-holder to promote the licensing objectives.

8.19   It is recognised that special issues may arise in connection with outdoor and large scale events. Risk assessments must be used to assess whether any measures are necessary in the individual circumstances of any premises.

8.20   Prevention of public nuisance

8.21   The Licensing Authority will interpret the term 'public nuisance' widely as advised in the Secretary of State's guidance. When considering this objective the Authority will take into account issues relating to noise, vibration, light, litter, offensive odours and anti-social behaviour arising from or in connection with the provision of licensable activities. Public nuisance can be at a low level only affecting a few people locally, as well as a major disturbance affecting the wider community.

8.22   This objective does not mean the complete prevention of all of the above issues, but rather the prevention of such unreasonable levels of these as would constitute a nuisance to the public or a section thereof. A degree of noise, for example, is an inevitable consequence of the provision of most forms of regulated entertainment. The Licensing Authority will therefore seek to exercise its powers in a way which promotes the licensing objective, to discourage and eliminate the carrying on of licensable activities in a way that causes unreasonable inconvenience, upset or distress to others.

8.23   The Authority would expect applicants to have demonstrated in their operating schedule that public nuisance concerns have been identified, with suitable control measures implemented and maintained. Factors that may be considered include, but are not limited to:

- The location of the premises and proximity to residential and other noise sensitive premises

- The hours of opening, including times when licensable activities may not be taking place, last admission time and 'wind down period'
- Nature of activities provided
- Supervision of customers including managing dispersal
- Odour and light nuisance
- Litter and waste disposal
- the location of delivery and collection areas and delivery/collection times
- Noise management plan (where appropriate)

8.24   Steps that can be taken to minimise public nuisance include those to:

- prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. This may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
- prevent disturbance by customers and staff arriving at or leaving the premises;
- manage or prevent queuing (either by pedestrian or vehicular traffic);
- help ensure patrons and staff leave the premises quietly;
- minimise the effect of parking by patrons on local residents;
- restrict the number of patrons using outside areas in the evening and at night;
- minimise noise from the use of smoking shelters, gardens and other open-air areas.

8.25   This lists above are not exhaustive and the Licensing Authority remains aware of its obligation to consider each case on its merits.

8.26   The Authority notes that, as with other licensing objectives, there are other regulatory regimes exist which may be used to control nuisance. The Environmental Protection Act 1990 in particular allows Environmental Health officers to require the abatement of a statutory nuisance, and would be considered the primary control for such issues. However, the Licensing Authority notes that this regime is largely reactive, whereas licensing may be used to establish proactive controls, preventing a nuisance from reaching a statutory level in the first instance.

8.27   Nuisance may arise directly as a result of licensable activities (for example, noise from music), or indirectly (noise from customers at the premises). Applicants and licence-holders are strongly encouraged to consider all possible sources of nuisance when compiling operating schedules, and to implement appropriate measures for the promotion of this objective. For many types of nuisance, this process will begin in the initial design stages prior to the construction or redevelopment of premises. The Council's Environmental Health officers may be consulted for informal advice, prior to the making of a licence application, on proposed measures likely to reduce or prevent the likelihood of public nuisance arising from the operation of licensed premises.

8.28   The Licensing Authority will have regard to best practice guidance when considering this licensing objective, including but not limited to[8]:

- Guidelines on Community Noise (World Health Organisation)
- Effective Management of Noise from Licensed Premises (British Beer and Pub Association)
- Code of Practice on Environmental Noise Control at Concerts (Noise Council)

8.29   Where premises which are the subject of licensing applications involving amplified musical entertainment beyond 11pm are in close proximity to residential properties, the Licensing Authority will require a comprehensive operating schedule listing measures that the applicant intends to implement to ensure the promotion of this licensing objective.

8.30   The Licensing Authority will also pay close regard to premises in close proximity to residential property proposing or permitted to trade after 11pm, where the premises includes one or more external areas for use by customers (for example, beer gardens, external dining areas, or smoking areas), as use of such areas by customers has the potential to lead to a public nuisance if not closely controlled. Applicants are required to include measures within their operating schedule setting out how they intend to control the use of such areas, in order to promote this licensing objective.

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[8] See Appendix 3 – Useful resources

8.31 Protection of children from harm

8.32 The Licensing Authority is aware that this objective relates primarily to preventing children from being exposed to or permitted to access age-restricted products, such as alcohol; or age-restricted services, such as films with content deemed suitable only for adults or relevant entertainment of a sexual nature. Considerations relating to the physical safety and welfare of children will also be taken into account as part of any action the Authority takes to promote the public safety objective.

8.33 The Authority recognises the great variety of premises for which licences may be sought and the benefits and risks these may bring. The Authority will only restrict access by children to any particular type of premises where it considers it appropriate to do so in order to protect them from harm.

8.34 There is no reason why children should not be admitted to responsibly-run, family-oriented licensed premises (for example, restaurants, theatres, cinemas (showing age-appropriate films), supermarkets, community premises, etc.), when accompanied by a suitable adult, such as a parent or guardian, and the Act allows for this. However, it is an offence under the Act:

- to admit children to exhibitions of films where a premises holds a licence permitting such regulated entertainment, if they are below the minimum age recommended by the Licensing Authority or a film classification body,
- to allow unaccompanied children under the age of 16 to be present at premises being used exclusively or primarily for the supply of alcohol for consumption on those premises, or
- to allow unaccompanied children under 16 to be present between midnight and 5 a.m. at licensed premises supplying alcohol for consumption on the premises.

8.35 When deciding whether to limit the access of children, the Licensing Authority will judge each application on its individual merits. Examples which may give rise to concern in respect of children would include premises:

- where entertainment or services of an adult or sexual nature are commonly provided
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- where there is a strong element of gambling on the premises (but not, for example the simple presence of a small number of gaming machines)
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises
- where other concerns relating to this objective have arisen

8.36   Where possible the Authority will avoid completely prohibiting access by children. Alternative options include:

- limits on the hours when children may be present
- limits or exclusions on children when particular activities are taking place
- limited access to parts of premises
- full exclusion of under-18s from the premises when any licensable activities are taking place

8.37   Where a large number of children are likely to be present at a licensed premises, the Licensing Authority will expect an appropriate number of suitably-trained adult staff to be present, to control access and egress of children, and ensure their safety and protection from harm.

8.38   Even if the age restrictions mentioned above do not apply and the Licensing Authority has not attached conditions restricting access by children, there is still no obligation for licence-holders to admit children to their premises. Ultimately access to premises will remain at the discretion of the licence-holder, who may choose to adopt any reasonable admission policy.

8.39   Child sexual exploitation is a significant concern for licensing authorities nationwide, as demonstrated by a number of high-profile reported cases which revolved around licensed premises. Where the operation of licensed premises is causally or demonstrably linked to child sexual

exploitation, the Licensing Authority will not hesitate to use the full range of powers at its disposal to promote this licensing objective.

8.40 Under 18's working in licensed premises

8.41   Concern is sometimes raised with regards to people under the age of 18 years old being employed in licensed premises. If done properly this can be positive for the person being employed and not undermine the licensing objectives. Children 14 years old and above can work if it does not impact their development or health and safety and is not instead of attendance at school.

8.42   The sorts of work they can do in a pub or restaurant includes: take orders from customers, serving tables, collecting glasses, and clearing tables/galsses.

8.43   Under 18's can sell alcohol as long as each individual sale has been specifically approved by a responsible person. The responsible person must be:

- the holder of the Premises Licence;
- the Designated Premises Supervisor; or
- anyone aged 18 or over who has been authorised by the Premises Licence Holder or the DPS to authorise sales made by the under 18s.

8.43   For an under 18 to be serving alcohol they will need a 'responsible person' with them at all alcohol to approve each sale made. It is not enough to authorise them once to serve alcohol and then let them continue, each individual sale must be supervised and approved.

8.44   There are limits on the times you can employ an under 18 and special rules relating to working time and employment for under 16's (children). Sometimes children are not permitted to work without an employment permit issued by Hertfordshire County Council so for more details please see: https://www.hertfordshire.gov.uk/services/schools-and-education/young-people-and-work/apply-for-a-childs-work-permit/apply-for-a-childs-work-permit.aspx for more information.

9.0 Stakeholder engagement and representations

9.1   The basis of decision making

9.2   The process for making decisions on licensed premises applications is governed by the Licensing Act 2003 and associated regulations. Unlike other ways in which the Local Authority determines applications, for example planning applications, there is a presumption in licensing law that if:

- the licensing authority receives a valid application *and*
- the application is properly advertised *and*
- there is no objection raised by any responsible authority within the statutory consultation period *and*
- there is no objection raised by any other person within the statutory consultation period *then*
- on the first day after the statutory consultation closed, the licence is ***automatically*** granted as applied for, that is, without any variation or additional conditions beyond those offered as part of the application[9].

9.3   It is within this context that the council will do its utmost to facilitate those wishing to make representations to do so in the most effective way and within the statutory consultation period.

9.4   How responsible authorities can make their views known

9.5   The council strongly encourages the responsible authorities listed in table below to engage in the consultation process regarding applications (for new, and variations to existing, premises licences a club premises certificates) and raise any points as representations to the Licensing Authority. This may include submitting an objection.

Responsible authorities	Made aware by
- Licensing Authority – East Herts Council - Hertfordshire Police - Environmental Health – East Herts Council - Planning Service – East Herts Council - Fire Authority – Hertfordshire Fire &	- Applicant will submit copies of application documents directly to them at the same time as the documents are sent to the licensing authority; or - In the case of applications made

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[9] Amendments made by the applicant during the consultation process become part of the application as 'applied for' and will be reflected in any licence which is ***automatically*** granted.

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Responsible authorities	Made aware by
Rescue Service • Hertfordshire Safeguarding Children Board • Trading Standards – Hertfordshire County Council • Home Office – Alcohol Licensing Team • Public Health – Hertfordshire County Council • Health and Safety Executive • *(only need to be consulted if they are the enforcing authority for Health and Safety at the premises)*	online through the licensing portal, the council's licensing team will send the application documents electronically to the responsible authorities upon receipt

9.6 Evidence-based representations provide the Council, when acting as the Licensing Authority deciding on applications, with the best means of assessing the merits, or otherwise, of applications under consideration.

9.7 While the type of representation and level of evidence will vary on a case-by-case basis, best practice would suggest representations should include wherever possible:

- whether the representation is for or against the application
- reference to concerns over the undermining or potential undermining of the Licensing Objectives (as determined by legislation and listed in the this document)
- evidence to support the above

9.8 The Council encourages all responsible authorities to engage with applicants at the pre-application stage and give advice to assist applicants to amend their proposals to accommodate the issues raised and thus avoid the responsible authority needing to make an objection. Whether the responsible authority engages or not, and whether or not the applicant works with the responsible authority, does not fetter the responsible authority's discretion over whether or not to object to an application. If an objection has been received, the Licensing Authority will wish to see efforts or continued efforts on the part of both the applicant and the responsible authority to accommodate the concerns raised.

9.9 Temporary Event Notice (TEN)

9.10   The Police and the Council's Environmental Health team are the only responsible authorities the law requires to be notified of and have the right to object to Temporary Event Notices (TENs). They have an ability to assist the Licencing Authority by making appropriate objections during the consultation period following submission of a TEN.

9.11   The format and content of objections are not defined in legislation or guidance. It would assist the licensing authority in their decision making if responsible authorities could include in their submissions as much of the following information as possible in support of their position:

- a commentary on past events at the venue / event
- any evidence of breaches of relevant statutory requirements
- a summary of complaints, if any, from the public concerning the premises

9.12   How members of the public can make their views known

9.13   In order to make informed decisions, the Council is keen to hear from those with a view on a particular application (for new, and variations to existing, premises licences a club premises certificates).

Other persons includes	Made aware by
- People who live or work near licensed premises. - Any company, charity, community organisation or similar body. - Any other person regardless of whether they live or work in the vicinity.	- Written notices will be put up by the applicant (in a statutorily prescribed format), attached to or near the premises concerned and displayed for not less than 28 days and visible 24 hours per day[10] - A public notice (in a statutorily prescribed format) submitted by the applicant will be published in

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[10] Applications for minor variations only require a notice at the premises and it only needs to be displayed for 14 days.

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Other persons includes	Made aware by
	a locally circulated newspaper
	• A public notice of application will be displayed on the council's website[11]

9.14 As noted in the table above, the legislation and guidance dictates that members of the public have a specific time period during which to raise issues.

9.15 Of note, the Licensing Act 2003 established a very prescriptive procedure for the way in which applications are made and determined:

- the requirements concerning advertising of applications are set out in the Licensing Act 2003 (Premises Licences and Club Premises Certificates Regulations) 2005
- Regulation 25 provides that the applicant shall advertise the application (new application or variation of an existing licence) for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority by displaying a notice that complies with prescribed requirements
- the applicant must also publish at least once, within 10 working days of making the application, a notice in a local newsletter or similar document circulating in the vicinity of the premises
- these regulations dictate the consultation period during which members of the public can raise issues or concerns
- the Regulations oblige the Council, as the Licensing Authority, to also advertise the application on its website for a period of no less than 28 consecutive days starting on the day after the day on which the application was given. The content of the notice is similar to that of the notice at the premises.

9.16 The Council has considered the scope for raising awareness of applications in additional ways. Given that licensing matters are governed

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[11] Notices related to current applications for new licences or to vary existing licences can be found here: https://www.eastherts.gov.uk/licences-registration/alcohol-entertainment-late-night-refreshment/notices-application-objecting-licence-applications

by statute and regulation, this is not quite as straightforward as it may seem. Of note, Westminster City Council has sought in the past to facilitate greater awareness by contacting properties in the vicinity of premises subject to a licence application by means of individual correspondence. The Council was then challenged in the High Court by some residents who lived in the locality but outside of the 'perimeter' the Council had drawn for consultation purposes and so had not been contacted directly by the Council. The judgement was that the Council did not need to send letters to residents but if they chose to do so then they should send letters to all residents affected.

R. (on the application of Albert Court Residents Association) v Westminster City Council [2010] EWHC 393 (QB).

9.17   Having considered this case, it appears that any view on who constitutes *'all the residents affected'* will always be open to debate and thus such an approach is likely to place the Council in a very difficult position. Therefore, it is the Council's view that relying on the means of communication set by the relevant regulations, and detailed above, is a better way to proceed than attempting to directly contact those the Council may deem at any one time to be likely to be affected.

9.18   That said, the Council will do its utmost to ensure anyone wishing to make a representation is aware of the 28 day window for responding and the central importance of this given that, unfortunately, the Council cannot vary this time period.

9.19   Within the relevant legislation, regulations and case law discussed above, the Council will strive to facilitate resident engagement, including emphasising the consultation window. The Council will:

- encourage applicants to hold informal discussions with local residents and businesses, the responsible authorities, Town Council's, Parish Council's and others prior to submitting formal licence applications
- ensure applicants meet their statutory obligations to publicise their applications; advertising in a local newspaper and posting a notice at or near the premises – when such notices are not visible 24 hours per day, are removed or become defaced the Council will require them to

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be replaced and if appropriate the consultation time period to be restarted

- advertise applications for new or variation to existing licences or certificates on the Council's website
- alert all local councillors and all parish/town councils of applications within East Herts to enable them to discuss matters with residents should they wish
- alert all local councillors of applications on a weekly basis through the Members Bulletin
- include a link to the webpage containing notices of application in the Network email that residents can subscribe to
- assist residents to register on public access so that they can be notified if an application is received relating to a particular premises

9.20 When deciding on applications, it would be particularly helpful if members of the public making representations could provide the following:

- whether the representation is for or against the application
- reference to concerns over the undermining or potential undermining of the Licensing Objectives (as determined by legislation and listed in the council's Licensing Policy)
- evidence to support the above

9.21 How comments made by members of the public feed into the decision making process

9.22 So long as comments from members of the public are relevant (this term is explained below) and are received by the Council within the consultation period, they will be fed into the decision-making process. Thus, comments from members of the public have a significant role to play in the decision making process. The Council will share comments with other responsible authorities where the comments relate to that authority's remit. This will:

- provide information which the responsible authority can draw on when considering what representations, if any, it wishes to make

- assist the responsible authority in determining what conditions, if any, it would wish to see attached to a grant approval
- enable the responsible authority to assess whether it needs to carry out any further investigations itself

9.23   The Council will share comments with the applicant as required by law. This will:

- assist the applicant to better understand how the proposal could impact on local people
- enable the applicant to make amendments to, or withdraw, the application to mitigate or allay concerns raised
- provide the applicant with the opportunity to better explain what is proposed and/or address any misunderstandings; this in itself may mitigate or allay concerns

9.24   To be a valid representation then the person making the representation must be clearly identifiable and give their address. The representation must be 'relevant', and must not be 'vexatious' or 'frivolous'.

9.25   A representation is 'relevant' if it is argued that the granting of the licence would be likely to have a negative impact on at least one of the licensing objectives:

- **the prevention of crime and disorder**
- **public safety**
- **the prevention of public nuisance**
- **the protection of children from harm.**

9.26   So, for example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant as prevention of a detrimental impact on other commercial premises is not one of the four licensing objectives.

9.27   A representation may be considered 'vexatious' if it appears intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses.

9.28 'Frivolous' representations are essentially those lacking seriousness. Frivolous representations could concern issues which are, at most, minor and/or for which no remedial steps would be warranted or proportionate.

9.29 Any person who is aggrieved by a rejection of their representations as either vexatious or frivolous may lodged a complaint through the Council's corporate complaints procedure. A person may also challenge the Authority's decision by way of judicial review.

9.30 Determining applications

9.31 Where at all possible, the Council will assist in enabling the applicant and those making representations to find common ground thus mitigating or removing the concerns raised. As stated above, however, the timescale for this is extremely tight.

9.32 If the issues raised by members of the public cannot be mitigated by the applicant through informal discussion, nor allayed to the satisfaction of the responsible authorities, then the council will, within 20 working days of the close of the consultation, hold a public hearing of the Licensing Committee, or a Sub-Committee, to consider and determine the contested application. This also applies to contested applications for variations to a licence or a review of a licence.

9.33 At the hearing all responsible authorities and other persons who have made valid representations will be entitled to attend and make their representations in person. Those who have made representation do not have to attend and all valid representations whether made in person or in writing will be considered.

9.34 The Council's Licensing Committee, or a Sub-Committee of this Committee, will consider the oral and written evidence before them. In determining the weight to place on the evidence before them, the members of the Committee will consider how the application supports or otherwise affects the licensing objectives engaged by the representations.

9.35 These four objectives underpin the Council's Licensing Policy.

- **the prevention of crime and disorder**

- **public safety**
- **the prevention of public nuisance and**
- **the protection of children from harm.**

9.36   The Licensing Committee, or Sub-Committee, will generally give its determination on the day of the hearing. However, regulations allow the authority to make its determination within a maximum period of five working days beginning on the last day on which the hearing was held.

10.0 <u>Monitoring of the licensing function</u>

10.1   The Police, fire authority and other responsible authorities will be encouraged to report to the Council annually on the operation of the licensing function.

10.2   The Licensing Committee will receive Quarterly reports on the licensing function to ensure oversight of these areas of regulation and allow the Authority to evidence that it is fulfilling its statutory responsibilities.

11.0 <u>Administration, exercise and delegation of power</u>

11.1   The Licensing Committee will consist of between ten and fifteen Councillors that will usually meet three times per year, but at least annually. The Council will review this Policy at least every 5 years. Any substantive changes to the Policy will include a full consultation.

11.2   Sub–Committee(s) of three Councillors will determine applications where representations have been received from responsible authorities or other parties. Ward Councillors will not serve on a Sub–Committee involving an application within their own ward.

11.3   The Licensing Committee will deal with other licensing matters not associated with the Licensing Act 2003.

11.4   Where a Councillor who is a member of a Licensing Committee or a Sub-Committee has had direct involvement in the affairs of an application before them, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process for that application.

11.5   A Sub-Committee may refer any matter it is unable to deal with, because of the number of its members who are unable to take part in the consideration or discussion or vote on any question, to the Licensing Committee.

11.6   Each decision of the Licensing Committee or its Sub-Committee(s) shall be accompanied with clear reasons for the decision. A summary of the decision will be sent to the applicant and all other parties.

11.7   The Licensing Committee takes seriously its obligations under other legislation for example the Equalities Act 2010 and the Human Rights Act 1998.

11.8   The Council's authorised officers will deal with all other licence applications where either no representation has been received, or where representations have been received and it is agreed by all the parties that a hearing is not necessary.

11.9   Council officers will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Committee or Sub-Committee(s) and whether representations are frivolous, vexatious or repetitious. Where representations are rejected, the person making that representation will be given written reasons why that is the case.

11.10   The Council will seek to integrate the Licensing function with its various other strategies and policies to promote the licensing objectives through utilising the collaborative and partnership working arrangements and networks that engage with responsible authorities, other parties and other key stakeholders.

12.0 <u>Enforcement and Inspection</u>

12.1 Licensing Authorities are required to state the principles to be applied by the Authority in exercising enforcement functions under the Act, both in terms of the inspection of premises and in instituting criminal proceedings in respect of specified offences.

12.2 The Licensing Authority will be led by the Guidance in respect of the inspection of premises and the powers to institute criminal proceedings, and will endeavour to ensure that enforcement and compliance actions are:
- **Proportionate**: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable**: regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent**: rules and standards must be joined up and implemented fairly;
- **Transparent**: regulators should be open, and keep regulations simple and user friendly;
- **Targeted**: regulation should be focused on the problem, and minimise side effects.

12.3 The Council's enforcement action needs to be targeted. Decisions about which premises to investigate will be:
- reactive – based on a specific complaints or resulting from intelligence from partners that strongly suggests a breach of the licence has occurred/is on-going; and/or
- proactive – this may take the form of one-off or periodic inspections based on previous complaints.

12.4 The Licensing Authority may arrange for the inspection of premises, both licensed and otherwise, in response to specific complaints about those premises and the provision of unauthorised licensable activities therein. The Licensing Authority may also, from time to time, arrange a programme of risk-based inspections of licensed premises, consistent with the principles expressed throughout this document. Should officers witness offences or breaches of an authorisation during an inspection, appropriate action will be taken.

12.5 During the course of its inspections, the Licensing Authority may refer to any other agency any circumstance it finds that appears to it to be a

contravention of the legislation enforced by that agency. Equally where a premises user appears unaware of a requirement that is outside of the Licensing Authority's remit officers will do their best to signpost them to the appropriate authority.

12.6   Where possible a graduated response will be taken where contraventions of legislation are found or where conditions have been contravened. For instance an isolated administrative offence, such as failing to maintain records, may be dealt with by a written warning whilst a more serious offence, which has either been committed over a period of time or which jeopardises public safety may result in a referral for prosecution.

12.7   The Licensing Authority will keep itself informed of developments as regards the work of the Better Regulation Delivery Office (BRDO) in its consideration of the regulatory functions of Local Authorities.

12.8   The Licensing Authority shall also have regard to any corporate enforcement policy published by East Herts Council.

12.9   Where the power to make representations or initiate reviews on behalf of the Licensing Authority is utilised, proper separation of functions will be ensured by having different officers conduct the different functions (for example, if a licensing enforcement officer makes a representation, they will have no involvement in the administration of the application itself).

12.10 A number of licence-holders with multiple outlets have formed primary authority partnerships, under which they receive 'assured advice' from a single local authority in respect of one or more regulated aspects of their business – for example, preventing underage sales of age-restricted products. Where we have concerns around a premises whose operator has formed a primary authority partnership relevant to the issue in question, we will consult with the primary authority prior to taking any formal action.

12.11 Results of enforcement or investigation will be made available to responsible authorities who may wish to include this evidence in a Review of a premises licence or club premises certificate.

12.12 When applications are received that have a statutory requirement for consultation officers will check that notices are correctly displayed in compliance with the requirements of the legislation.

12.13 Raising concerns about licensed premises

12.14 Given the Council's desire to be as responsive as possible to concerns, it is likely that most enforcement action will be reactive. It is therefore paramount that individuals, organisations and other authorities report incidents and concerns about specific licensed premises when they arise so that timely investigation and intelligence gathering can take place.

12.15 Wherever possible, the Council would expect such concerns to be raised with the Premises Licence Holder or Designated Premises Supervisor in the first instance. Often, the business may not have realised that its operation is causing nuisance or problems and raising the issue is sufficient to ensure a prompt and adequate remedy.

12.16 Complaints can be made directly to Licensing Enforcement Officers at: licensing.enforcement@eastherts.gov.uk.

12.17 Dealing with complaints

12.18 In all instances complaints received about licensed premises, events and activities will be recorded.

12.19 If raising concerns directly with particular premises does not remedy the situation or is not appropriate, the Council may become involved. In such circumstances, the Council may:
- arrange meetings between various parties, including members of the public if appropriate, to jointly explore how best to remedy the situation
- direct the Premises Licence Holder or Designated Premises Supervisor, business owner or occupier, as appropriate, to take action. This could take the form of issuing advice and guidance or may be more directive, for example, though not limited to, requiring specific remedies for noise nuisance or imposing variations to the conditions of the licence via a review
- visit the premises in an attempt to witness the problem directly

12.20 Sometimes, issues may arise within an area or on a particular street where it is not clear which establishment(s) is causing the issues. It can be the case that an issue arises from the interaction of venues and patrons purely because of the geographical proximity, for example, a pub or club, late night food take-away and/or taxi ranks all located in close proximity may encourage concentrations of noise and/or other nuisance.

12.21 In the short-to-medium term, in such circumstances Council officers will seek to identify which establishment(s) is/are causing the issues and then make appropriate interventions as discussed above.

12.22 In the longer term, the Council, in its wider capacity than simply being the Licensing Authority, recognises it has a role to play with partners in identifying, addressing, mitigating and if at all possible designing-out the types of nuisance that can arise from the night time economy.

12.23 Partners' roles in enforcement activities

12.24 Enforcement activity may be undertaken by one or more of the responsible authorities separately based on the extent to which the issue in question relates to their particular jurisdiction.

12.25 The statutory guidance issued to Licensing Authorities by the Home Office under section 182 of the Licensing Act 2003 (last amended in 2018) states at 9.15:

"It is also reasonable for licensing authorities to expect that other responsible authorities should intervene where the basis for the intervention falls within the remit of that other responsible authority. For example, the police should make representations where the representations are based on concerns about crime and disorder. Likewise, it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance. Each responsible authority has equal standing under the 2003 Act and may act independently without waiting for representations from any other responsible authority".

12.26 On that basis the lead authorities would be:
- **Crime and disorder** – Hertfordshire Constabulary
- **Noise and other nuisance** – East Herts Council as Environmental Health
- **Public safety issues** – East Herts Council as Environmental Health; Hertfordshire County Council as Fire Authority
- **Prevention of children from harm** - Hertfordshire Constabulary; Hertfordshire County Council as Social Services and Education Authority.

12.27 Where the issues are wider, enforcement may be taken by the responsible authorities working together in partnership. The Council is committed to partnership working. This could involve, for example:

- sharing intelligence, joint monitoring visits and intervention meetings with licence holders
- bringing forward a review of the licence for an individual licensed premises
- seeking changes to the East Herts Council's Statement of Licensing Policy on the basis of the evidence for, and articulation of, particular amendments.

13.0 <u>Reviews</u>

13.1 A Responsible Authority or any other person can, at any time following the grant of a premises licence or club premises certificate, apply to the Licensing Authority to review the licence/certificate because of concerns arising at the premises which may have an adverse impact on any of the licensing objectives. The Authority regards this as a valuable protection for residents and businesses. Applications for a review must be made in writing and will be considered by a Licensing Sub-Committee at a hearing.

13.2 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, local residents or businesses and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation.

13.3 Responsible authorities are encouraged to give an early warning of concerns about problems identified at the premises concerned and of the need for improvement although it is recognised this is not always practicable or desirable. It is expected that a failure to respond to such warnings would lead to a decision to request a review.

13.4 Similarly those persons other than responsible authorities who are seeking a review are encouraged to take initial steps such as:

- Asking the Licensing Authority to talk to the licence/certificate holder on their behalf
- Asking their local MP or Councillor to speak to the licence/certificate holder on their behalf
- Talking to the relevant responsible authority to establish whether there is other action that can be taken to resolve the problem

13.5   We will expect that any party making an application for a licence to be reviewed will prove the facts that they are relying on to support their allegations on the balance of probabilities, that is, that it is more likely than not that the circumstances being complained of did actually occur. Because of the potentially serious consequences to a licence holder following a licence review, mere anecdotal or hearsay evidence will not be sufficient.

13.6   Following a review, the Authority will focus any remedial action directly on the concerns identified in the representations. In all cases, action will be appropriate, reasonable and proportionate to the nature of the problems giving rise to the review. Options available are:
- to modify the conditions of the premises licence
- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor
- suspend the licence for a period not exceeding three months;
- revoke the licence;
- take no action.

13.7   In its role as the Licensing Authority we will offer the same level of support and guidance to those wishing to apply for the review of a licence as we would to those seeking to apply for a new licence.

14.0 <u>Appeals</u>

14.1   Where the Licensing Authority's discretion has been engaged and a decision reached on a particular application, any party to the proceedings (including residents) aggrieved by a licensing decision is (in most cases) entitled to appeal to the Magistrates Court within 21 days of the receiving the decision notice.

14.2   Where there is a right of appeal the relevant parties will be notified of this right when they are issued with the decision.

15.0 <u>Operating schedules</u>

15.1   Steps to promote the licensing objectives[12]

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[12] Revised guidance under s 182 Licensing Act 2003 issued April 2018, 8.41 – 8.45, https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

"In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area. They must also be aware of the expectations of the licensing authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Licensing authorities and responsible authorities are expected to publish information about what is meant by the promotion of the licensing objectives and to ensure that applicants can readily access advice about these matters. However, applicants are also expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application.

Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives.

That they understand:

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.*

Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

It is expected that enquiries about the locality will assist applicants when determining the steps that are appropriate for the promotion of the licensing objectives. For example, premises with close proximity to residential premises should consider what effect this will have on their smoking, noise management

and dispersal policies to ensure the promotion of the public nuisance objective. Applicants must consider all factors which may be relevant to the promotion of the licensing objectives, and where there are no known concerns, acknowledge this in their application.

The majority of information which applicants will require should be available in the licensing policy statement in the area. Other publicly available sources which may be of use to applicants include:

- *the Crime Mapping website;*
- *Neighbourhood Statistics websites;*
- *websites or publications by local responsible authorities;*
- *websites or publications by local voluntary schemes and initiatives; and*
- *on-line mapping tools. '*

15.2   Applicants are expected to write an operating schedule that shows how they will promote the licensing objectives. The operating schedule will be used as a basis for licence conditions for the individual premises.

16.0 <u>Conditions</u>

16.1   Licensing is about the regulation of licensed premises, qualifying members' clubs and temporary events. We may only impose conditions on premises licences and club premises certificates in two circumstances:
1. where the applicant volunteers them as part of their operating schedule; and/or
2. on receipt of relevant representations from potentially affected parties, or responsible authorities.

16.2   Where applicants volunteer conditions as part of their operating schedule our officers will draft appropriate conditions for premises licence and club registration certificates which reflect the intention of the applicant.

16.3   We have produced a separate document containing a pool of model conditions for premises licences and club premises certificates. Applicants are under no obligation to use these when preparing their operating schedules, but doing so may reduce the likelihood of representations being made about the application. Should relevant

representations be received, we may use conditions from the pool to address the concerns raised.

16.4   Conditions attached to premises licences or club premises certificates will be appropriate, reasonable, proportionate, and relevant and will be focused on matters within the control of the individual licence-holders and others granted relevant permissions. Conditions will be tailored to the style and characteristics of the individual premises. These matters will centre on the premises and places being used for licensable activities and have regard to the vicinity of those premises or places.

16.5   Conditions attached to licences and certificates will:

- be appropriate for the promotion of the licensing objectives;
- be precise and enforceable;
- be unambiguous and clear in what they intend to achieve;
- not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- be tailored to the individual type, location and characteristics of the premises and events concerned;
- not be standardised, as it may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- not replicate offences set out in the 2003 Act or other legislation;
- be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- not seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- be written in a prescriptive format.

16.6   Where we have discretion because relevant representations have been made about licensing applications, we may also take into account the following factors to fulfil our vision:

(1) what contribution the application can make to creating a diverse offering, specifically in terms of offer to a wide-range of customers; family-friendly policies and facilities; operating hours; and pricing;

(2) entertainment aimed at different age groups;

(3) links with other activities in the town, to encourage day-time users to stay in the evening;

(4) provision of a full food menu and not only alcohol;

(5) transport/dispersal provision, particularly during periods when public transport is unavailable;

(6) style and type of venue. The licensing authority wants to attract only high-quality operators who can provide a safe and professional environment, characterised by a range of activities and offers that would appeal to individuals of all backgrounds. This type of offering may (but need not) be characterised by:

- a range of alcoholic and soft drinks suitable for all ages;
- a food menu, including healthy options which caters for different tastes and needs, available throughout the duration of the premises' operating times;
- facilities suitable for assisting customers with young children, such as high-chairs and baby-changing facilities, and facilities for family groups such as suitably laid-out seating/table areas;
- a range of activities or entertainment that appeals to a range of age groups, whether provided at the same time or at separate times.

(7) involvement in local community events and organisations

(8) commitment to involvement in Community Safety Partnership (CSP) initiatives

(9) use of pavement licences for outdoor table areas.

16.7 Licence holders must ensure that they and their premises comply with any conditions attached to a licence while licensable activities are taking place, otherwise they commit an offence.

16.8 Mandatory Conditions

16.9 Applicants for relevant licences and particularly licence holders of relevant licences need to be aware of the mandatory conditions that apply to their licence.

16.10 Responsibility for compliance with the relevant mandatory conditions fall to a 'responsible person' which is defines as:

1. The licence holder;
2. The designated premises supervisor; or
3. Any individual 18 or over who is authorised by either 1 or 2 above.

16.11 The mandatory conditions deal with matters such as: designated premises supervisor, authorisation by personal licence holders, irresponsible drink promotions (drinking games, large quantities of alcohol for free or a fixed price, prizes and reward, posters and flyers), dispensing alcohol directly into a mouth, free potable water, age verification, smaller measures, ban on sales of alcohol below the permitted price, exhibition of films and door supervision.

16.12 The Police, in their role as a responsible authority under the Licensing Act 2003 have highlighted concerns over irresponsible drinks promotions and the proliferation and popularity of 'Bottomless Brunches', which may have a negative impact on the licensing objectives. As such we feel it is important to address this point in the current revision of the policy.

16.13 The 'responsible person' as defined in 16.10 above must be careful not to breach the mandatory conditions, or any other conditions on a licence, when offering a drinks promotion.

16.14 If you want to run a promotion offering bottomless alcohol, it is important that this is done and managed properly to avoid any premises licence reviews or other issues:
1. Ensure the way the promotion is communicated and advertised is done responsibly so that customers understand the need to enjoy the promotion responsibly.
2. The promotion should be subject to some kind of fair use policy and the business must retain the right to refuse alcohol to anyone who appears to be intoxicated and who may be causing issues.
3. Promotions should ideally be time limited. This makes good commercial sense but is also good due diligence so that the provision of alcohol is not "unlimited or unspecified quantities of alcohol".

4. If any such promotion appears to be causing crime, disorder or nuisance at your premises, or in the vicinity, you should consider whether to cease the promotion or change it.

5. The inclusion of food within a promotion containing alcohol does not automatically preclude it from being an irresponsible promotion.

16.15 Any promotion will be considered on its own merits to see if it possesses a 'significant risk' of breaching one or more of the licensing objectives. If it does then it could be argued that it is an irresponsible promotion that can result in a review or a prosecution pursuant to section 136 of the Licensing Act 2003.

17.0 <u>Special Licensing Policies</u>

17.1 There are several types of special licensing policy which a Licensing Authority is entitled to adopt, to help it regulate the provision of licensable activities within its area.

17.2 Cumulative Impact

17.3 Cumulative impact is the term used to describe the impact, potential or actual, of a large number of licensed premises concentrated in a single locality. In terms of the licensing objectives, this may be evidenced by an increase in incidents of crime, disorder or public nuisance, over and above the impact of the individual premises themselves.

17.4 The cumulative impact of licensed premises on the promotion of any of the licensing objectives is a matter that the Licensing Authority can take into account in determining its Licensing Policy. This should not, however, be confused with any question of 'need' which relates to the commercial demand for a particular type of premises (for example, a pub, restaurant or hotel). The issue of 'need' is a matter for market forces to influence and for the planning authority to regulate, and so does not form part of this Policy statement.

17.5 The Licensing Authority will, where appropriate, and having received relevant representations, take into account the cumulative effect that the existence of a concentration of premises in one area may have. A concentration of licensed premises can attract customers to the area to such a degree that it has an adverse impact on the surrounding area beyond the control of individual licence holders.

17.6 The Licensing Authority notes that, in accordance with the Guidance, it may adopt a special policy in response to a cumulative impact issue in a defined area. Consideration of such a policy may be prompted by submissions from responsible authorities or other persons, evidenced appropriately and linked to one or more of the licensing objectives. Where such a policy has been adopted, the issue of cumulative impact can be taken into account when considering the individual merits of any application within the area defined within that policy.

17.7 Where the cumulative effect of many licensed premises within an area gives rise to problems of public disorder and nuisance in the surrounding area the Licensing Authority may consider it inappropriate for any further licensed premises to be established in the area and / or capacities to be increased. In these circumstances, and where suitable and sufficient evidence is provided, the Licensing Authority will consider declaring a cumulative impact area.

17.8 Hertford Town Centre
During the drafting of this revision of the Policy a number of parties raised the issue of the cumulative impact of the licensed premises within Hertford Town Centre. The Licensing Authority has engaged with the Police and Public Health and has undertaken to examine the evidence available of the cumulative impact of licensed premises in the area.

17.9 Whilst this policy has been determined to cover 2021-26 we have an obligation to keep it under review during that period and make revisions where we consider it appropriate. If during the life of this document we are presented with evidence to support a special policy anywhere within the District we will not hesitate to act.

17.10 If such a policy were adopted it would not override the duty on the Licensing Authority to consider each application on its own merits. Such a policy would introduce a presumption of refusal of applications for new premises licences or variations of existing premises licences within a defined area except where the applicant can demonstrate that the grant would not negatively impact on the relevant licensing objectives (normally the Prevention of Crime and Disorder and Prevention of Public Nuisance).

17.11 The absence of a special policy does not prevent any responsible authority or other party making representations on an application for the grant of a

licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

17.12 In coming to any decision about cumulative impact the Licensing Authority will have regard to other mechanisms outside of the licensing regime which may be available to address this issue.

17.13 When dealing with cumulative impact issues, the Licensing Authority recognises that, as well as licensing functions, there are a number of other mechanisms for addressing issues of nuisance, disorder and anti-social behaviour occurring away from licensed premises. These may include:
- planning controls;
- measures to provide a safer and cleaner environment in partnership with local businesses, transport operators and other departments of the Council;
- the provision of CCTV surveillance in town centres, taxi ranks, street cleaning and litter patrols;
- powers for a local authority to protect public spaces from the effects of anti-social consumption of alcohol, enabling police and accredited persons to confiscate alcohol;
- enforcement of the law relating to disorder and anti-social behaviour, including the issue of fixed penalty notices or other sanctions under the Anti-Social Behaviour, Crime and Policing Act 2014;
- the prosecution of any personal licence holder or member of staff at licensed premises who is selling alcohol to children or people who are drunk;
- powers to close down instantly any premises or temporary event on grounds of disorder, the likelihood of disorder or noise emanating from premises causing a nuisance;
- the power for responsible authorities or other persons to apply for a review of a premises licence or club premises certificate; or
- other local initiatives that similarly address these problems.

17.14 Early morning alcohol restriction orders (EMARO's)

17.15 To promote the licensing objectives, a Licensing Authority may utilise powers under the Act to pass an early morning alcohol restriction order. Such an order would prohibit the sale of alcohol from any premises within

an area defined in the order between specified times (which may extend from midnight until 6 a.m.) on specified days.

17.16   It is envisaged that this power will only be used in response to severe and recurring issues arising from the supply of alcohol in the night-time economy, such as high levels of alcohol-related crime and disorder in specific areas at specific times, which cannot be attributed to an individual premises. The Licensing Authority views this as a 'last resort' option, for use after other tools have been unsuccessful in remedying the issue.

17.17   At the present time, East Herts has not utilised the provisions of the Act to pass an early morning alcohol restriction order, and has no current plans to do so. Should this position change, full details will be published on our website and notified to all licensed premises that would be affected.

17.18 Late night levy

17.19   Part 2 of the Police Reform and Social Responsibility Act 2011 introduced a new power for Licensing Authorities to establish a 'late night levy'. Licensed premises within the area of a Licensing Authority which has adopted such a requirement will be required to pay an additional annual fee if they are licensed to supply alcohol within a late night period set by the Authority (generally between midnight and 6 a.m., although shorter periods are permissible).

17.20   Where a levy requirement has been adopted, the Licensing Authority will be responsible for the collection of the appropriate amounts from licence-holders. After deduction of administration costs, not less than 70% of the net proceeds of the levy must be paid by the Licensing Authority to the local Police force, which may be used (but is not required to be) to offset the costs incurred in policing the night time economy arising from the alcohol supplies permitted from affected licensed premises. The remaining amount may only be applied on purposes prescribed in Regulations, namely arrangements connected with the late night supply of alcohol for one or more of the following functions:

- The reduction or prevention of crime and disorder
- The promotion of public safety
- The reduction or prevention of public nuisance
- The cleaning of any relevant highway or relevant land in its area.

17.21   At the time of writing, East Herts has not adopted the provisions of the 2011 Act relating to a late night levy, nor is it currently intended to do so.

18.0 **Public health and well-being**

18.1   It is against the background of warnings from Public Health Herts about the impact of alcohol abuse upon our populations' health and well-being that the Executive Member supported by the East Herts Licensing Committee recognised the need to incorporate public health and well-being concerns within its Statement of Licensing Policy and its decision-making process.

18.2   East Herts Council's Environmental Health services and the Licensing section already work closely together. The service also incorporates Community Safety alongside its Public Health officers. The alignment of these different service areas has highlighted synergies, which, with appropriate policies and partnership support, could see significant benefits for residents.

18.3   The Police Reform and Social Responsibility Act 2011 made primary care trust's (PCT) or local health board's (LHB) a responsible authority under the Licensing Act 2003. Therefore they are able to make representations against licence applications. Currently, unlike in Scotland, England does not have a fifth licensing objective relating to Public Health.

18.4   The Council has considered the potential role of Public Health within licensing and this Policy has considered the revised s.182 Guidance at length.

18.5   East Herts Council has taken the decision, with the full understanding and knowledge of the section 182 Revised Guidance and relevant legislation, to engage with Public Health as a central consideration in its decision making process. As a result, where a relevant representation is made regarding the undermining of the licensing objectives, and that representation relates to public health and well-being and is supported by evidence, that representation will be considered during the decision making process.

18.6 This includes considering information about the impact of alcohol abuse upon wider Public Health issues, such as alcohol related illness and harms, and not just immediate impacts such as slips trips and falls from intoxication. The purpose of this is not to attempt to make Public Health the fifth licensing objective, rather using the ordinary definition of the licensing objectives to help address evidence based alcohol related harms within our communities.

18.7 While recognising that evidence based alcohol related harms are a key concern, the Licensing Authority also recognises that alcohol is just one, albeit significant, component of the recreational and in particular late night economy with which the licensing regime is addressed. The Licensing Authority will approach any Public Health representation within the wide framework of the regime and not exclusively on health and well-being considerations.

18.8 Cardiff Model data

18.9 Public Health may also hold (or have access to) health data concerning individual premises – for example, 'Cardiff Model'[13] data of alcohol-related admissions to hospital emergency departments. Such data may be of particular use to the Licensing Authority when it considers an application for review of an existing licence or certificate, and the Licensing Authority encourages responsible authorities who are bringing reviews to liaise with Public Health and examine whether any such data supports, or conflicts with, the grounds on which a review has been brought.

18.10 The Licensing Authority notes that there are limitations to such data – for example, the Cardiff Model generally only specifies the last premises attended by a casualty, and may not detail any other premises where they consumed alcohol earlier in the evening, or any alcohol consumed at home (a practice widely known as 'pre-loading'). For this reason, the Licensing Authority will carefully examine any such data presented in support of a representation or review. It is considered unlikely that action will be taken based solely on Cardiff Model data – however, such data may act to reinforce other evidence presented in respect of a particular case,

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[13] https://www.cardiff.ac.uk/crime-security-research-institute/publications/research-briefings/the-cardiff-model

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or may be indicative of an issue in a particular area requiring further investigation.

18.11 Health data relating to alcohol consumption by children will also be considered carefully by the Authority, as it may indicate a particular geographic area where children are gaining access to alcohol. Such data may be correlated with complaints and reports of underage sales to inform and influence future enforcement operations undertaken by the Licensing Authority and responsible authorities.

19.0 <u>Planning permission</u>

19.1 Any premises which are the subject of an application for a licence should preferably have a permitted or lawful use under planning legislation already in place. If the premises do not have this, then it will need to be obtained separately before licensed activity can lawfully take place.

19.2 Expressing views through the planning process

19.3 Another key route by which stakeholders can express their views is through the planning process, either when neighbourhood plans are being developed or when particular planning applications are considered. The mechanisms and procedures governing how interested parties can input to planning decisions is covered in the council's planning policies: https://www.eastherts.gov.uk/planning

19.4 Interplay between planning decision making and licensing decision making

19.5 While the development control and planning consent processes are separate jurisdictions to licensing decision making there are links between them. The Council as a planning authority is a responsible authority under the Licensing Act 2003. Intelligence sharing and representations are routinely made between officers involved in processing applications under the two decision making regimes. The decision making processes and enforcement criteria under each regime, however, are different so that action taken in response to particular circumstances involving a given venue may not be the same under both regimes.

19.6   The Council Planning Department is a Responsible Authority, and receives copies of premises licence applications. Where there is no planning consent for the use for which the licence is sought, Planning will be responsible for pointing this out to the applicant outside of the remit of this Policy.

19.7   Where representations have been made by the Planning Authority on grounds that the application will undermine the licensing objectives unless planning permission has been obtained, and we resolve to grant a premises licence or club premises certificate, it may be subject to a condition that it will be of no effect until the appropriate planning permission has been granted by the Local Planning Authority.

19.8   In many cases where an application is made for a new licence or variation, the planning use will already be authorised by a previous planning permission or because the premises has a long-standing lawful use. Therefore, a new application for planning permission is often not required.

19.9   However, the existing planning permission might, and if recently granted is very likely to have conditions restricting the use of the premises in some way: e.g. the hours of operation. In that case, anybody seeking a licence to operate beyond those hours will need to seek and obtain a revised planning permission or a variation or removal of the relevant planning condition.

20.0 Festivals and outdoor events

20.1   The Licensing Authority recognises the contribution that well-run outdoor events bring to local communities, and is pleased to support events which are run in a manner that will promote the licensing objectives.

20.2   The organisation of outdoor events of any size is a significant undertaking, with a multitude of issues which must be taken into account. Licensing is only one aspect of the regulation and control of such events.

20.3   Generally we would expect the organisers of all outdoor events to follow the advice contained in the "Purple Guide" when planning their event. This document contains guidance written by and for the events industry in

respect of safety and welfare aspects of event management, and replaced earlier guidance issued by the Health and Safety Executive.

20.4   For larger events, taking place under the authority of premises licences, it is recommended that organisers consider engaging professional advice and assistance, particularly with regards to issues which may affect public safety.

20.5   The Authority will expect the organisers of any large events (taking place under the authority of a premises licence) or events which include special risk factors to consult the East Herts Safety Advisory Group (SAG) while planning their event, and to implement any reasonable recommendations made by the group. The SAG is a multi-agency body, which includes representatives of the Licensing Authority, responsible authorities and other statutory bodies who have involvement in the organisation and safe running of events[14].

20.6   Prior to applying for a licence, event organisers will need to secure permission from the appropriate landowner for the site on which they intend to hold their event. In the case of public land which the Council is responsible for managing, including parks and common land, approaches should be made to the Assets & Estates team within the Strategic Finance & Property service.

20.7   One of the major concerns arising from outdoor events is disturbance to local residents from noise associated with music entertainment at the event, or other noisy equipment such as generators, public announcement systems, fireworks, and so on. The Licensing Authority will expect to receive a comprehensive operating schedule from applicants, containing appropriate proposals to control such issues and promote the prevention of public nuisance licensing objective. Depending on the size and nature of the event it is likely this will need to include a comprehensive Event Management Plan (EMP) integrating a specific Noise Management Plan.

20.8   Where the nature of an event means an Event Management Plan, or other similar document, is required it is likely that the responsible authorities

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[14] Small scale events may still benefit from contacting the East Herts Safety Advisory Group: https://www.eastherts.gov.uk/community-wellbeing/community-events

will need the final version of these documents to be provided 6 weeks in advance of the event start date. This sort of time scale allows the responsible authority time to properly consider the documents, respond with any concerns and then those concerns to be addressed in good time. Late submission of complex and lengthy documents is likely to result in representations being made against applications.

20.9   To mitigate concerns, as far as, possible early engagement with those likely to be affected by an event is expected. Simply fulfilling the statutory obligation to advertise is likely to trigger representations and raise concerns more than if there has been early engagement. Please refer to the section of this Policy that deals with "Pre-application advice & engagement" for further details.

20.10 Use of multiple Temporary Event Notices for a single event

20.11 It has become increasingly common for larger scale events where licensable activities are taking place to be covered by multiple Temporary Event Notices (TEN's).

20.12 Whilst this will often be perfectly legal, it is important that sufficient formal planning is carried out for such events in order to reassure the Police and Environmental Health that the event can take place in such a way that the licensing objectives are promoted.

20.13 It is also important that organisers take suitable steps to ensure that they can be confident that they will not be inadvertently breaching licensing laws when running events in this way.

20.14 Organisers should consider using the East Herts Safety Advisory Group and whether seeking pre-application advice would be worthwhile.

21.0 <u>Circuses</u>

21.1   It is clear that authority is needed under the Licensing Act should a circus sell alcohol or provide late night refreshment.

21.2   In addition, The Legislative Reform (Entertainment Licensing) Order 2014 deregulated entertainment in travelling circuses provided that the following qualifying conditions are met:

- the entertainment is not an exhibition of a film or a boxing or wrestling entertainment;
- the entertainment takes place between 08.00 and 23.00 on the same day;
- the entertainment takes place wholly within a moveable structure and the audience present is accommodated wholly inside that moveable structure; and
- the travelling circus has not been located on the same site for more than 28 consecutive days.

21.3   The position is less clear in terms of regulated entertainment, and we are aware of extremes in approaches by Licensing Authorities across the country. It is this Authority's opinion that the incidental music to a circus performance is not licensable, clowns may not necessarily be playing a dramatic role qualifying as a theatrical performance, trapeze artistes are not engaged in indoor sports and film performances are rarely included.

21.4   Evidence nationally indicates that circuses are low risk, pose no significant risk to the licensing objectives, add value to the cultural activities of a town, and are regulated by other means including compliance with the Health and Safety at Work etc. Act 1974.

22.0 <u>Garages and motorway service areas</u>

22.1   Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises which are used primarily as a garage, or are part of premises used primarily as a garage. Premises are used primarily as a garage if they are used for one or more of the following:

- the retailing of petrol;
- the retailing of diesel (derv);
- the sale of motor vehicles; and
- the maintenance of motor vehicles.

22.2   If premises that are primarily used as a garage are granted a licence, that licence is "of no effect" and alcohol may not be lawfully sold.

22.3   Although there is no requirement in the legislation for an applicant for a licence to provide proof of primary use it is considered useful for this

information to be included so that it is clear to all parties if the licence has affect or not. Applications that do not include this information will still be processed and determined as required by the Licensing Act 2003.

22.4   Where there is a question around the primary use of premises, we may request that an applicant or licence holder demonstrate that their premises are not primarily used as a garage based on intensity of use. The Licensing Authority requests that evidence be based on **income** (from retailing petrol and derv and vehicles sales/maintenance versus other items) and **the numbers of individual sales** (of petrol, derv and vehicles sales/maintenance versus other items) over the previous two years to show that petrol and derv sales, and vehicle maintenance and sales, are not the premises main feature.

22.5   Where insufficient evidence exists to establish primary use, we will decide whether or not grant a licence and deal with any subsequent issues using our enforcement powers in conjunction with other responsible authorities.

22.6   Where such information is not available (because for example the premises have only just started trading), we will consider imposing a condition requiring this information to be provided to the licensing authority on a regular basis for the following two years to ensure the premises are not primarily a garage.

22.7   Where relevant representations have been made and a Licensing Sub-Committee will be the determining the application we shall treat it as an off-licence, as defined in this Policy.

22.8   Paragraph 5.23 of the statutory guidance issued under the Act makes it clear that the Licensing Authority must decide whether or not any premises is used primarily as a garage. We are aware that different authorities take a number of different approaches to this question. However, we hope that the proceeding paragraphs will guide applicants and licence holders as to the information we would like them to provide if this question arises.

23.0 <u>Security and CCTV</u>

23.1   Under a mandatory licence condition, any person engaged to work at licensed premises who is carrying out a prescribed security activity, as specified under the Private Security Industry Act 2001, must be correctly

licensed to carry out that function by the Security Industry Authority, or otherwise authorised under an approved contractor scheme or similar.

23.2   The Licensing Authority will expect applicants for licences to consider whether they may need to employ security personnel when compiling their operating schedules. This expectation will not just apply to premises licensed for the supply and consumption of alcohol, but any premises which may potentially experience disorder.

23.3   Premises which are licensed for the supply of late night refreshment, located either in Town Centre locations or on primary dispersal routes from such locations, and which cater primarily for the night-time economy may in particular need to consider whether security personnel will be necessary, both to safeguard their premises against damage, and to prevent outbreaks of disorder among customers who may be intoxicated.

23.4   Where a premises experiences regular incidents of disorder and does not employ security personnel to guard against this, the Licensing Authority may consider the imposition of licence conditions mandating their provision, on receipt of an application to review a licence.

23.5   Where a premises has a policy of searching patrons prior to entry, searches should only be carried out by security personnel of the same gender as the customer who is being searched. This will mean that such premises will need to employ a minimum of one male and one female door supervisor.

23.6 CCTV

23.7   The Licensing Authority will have regard to the Surveillance Camera Code of Practice[15], in particular paragraph 1.15, which highlights that the blanket imposition of licence conditions requiring CCTV systems to be operated in licensed premises without strong justification would be contrary to the first principle of the code. The imposition of CCTV conditions will, like all other matters relating to authorisations under the Act, be considered on a case-by-case basis, taking into account the circumstances and individual merits of the case in question. The Licensing Authority may still impose conditions requiring the operation of CCTV, if it

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[15] https://www.gov.uk/government/publications/surveillance-camera-code-of-practice (June 2013)

is considered necessary to meet an identified pressing need and for a specified purpose, in addition to being appropriate for the promotion of one or more of the licensing objectives.

23.8   In the absence of a condition requiring it, it will be for the licence-holder to decide whether to operate a CCTV system in their premises. The Code of Practice, while binding on public authorities, is voluntary for private operators, although adherence to the principles therein is encouraged.

23.9   Where CCTV is in use in licensed premises, the Licensing Authority will expect its use to comply with the provisions of the Data Protection Act. In particular, this will mean that:

- the licence-holder must register with the Information Commissioner as a Data Controller
- clear signage is displayed advising of the usage of CCTV
- the CCTV is under the control of and accessible only by management and supervisory staff, who are conversant in its usage
- the licence-holder has a clear policy on the retention of recorded images, and disposes of them after a set period (typically around 28 days) unless an incident is reported

23.10   To ensure the most effective use of CCTV, it is also encouraged that:

- the date and time on the system is correctly set
- the system is kept operational at all times while the premises are open to the public
- there is camera coverage of the key parts of the premises, including all entrances/exits, bars, checkouts and dancefloors
- where recordings are required by police to assist in an investigation, that these can be accessed and supplied within a reasonable period – a maximum of 24 hours from receipt of a request is suggested

23.11   Hertfordshire Constabulary's crime prevention officers can offer advice on the installation and setup of CCTV systems to ensure best evidential quality.

24.0 <u>Drugs and new psychoactive substances</u>

24.1 The Licensing Authority expects all licensed premises to adopt suitable measures to detect and discourage persons from using controlled drugs (which for the purposes of this section means substances which are proscribed under the Misuse of Drugs Act 1971) while on those premises. Examples of such measures may include, but are not limited to, the following:

- Ensuring a highly visible staff presence throughout the premises
- Regular checks by staff of ancillary areas such as lobbies, toilets, cloakrooms and corridors
- Redesigning toilet facilities to remove horizontal surfaces, and niches and other areas where illicit items could be concealed
- Ensuring that all staff, and door staff in particular, are trained to recognise visible signs that a person is under the influence of an illegal substance, and to refuse such persons entry to the premises
- Operating robust 'search on entry' policies, with procedures in place to confiscate controlled drugs found during searches and hand these to police at the earliest opportunity
- Carrying out testing on surfaces within the premises to detect the presence of traces of controlled drugs
- Enforcing a zero tolerance policy to the use or supply of controlled drugs within the premises, ejecting or refusing entry to persons known to be linked to the use or supply of controlled drugs, and reporting to the police any person suspected of supplying controlled drugs

24.2 Where a licence holder believes that there may be an issue with the illegal use or supply of controlled drugs within their premises, they are strongly encouraged to contact Hertfordshire Constabulary for advice and assistance in remedying that issue. This may involve a degree of 'target hardening' – redesigning parts of the premises or operating procedures to more easily detect and discourage such practices. Where premises are co-operating with the Police to deal with such issues, the Licensing Authority is less likely to take action to remove or restrict the licence, than it would with premises which do not offer co-operation.

24.3 For the purposes of this part of the Policy, the Licensing Authority will regard new psychoactive substances (widely referred to as 'legal highs') in the same way as it does controlled drugs, and will expect that the measures taken in licensed premises to detect and discourage the use of controlled drugs will also extend to these substances, which generally mimic the effect of a controlled drug.

24.4 The Licensing Authority expects that licensed premises will not engage in, sanction nor condone the sale or supply of new psychoactive substances in or from their premises, and may seek to take enforcement action against premises that are found to be doing so.

24.5 The Licensing Authority recognises that Government has committed to strengthening the legislation around the supply and use of new psychoactive substances and welcomes such moves.

25.0 <u>Modern slavery</u>

25.1 Modern slavery is a crime. The UK Modern Slavery Act 2015 includes the following under the offence of modern slavery:

- Slavery, where ownership is exercised over a person
- Servitude, where a person is obliged to provide services imposed by coercion
- Forced or compulsory labour, which involves work extracted under the menace of penalty and for which the person has not offered himself voluntarily
- Human trafficking, which involves the movement of people by means such as force, fraud, coercion or deception with the aim of exploiting them

25.2 Modern slavery happens everywhere, including here in the UK. It operates in plain sight and can affect businesses without them even knowing. In the UK, estimates go as high as 136,000 when quantifying the number of hidden victims living in conditions of slavery. In the European hospitality sector, which includes bars and restaurants, a recent study found 110,000 victims of exploitation annually. Government agencies in the UK have specifically identified hospitality as a high-risk area for modern slavery.

25.3   Due to the nature of footfall seen in many licensed premises, employees may identify issues, which should be reported. However, it is also crucial that all businesses, including licensed premises, understand how they might be affected so that they can take steps to reduce the risk. Exploitation accounts for all situations that stray away from 'decent work', from labour market infringements and abuse, all the way to more severe forms of exploitation.

Licensed premises might be unwitting hosts to modern slavery in two ways:

1. Staff being recruited through unscrupulous means, leaving them trapped and/or indebted to a trafficker.
2. Victims and their traffickers visiting the establishment. Sexual exploitation and forced criminality would be the most common forms identified in this way.

25.4   Mitigating Exploitation Risks to Workers

25.5   Licensed premises should be aware of and meeting their obligations under all relevant legislation, including the Modern Slavery Act 2015, The Conduct of Employment Agencies and Employment Businesses Regulations 2003 and the National Minimum Wage Act 1998.

25.6   Examples of labour market infringements that have been known to be experienced by employees of licensed premises include: 1) Long hours, 2) insufficient pay (e.g. non-payment of minimum wage), 3) poor working conditions e.g. denial of sick pay and other entitlements, 4) bogus self-employment; and 5) control by an unscrupulous third-party agency.

25.7   Other examples of labour market infringements include: 1) Lack of personal protective equipment (PPE); 2) Few or no breaks; 3) Demeaning treatment; 4) Retention of identity documents or valuable possessions, 5) Restriction of movement or confinement to the workplace; and 6) Threat of denunciation to authorities (mainly illegal migrant workers).

25.8   There are also specific examples of practice that sometimes occur within licensed premises, which can create vulnerability and increase the risk of exploitation of drivers and office staff. In certain sectors, the use of fixed

pay, part-time and/or zero-hour contracts is a common practice, which can lead to underemployment or workers being paid below minimum wage. It is important that licensed premises owners and managers take account of their own anti-slavery policies and practices, as well as those of subcontractors and third-party agencies.

25.9   Owners and managers of licensed premises are responsible for ensuring that their employees' rights are upheld. A licence holder can work to prevent labour exploitation and modern slavery by taking steps to mitigate the risks of exploitation and undertaking effective due diligence. Steps to take include the following:

1. Promoting awareness of worker rights. Specifically, providing **every worker with a written contract** in a language they understand detailing working hours, pay/overtime rates, deductions (if any), holiday and sick pay entitlements and accommodation arrangements (if relevant)
2. Ensuring **clear reporting channels for grievances and whistleblowing** are clear and that workers are made aware of these procedures (see Section 25.14: Identification and Reporting)
3. **Conducting internal checks and checks of subcontracto**rs i.e. check payroll to ensure worker's wages are paid directly to them, that workers are being paid the national minimum wage at a minimum, and that no workers have paid any fees related to their recruitment. Also speak to workers directly.
4. Committing to **uphold high ethical standards**.
5. Ensuring that **all worker communications are translated** into the languages that make up the licensed premise's workforce. (For more information on how to undertake these steps, see the Modern Slavery SME Toolkit)
6. **Raising awareness of the signs of exploitation with workers**. It is important to ensure that any independent contractors (e.g. self-employed beauticians) are in fact agreeing to a fair contract and where work, fare and contract termination are agreed by both parties.

25.10 Third-Party Due Diligence

25.11 Before working with a third-party agency, licensed premise owners/managers should always check that:

- The company is **licensed to provide temporary labour** to the relevant sector of your business.

- The company's directors are **not listed on the Employment Agency Standards Inspectorate's list** of people that have been prohibited from running an employment agency/business due to past misconduct.

- The company only **subcontracts with a licensed premise's authorisation** and conducts their own due diligence on subcontractors when we give permission to subcontract.

- The company has a clear **commitment to not charging recruitment fees** and to covering the cost of recruitment when sourcing workers from overseas.

- The company has an **accessible and transparent reporting mechanism** that all workers can use to report concerns or issues.

- The company **provides information to their workers** on what optional services they offer, how much they cost, and how the workers can refuse or cancel them without penalty.

25.12 In the course of working with a third-party provider of employees, licensed premise owners and managers should periodically review a sample of employee key documents to ensure required labour standards are being met. Key documents to be reviewed could include:

1. **Payslips** (i.e. to check that the number of hours match operator records, that all workers are being paid at least the NMW, that optional services are clearly indicated, and that correct taxes and national insurance contributions are being paid);

2. **Right to work checks**.

25.13 Additionally, licensed premise owners and managers are encouraged to speak with all workers directly, on occasion, to ascertain if any labour market infringements have been made

25.14 Identification and Reporting

25.15 Staff at licensed premises can have the power to identify and report any exploitation they encounter, whether experienced by them, a colleague, a

customer, or a client. A licence holder may ensure awareness of modern slavery by:

- Provide **regular training** to all staff on the indicators of modern slavery and how to report concerns.

- Establishing **strong relationships with local police and victims service providers**, such as the national Modern Slavery and Exploitation Helpline (0800 0121 700), in advance of any incident.

25.16 Reporting Protocols

25.17 Having **clear and straightforward protocols** for when an incident is discovered is crucial to ensure that victims get appropriate support. Where employees identify a potential victim, they can follow a specific internal procedure in order to protect the safety of that individual.

25.18 The procedure should **1) not be overly complex, 2) should involve senior level staff and 3) should account for when reporting should go immediately to the police** (i.e. if certain indicators are met, if the potential victim is in immediate danger, if the potential victim is a child).

The Modern Slavery and Exploitation Helpline (0800 0121 700) can provide support to anyone who has a suspicion and would like some guidance on next steps, 24 hours a day.

26.0 <u>Child Sexual Exploitation (CSE)</u>

26.1 High-profile cases around the UK have acted to highlight the potential links between victims of child sexual exploitation and licensed premises. As licensing authorities have a statutory duty to ensure the protection of children from harm through the exercise of their licensing functions, it is important that licence-holders are aware of the potential for premises to be used by persons who are exploiting children for sexual purposes, and take appropriate measures to detect and discourage this.

26.2 Child sexual exploitation generally involves a young person being encouraged, coerced or forced into participating in a sexual relationship or activity by an adult. It frequently involves the victim being offered something in exchange for this, such as money, gifts, food, alcohol,

cigarettes, drugs, involvement in adult situations, or sometimes just attention. Victims may have been subject to a grooming process lasting for weeks, months or years.

26.3   There is no single model of sexual exploitation – different cases will all have different circumstances. Similarly victims can be very different. While some victims may have had troubled backgrounds, others may come from prosperous and loving families.

26.4   There are a number of indicators which may indicate possible child sexual exploitation. These include, but are not limited to:

- relationships which develop between a child and an adult;
- children accompanied by a group of unrelated adults;
- children regularly attending premises and meeting with a number of different adults, particularly if alcohol is being purchased for the child;
- children outside of licensed premises who develop relationships with adults, particularly if alcohol is being purchased for the child;
- children leaving the premises with unrelated adults, particularly with a group of adults;
- children looking uncomfortable in the company of or leaving the premises with adults, or groups of adults.

26.5   It must be stated that not every instance of the behaviours listed above will indicate exploitation, and many interactions between children and adults will be perfectly innocent. However, if staff at licensed premises have reasonable grounds for suspicion (for example, if the child does not appear to know the adults they are with, or appears distressed) then they should be urged to report this.

26.6   The Licensing Authority expects licence-holders and applicants for new licences to be aware of the possibility of child sexual exploitation taking place in or around licensed premises, and to adopt suitable protective measures to assist in the detection and reporting of incidents of this. These may include:

- inclusion of child sexual exploitation issues within training programs for new and existing staff,

- written management procedures for identifying and reporting suspicious behaviour to police,
- frequent monitoring of all areas of the premises and immediate vicinity, including external areas, to detect behaviours of the types listed above.

26.7   Hertfordshire Safeguarding Children Board, in conjunction with Hertfordshire Constabulary, has produced information packs[16], containing further relevant guidance to the management and staff of licensed premises, and of hotels. The Licensing Authority strongly recommends that licensed premises use these packs to raise awareness of child sexual exploitation among staff, and to formulate protocols for reporting any suspect behaviour, observed by their staff.

27.0 Film classification

27.1   Premises which are licensed for the exhibition of films are required by a mandatory licence condition to restrict admission to screenings in accordance with any age recommendation made by a film classification body, or by the Licensing Authority. Where recommendations have been made by both bodies, and the Licensing Authority has notified licence-holders of this, the Licensing Authority's recommendation will take precedence.

27.2   For the purposes of sections 20 and 74 of the Act, the Licensing Authority recognises the British Board of Film Classification (BBFC) as the film classification body, and will specify this body within the licences and certificates it issues.

27.3   The Licensing Authority views as good practice the inclusion within publicity materials of age-related admission restrictions arising from recommendations made by the BBFC or Licensing Authority. In any event, licence-holders must take appropriate measures to verify the age of persons being admitted to films which are subjected to age restrictions.

27.4   Details of the applicable recommendation in respect of a particular film should be exhibited prior to the commencement of that film. In the case

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[16] http://www.hertsdirect.org/services/healthsoc/childfam/childprotection/hertssafboard/childexplo/

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of a BBFC recommendation this may be displayed on screen for at least 5 seconds prior to the feature. Details of a Licensing Authority recommendation should be displayed at or near the entrance to the screening.

27.5   The Licensing Authority anticipates that the BBFC's recommendations will apply to the vast majority of films shown at licensed premises within the District. However in a small number of cases, the Licensing Authority may be called upon to exercise its powers and issue an overriding recommendation, which would only apply to licensed premises within the borough. Such situations can be approximately characterised in one of three groups:

- In cases where the Licensing Authority has concerns about a particular film, and has of its own volition made an alternate recommendation. This may allow admission of persons of a higher or lower age than the recommendation made by the BBFC, or in extreme circumstances may prevent the showing of a particular film. This power will be rarely, if ever, utilised.
- In cases where a film has not been classified by the BBFC. This is likely to be the case with small, local, independent films, or foreign films, where a wider UK release is not intended.
- In cases where the Licensing Authority is approached by a third party, asking the authority to override a recommendation made by the BBFC.

27.6   The third of these groups may include films intended to be shown at 'parent and baby' screenings, which have increased in popularity in recent years. The Act and Guidance are silent on the admission of babies to a film which is subject to an age-related recommendation – therefore on a strict interpretation of the Act, babies must be excluded from such screenings. The Licensing Authority is aware that some cinemas across the country have agreed schemes whereby the applicable Licensing Authority makes an alternate recommendation in respect of a specified film, expressly permitting the admission of babies and very young children to special screenings of that film with only parents of such children in attendance.

27.7   It is recommended that any premises considering the provision of such screenings contacts the Licensing Authority to discuss the proposals firstly. The authority will typically expect special provisions to be made for such screenings, including higher light levels and reduced sound levels, in order that parents can better ensure the safety of their children.

27.8   Issue of recommendations by the authority

27.9   When exercising powers under section 20 to issue an admission recommendation for a previously-unclassified film, it is proposed that the authority will adhere to the BBFC's Classification Guidelines (www.bbfc.co.uk), and where possible will issue a recommendation which is in accordance with one of the standard classification bands. This approach is preferred as audiences will be familiar with this particular classification scheme and the meaning of the 'certificates'.

27.10   In such circumstances, the authority will require the organiser of the exhibition to provide a copy of the film for classification purposes, or to arrange a viewing for representatives of the Licensing Authority.

27.11   Alternate recommendations for parent and baby Screening

27.12   Where the Licensing Authority receives a request to override an existing recommendation made by the BBFC, or has concerns of its own in respect of a particular film, in the first instance the authority shall have regard to the BBFC's original classification decision, and the BBFC Insight record which describes the content of the film that led to the classification decision. If satisfied that the content will not present any issues if viewed by children under 24 months of age, then the authority may agree to issue an alternate recommendation, consistent with the BBFC's original classification but including a specific exemption for accompanied children below 24 months of age, at screenings advertised and restricted to 'parent and baby' only. Issues will be assessed on a film-by-film basis, but it is anticipated that scenes of strong violence and gore, sex and strong threat will lead to greater concern around viewing by children of that age than strong language, mild nudity and discriminatory content will.

27.13 Where concerns exist based on the BBFC Insight record that a film may not be suitable for viewing by young children below 24 months of age, the authority may request that the cinema facilitates a viewing of the film in question to make a full assessment of this. No alternate recommendation would be issued unless the authority is satisfied that allowing young children below 24 months of age to be admitted will not lead to the child protection licensing objective being undermined.

28.0 <u>Promotion of Equality</u>

28.1 The Licensing Authority recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, and to promote equality of opportunity and good relations between persons of different characteristics. The 2010 Act provides for a number of protected characteristics, as follows:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

28.2 The Licensing Authority expects that licensed premises will not discriminate against any person based solely on any of these characteristics – for example, refusing a person entry to a licensed premises on the basis of their race, gender or age.

28.3 The sole exception to this will be where such action is necessary to comply with legal requirements or licence conditions, particularly in respect of ensuring an individual's age in situations where licence-holders must restrict access to age-restricted goods or services to any person who is below the legal age for that good or service – for example, the sale of alcohol to under-18's, or admission of under 15's or under 18's to a film with a '15' or '18' certificate.

28.4   The Licensing Authority will also expect member's clubs to ensure that their membership rules do not result in discrimination against a person on the basis of a protected characteristic – for example, maintaining different membership classes for persons of different genders.

29.0 <u>Other considerations</u>

29.1   Licensed premises are subject to many statutory requirements including fire safety, trading standards, food hygiene, health and safety, and planning. These different regulatory systems will be properly separated as described in the Guidance.

29.2   In addition, section 17 of the Crime and Disorder Act 1998 requires the Council when exercising its functions to do all it reasonably can to prevent crime and disorder.

29.3   By consulting widely prior to this policy statement being published the Licensing Authority will endeavour to secure proper integration with local crime prevention, planning, transport, tourism and cultural strategies.

29.4   Applicants are encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account, where appropriate, when formulating their operating schedule.

29.5   There are a number of wider issues which may need to be given due consideration when dealing with applications. The Licensing Authority may, when appropriate, receive reports on:

- the needs of the local tourist economy;
- the cultural strategy for the area;
- the employment situation in the area and the need for new investment and employment opportunities where appropriate;
- planning considerations which might affect licensed premises

29.6 Live music, dance and theatre

29.7 The Licensing Authority will monitor the impact of its licensing decisions on the provision of regulated entertainment within the District, and particularly live music, dancing and plays.

29.8 Many events which consist solely of these activities will now fall outside of licensing requirements, following deregulation.

29.9 The Licensing Authority is aware of the Covenant on Economic, Social and Cultural Rights and the requirements of Article 15 which require that progressive measures be taken to ensure that everyone can participate in the cultural life of the community and enjoy the arts. Care will be taken to ensure that only appropriate, proportionate and reasonable licensing conditions are imposed on these events.

29.10 Account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Licensing Authority's consideration will be balanced against the wider benefits to the community of these activities.

29.11 When attaching conditions the Licensing Authority will generally seek to avoid measures which might deter live music, dancing or theatre by imposing indirect costs of a substantial nature. However the Licensing Authority notes that on occasion it may have no choice but to impose such requirements in order to safeguard the licensing objectives – for example, requiring the installation of safety equipment to ensure the safety of persons attending an entertainment performance.

Appendix 1 - Consultation

Prior to starting the consultation on the proposed revision of the Statement of Licensing Policy the Licensing Authority engaged with or created a number of reference groups to seek views and influence the contents of the Policy.

These included:
- A cross party Member reference group made up of East Herts Councillor's
- Responsible authorities group
- Licence holders group
- Hertford at Night group

All members of the Community Safety Partnership (CSP) and the Safety Advisory Group (SAG) were invited to attend meetings or share their opinions and concerns in other ways.

The draft revised Policy, which was formulated following the engagement detailed above, was put before the Member reference group for any additional comments, amendments or questions before the public consultation started.

The consultation on this Statement of Licensing Policy was open to the public and has been widely publicised. Anyone who wanted to make comment was welcome to do so during the 4 week consultation. Below is a list of individuals, organisations and / or representatives directly consulted in the preparation of the Licensing Policy. The list is not exhaustive but gives a good indication of the scope of the consultation exercise.

- The responsible authorities designated under the Licensing Act 2003
- Holders of existing premises licences and club premises certificates issued by the Licensing Authority
- Representatives of residents associations in the area
- East Herts Councillors
- Town Councils
- Parish Councils
- Town Centre Management Boards
- Community Voice
- Youth Council
- Hertfordshire County Council
- British transport police
- Public transport providers
- Neighbouring Local Authorities
- Licensed Victuallers Association
- Chamber of Commerce

- Local Pubwatch groups
- Local Community Safety Partnership
- Hertfordshire Environmental Forum
- Hertfordshire Local Enterprise Partnership (LEP)
- Federation of Small Businesses
- Solicitors and agents that have previously submitted applications
- Spectrum Drug & Alcohol Services
- East Herts Licensed Taxi Trade
- Community Safety Partnership (CSP)
- Safety Advisory Group (SAG)

Appendix 2 - Glossary of Terms

These definitions are provided to aid understanding of the policy by residents and applicants. They do not replace the meaning given to the terms in the Act or the statutory guidance. Reference should therefore be made to these publications to clarify any of these terms for legal purposes.

<u>Alcohol</u> includes spirits, wine, beer, cider, or any other fermented, distilled, or spirituous liquor of or exceeding 0.5% alcoholic strength at the time of sale.

<u>Club Premises or Qualifying Clubs</u> can supply alcohol to members or guests and can provide regulated entertainment. These clubs must comply with general and specific conditions in relation to size, membership and the nature of their operations.

<u>Designated Premises Supervisor</u> (DPS) is a personal licence holder who is specified on the premises licence so that it can authorise the sale of alcohol. This may be any person with a personal licence.

<u>Guidance</u> means the guidance to Licensing authorities published by the Secretary of state under section 182 of the Licensing Act 2003.

<u>Licensing Authority</u> means East Herts Council.

<u>Licensing Committee</u> is a committee of 10 to 15 councillors, appointed by the Council.

<u>Licensing Sub-Committee</u> is a committee of at least two but usually three councillors, appointed from the licensing committee to whom the functions of the licensing committee can be delegated under the Act.

<u>Personal Licence</u> - permits individuals to supply, or to authorise the supply of alcohol. The licensing of individuals separately from the licensing of premises allows the movement of personal licence holders from one premise to another, allowing greater flexibility. It ends the outdated regime where publicans are tied by licence to the premises they manage.

<u>Regulated Entertainment</u> is entertainment that is provided to the public, or exclusively to members of a qualifying club and their guests, or entertainment provided for profit/personal gain.

Representations are objections or comments, against an application and can be made by responsible authorities (e.g. police) or other persons (e.g. residents). They must be made in writing and will only be relevant if they relate to the likely effect of the grant of the licence on the promotion if at least one of the licensing objectives. Representations by other parties will not be relevant if they are considered by the licensing authority to be frivolous (i.e. not serious) or vexatious (i.e. arising out of unrelated disputes).

Temporary Events Notice, used for relatively small-scale events held in or on any premises involving licensable activity and no more than 499 people at any one time (including staff & performers).

"the Act" means the Licensing Act 2003.

Appendix 3 – Useful resources

The links below were accurate at the time of publication of the Policy

Age verification

No ID No Sale campaign - www.noidnosale.org

Alcohol awareness

Drinkaware - www.drinkaware.co.uk

Alcohol promotions

Code of Practice of the Naming, Packaging and Promotion of Alcoholic Drinks (Portman Group) - www.portmangroup.org.uk

Child sexual exploitation
Operation HALO (Hertfordshire Constabulary) - https://www.herts.police.uk/Information-and-services/Advice/Child-sexual-exploitation/Halo

Say Something If You See Something resources (Hertfordshire Safeguarding Children's Board) - www.hertsdirect.org/services/healthsoc/childfam/childprotection/hertssafboard/childexplo/

Counter-terrorism
Protecting Crowded Places from Terrorism (National Counter-Terrorism Security Office) - www.gov.uk/government/collections/crowded-places

Crowd safety
Managing Crowds Safely: a guide for organisers at events and venues (HSE Publications) - www.hse.gov.uk

Film classification
Classification guidelines (British Board of Film Classification) - www.bbfc.co.uk

Fire safety

Fire safety advice documents (Department for Communities and Local Government) - www.gov.uk/workplace-fire-safety-your-responsibilities/fire-safety-advice-documents

Hertfordshire Fire & Rescue Service - Guidance for Event Organisers - Fire Protection (hertfordshire.gov.uk)

Modern Slavery
- The Modern Slavery Helpline (0800 0121 700) can provide support to anyone who has a suspicion and would like some guidance on next steps, 24 hours a day.
- Blueprint training (http://www.shivafoundation.org.uk/blueprint/training/)
- Indicator list (http://www.shivafoundation.org.uk/blueprintdocs/18_SF_SSB_Sec05_Indicator-List.pdf)
- Example policies (http://www.shivafoundation.org.uk/blueprint/policies-and-practices/)

Noise control

Guidelines on Community Noise (World Health Organisation) - www.who.int

Effective Management of Noise from Licensed Premises (British Beer and Pub Association) –

www.beerandpub.com

Code of Practice on Environmental Noise Control at Concerts (Noise Council) –

www.cieh.org

Outdoor events

The Purple Guide to Health, Safety and Welfare at music and other events - www.thepurpleguide.co.uk (subscription required)

The 'Can Do' guide to Organising a Voluntary Event (Cabinet Office) - www.gov.uk/government/publications/can-do-guide-for-organisers-of-voluntary-events

East Herts Safety Advisory Group (SAG) -
https://www.eastherts.gov.uk/community-wellbeing/community-events

Revised guidance issued under section 182 of the Licensing Act 2003 –

https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003

Security and CCTV

Security Industry Authority website - www.sia.homeoffice.gov.uk

Surveillance Camera Code of Practice (Surveillance Camera Commissioner) -
www.gov.uk/government/publications/surveillance-camera-code-of-practice

Appendix 4 – Contact details

Licensing
East Herts Council
Wallfields
Pegs Lane
Hertford
Hertfordshire
SG13 8EQ

Phone:
01279 655261

Emails:
(General enquiry):   community.protection@eastherts.gov.uk
(Complaint):   licensing.enforcement@eastherts.gov.uk

Website:
www.eastherts.gov.uk

Many applications can be made online by following the links on the relevant webpages: https://www.eastherts.gov.uk/licences-registration/alcohol-entertainment-late-night-refreshment

Please note that, due to the complexity of the legislation that governs these activities, we can only give basic advice about which activities do and do not require authorisation, and about application processes.

If you are unsure as to the legality of a particular activity, or require more detailed information or advice than we are able to offer, we recommend that you consult an independent specialist advisor or a legal representative.

Responsible authority contact details:
https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Responsbile_Authorities.pdf

Appendix 5 – Town Centres

Below are maps showing the location for the 'Town Centres' as defined within this Policy. If you are unsure whether your premises or application will fall within any of these areas or the implications if it does then please contact the Licensing Team for confirmation.

Hertford Town Centre (Sensitive Licensing Area)
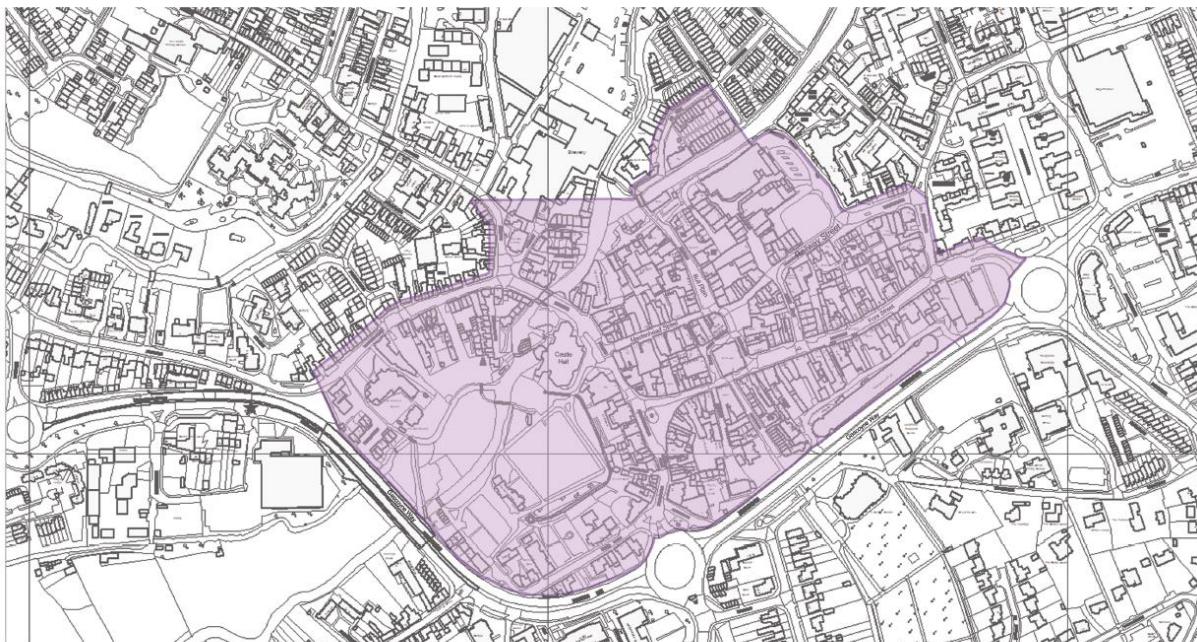
East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ
Tel: 01279 655261

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Bishop's Stortford Town Centre

East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ
Tel: 01279 655261

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Ware Town Centre
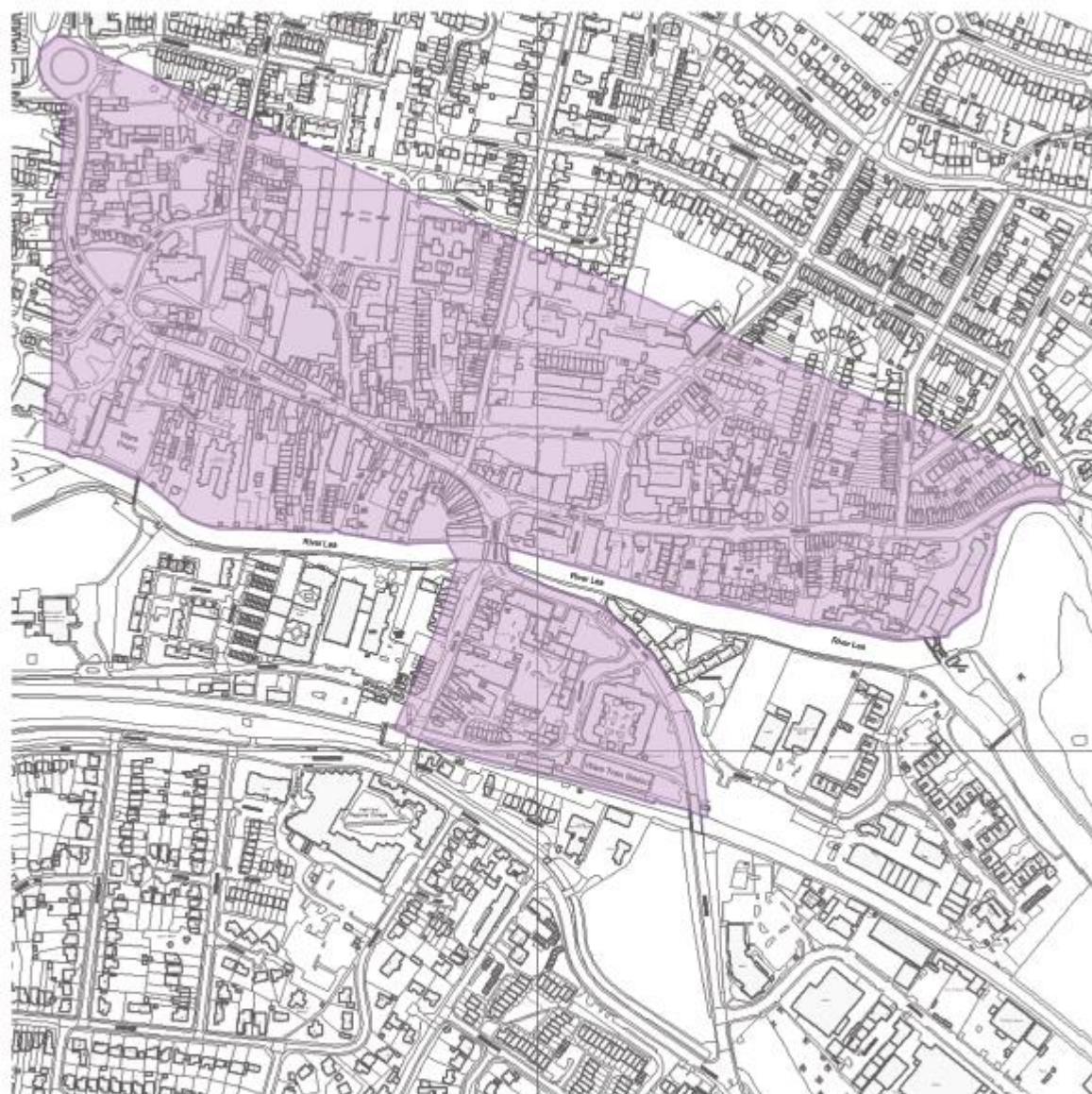
East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ
Tel: 01279 655261
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Sawbridgeworths Town Centre

East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ
Tel: 01279 655261

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Buntingford Town Centre
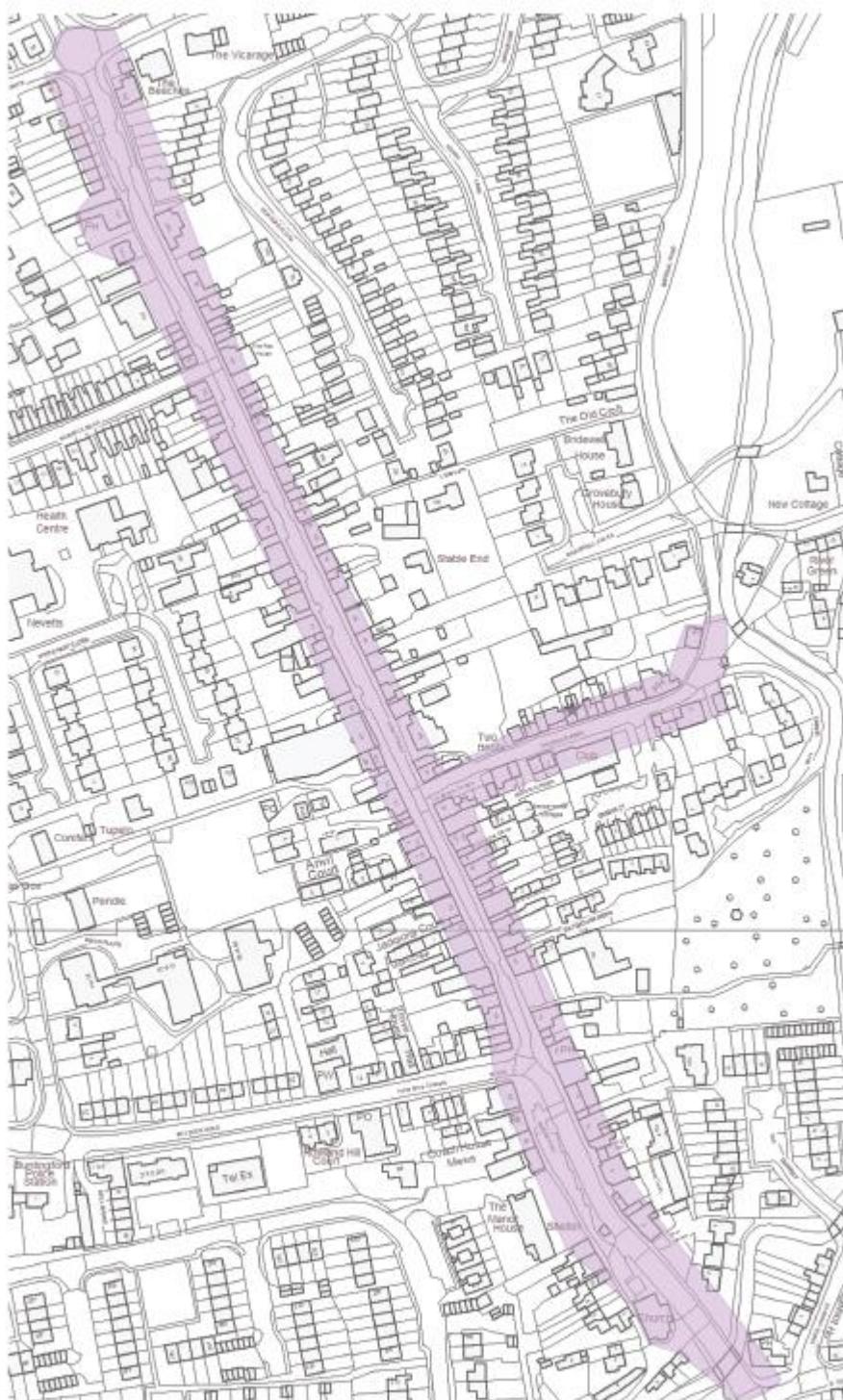
East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ
Tel: 01279 655261

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When deciding to grant or vary a premises licence under the Licensing Act 2003, we must do so subject to conditions which we consider are appropriate for the promotion of the licensing objectives.

In carrying out our licensing functions we must have regard to Guidance issued under the Act by the Secretary of State. Current Guidance frequently references types of conditions which relate to the four licensing objectives and which may be considered appropriate in particular circumstances but does not provide an exhaustive list. The Guidance states however, that it is important that conditions should not be applied universally and treated as standard conditions irrespective of circumstances. Under no circumstances should we regard this pool of conditions as standard conditions to be automatically imposed in all cases.

Conditions which are appropriate to promote the licensing objectives should emerge initially from the prospective licence holders risk assessment and be translated to form part of the operating schedule for the premises. This pool of model conditions has been produced to assist prospective licence holders where they consider that they would promote the licensing objectives in the circumstances of their application.

Once an application has been made, the Police, Environmental Health, other responsible authorities, and other parties are encouraged to engage with the applicant if they are considering making a representation to the application. This pool of model conditions will also assist these parties in identifying possible measures that could be suggested to mitigate their concerns.

This conditions contained within this document should not be considered an exhaustive list of conditions which may be included on a licence or certificate. It does not restrict any applicant, responsible authority, or interested party from proposing any alternative conditions, nor would it restrict a Licensing Sub-Committee from imposing any reasonable condition on a licence it considers appropriate for the promotion of the licensing objectives.

Where appropriate, conditions should specify who is responsible for its implementation and should state, for example, "The premises licence holder shall…" or "The designated premises supervisor will…".

For ease, the conditions have been split into themes, as follows:
1. Provision of CCTV
2. Staffing

3. Glassware
4. Door Supervisors
5. Admission, queuing and identification systems
6. Entertainment and noise
7. Sale and supply of alcohol
8. Outside areas and seating
9. Rubbish and litter
10. Policies, procedures and record keeping
11. Construction and use of the premises
12. Under 18s
13. Deliveries
14. Advertising
15. Town centre taxi marshals
16. Festivals and music events
17. For premises that are delivery only operating late at night

The conditions will be updated as required and the current version published on www.eastherts.gov.uk.

Comments on the content and use of the model conditions are welcomed. Please contact the licensing team on 01279 655261 or email community.protection@eastherts.gov.uk.

Key: The second column in the table that follows indicates the types of premises to which the condition in the third column might be of most relevance.

A	**Restaurants**
B	**Public house, wine bar, Café-bar or other drinking establishment**
C	**Café**
D	**Hotel bars**
E	**Night-clubs (including SEV)**
F	**Off-licences**
G	**Pavement licences**
H	**Qualifying clubs**
I	**Take-aways (Food)**
J	**Other entertainment venues**
K	**Public house, wine bar, Café-bar or other drinking establishment within a Town Centre**
L	**Alcohol delivery service / Online distributors of alcohol**
M	**Festivals and Other outdoor events**
O	**Moveable vessel and structure**

1. Provision of CCTV		
Number	**Applicable to premises**	**Condition**
1.1	B, D, E, F J and K	The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available to a Police officer or an authorised officer of the licensing authority upon request throughout the preceding 31 day period, providing that such requests are in connection with the prevention or detection of crime.
1.2	B, D, E, F J and K	A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show a Police officer or an authorised officer of the licensing authority data or footage upon request.
1.3	B, D, E, F J and K	The premises shall keep a suitable store of necessary recording media (such as DVD's, SD cards, cloud based systems or similar) to enable footage to be recorded from the CCTV system and provided to an authorised officer of the licensing authority or Police officer upon demand.
1.4	ALL	All faults/defects in the CCTV system must be reported to Hertfordshire Constabulary within one day of the fault being discovered. The notification must be made to the Hertfordshire Constabulary non-emergency telephone number of 101 and a log number obtained from the Police and recorded in the premises' incident book. The Police Licensing Unit must also be notified as soon as reasonably practicable.
1.5	ALL	All faults with the CCTV system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative no licensable activities shall take place without the agreement of the Police Licensing Unit and the licensing authority until the fault is rectified.

1. Provision of CCTV		
1.6	ALL	A monitor on which CCTV pictures can be displayed will be installed in the reception area.

2. Staffing		
Number	**Applicable to premises**	**Condition**
2.1	A,B,C,D,E F, J, K and M	There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
2.2	B, E & J	A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
2.3	E	An attendant shall be on duty in the cloakroom during the whole time that it is in use.
2.4	K	A Pubwatch radio must be made available for use by staff trained in its use at all times the premises are open to the public. The radio will be kept in good working order, monitored by a responsible member of staff, and used to report incidents of crime and disorder to the CCTV control room or to the Police. The radio must be carried by the person responsible for its use.
2.5	ALL except I & J	The designated premises supervisor shall attend and pass a formal training course on avoiding underage sales and provide evidence of attendance if requested.
2.6	F	The premises licence holder shall ensure that all tills in operation at the premises automatically provide age-related prompts to staff to check the age of the buyer when alcoholic products are passed through the till, or entered onto the till, for sale.
2.7	F and L	In addition to any other training, the premises licence holder shall ensure all staff are trained to prevent underage sales, to maintain the refusals book, enter sales correct on the tills so the prompts show when appropriate, and monitor staff to ensure their training is put into practise.
2.8	B, J, K and M	The premises licence holder shall ensure that at all times when the public are present on the licensed premises there is at least

	2.	Staffing
		one competent person able to administer First Aid, also that an adequate and appropriate supply of First Aid equipment and materials is available on the premises. A record of the provision of any First Aid treatment shall be taken and maintained at the premises. This record must include: • the name of any person who was treated, or a description of the person if they are unable to communicate • the date and time of the treatment • the person providing the treatment • a description of the injury or ailment which requires treatment • details of the treatment provided, and • whether any emergency services were called to provide assistance
2.9	B & E	At least one First Aider trained to deal with problems associated with alcohol and drugs will be on duty when the premises are open for licensable activities.
2.10	K	1) The Designated Premises Supervisor must be employed at the premises and be responsible for its day to day management. When the DPS is away from the Premises – for example on holiday – a nominated deputy who holds a personal licence and whose details have been provided in writing to the Police Licensing Unit in advance shall fulfil this role. (2) The designated premises supervisor (or nominated deputy as defined above) is to be responsible for the bookings of all "significant events" at the Premises (as defined in condition 6.9)
2.11	B, C, D, E, F, H, K	The premises licence holder shall ensure that all staff and licensed door supervisors receive training on checking customer identification, and in not serving those under the influence of alcohol and drugs. Records of such training shall be maintained at the premises and made available to a Police officer or an authorised officer of the licensing authority upon request.
2.12	E & K	All customers, promoters, performers, artists and DJ's must be searched prior to entry to a "significant event" (as defined in condition 6.9). The search must include (but is not limited to) the use of a metal search arch or use of a metal detecting wand, the searching of bags, and a full pat down search of each person with removal of jackets or coats.

3.	Glassware	
Number	Applicable to premises	Condition
3.1	B, E and K	No drinks shall be served in glass containers at any time.
3.2	B, C, D, E and K	Alcohol is to be served in polycarbonate, plastic or shatter-proof glasses [on specified days or events] [when notified in writing at least 28 days in advance by the Police Licensing Unit].
3.3	B, E and K	The designated premises supervisor shall ensure that tables are cleared of all bottles and glasses [on a regular basis][at least once every 60 minutes] during trading hours to avoid an accumulation of glassware.
3.4	B, E and K	A number of bottle bins shall be provided in designated places as agreed in writing with the Police Licensing Unit and/or an authorised officer of the licensing authority
3.5	K	No glass drinking vessels or containers (including bottles) of any sort may be provided to, or used by, customers on the premises unless agreed in writing with the Police Licensing Unit and the licensing authority.

4.	Door supervisors	
Number	Applicable to premises	Condition
4.1	B, D, E, I, J and K	A minimum of (**X**) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.
4.2	B, D, E, I, J and K	At least (**X**) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
4.3	B, E, J and K	All licensed door supervisors and staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests of a type which is compliant with the requirements of the current British Standard (BS EN 471).
4.4	B, D, E, J and K	Other than searches of pockets, bags and outer clothing, no door supervisor may search a customer of the opposite sex.

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	4.	Door supervisors
4.5	B, C, D, E and K	The Designated Premises Supervisor shall ensure there is a ratio of at least 1 door supervisor licensed by the Security Industry Authority for every 75 customers on duty at the premises at all times licensable activities are taking place (unless authorised by Police Licensing Unit otherwise in writing for a particular event).

	5.	Admission, queuing and identification systems
Number	**Applicable to premises**	**Condition**
5.1	E	No patrons shall be admitted or re-admitted to the premises after (insert time) unless they have passed through a metal detecting search arch and, if the search arch is activated or at the discretion of staff, then physically searched in accordance with a procedure agreed with the Police Licensing Unit, which will include a 'pat down search' and a full bag search.
5.2	B & E	All persons entering or re-entering the premises shall be searched by an SIA trained member of staff.
5.3	B, E & J	The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
5.4	B & E	There shall be no admittance or re-admittance to the premises after **(insert time)** hours.
5.5	B & E	Patrons permitted to temporarily leave and then re-enter the premises shall be limited to (**XX**) persons at any one time.
5.6	B, E, I & J	The premises licence holder or designated premises supervisor shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by licensed door supervisors so as to ensure that there is no public nuisance or obstruction to the public highway.
5.7	B, E, I & J	The number of persons permitted in the premises at any one time (including staff) shall not exceed (**X**) persons, and such number shall be prominently displayed by each entrance to the premises. The premises licence holder or designated premises supervisor shall ensure a suitable method of calculating the number of people present during licensable activities is in place and the results are securely recorded in a log-book for a period of at least 12 months.

		5. **Admission, queuing and identification systems**
5.8	E	There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
5.9	D	In relation to the *specified function room* there shall be no admission after midnight other than to (1) residents of the hotel and their bona fide guests, or (2) persons attending the pre-booked function.
5.10	B, D & E	All functions in the *specified function room* shall be pre-booked or ticketed events.
5.11	B & E	No person who is subject of a court banning order or who is restricted access through a Pubwatch scheme will be allowed in the premises providing that the details of the person have been provided to the premises by the licensing authority or Hertfordshire Constabulary.
5.12	B & E	Any customer who behaves inappropriately will be barred from the premises and their details passed to Pubwatch.
5.13	E & H	The rules of admission to the premises shall be clearly and prominently displayed at each entrance to the Premises.
5.14	E	A clearly visible notice shall be placed at each entrance to the premises advising those attending that it is a condition of entry that customers agree to being searched and that the Police will be informed if anyone is found in possession of controlled substances or weapons.
5.15	B & E	An identification recognition system will be installed and used whilst the premises are open and fully maintained, and records made by the system retained for 31 days in a format to be made available to a Police officer on request
5.16	K	(1) The Premises must employ the Scannet electronic identification system (or an alternative electronic identification system if agreed in writing with the Police Licensing Unit in advance). All customers must have their identity verified using the system before entry, except at times agreed in advance in writing by the Police Licensing Unit. (2) Any faults with the electronic identification system shall be repaired as soon as possible and in any case within two working days after which time, if the system is still inoperative no licensable activities shall take place until the fault is rectified or an alternative system agreed with the Police Licensing Unit.

		5. Admission, queuing and identification systems
		(3) The premises licence holder must ensure that all data recorded on the Scannet (or alternative electronic identification) system is kept for at least 31 days and not deleted during that period. (4) Data recorded by the Scannet (or alternative electronic identification) system shall be made immediately available upon request by a Police officer providing that such request is in connection with the prevention or detection of crime.

		6. Entertainment and noise
Number	**Applicable to premises**	**Condition**
6.1	B, E, H & J	A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any music amplification system and set so that no amplified noise shall be louder than **XX** dB(A)LAEQ (5 mins) when measured at point **X** on the agreed plan [at any time between XXXX hours and XXXX hours].
6.2	B, E, H & J	The operational panel of the noise limiter shall then be secured to the satisfaction of an Environmental Health Officer or Licensing Authority authorised officer from East Herts Council. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement of an Environmental Health Officer from East Herts Council.
6.3	ALL	Music amplification systems shall not be located in the entrance lobby or outside the premises building. Music amplification systems must not be directed outwards towards any street or installed externally to the Premises
6.4	B, E, H & J	All windows and external doors shall be kept closed between **XXXX** hours and **XXXX** hours, or at any time when regulated

		6. Entertainment and noise
		entertainment takes place, except for the immediate access and egress of persons.
6.5	A, B, C, D, H, I & J	Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
6.6	B, E & J	Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the licensing authority where consent has not previously been given. • dry ice and cryogenic fog • smoke machines and fog generators • pyrotechnics including fire works • firearms • lasers • explosives and highly flammable substances. • real flame. • strobe lighting.
6.7	E	The **XX** area shall be designated as a "chill-out" area whilst music and dancing are permitted on the premises which shall include adequate ventilation or fresh air; ready access to free drinking water; suitable seating accommodation; and access to First Aid facilities.
6.8	B, F and K	28 days' notice shall be given to the Police Licensing Unit of any events held which are organised by an outside promoter, including full details of the nature of the event and of the promoter, artists, DJs and MCs.
6.9	K	(1) At least 14 days before any "significant event" is held at the Premises, the premises licence holder or Designated Premises Supervisor must serve on the Police Licensing Unit a Hertfordshire Constabulary approved Risk Assessment Form. (2) A "significant event" is an event that is: (a) promoted / advertised to the public at any time before the event, and (b) predominantly features "DJs" or "MCs" performing to a recorded backing track, and (c) is provided between the hours of 10pm and 4am.

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6. Entertainment and noise		
6.10	A, B, C, D, I and K	On Monday to Saturday, the provision of late night refreshment which is available to take-away from the premises shall only be permitted between 23:00 and **XXXX**. On Sunday, the provision of late night refreshment which is available to take-away from the premises shall only be permitted between 23:00 and **XXXX**. Customers who have purchased late night refreshment to take-away must vacate the premises 15 minutes after the end of take-away service hours as permitted by this condition.

7. Sale and supply of alcohol		
Number	Applicable to premises	Condition
7.1	F	All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
7.2	F	Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grills/screens or secured behind locked cabinet doors to the satisfaction of the Police Licensing Unit or the licensing authority.
7.3	F	No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
7.4	F	No single cans or bottles of beer or cider shall be sold at the premises.
7.5	F	No sales of miniature or quarter bottles of spirits of any kind shall be permitted.
7.6	F	No more than (**XX**) % of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
7.7	F	There shall be no self-service of spirits on the premises.
7.8	F	Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
7.9	A & I	Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to, a substantial take-away meal.
7.10	A & C	The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a

		7. Sale and supply of alcohol
		person as ancillary to their meal.
7.11	A, B & C	The sale of alcohol shall only be by waiter service to seated customers, and there shall be no sales of alcohol at the bar.
7.12	B & E	Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises during the periods when alcohol is authorised for sale. **Note:** there is no definition of substantial but provided food by way of table service would be appropriate
7.13	D	With the exception of residents and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.
7.14	B, D, F & H	Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18.
7.15	L	The Premises Licence holder shall ensure that no members of the public shall be admitted to the premises. All orders for alcohol shall only be accepted if they are made remotely.
7.16	L	The premises licence holder or designated premises supervisor shall ensure that orders for alcohol are dispatched to bona fide addresses only.
7.17	L	The premises licence holder shall advertise their age verification policy and inform customers before the sale is completed that age and identity verification may be required at delivery in accordance with the premises licence holder's age verification policy.

		8. Outside areas and seating
Number	**Applicable to premises**	**Condition**
8.1	A, B, C & G	Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables within an area owned or leased by the premises, or within an area licensed by a pavement licence**.**
8.2	A, B, C & G	Outside tables and chairs [in the beer garden] shall be rendered unusable by **XX** hours each day.
8.3	A, B, C & G	All tables and chairs [in the beer garden] shall be removed from

		8. Outside areas and seating
		the outside area by **XXXX** hours each day.
8.4	B, E & J	Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
8.5	A, B, C, D & E	The Licensee shall make arrangements to ensure so far as is reasonably practicable that no customers shall be permitted to remove from the Premises any open bottles, glasses or foodstuff for consumption or disposal outside the Premises.
8.6	A, B, C, D, E, H & J	Customers will not be permitted to drink outside the premises save for in any seated area authorised under a pavement licence.
8.7	B, C, D, E, J, K	(1) No more than **XX** customers are permitted in the outside [smoking] area at any one time (unless a different number is agreed in writing in advance with the Police Licensing Unit in consultation with an Environmental Health Officer from East Herts Council). (2) At least **XX** door supervisors must monitor the smoking area in person when the Premises is open for licensable activities (unless a different number or ratio of licensed door supervisors to customers is agreed in writing in advance with the Police Licensing Unit). (3) The Designated Premises Supervisor shall ensure that at all "significant events" (as defined in condition 6.9) at least **XX** licensed door supervisors are tasked with specific responsibility for marshalling the public areas of the Premises to detect and deter the use of illegal drugs. (4) The structure and control of the smoking area (including walls, fences, barriers, lighting and CCTV cameras) is to be of a type and design approved in writing by the Planning Authority. (5) No customers shall be permitted to take food or drink into the smoking area.

	9. Rubbish and litter	
Number	Applicable	Condition

		9. Rubbish and litter
	to premises	
9.1	ALL	No rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between **XXXX** hours and **XXXX** hours.
9.2	ALL	The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge or **XX** metres from the premises (to be specified where the highway boundary is a significant distance from the front of the premises), shall be swept and or washed to keep it free from all litter and other deposits occurring as part of the business. This is to be done at regular intervals of **XX** hours between **XXXX** and **XXXX** hours and a log of cleaning kept for 3 months. Any Litter and sweepings collected must be stored in accordance with the approved refuse storage arrangements.
9.3	A, B & E	No glass waste including bottles shall be handled externally after **(insert time)** with the exception of the collection of empty glasses and bottles from outside drinking/smoking areas and streets in the vicinity of the premises
9.4	ALL	All litter to include discarded flyers, cigarettes, fast food packaging and any other litter, whether caused by the venue or not, shall be cleaned from an area of XX metres in all directions from the front of the Premises at regular intervals of (insert time) hours. All waste collected is to be disposed by the Premises of as trade waste. The details of all cleaning undertaken under this condition are to be recorded and maintained at the premises for 12 months.
9.5	ALL	Flame retardant ashtrays will be available in the smoking area during the times the premises are open and taken away when the premises are closed

		10. Policies, procedures and record keeping
Number	**Applicable to premises**	**Condition**
10.1	B, E & F	A log (which may be electronically recorded) shall be kept detailing all refused sales of alcohol. The log should include the

		10. Policies, procedures and record keeping
		date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the licensing authority at all times whilst the premises is open.
10.2	B, E & J	An incident log shall be kept at the premises for at least 12 months, and made available on request to an authorised officer of the licensing authority or the Police Licensing Unit, which will record the following: (a) all crimes reported to the venue, or by the venue to the Police (b) all ejections of patrons (c) any complaints received (d) any incidents of disorder (e) seizures of drugs, offensive weapons, fraudulent ID or other items (f) any failures or faults in the CCTV system or searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a responsible authority or emergency service (i) the times on duty, and the licence number, of all licensed door supervisors employed by the premises. (j) assaults or other injuries whether or not police or medical assistance is required (k) all times when CCTV and electronic identification system records have been supplied to Police and licensing authority officers (l) records of reasonable requests from authorised officers in accordance with condition [110].
10.3	B, E & J	There shall be a dispersal policy for the premises agreed with the Police Licensing Unit and approved by an authorised officer of the licensing authority.
10.4	B, E & F	There shall be a policy agreed with the Police Licensing Unit and approved by an authorised officer of the licensing authority for the premises on the handling of fraudulent identification used to obtain the sale of alcohol.
10.5	B, E & J	There shall be a policy agreed with the Police Licensing Unit and approved by an authorised officer of the licensing authority for the premises relating to illegal drugs found on persons or on the premises
10.6	B, E & J	There shall be a policy agreed with the Police Licensing Unit and approved by an authorised officer of the licensing authority for

		10. Policies, procedures and record keeping
		the premises relating to any unlawful weapons being used by customers.
10.7	ALL	The premises will demonstrate a written policy on the training of all staff regardless of their role in the prevention and reporting of exploitation of vulnerable persons.
10.8	B, C, D, E, H, K	The Designated Premises Supervisor shall be responsible for implementing a dispersal management plan agreed (and revised from time to time) with the Police Licensing Unit and the licensing authority. They will also ensure that licensed door supervisors remain on duty outside the premises for 30 minutes after the premises close to assist with dispersal of persons from the premises and the vicinity of the premises.
10.9	B, C, D, E, H, K	The Designated Premises Supervisor shall maintain a register/log of licensed door supervisors indicating the number of licensed door supervisors on duty, their identity, contact details including addresses and phone numbers and the times they were on duty. A copy should be available immediately upon request to the Police Licensing Unit or an authorised officer of the licensing authority.
10.10	ALL	All assaults resulting in physical injury to a customer or member of staff must be reported immediately to the Police contact centre (999 or 101 telephone numbers).
10.11	B, C, D, E, H, J, & K	Any person found with illegal drugs must be reported to the Police immediately via 101 or 999 (depending on the circumstances).
10.12	B, C, D, E, H, J, & K	The Premises Licence Holder and Designated Premises Supervisor are to co-operate with pre-arranged Police operations involving the searching of customers at entry for weapons and drugs.
10.13	B, C, D, E, H, J, & K	Whilst licensable activities are taking place, the toilets at the premises must be checked at least hourly for illegal drug use or supply. A written log of all checks must be kept at the premises for at 31 days and made available for immediate inspection on the request of the Police Licensing Unit or an authorised officer of the licensing authority.
10.14	ALL	The Premises must implement a "Challenge 25" policy whereby all customers who appear to be under 25 must produce photographic identification in the form of a passport, driving licence or Proof of Age Scheme (P.A.S.S) approved identification

		10. Policies, procedures and record keeping
		before being allowed to enter the Premises whilst licensable activities are taking place.

		11. Construction and use of the premises
Number	Applicable to premises	Condition
11.1	ALL	The Licence [or Club Premises Certificate] will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of the relevant responsible authorities, at which time this condition will be removed from the Licence [Certificate].
11.2	F & I	The premises will have an **[intruder] [panic]** alarm installed to the satisfaction of the Police Licensing Unit, such alarm to be properly maintained and regularly tested and staff trained in its use.
11.3	ALL	The Premises Licence Holder will arrange for a crime prevention audit to be conducted by Hertfordshire Constabulary and/or an authorised officer of the Licensing Authority, and the recommendations of the audit to be implemented within **XXXX** months.
11.4	B, D, E & H	Kegs, bottles, barrels, crates and other similar items are to be securely stored.

		12. Under 18s
Number	Applicable to premises	Condition
12.1	B, E & J	Entry by children under the age of 18 to [the premises] [a specified part of the premises] is prohibited whilst the following licensable activities take place: [list activities]
12.2	B, E & J	Entry by children under the age of 18 to [the premises] [a specified part of the premises] is prohibited between **XXXX**

		12. Under 18s
		hours and **XXXX** hours.
12.3	B, E & J	Entry by children under the age of XX to [the premises] [a specified part of the premises] is prohibited unless accompanied by an adult over the age of 18.
12.4	B, E & J	No events solely for those under 18 will be permitted on the premises.
12.5	E & J	The Premises Licence Holder or designated premises supervisor must ensure that there is a minimum of one member of staff on duty for every fifty children in the Premises at any one time to assist in the evacuation of children in an emergency. Such numbers of staff may include Licensed Door Supervisors.
12.6	E & J	The Premises Licence Holder or designated premises supervisor shall ensure that adequate arrangements, including transport, are implemented for ensuring the well-being of children at the conclusion of any regulated entertainment under this licence.
12.7	E & J	The Premises Licence Holder or designated premises supervisor shall ensure that adequate arrangements are implemented to prevent the consumption of alcohol or unlawful substances, or the carrying of any offensive items, on the premises by children.

		13. Deliveries
Number	**Applicable to premises**	**Condition**
13.1	ALL	All deliveries to the premises must be made via the entrance marked on the premises plan.
13.2	ALL	No deliveries may be made to the premises between **XXXX** hours and **XXXX** hours.

		14. Advertising
Number	**Applicable to premises**	**Condition**
14.1	ALL	No licensable activities shall be advertised by posters, stickers, banners or other printed means which are displayed to the public or at any other premises or other location except for the licensed premises. This condition does not exclude the handling

14. Advertising		
		out of leaflets by a distributor acting under the authority of a consent to distribute printed matter which has been issued by East Herts Council, but does prohibit such items being left unattended on or display at any location except for within the licensed Premises.

15. Taxi marshals		
Number	**Applicable to premises**	**Condition**
15.1	K	The Premises Licence Holder will make a contribution, in terms agreed with the licensing authority, to the **[enter location]** taxi marshalling scheme.

16. Festivals and music events		
Number	**Applicable to premises**	**Condition**
16.1	M	The premises licence is limited to one event per calendar year held in **[insert month]** consisting of **[insert number of days]** consecutive days only.
16.2	M	The premises licence holder shall produce an Event Management Plan, Fire Risk Assessment, and Crowd Management Plan (including arrangements for access and egress) for the event. The Event Management Plan shall contain the following • a traffic management plan • the evacuation procedure
16.3	M	The Event Management Plan, Fire Risk Assessment, and Crowd Management Plan, shall be submitted to Hertfordshire Fire & Rescue Service, Hertfordshire Constabulary, Environmental Health and the licensing authority for approval each year at least [**insert minimum time period**] prior to the start of each event. Copies of this documentation shall be retained on site while licensable activities are being provided, and shall be made available to any of the responsible authorities, as defined in the Licensing Act 2003, upon request.

		16. Festivals and music events
16.4	M	No licensable activities shall be permitted to take place under this licence unless the Event Management Plan, Fire Risk Assessment, and Crowd Management Plan for that event have been approved by Hertfordshire Fire & Rescue Service, Hertfordshire Constabulary, Environmental Health and the licensing authority. Any deviation from this documentation during the event shall only be made in exceptional circumstances, and the details shall be recorded in the event log with detailed reasons at the time. These changes must be raised at the next available Event Liaison Team meeting.
16.5	M	The event will use and maintain an event log. This will be kept up to date by Event Management and will be used to record all significant policy decisions made during the event by staff. This log will be available at every Event Liaison Team meeting, and will be available for inspection by the responsible authorities, as defined in the Licensing Act 2003, at any time.
16.6	M	There shall be a written drugs policy in place for the event. This policy shall be agreed between the licence holder and the Police Licensing Unit in writing and this policy shall be implemented whilst licensable activity is taking place. This event will include reference to psychoactive substances and must ensure a zero tolerance policy in this area. This policy must be agreed at least 14 days prior to the start of each event.
16.7	M	There shall be a written ejection policy in place for the event. This policy shall be agreed between the licence holder and the Police Licensing Unit in writing and this policy shall be implemented whilst licensable activity is taking place. This policy must be agreed at least 14 days prior to the start of each event.
16.8	M	The premises licence holder shall ensure that customers will not be allowed to bring their own alcohol on to the site.
16.9	M	The premises licence holder shall ensure that customers do not bring glass bottles onto the site.
16.10	M	Contact telephone numbers for the designated premises supervisor, event managers and site managers shall be provided to Hertfordshire Fire & Rescue Service, the Police Licensing Unit, Environmental Health and the licensing authority before the start of each annual event.
16.11	M	No staff member while on duty and / or in uniform will

		16. Festivals and music events
		consume alcohol or drugs on site or be under the influence of alcohol or drugs at any time whilst working.
16.12	M	All accidents, however minor, will be recorded in the on-site accident book and be reported to the event management team where applicable within 24 hours.
16.13	M	The premises licence holder shall publish a message on the event website at least 1 month prior to the event containing the following information; (a) Challenge 25 Policy for entry to the event and for bar service whilst licensable activities are taking place. (b) No alcohol permitted to be brought onto the site and searches will be made on entry (c) No glass drinking vessels and bottles allowed on site (d) Disabled access and facilities information (e) Details of medical facilities
16.14	M	The premises licence holder shall ensure that there are measures in place to accurately record and monitor entry numbers to the site. Upon request by a responsible authority, as defined in the Licensing Act 2003, the holder of the premises licence or an agent on behalf of and under the authority of the licence holder shall provide precise information regarding the number of people present on the site at the given time.
16.15	M	The premises licence holder shall ensure that all members of staff and SIA personnel have received training commensurate to their role, and have been fully briefed prior to the start of the event on the information contained within the Event Management Plan documents relevant to their role.
16.16	M	The premises licence holder shall have procedures in place to; (a) Manage the occupancy levels within areas to enable a safe and quick evacuation in the event of an emergency; and (b) Allow unrestricted and unobstructed access for emergency vehicles.
16.17	M & O	The licence holder shall ensure that all members of staff involved in the sale of alcohol receive training with regards to age restricted sales. This training must include the following: • The licensing objectives. • Recognising signs of drunkenness and recognising intoxication through drugs. • Challenge 25 and appropriate forms of identification. • Refusals logs including when and how to use them.

		This training must be documented, signed by any person involved in the sale of alcohol on site to state that they understand the training, and kept for a minimum of 6 months following the event. No person shall sell alcohol until they have received the training and signed the training document.
16.18	M & O	Any person involved in the sale or supply of alcohol shall have a lanyard or similar item which is to be worn on their person detailing the training they have received for easy reference.
16.19	M	Signage advising customers that Challenge 25 is in operation shall be prominently displayed at each bar.
16.20	M & O	No supply of alcohol shall take place at any bar unless a personal licence holder is present in a supervisory capacity.
16.21	M & O	Each bar shall have on display a document showing details of the bar. These details shall be the name of the bar manager, their personal licence number, and the hours of operation.
16.22	M	All bar managers shall have access to a radio link with the event management team and security teams.
16.23	M	All personal licence holders shall be made aware of the licence conditions. Personal licence holders shall sign a declaration to confirm that they have been received a copy of the licence conditions. This shall be documented and a copy of the conditions shall be made available at each bar. The signed declaration shall be made available to the Police Licensing Unit or the Licensing Authority upon request.
16.24	M	There shall be on site at all times a person nominated by the licence holder to liaise with Hertfordshire Constabulary and the Licensing Authority in order to deal with any issues arising as a result of Licensing checks performed at the event.
16.25	M & O	A sign shall be placed at each bar encouraging persons to drink responsibly.
16.26	M	There shall be a fence around the full perimeter of the licensable area. All fencing used shall have no gaps greater than 30 cm in the bottom and shall be at least 2 meters high. The only exemption to this is where there are entrances and exits, or existing fence lines in existence which are deemed suitable both by the event organisers and the Chief Officer of Police.
16.27	M & O	All staff shall be issued with a wristband, lanyard, or similar, which identifies them as staff working at the event.
16.28	M	The specific number of volunteers, stewards, marshals and

		16. Festivals and music events
		frontline SIA staff shall be recorded in the Event Management Plan. They will be based on a capacity of staff and customers for the entire licensable area. The numbers of staff will reflect the different challenges of the individual days various events and will not be generic.
16.29	M	The licence holder shall maintain a register giving details of each and every person employed in the role of security and shall provide upon request by any Police Officer or authorised officer of the licensing authority, the following details:- (a) The licence number, name, date of birth and residential address of that person; (b) The time at which he/she commenced that period of duty (c) The time at which he/she finished the period of duty (d) If that person is not an employee of the licence holder, the name of the person by whom that person is employed or through whom the services of that person were engaged; The register shall be made available to a Police officer or the Licensing Authority on request. This register may be in paper or digital format.
16.30	M	Every entry and exit point to the venue shall be supervised by SIA licensed security personnel.
16.31	M	All security persons shall have access to a radio to communicate to other staff on site.
16.32	M & O	[Local residents][Adjoining residents][All residents within *identified streets*] [Residents of the following properties] shall be provided with appropriate contact telephone numbers for the event organisers, or relevant event staff, prior to each event
16.33	M	The premises licence holder shall ensure that bag searches are carried out as customers enter the event.
16.34	M	The premises licence holder shall ensure that any person appearing to be under the influence of illegal drugs shall be refused entry.
16.35	M	Any person deemed unfit due to drink or drugs at the event shall be asked to leave the event after organisers have considered that it is safe for them to leave the site.
16.36	M	Last entry to customers shall be **XXXX** hours. There shall be no admittance to customers after this time except in an exceptional circumstance. In the event a circumstance is deemed exceptional each entry will be recorded and the

		16. Festivals and music events
		rationale for this admittance documented in the event log.
16.37	M	There shall be no entry or re-entry into the site after [insert time] hours in any circumstance.
16.38	M	The licence holder shall ensure that patrols of the site including the car park area are performed by security staff of the site whilst the site is closed to the public.
16.39	M	A response team staffed entirely of SIA licensed personnel shall be available for deployment during the event. This team will be in possession of body-worn cameras. All footage captured by these cameras footage will be made available to a Police officer upon request. This team will not be used for any other function.
16.40	M	There shall be an area within the licensable area dedicated to dealing with vulnerable adults. There shall always be on duty at this location a person nominated as in charge. Staff working in this area shall have access to a radio connecting with the event management.
16.41	M	A Medical Team will be set up on-site with trained and experienced staff available to care for ill, intoxicated or vulnerable adults until they are ready to leave safely.
16.42	M	There shall be a facility on site to deal with persons taken unwell or injured during the course of the event. This facility shall be open at all times that the site is open to members of the public. An SIA accredited person shall be present at all times that the facility is open to members of the public. The medical facility shall have access to a radio connecting to the site control. The numbers of medical personnel will be set and recorded in the event management plan taking into account any statutory guidance available at the time of the event.

	17. For premises that are delivery only operating late at night	
Number	Applicable to premises	Condition
17.1	I	No members of the public shall be permitted to be in the premises while the premises are being used for licensable activities.
17.2	I	All late night refreshment provided under this licence shall be

		17. For premises that are delivery only operating late at night		
		for consumption off the premises only and shall be provided wrapped or packed in such a way so that it is supplied not for immediate consumption.
17.3	I	Customers are not permitted to collect food from the premises .The Premises Licence holder shall ensure that all orders taken by the premises shall be delivered to customers at a bona fide address.
17.4	I	The premises licence holder shall ensure that no external signage or advertisements shall be illuminated between the hours of **XXXX** and **XXXX**.
17.5	I	The premises licence holder shall ensure that all glazed windows and doors have internal blinds so that light from the premises is not emitted and that these blinds are pulled down over all areas of glazing at 23:00 until the start of business again the next working day.
17.6	I	Signs shall be clearly displayed at the premises stating that the business is closed from **XXXX** hours until the start of business again the next working day with the exception of remote delivery orders.
17.8	I	The Premises Licence holder shall ensure that any extract unit at the premises will be turned off at 23:00 hours and shall not be turned on again until the business reopens the following day.
17.9	I	The Premises Licence holder shall ensure that all windows and doors shall be closed at 23:00 hours and remain closed until the business reopens the following day, except for the immediate access or egress of staff.
17.10	I	Delivery vehicles shall switch off their engines whilst stationary and collecting orders for delivery. Delivery vehicle horns shall not be used at any time, except in accordance with the Highway Code.

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East Herts Council Report

Executive

Date of meeting: 6 July 2021

Report by: Tyron Suddes – Information Governance and Data Protection Manager

Report title: East Herts Council Access to Information Policy

Ward(s) affected: All

Summary – The report presents the newly drafted Access to Information Policy (Appendix A) which aims to underpin the council's guidance and procedures in the areas of access to information. In a report taken to Overview and Scrutiny Committee on 23 March 2021**,** the committee supported the proposal to recommend this draft policy to Executive for adoption. Executive is asked to consider the draft policy, propose any amendments and **adopt** the policy following any amendments.

RECOMMENDATIONS FOR Executive

(a) **That the draft Access to Information Policy be adopted following any amendments.**
(b) **That the Information Governance and Data Protection Manager be authorised to make any minor amendments that may be required, in consultation with the Head of Legal and Democratic Services.**

1.0   Proposal(s)

1.1.   It is proposed that Executive considers the draft Access to Information policy and adopt it having first proposed any amendments it sees fit.

2.0   Background

2.1   Following an audit of the council's information management arrangements (Appendix B), it was identified that an Access to Information Policy would be required to further enhance the council's commitment to promoting and actively developing a culture of openness, transparency and accountability embodied in the relevant access to information legislation, including the UK GDPR, Data Protection Act, Freedom of Information Act, Environmental Information Regulations and the Re-use of Public Sector Information Regulations

2.2   The council has detailed guidance and procedures already in place to assist both staff and the public in the areas of access to information and it is the aim of this policy to underpin this guidance and act as an overarching governing document.

2.3   The draft policy went before Overview & Scrutiny Committee on 23 March 2021 and was recommended to Executive for adoption without any further amendments.

3.0   Reason(s)

3.1   Following an audit of the council's information management and data protection arrangements, a recommendation was made that a review of these arrangements would be carried out to ensure that all policies are updated and finalised. During this review, it was identified that the council has the relevant access to information guidance and procedures in place but that there is no overarching policy document to underpin these arrangements.

3.2   If adopted, the policy will act as an overarching document to ensure that the council conforms to the relevant procedures in access to information legislation and associated codes of practice. In particular, it aims to ensure compliance with the following key requirements:

3.2.1 The lawful and correct treatment of personal information in terms of the UK GPDR and Data Protection Act 2018

3.2.2 That information which is routinely published will be available in accordance with the council's publication scheme and the Local Government Transparency Code

3.2.3 That information which is not readily available to the public can be made available on request, within the statutory time limit, unless a valid exemption applies

3.2.4 Where an exemption is applied, that it is done consistently and appropriately, and in accordance with the relevant legislation

3.2.5 That a fair and efficient internal appeal system is administered

3.3 Under article 24(1) and the accountability principle of the UK GDPR, the council as a controller of data, must implement technical and organisational measures to ensure and demonstrate compliance with the UK GPDR.

While the UK GDPR does not specify an exhaustive list of things the council needs to do to be accountable, it does set out that putting in place relevant policies is a fundamental part of the approach to data protection compliance. The UK GDPR explicitly says that, where proportionate, implementing policies is one of the measures the council can take to ensure, and demonstrate compliance.

4.0 Options

4.1 Not to adopt this policy and maintain the existing access to information procedures and guidance without an overarching document. **NOT RECOMMENDED** as this would work against the council's aim to ensure sufficient compliance with the relevant access to information legislation

4.2 To consider and adopt this policy. **RECOMMENDED** as a means of ensuring that the council has an up-to-date overarching policy document in place to ensure that access to information best practice is adopted and applied.

5.0 Risks

5.1   It is possible that the risks of non-compliance with recommendations made in the audit report and with the relevant access to information legislation could occur if this policy is not adopted

5.2   The impact of these risks would be moderate in that the council may face a fine if it is found to be insufficiently compliant with article 24(1) of the UK GDPR. Although the council does currently comply with article 24(1), this policy will further enhance compliance.

5.3   There may be additional reputational implications if the Information Commissioner's Office were to investigate the council in order to determine level of compliance regardless of the final decision.

6.0 Implications/Consultations

Community Safety
No

Data Protection
Yes – The adoption of this policy would further enhance the council's data protection and related access to information procedures and guidance.

Equalities
Yes – The policy aims to ensure that equality best practice is applied to the council's access to information procedures and guidance.

Environmental Sustainability

No

Financial

Yes – The policy, at 5.4 and 5.8.2 notes the statutory limit it may charge requestors for access to information under specific conditions. These charges are available through the council's access to information procedures and fee structure.

Health and Safety

No

Human Resources

No

Human Rights

No – although not specifically human rights, this policy does ensure that relevant access to information and data protection rights are upheld, particularly those relating to the right to privacy.

Legal

Yes – The Council is under an obligation to ensure it complies with UK data protection law, and the adoption of this policy strengthens the council's compliance with the relevant access to information legislation.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – DRAFT – East Herts Council – Access to Information Policy

7.2 Appendix B – EHC 1920 – Information Management – Final Report

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East Herts District Council

Access to Information Policy

Document Control

Organisation	East Hertfordshire District Council
Title	Access to Information Policy
Author – name and title	Tyron Suddes, Information Governance and Data Protection Manager
Owner – name and title	Tyron Suddes, Information Governance and Data Protection Manager
Date	March 2021
Approvals	
Version	1.0
Next Review Date	March 2022

East Herts Council

Access to Information Policy

Contents

1.   Policy Statement

East Herts Council ('the council') is committed to promoting and actively developing, a culture of openness, transparency and accountability embodied in the Access to Information legislation. This refers to the general right of access that the public have to the information held by the council. This right of access comes from:

- The Data Protection Act 2018 (DPA)
- The Environmental Information Regulations 2004 (EIR)
- The Freedom of Information Act 2000 (FOIA)
- The Re-use of Public Sector Information Regulations 2015 (RPSI).

This policy establishes a framework, which underlines this commitment and underpins the council's detailed guidance and procedures in the areas of Access to Information.

2.   Purpose

This policy and the procedures which implement it will ensure that the council conforms to the Access to Information legislation and associated codes of practice, the key requirements of which are that:

- The lawful and correct treatment of personal information recognising the need to maintain confidence between the council and those with whom it deals.
- Information which is routinely published by the council will be made available in accordance with its publication scheme, and the Local Government Transparency Code 2014.
- Information which is not covered by the publication scheme is made available to applicants on request, within the statutory time limit, unless a valid exemption/exception applies.
- Exemptions/exceptions under the FOIA, DPA and EIR are applied consistently and appropriately, and in accordance with the legislation.
- A fair and efficient internal appeal system is administered.

3. Responsibilities

3.1.   The council has a corporate responsibility to ensure that it conforms to and implements the Access to Information legislation. The council is

accountable to the Information Commissioner for its compliance with this legislation.

3.2. The Information Governance and Data Protection Manager has a responsibility to ensure this policy is implemented, monitored and updated accordingly.

3.3. The Information Governance and Data Protection Manager and Freedom of Information Officer are responsible for the effective day-to-day management of compliance with the legislation, including the:

- development of policies, procedures, guidance and standards of good practice and their dissemination to staff;
- maintenance and periodic review of the publication scheme;
- management of the information request processes within statutory timescales;
- disclosure of requested information and the application of exemptions/exceptions that prevent disclosure;
- provision of advice and assistance on access to information issues;
- promotion of good records management practices

3.4 An appointed member of staff within each service will act as a point of contact for access to information requests depending on the type of information requested. The point of contact will be responsible for the coordination, gathering and the forwarding of information to the Freedom of Information Officer for appraisal.

3.5 All staff must handle information and requests for information in a way that complies with this policy and the council's related procedures, guidance and standards of good practice. Staff should note that the deliberate concealment, amendment or destruction of information which has been the subject of a request, in order to prevent its disclosure, is a criminal offence under the legislation for which individual staff as well as the council can be held liable.

4. Overview

4.1 Transparency

The council believes that transparency is a key condition and driver for the delivery of our services. As a publicly funded organisation, we have a duty to

be transparent in our business operations and outcomes in order to deliver value for money.

The council will publish information on its website, in accordance with the Local Government Transparency Code 2014.   In addition, the council affirms its commitment to the routine publication of as much non-sensitive information about our policies, procedures and activities as possible.

4.2   The Freedom of Information Disclosure Log

The Freedom of Information Act 2000 requires public bodies to be proactive in the release of official information. As a result, the council has produced an internet based Freedom of Information Disclosure Log, which allows users to search a database, using keywords or categories, of previous Freedom of Information requests to ascertain whether their request may be similar.

4.3   Requests for information

Information which is not covered by the council's Freedom of Information Disclosure Log or which is not made routinely available can be requested by any individual, including corporate or public bodies under the FOIA and EIR. The legislation provides the public with the right to be informed whether the information is held by East Herts Council, and if so, to have the information communicated to them unless an exemption/exception or limit applies. There is a maximum of 20 working days under the legislation to provide the response or notify of a refusal. The deadline can be extended, but only in certain circumstances.

A subject's personal information can be requested under the DPA and the Council has a maximum of 1 month in which to process a request unless an exemption applies. The deadline for response can be extended to a maximum of 2 further months for large or complex requests.

The council is committed to processing requests for information in accordance with the requirements of the applicable legislation. The council will ensure that requests are processed in accordance with the Code of Practice issued by the Secretary of State at the Ministry of Justice under section 45 of the Freedom of Information Act. Similarly, requests under the Environmental Information Regulations will be handled according to the Code of Practice issued by the Department for Environment, Food and Rural Affairs.

Procedures and systems for dealing with information requests have been developed to promote conformity to these codes and the legislation, and will be coupled with appropriate training for staff handling requests. Subject access requests will be processed under the DPA according to the Data Protection Principles.

4.4   Charges

Whilst the council does not normally charge for information requests, it still needs to be able to calculate how much a request would 'cost' even though the council may not be making a charge. The FOIA imposes a statutory limit on the amount that can be spent on locating and extracting the information required to answer a request. This limit is currently set at £450.00, which equates to 2.5 days of staff time.

When estimating the cost of complying with a request for information, the council can take into account the staff time reasonably incurred, when involved in the following activities:

- determining whether the council holds the information;
- locating the information or a document which may contain the information;
- retrieving the information, or a document that may contain the information;
- extracting the information from a document containing it

The following actions will be taken once the estimated cost has been determined:

- If the request is estimated to amount to less than £450.00 of work (less than 2.5 days), the council will respond to the request at no cost.
- If the request is estimated to amount to in excess of £450.00 of work (more than 2.5 days); dealing with the request will be at the council's discretion and may incur a fee in line with the council's access to Information fees.

Prior to charging for an information request, the council will provide the applicant with reasonable advice and assistance in an attempt to refine or narrow down the request so that it may be processed free of charge.

4.5   Exemptions/exceptions

Although the council upholds the principle that information should be accessible wherever possible; there are times when it has to withhold

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information to protect its legitimate interests and those of other organisations and individuals. The council will only refuse to disclose information in response to a request if a valid exemption/exception applies under the FOIA, DPA or the EIR.

Where information is withheld, applicants will be informed of the relevant exemption/exception and why the council believes it applies, including if necessary our consideration of the public interest test. Applicants will be provided with details of the relevant complaint and appeal procedures.

The Freedom of Information Officer or Information Governance and Data Protection Manager must be consulted in all cases where staff believe that the release of the requested information is felt to be inappropriate.

The Freedom of Information Officer or Information Governance and Data Protection Manager will appraise the information against the available exemption/exceptions in order to decide whether or not an exemption/exception to disclosure applies.

4.6   Appeal procedures

4.6.1. Freedom of Information and Environmental Information Regulations

The Council has a statutory duty to provide an internal review process against our initial responses to requests for information. The review will be conducted in accordance with section 45 of the Freedom of Information Act.

This procedure will be followed if an applicant expresses dissatisfaction, whether justified or not about the way their request was handled and about the information supplied or not supplied.

4.6.2. Data Protection Act and UK GDPR

Following ICO good practice guidance, the council will conduct an internal review where requested by the applicant in relation to a request about their personal data.

4.6.3. Re-use of Public Sector Information Regulations

The council will use its internal review process against any complaints received about how it handled a request for re-use. The complaint should be

submitted to the council in writing and the council will aim to respond to the complaint within a reasonable time, explaining the reasons for its decision.

Applicants can appeal to the Information Commissioner if they remain dissatisfied after going through our internal review procedure. If the Information Commissioner decides to investigate, they can request all the relevant information in order to review the case. The Information Commissioner can overturn our refusal of a request.

4.7   Third Parties

The above mentioned legislation covers all information held by the council, including information provided to us by third parties such as contractors, tenderers, suppliers, other public or regulatory bodies. The council does not have to consult with third parties on every occasion, however, there may be occasions when the council feels it is necessary, for example due to the type of information requested, the relationship the council has with the third party or any previous notification that information may be confidential.

4.8   Re-Use of Information

Requests may be made to the council for the re-use of information under the Re-use of Public Sector Information Regulations 2015 (RPSI). These regulations apply to information that the council produces as part of its public task. Information held that is not part of the council's public task is not covered by RPSI.

RPSI should not be confused with other information access legislation, i.e. the DPA, FOIA or EIR apart from the fact that RPSI does not apply to information that would be exempt from disclosure under this legislation.

Re-Use, in this context, means using public sector information for a purpose other than the initial public task it was produced for. Typically, this would mean the requestor taking the information produced and republishing it or using it to produce a new product or resource, often by combining it with other information, sometimes on a commercial basis. RPSI aims to permit and encourage the re-use of information and how it is made available as opposed to accessing information, which is dealt with under the information access legislation above.

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4.8.1. Requests for re-use

A request for re-use must be made in writing, with the requestor's name and address for correspondence, and must specify the information they want to re-use and the purpose they intend to use it for.

When a request is received, the council will respond within 20 working days, unless there is a need to extend this time where the information is extensive or the request raises complex issues. The council will inform the requestor of any delay within the 20 day period. If the requested information has not previously been disclosed then the council will, additionally, deal with the request as an access request under the appropriate legislation in order to decide whether the information is exempt.

The council will ensure that the information for re-use is made available in the format and language in which it is held and, where required, will make the information available in an open and machine readable format where it is not held in such a way.

The council may impose conditions on re-use but the conditions must be as open and non-restrictive as possible.

4.8.2. Charges for re-use

The council may charge for the marginal costs of reproducing, providing and disseminating information where this is excessive or where the council is required to generate revenue to cover:

- A substantial part of the costs relating to the public task;
- Documents for which the council is required to generate revenue to cover a substantial part of the costs;

In most cases, the above costs will be negligible and no charge will be made. Additionally, if the information is published on the council's website, then it is unlikely that a charge will be made.

If a charge is made, then the council will use regulation 15 of RPSI to determine how the charge should be calculated.

5. Help and Assistance

Please contact either the Information Governance and Data Protection Manager or Freedom of Information Officer if you need help or assistance.

Alternatively, you may find that the following resources available on the council's intranet may help:

- [GDPR and Data Protection](#)

Final Internal Audit Report

East Herts Council - Information Management 2019/20

July 2020

Issued to:	James Ellis – Head of Legal and Democratic Services and Monitoring Officer
	Dumi Williams – Information and Records Governance Manager
	Simon Russell – ICT Strategic Partnership Manager
	Helen Standen – Deputy Chief Executive
	Bob Palmer – Interim Head of Strategic Finance and Property
Copied to (Final Only):	As above
	Audit and Governance Committee Members
	Executive Member for Financial Sustainability
Report Status:	Final
Reference:	E29/19/001
Overall Assurance:	Limited

INDEX

1. EXECUTIVE SUMMARY

Introduction

1.1   Internal Audit provides East Herts Council with an independent and objective opinion on the organisation's governance arrangements, encompassing internal control and risk management, by completing an annual risk-based internal audit plan. This audit formed part of the Council's approved 2019/20 Internal Audit Plan.

1.2   The management and use of information have become more important as both the expectations of information governance and the service expected by customers become more demanding. Getting the use and management of information right has a significant part to play in the delivery of the Council's expectations and strategic objectives.

1.3   Following the implementation of the General Data Protection Regulation (the GDPR) in May 2018, the Councils could incur financial and reputational damage when information is found to have been poorly managed. The GDPR mandates considerably tougher penalties than the Data Protection Act 1998 (DPA) and organisations can expect fines of up to 4% of annual global turnover or €20 million, whichever is the greater. The UK left the EU on the 31 January 2020 but companies inside the UK will still need to comply with the EU directive until the end of the transition period (end of 2020). Following 2020, UK companies will still need to comply with the principles set out in GDPR as they have been incorporated into the revised Data Protection Act 2018.

1.4   The purpose of this audit was to assess the design and effectiveness of the Council's information management controls and the processes for the storage, retention and destruction of paper documents to support compliance with the Council's retention schedule and current legislation.

Overall Audit Opinion

1.5   Based on the work performed during this audit, we can provide overall **Limited assurance** that there are effective controls in operation for those elements of the risk management processes covered by this review. These are detailed in the Assurance by Risk Area Table in Section 2 below.

Audit Commentary

1.6   Since 2013, the Shared IT Service has been responsible for the provision of IT services to East Herts Council and Stevenage Borough Council. As part of the Council's IT Shared Service Agreement audit in 2019/20, Internal Audit identified an opportunity for both Councils to utilise the shared IT platform to improve services provided to the public by integrating further, specifically in relation to the Shared IT Service and information governance.

1.7   Overall responsibility for information management at East Herts Council has been assigned to the Council's Head of Legal and Democratic Services and Monitoring Officer. There is also a Data Protection Officer shared with Stevenage Borough

Council (from November 2019). However, the Council does not have a corporate information governance group or steering committee.

1.8   The Council does not appear to have an information asset register in place and has not identified information asset owners for each of its information assets, nor has it defined the responsibilities of the information asset owners. Furthermore, the Council's Information Management Policy is out of date and its Data Breach Policy has not been finalised, approved and communicated to members of staff.

1.9   The Council has arrangements in place for ensuring that the principle of least privilege is exercised, and digital information is only accessible and available to those that have a valid business need. It was also observed that there are secure storage facilities for the retention of both electronic and paper documents. However, we found that the Council has not documented the security measures and storage controls for each information asset.

1.10 Whilst the Council has a document retention guide in place, it was observed that it is not consistently enforced and applied in practice and we found that the retention schedule is incomplete and out of date. Furthermore, the Council does not have a record of what information has been archived and where it is stored.

1.11 The Council has appropriate on-site facilities for confidential waste and for the storage of confidential information. However, it has not defined its procedures for the disposal and destruction of information, including identification and authorisation procedures, nor does it have appropriate confidentiality clauses and contractual agreements with third parties responsible for the disposal and destruction of corporate records.

Summary of Recommendations

1.12 We have made one 'High' and three 'Medium' priority recommendations to improve the Council's information management arrangements.

1.13 The 'High' priority recommendation relates to the absence of a defined information asset register to capture the Council's information assets and data flows as per the requirements of the GDPR.

1.14 The 'Medium' priority recommendations relate to:

a) The Council's Information Management Policy is out of date and the Council's Data Breach Policy has not been finalised, approved and communicated to members of staff.

b) The Council's document retention schedule is incomplete and out of date and there is no record of the information that has been archived by the Council.

c) There are no defined policies or procedures in place for the disposal of information nor are there appropriate confidentiality clauses with third parties.

1.15 Please see the Management Action Plan in Appendix A for further details of these recommendations.

Annual Governance Statement

1.16   The findings from this report provide Limited assurance in relation to the Annual Governance Statement and impacts on the Council's ability to ensure compliance with relevant laws and regulations, internal policies and procedures.

2. ASSURANCE BY RISK AREA

2.1   Our specific objectives in undertaking this work, as per the Terms of Reference, were to provide the Councils with assurance on the adequacy and effectiveness of internal controls, processes and records in place to mitigate risks in the following areas:

Risk Area	None	Limited	Satisfactory	Good
Information Governance Whether the Council has a full understanding of what information it holds, why it holds it, what it is used for and its value.	▓	▓		
Storage of Information Whether the Council's information is stored securely and access to information is effectively controlled.	▓	▓	▓	
Retention of Information Whether information and document retention is compliant with the requirements of the General Data Protection Regulation (GDPR).	▓	▓		
Disposal of Information Whether information is securely disposed of and/or destroyed when it is no longer required.	▓	▓		

Overall	▓	▓		

	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
1.	**Absence of a defined Information Asset Register** It was identified during our fieldwork that the Council does not have a defined Information Asset Register in place. We established that the Council has not identified and documented its information assets and data flows, nor has it documented the security measures and storage controls implemented to protect each of its information assets. Furthermore, we established that the Council has not identified appropriate information asset owners, nor has it defined their responsibilities. Associated Risk: The absence of a defined information asset register may constitute a breach of the GDPR and exposes the Council to the risk of financial and reputational harm through failure to comply with its regulatory obligations.	High	Management should put arrangements in place for a data audit to be performed, the scope of which should include, but not be limited to, the identification and assessment of the information assets held by the Council. Using the results of the data audit, management should produce an Information Asset Register, which should record the security measures and storage controls implemented to protect each information asset as well as the name of an appropriate information asset owner. Furthermore, management should define the responsibilities of the information asset owners and communicate them to all members of staff.	**Responsible Officer:** Head of Legal and Democratic Services and Monitoring Officer **Management Response:** The Head of Legal and Democratic Services and Monitoring Officer had joined the Council days before the audit commenced and it was difficult for him to know precisely where the required information had been saved. While initial searches associated with the audit did not locate an Information Asset Register, one has since been located, as has a list of appropriate information asset owners. The Council is currently reviewing its Information Governance arrangements, following which a review of the Information Asset	September 2020

Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
			Register has been prioritised to ensure it is fit for purpose and up to date. This is similarly true for the list of information asset owners as well.	

	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
2.	**Information Management Policies and Procedures Out of Date** It was identified during our fieldwork that the Council's Information Management Policy is out of date. We found that the policy has not been reviewed since it was created in December 2017 and has a scheduled date for review of December 2018. Furthermore, whilst the Council has documented its procedures with regards to data breaches, we found that the Council's Data Breach Policy is in draft and has not been finalised, approved and communicated to members of staff. Associated Risk: Where information management policies are incomplete or out of date there is an increased risk that the Council's information will not be managed in line with its strategic objectives and good practice.	Medium	Management should review and where necessary update the Council's Information Management Policy to ensure that it remains relevant to the Council's needs. Furthermore, management should finalise the Council's Data Breach Policy, which should be approved and communicated to all members of staff. The Council should put arrangements in place for reviewing the policies on a routine basis or following a significant change to the Council's operations.	**Responsible Officer:** Head of Legal and Democratic Services and Monitoring Officer **Management Response:** Following completion of the aforementioned review of The Council's Information Governance arrangements, it is expected that all policies will be reviewed, updated and finalised shortly. The Head of Legal and Democratic Services and Monitoring Officer is implementing an interactive calendar of policies and procedures which will be viewable on the Council's intranet page to highlight and remind officers when policies are approaching their review date so as to ensure that policies do not become out dated or obsolete.	September 2020

	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
3.	**Absence of a Defined and Enforced Retention Schedule** It was identified during our fieldwork that the Council does not have a defined and enforced retention schedule. Whilst the Council has a document retention guide in place, we established that it is incomplete and out of date and that it is not consistently enforced and applied in practice. Furthermore, it was identified that there is no requirement in place for identifying and recording the information that is being archived by the Council, nor is there a complete record of the information that has been archived to date. <u>Associated Risk:</u> The absence of a defined and enforced retention schedule and a record of the information archived by the Council may increase the risk that information will not be managed in line with the requirements of the GDPR.	Medium	Management should review and update the Council's document retention guide so that the corporate retention schedule is in line with the requirements of the GDPR and good practice. Furthermore, management should establish a requirement for identifying and recording any information archived by the Council, including where it is stored, and should put arrangements in place for an archiving log to be developed, maintained and updated on an ongoing basis.	**Responsible Officer:** Head of Legal and Democratic Services and Monitoring Officer **Management Response:** Since the completion of the draft audit report, detailed retention schedules and policies have been located for each of the Council's service areas. These are currently being reviewed and will be finalised upon completion of the Council's review of its Information Governance arrangements.	September 2020

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	Finding / Associated Risk	Priority	Recommendation	Management Response	Target Date
4.	**Absence of Defined Disposal and Destruction Procedures** It was identified during our fieldwork that the Council does not have defined policies or procedures in place for the disposal and destruction of information. We established that the Council has not documented its identification and authorisation procedures for the disposal of information, nor has it defined the roles and responsibilities of members of staff and third parties. Furthermore, it was observed that there are no appropriate confidentiality and data protection clauses and contractual arrangements in place with third parties for the disposal and destruction of corporate records. Associated Risk: The absence of defined procedures and responsibilities may increase the risk of a data breach occurring as part of the disposal or destruction process, which could result in significant financial and reputational harm.	Medium	Management should define the Council's procedures for the disposal and destruction of information, which should include, but not be limited to, identification and authorisation procedures and the roles and responsibilities of members of staff and third parties. Furthermore, contracts with third parties responsible for the disposal and destruction of corporate records should be reviewed and updated so that they include appropriate confidentiality and data protection clauses.	**Responsible Officer:** Head of Legal and Democratic Services and Monitoring Officer **Management Response:** Several contractual documents have also been located since the draft audit report was compiled. These will likewise need to be reviewed in detail, and it is envisaged that this will be undertaken shortly, ideally once the new Information Governance arrangements have been finalised. Until this is finalised, the Head of Legal and Democratic Services and Monitoring Officer is to begin the process.	June 2020

Assurance Level	Definition
Good	The design and operation of the internal control framework is effective, thereby ensuring that the key risks in scope are being well managed and core objectives will likely be achieved. There are minor reportable audit findings.
Satisfactory	The internal control framework is largely working well in managing the key risks in scope, with some audit findings related to the current arrangements.
Limited	The system of internal control is only partially effective, with important audit findings in key areas. Improvement in the design and/or operation of the control environment is necessary to gain assurance risks are being managed to an acceptable level, and core objectives will be achieved.
No	The system of internal control has serious gaps, and controls are not effective in managing the key risks in scope. It is highly unlikely that core objectives will be met without urgent management intervention.

Priority Level			Definition
Corporate	**Critical**	🟥	Audit findings which, in the present state, represent a serious risk to the organisation as a whole, i.e. reputation, financial resources and / or compliance with regulations. Management action to implement the appropriate controls is required immediately.
Service	**High**	🟧	Audit findings indicate a serious weakness or breakdown in control environment, which, if untreated by management intervention, is highly likely to put achievement of core service objectives at risk. Remedial action is required urgently.
	Medium	🟨	Audit findings which, if not treated by appropriate management action, are likely to put achievement of some of the core service objectives at risk. Remedial action is required in a timely manner.
	Low / Advisory	🟩	Audit findings indicate opportunities to implement good or best practice, which, if adopted, will enhance the control environment. The appropriate solution should be implemented as soon as is practically possible.

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East Herts Council Report

Executive

Date of meeting: 8 June 2021

Report by: Tyron Suddes – Information Governance and Data Protection Manager

Report title: East Herts Council Data Retention Policy and Schedule

Ward(s) affected: All

Summary – This report presents the revised East Herts Council Data Retention Policy (Appendix A) and newly drafted East Herts Council Data Retention Schedule (Appendix B). This policy updates and replaces the previously drafted but unadopted EHDC Data Retention Policy 2018.

The policy and related schedule aim to:

- set out limits for the retention of personal data and to ensure that those limits, as well as further data subject rights to erasure, are complied with;

- ensure that the council complies fully with its obligations and the rights of data subjects under Data Protection Legislation;

- ensure that excessive amounts of data are not retained by the council and to improve the speed and efficiency of managing data.

In a report taken to Overview and Scrutiny Committee on 8 June 2021, the committee supported the proposal to recommend this policy and schedule to Executive for adoption.

Executive is asked to consider this policy and schedule, propose any amendments and **adopt** the policy and schedule following any amendments.

RECOMMENDATIONS FOR Executive

(a) **That the revised Data Retention Policy and its related schedule are adopted following any amendments.**

(b) **That the Information Governance and Data Protection Manager be authorised to make any minor amendments that may be required, in consultation with the Head of Legal and Democratic Services.**

1.0 Proposal(s)

1.1 It is proposed that Executive consider the revised Data Retention Policy and its related schedule and adopt it having first proposed any amendments it sees fit.

2.0 Background

2.1 Following an audit of the council's information management arrangements, it was identified the council's retention documents require updating and that an archiving log, including where data is stored, should be developed.

2.2 The audit also found that the council should define its procedures for the disposal and destruction of information, which should include, but not be limited to, identification and authorisation procedures and the roles and responsibilities of members of staff and third parties.

2.3 Although the council has detailed retention schedules and policies in place, these needed to be reviewed and updated.

3.0 Reason(s)

3.1   The revised policy ensures that the council is able to minimise data retention where possible and assists in setting out procedures to determine how and when to dispose of personal data. Additionally, having a well-managed and enforced data retention policy in place can help to reduce the amount of excessive, and often redundant, information stored on the council's servers.

3.2   The revised policy sets out where and how personal data is held, provides a brief overview of data subjects' key rights under data retention, and a summarised overview of the various technical and organisational protection measures that the council should enforce under data retention. It also sets out the roles and responsibilities for ensuring that data retention periods are enforced.

3.3   This policy governs and ensures compliance with the newly drafted East Herts Council Data Retention Schedule. The revised retention schedule layout combines all service retention periods which were previously captured in separate schedules and policies and includes a requirement to set out what action is taken after the retention period has elapsed. These actions are either to destroy, anonymise, use pseudonyms or archive under certain conditions. The revised schedule layout, with inclusion of set actions, should aid in the enforcement of retention periods and satisfies the audit requirement to identify and record information that is archived by the council. The schedule content is currently being reviewed

with data administrators using an updated version of the LGA's guidance on data retention.

4.0 Options

4.1 Not to adopt this policy and maintain the existing data retention schedule and policies. **NOT RECOMMENDED** as this would work against audit recommendations and the council's aim to ensure compliance with its obligations and the rights of data subjects under Data Protection Legislation.

4.2 To consider and adopt this policy and schedule. **RECOMMENDED** as a means of ensuring that the council has an up-to-date data retention policy and schedule in place to ensure that it complies with Data Protection Legislation.

5.0 Risks

5.1 Failing to comply with the storage limitation and closely related data minimisation and accuracy principles can lead to substantial fines that would have a high impact on the council.

5.2 There may be additional reputational implications if the Information Commissioner's Office were to investigate the council following a failure to comply with UK GDPR principles regardless of the final decision.

6.0 Implications/Consultations

Community Safety

No

Data Protection

Yes – The adoption of this updated policy and schedule would ensure that the council has in place documented and enforceable retention periods and details about how to ensure sufficient data storage and deletion methods. This will also ensure the council's compliance with the relevant UK GDPR principles.

Equalities

Yes – The policy aims to ensure that equality best practice is applied to the council's data retention procedures and guidance.

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes – The Council is under an obligation to ensure it complies with UK data protection law, and the adoption of this policy strengthens the council's compliance with the relevant data protection legislation.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – DRAFT – East Herts Council Data Retention Policy 2021

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East Herts District Council

Data Retention Policy

DRAFT

Document Control

Organisation	East Hertfordshire District Council
Title	Retention Policy
Author – name and title	Tyron Suddes, Information Governance and Data Protection Manager
Owner – name and title	Tyron Suddes, Information Governance and Data Protection Manager
Date	
Approvals	
Version	1.0
Next Review Date	

1.   **Introduction**

This Policy sets out the obligations of East Hertfordshire District Council ("the Council") regarding retention of personal data collected, held, and processed by the Council in accordance with Data Protection Legislation. "Data Protection Legislation" means all legislation and regulations in force from time to time regulating the use of personal data and the privacy of electronic communications including, but not limited to, the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (the "UK GDPR"), as it forms part of the law of England and Wales, Scotland, and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018, the Data Protection Act 2018, the Privacy and Electronic Communications Regulations 2003 as amended, and any successor legislation.

Data Protection Legislation defines "personal data" as any information relating to an identified or identifiable natural person (a "Data Subject"). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

Data Protection Legislation also addresses "special category" personal data (also known as "sensitive" personal data). Such data includes, but is not necessarily limited to, data concerning the data subject's race, ethnicity, politics, religion, trade union membership, genetics, biometrics (if used for ID purposes), health, sex life, or sexual orientation.

Under Data Protection Legislation, personal data shall be kept in a form which permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed. In certain cases, personal data may be stored for longer periods where that data is to be processed for archiving purposes that are in the public interest, for scientific or historical research, or for statistical purposes (subject to the implementation of the appropriate technical and organisational measures required by Data Protection Legislation to protect that data).

In addition, Data Protection Legislation includes the right to erasure or "the right to be forgotten". Data subjects have the right to have their personal data erased (and to prevent the processing of that personal data) in the following circumstances:

1.1.   Where the personal data is no longer required for the purpose for which it was originally collected or processed;

1.2.   When the data subject withdraws their consent;

1.3.   When the data subject objects to the processing of their personal data and the Council has no overriding legitimate interest;

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1.4. When the personal data is processed unlawfully (i.e. in breach of Data Protection Legislation);

1.5. When the personal data has to be erased to comply with a legal obligation; or

1.6. Where the personal data is processed for the provision of information society services to a child.

This Policy governs the Council's separate Data Retention Schedule which sets out the type(s) of personal data held by the Council's services for specific purposes, the period(s) for which that personal data is to be retained and when and how it is to be deleted or otherwise disposed of.

For further information on other aspects of data protection and compliance with Data Protection Legislation, please refer to the Council's Policy for Handling Personal Data.

2. Aims and Objectives

2.1 The primary aim of this Policy is to set out limits for the retention of personal data and to ensure that those limits, as well as further data subject rights to erasure, are complied with. By extension, this Policy aims to ensure that the Council complies fully with its obligations and the rights of data subjects under the Data Protection Legislation.

2.2 In addition to safeguarding the rights of data subjects under the Data Protection Legislation, by ensuring that excessive amounts of data are not retained by the Council, this Policy also aims to improve the speed and efficiency of managing data.

3. Scope

3.1 This Policy applies to all personal data held by all service areas within the Council and by third-party data processors processing personal data on the Council's behalf.

3.2 Personal data, as held by the above is stored in the following ways and in the following locations:

3.2.1 The Council's servers, located in Stevenage;

3.2.2 Third-party servers, operated by the Council's service providers;

3.2.3 Computers permanently located in the Council's premises at Wallfields, Pegs Lane, Hertford and Charringtons House, The Causeway, Bishops Stortford;

3.2.4 Laptop computers and other mobile devices provided by the Council to its employees;

3.2.5   Computers and mobile devices owned by employees, agents, and sub-contractors used in accordance with the Council's ICT user policies;

3.2.6   Physical records stored in the Council's premises;

3.2.7   and all off-site archives used by the Council

4. **Data Subject Rights and Data Integrity**

All personal data held by the Council is held in accordance with the requirements of Data Protection Legislation and data subjects' rights thereunder, as set out in the Council's Policy for Handling Personal Data.

4.1   Data subjects are kept fully informed of their rights, of what personal data the Council holds about them, how that personal data is used, and how long the Council will hold that personal data (or, if no fixed retention period can be determined, the criteria by which the retention of the data will be determined).

4.2   Data subjects are given control over their personal data held by the Council including the right to have incorrect data rectified, the right to request that their personal data be deleted or otherwise disposed of (notwithstanding the retention periods otherwise set by the Council's Data Retention Schedule), the right to restrict the Council's use of their personal data, the right to data portability, and further rights relating to automated decision-making and profiling.

5. **Technical and Organisational Data Security Measures**

5.1   The Council aims to ensure that all of the following technical measures are in place to protect the security of personal data:

5.1.1   All emails containing personal data must be encrypted;

5.1.2   All emails containing personal data must be marked "confidential";

5.1.3   Personal data may only be transmitted over secure networks;

5.1.4   Personal data contained in the body of an email, whether sent or received, should be copied from the body of that email and stored securely. The email itself and associated temporary files should be deleted;

5.1.5   Where personal data is to be transferred in hardcopy form, it should be passed directly to the recipient

5.1.6   All personal data transferred physically should be transferred in a suitable container marked "confidential";

5.1.7   No personal data may be shared informally and if access is required to any personal data, such access should be requested from the relevant data administrator

5.1.8 All hardcopies of personal data, along with any electronic copies stored on physical media should be stored securely;

5.1.9 No personal data may be transferred to any employees, agents, contractors, or other parties, whether such parties are working on behalf of the Council or not, without authorisation;

5.1.10 Personal data must be handled with care at all times and should not be left unattended or on view;

5.1.11 Computers used to view personal data must always be locked before being left unattended;

5.1.12 No personal data should be transferred to any device personally belonging to an employee and personal data may only be transferred to devices belonging to agents, contractors, or other parties working on behalf of the Council where the party in question has agreed to comply fully with the Council's Policy for Handling Personal Data and the Data Protection Legislation;

5.1.13 All personal data stored electronically should be backed up regularly with backups stored onsite **AND/OR** offsite. All backups should be encrypted;

5.1.14 All electronic copies of personal data should be stored securely using passwords and encryption;

5.1.15 All passwords used to protect personal data should be changed regularly and must be secure;

5.1.16 Under no circumstances should any passwords be written down or shared. If a password is forgotten, it must be reset using the applicable method;

5.1.17 All software should be kept up-to-date. Security-related updates should be installed as soon as reasonably possible after becoming available;

5.1.18 No software may be installed on any Council-owned computer or device without approval; and

5.1.19 Where personal data held by the Council is used for marketing purposes, it shall be the responsibility of the relevant data administrator to ensure that the appropriate consent is obtained and that no data subjects have opted out, whether directly or via a third-party service.

5.2 The Council aims to ensure that the following organisational measures are in place to protect the security of personal data:

5.2.1 All employees and other parties working on behalf of the Council shall be made fully aware of both their individual responsibilities and the Council's responsibilities under the Data Protection

Legislation and under the Council's Policy for Handling Personal Data;

5.2.2 Only employees and other parties working on behalf of the Council that need access to, and use of, personal data in order to perform their work shall have access to personal data held by the Council;

5.2.3 All employees and other parties working on behalf of the Council handling personal data will be appropriately trained to do so;

5.2.4 All employees and other parties working on behalf of the Council handling personal data should exercise care and caution when discussing any work relating to personal data;

5.2.5 Methods of collecting, holding, and processing personal data shall be regularly evaluated and reviewed;

5.2.6 All employees and other parties working on behalf of the Council handling personal data will be bound by contract to comply with the Data Protection Legislation and the Council's Policy for Handling Personal Data;

5.2.7 All agents, contractors, or other parties working on behalf of the Council handling personal data must ensure that any and all relevant employees are held to the same conditions as those relevant employees of the Council arising out of the Data Protection Legislation and the Council's Policy for Handling Personal Data;

5.2.8 Where any agent, contractor or other party working on behalf of the Council handling personal data fails in their obligations under the Data Protection Legislation and/or the Council's Policy for Handling Personal Data, that party shall indemnify the Council against any costs, liability, damages, loss, claims or proceedings which may arise out of that failure.

6. Data Disposal

Upon the expiry of the data retention periods set out in the Council's Data Retention Schedule, or when a data subject exercises their right to have their personal data erased, personal data shall be deleted, destroyed, or otherwise disposed of as follows:

6.1 Personal data stored electronically (including any and all backups thereof) shall be deleted securely;

6.2 Special category personal data stored electronically (including any and all backups thereof) shall be deleted securely;

6.3 Personal data stored in hardcopy form shall be disposed of in the Council's confidential waste bins;

6.4 Special category personal data stored in hardcopy form shall be disposed

of in the Council's confidential waste bins;

6.5 If appropriate, both personal and special category shall be made truly anonymous so that it is no longer in a form which permits identification of data subjects.

7. Data Retention

7.1 As stated above, and as required by law, the Council shall not retain any personal data for any longer than is necessary in light of the purpose(s) for which that data is collected, held, and processed.

7.2 Different types of personal data, used for different purposes, will necessarily be retained for different periods (and its retention periodically reviewed), as set out in the Council's Data Retention Schedule.

7.3 When establishing and/or reviewing retention periods, the following shall be taken into account:

7.3.1 The objectives and requirements of the Council;

7.3.2 The type of personal data in question;

7.3.3 The purpose(s) for which the data in question is collected, held, and processed;

7.3.4 The Council's legal basis for collecting, holding, and processing that data;

7.3.5 The category or categories of data subject to whom the data relates;

7.3.6 The technical and organisational security measures in place;

7.3.7 The Local Government Association's data retention schedule guidance.

7.4 If a precise retention period cannot be fixed for a particular type of data, criteria shall be established by which the retention of the data will be determined, thereby ensuring that the data in question, and the retention of that data, can be regularly reviewed against those criteria.

7.5 Notwithstanding defined retention periods, certain personal data may be deleted or otherwise disposed of prior to the expiry of its defined retention period where a decision is made within the Council to do so (whether in response to a request by a data subject or otherwise).

7.6 In limited circumstances, it may also be necessary to retain personal data for longer periods where such retention is for archiving purposes that are in the public interest, for scientific or historical research purposes, or for statistical purposes. All such retention will be subject to the implementation of appropriate technical and organisational measures to protect the rights and freedoms of data subjects, as required by the UK GDPR.

8. Roles and Responsibilities

8.1 The Council's Data Protection Officer is the Information Governance and Data Protection Manager and can be contacted by emailing data.protection@eastherts.gov.uk

8.2 The Data Protection Officer shall be responsible for overseeing the implementation of this Policy and for monitoring compliance with it, the Council's other Data Protection-related policies and with Data Protection Legislation.

8.3 The relevant data administrator(s) shall be directly responsible for ensuring compliance with data retention periods within their service areas

8.4 Any questions regarding this Policy, the retention of personal data, or any other aspect of Data Protection Legislation compliance should be referred to the Data Protection Officer.

Ref.	Function/Service	Data Type	Purpose of Data	Retention Period or Criteria	Action after retention	Comments
CSP1.0	Communications, Strategy & Policy	Project Application Files	Required as part of the contractual obligations between East Herts Council and the Rural Payments Agency	7 years from final grant payment (latest being from March 2021) so until March 2028		Paper and server
CSP1.1	Communications, Strategy & Policy	Programme Management claims	Required as part of the contractual obligations between East Herts Council and the Rural Payments Agency	7 years from final grant payment (latest being from March 2021) so until March 2028		Required as part of the contractual obligations between East Herts Council and the Rural Payments Agency
CSP1.2	Communications, Strategy & Policy	Email marketing platform- Mail Chimp (captures email address, name and nearest town)	Send weekly emails to subscribers with updates on the council	Until they choose to unsubscribe, which can be done quickly and simply at any point.		Online platform
CSP1.3	Communications, Strategy & Policy	Assets Community value application forms	In case we need to contact applicants if the asset needs to be sold	5 years – Location Act 2011		Hard copy in locked cabinet and digital copy with restricted access
EH1.0	Environmental Health	"General Administrative Work	"Disposal of Documents" records. General Admin work	5 years after record entry.		Legal obligation
EH1.1	Environmental health - General Administrative Work	Miscellaneous financial records	Public task - Information kept to help ensure correct use of public finances.	2-years from end of work or final payment.		Examples include working information relating to payment of invoices. Main financial information will be retained separately on the corporate finance system.
EH1.2	Environmental health - General Administrative Work	Statutory returns and their supporting evidence.	Legal obligation - Information kept in case of query regarding returns.	5-years from the date of the return.		Examples include Food Standards Agency Return, Health and Safety Executive Return, Smoke-free return, ROLHMO Return, EA returns.
EH1.3	Environmental health - Statutory Returns, Policies and Agreements	Strategies, policies or procedures	Monitoring and reviewing of strategies, policies or procedures to assess them.	5-years from the date of the review.		This might include reviews associated with service plans, strategies, or audits / monitoring for compliance with codes of practice
EH1.4	Environmental health - Statutory Returns, Policies and Agreements	Consultations with the public or staff in the development of Policies and Strategies. Possibly general personal data	Information used to demonstrate compliance with equality legislation.	5-years from the agreement of the policy by members.		Consultations may have been undertaken as part of a review of corporate plans, strategic plans, business plans, annual reports etc
EH1.5	Environmental health - Statutory Returns, Policies and Agreements	Process of agreeing terms between organisations; this does not include contractual agreements.	Information kept to demonstrate work is undertaken lawfully.	5-years after agreement expires or is terminated.		This is mainly to do with agreements between public bodies. This will include Memorandum of Understandings (MoU's) such as the HSE flexible warrants MoU.
EH1.6	Environmental health - General Work – All Areas	Complaints, MP responses	Details of complaints, MP responses or ombudsman's reviews.	2-years after administrative use is concluded.		This is intended where a review of actions by the Council is needed and could include reports, complaints or ombudsman's reviews.
EH1.7	Environmental health - General Work – All Areas	Freedom of Information (FOI) or Environmental Information Regulations (EIR) requests	Legal obligation - Information kept in case of query regarding response.	2-years after last used.		This information would usually be held on the Council's Infreemation system, but copies of the request will also be retained on Uniform.
EH1.8	Environmental health - General Work – All Areas	FOI or EIR request details	Information subject to a FOI or EIR request but due for destruction. Information kept in case of query regarding response.	6-months from the date of the FOI/EIR request.		
EH1.9	Environmental health - General Work – All Areas	General Requests Name, address, email, phone number IDs Investigations Name, address, email, phone number, medical information	All investigations, monitoring or inspections relating to regulations enforced by the Council. Information kept for the purposes of the prevention / detection of crime. All works in default of a notice where the Council is recovering the costs (either via notice, invoice or charge on the property). Legal obligation	7 years from last action relating to that inspection, investigation or monitoring. In the case of records relating to commercial premises, the records should be held for 7-years from the closure of the business.		This will encompass virtually all of the enforcement work undertaken by the department including, requests for service, food, health & safety and housing inspections records.
EH2.0	Environmental health - General Work – All Areas	Name, address, email, phone number	Information kept to demonstrate work is undertaken lawfully.	7-years from the full repayment of the costs.		Charges on properties can often remain for years. The paperwork surrounding the case cannot be deleted until the charge is queried at a later date.
EH2.1	Environmental health - Occupational Health & Safety Related Work	Health and Safety inspection and monitoring relating to asbestos.	Health and Safety inspection and monitoring relating to asbestos.	The Limitation Act 1980 allows for claims within three years of the date on which the injury occurred or the date of knowledge (if later) of the person injured. Asbestos has a long onset period.		The Limitation Act 1980 allows for claims within three years of the date on which the injury occurred or the date of knowledge (if later) of the person injured.
EH2.2	Environmental health - Occupational Health & Safety Related Work	Name, address, email, phone number, medical information	RIDDOR Notifications. Information from employers and members of the public kept for the purposes of the prevention / detection of crime.	25-years from last action on case.		The Limitation Act 1980 allows for claims within three years of the date on which the injury occurred or for children, the three year period does not start until the child reaches the age of 18.
EH2.3	Environmental health – Private Sector Housing Related Work Grants (including Disabled Facilities, Decent Homes, energy etc)	Name, address, email, phone number, medical information, financial information.	Grants. Information kept to help ensure correct use of public finances.	12-years after completion of grant / last payment of grant.		This includes agreement to pay loan, details of payments, correspondence relating to grant, grant files, approval letters
EH2.4	Environmental health - Licences and Registrations Related Work	Name, address, email, phone number.	Applications, registration, certification and licences dealt with by Environmental Health.	7-years after registration or entitlement lapses.		This will cover any of our licensing schemes including animal movement notifications, skin piercing, pet shops, street traders etc.
EH2.5	Environmental health - Pollution Related Work	Contaminated land notices and associated papers	Contaminated land notices and associated papers	Permanent.		Archive on the server in the appropriate reference folder.
EH2.6	Environmental health - Legal Matters	Name, address	Prosecutions, formal cautions or other selection of an individual or organisation.	7-years from last action or notice is complied with or no-longer valid.		
EH2.7	Environmental health - Legal Matters	Name, address	Paperwork associated with appeals against notices served on a business or individual.	2-years after the matter is concluded.		
EH2.8	Environmental health - Internal Health, Safety & Welfare records	Safety inspections of equipment including PPE.	Safety inspections of equipment including PPE.	7-years from disposal of equipment.		The Limitation Act 1980 allows for claims within three years of the date on which the injury occurred or the date of knowledge (if later) of the person injured.
EH2.9	Environmental health - Internal Health, Safety & Welfare Records	COSHH assessments.	COSHH assessments. Information kept in case of issue with equipment / claim from member of staff.	7-years after the chemical is no-longer used, or assessment is superseded.		The Limitation Act 1980 allows for claims within three years of the date on which the injury occurred or the date of knowledge (if later) of the person injured.
HS1.0	Housing Service -General Administrative Work	Miscellaneous financial records	Miscellaneous financial records. Information kept to help ensure correct use of public finances.	2-years from end of final payment.		Examples include working information relating to payment of invoices and provision of loans to prevent homelessness. Main financial information will be retained separately on the corporate finance system.
HS1.1	Housing Service - Statutory Returns, Policies and Agreements	Statutory returns	Statutory returns e.g. homelessness form sent to the government and their supporting evidence. Legal obligation. Information kept in case of query regarding returns.	5-years from the date of the return.		Examples include P1E returns
HS1.2	Housing Service - Statutory Returns, Policies and Agreements	Strategies, policies or procedures	Monitoring and reviewing of strategies, policies or procedures to assess them.	5-years from the date of the review.		This might include reviews associated with service plans, strategies, or audits / monitoring for compliance with codes of practice
HS1.3	Housing Service - Statutory Returns, Policies and Agreements	Possibly general equality data including their name, address, age	Consultations with the public or staff in the development of Policies and Strategies. Information used to demonstrate compliance with equality legislation	5-years from the agreement of the policy by members.		Consultations may have been undertaken as part of a review of corporate plans, strategic plans, business plans, annual reports etc.
HS1.4	Housing Service - Statutory Returns, Policies and Agreements	External Agreements	External Agreements	2 years from the expiry of the agreement		Examples DSA with Housing Associations, CAB
HS1.5	Housing Service -General Work	Details of complaints, MP responses or ombudsman's reviews.	Details of complaints, MP responses or ombudsman's reviews. Information kept in case of query regarding response.	2-years after administrative use is concluded.		This is intended where a review of actions by the Council is needed and could include reports, complaints or ombudsman's reviews.
HS1.6	Housing Service-General Work	Freedom of Information (FOI) queries that may contain personal data	Freedom of Information (FOI). Information kept in case of query regarding response.	2-years after last used.		This information would usually be held on the Council's Infreemation system, but copies of the request will also be retained on Uniform.
HS1.7	Housing Service – records relating to the council's statutory responsibility for housing	Name, address, email, phone number, medical information, criminal record	Housing Register applications: assessments, nominations and allocations. Housing application forms and supporting material including risk assessments. Legal obligation / Public task Information kept to assess housing need and statutory duty/service to be provided.	6 years after rehousing for successful applications 6 years from date an application is removed		Paper files and scanned documents to be deleted and records on LOCATA system to be removed 6 years after rehousing or removal of application from the system. Includes electronic information held to support processing of HR applications, or performance monitoring on Excel or Word. Electronic documents to have personal/sensitive dated removed/redacted.
HS1.8	Housing Service–records relating to the council's statutory responsibility for housing	Name, address, email, phone number, medical information, criminal record.	Homelessness: Prevention, Relief and Homelessness Duties including reviews and County Court Appeals Provision of temporary accommodation , including payments Legal obligation / Public task Information kept to assess housing need and statutory duty/service to be provided.	6 years after final notification decision of duty owed. 6 years from date of notification of decision owed or where no duty decision applicant vacated accommodation		Paper files and scanned documents to be deleted and records on LOCATA system to be removed 6 years after notification of decision. Includes electronic information held to support processing of homeless applications, or performance monitoring on Excel or Word. Electronic documents to have personal/sensitive dated removed/ redacted.
HS1.9	Housing Service –records relating to the council's statutory responsibility for housing	Name, address, email, phone number, medical information, criminal record.	Applications for Rent/Deposit loans to access private sector or loans to prevent homelessness Public task financial regulations Information kept to assess housing need and compliance with current policy /eligibility.	6 years after rehousing for successful applications or successful prevention. In addition where the council has provided financial support via a re-payable loan 6 years after the loan is re-paid. Applications that are unsuccessful destroy after current financial year plus 1 year after notification that application unsuccessful or last contact.		Includes electronic information held to support processing of homeless applications, or performance monitoring on Excel or Word. Electronic documents to have personal/sensitive dated removed/redacted.
HS2.0	Housing Service–records relating to the council's statutory responsibility for housing	Name, address, email, phone number, medical information, criminal record.	Housing Advice to customers that contact the council. Information kept to assess housing need and compliance with current policy /eligibility.	6 years after closure of case or last contact.		Paper files and scanned documents to be deleted and records on LOCATA system to be removed 6 years after notification of decision.
HS2.1	Housing Service–records relating to the council's statutory responsibility for housing	Name, address, email, phone number, medical information, criminal record.	Referrals to other housing agencies e.g. Rose Court, YMCA	Current year plus one year after being referred.		Not always advised that applicant has been successfully housed after referral. However after one year a new referral would be required by provider.
HS2.2	Housing Service–records relating to the council's statutory responsibility for housing	Name, address, email, phone number, medical information, criminal record.	Minutes of multi-agency meetings. Information kept to assess housing need and compliance with current policy /eligibility.	Current year plus one year after being listed at a meeting.		Paper files to be destroyed after meeting electronic file to be retained current year plus one year after meeting listing.
HS2.3	Housing Service–records relating to the council's statutory responsibility for housing	Name, address, email, phone number	Careline Homeless Out of Hours reports	Current year plus one year after being notified by agency of an out of hours call		kept to assess housing need and compliance with current policy /eligibility. Held for financial payments against contract.
HS2.4	Housing Service - Affordable Homes	Documentation related to social/affordable housing development , including nomination agreements	Documentation related to social/affordable housing development , including nomination agreements	Permanent retention		Planning holds majority of documentation related to planning consent and obligations but Housing service holds some information when agreeing amount and type of social/affordable housing between Registered providers and Developers.
HS2.5	Housing Service - Affordable Homes	Housing stock transfer documents	Housing stock transfer documents. Information kept to help ensure correct use of public finances.	Permanent retention		Legal Service holds all documents.
CW&P1.0	CWP - Community Grants Applications	Personal address details plus organisational bank details for payment	Legal requirement as applications provide evidence for a financial transaction	Up to 7 years		Paper application 15/17 and previous in locked cupboard but need to be archived.
CW&P1.1	CWP - Food Safety Information clients letters. Food Safety booking sheets	Personal address details	This is period of time before refresher or new training recommended	3 years		Paper records initially then scanned and stored with password protection.
CW&P1.2	CWP - Breathe Easy Group membership list	Personal address details	Address list requires removal of non-active members annually.	Ongoing for active members, address list requires removal of non-active members annually		Electronic word document containing members addresses, password protected.
CW&P1.3	CWP - Anti-Social behaviour	Criminal convictions Criminal proceedings Court orders Court action that is not criminal (e.g. housing) Health conditions (including mental health) School details Financial information (e.g. rent arrears) Case management	There is no statutory obligation in terms of managing Crime and Disorder – covered by legislation	7 years		A combination. If paper records received (e.g. diaries) they are scanned and stored on SafetyNet (electronic web based case management system); or on the O Drive which has restricted access and passwords where needed
CW&P1.4	CWP - PREVENT	Social services involvement	To meet statutory obligations in terms of managing Crime and Disorder – covered by legislation	7 years		
CW&P1.5	CWP - Community Database	Names, addresses, DOB	Suggest retain the information securely for as long as possible for risk and community safeguarding purposes	For as long as practical		Electronic
CW&P1.6	CWP - SAG	Personal address details relating to their volunteering role within a charity or community group	There is no statutory obligation to keep the information but it is useful to be able to review for events. Names and addresses of event organisers. If the PLI is in their name (as opposed to a body) we may also obtain their DOB when sent the PLI certificate for their road closure request	Up to 3 years. At which time another "opt in" email will be sent.		Electronic on M drive
CW&P1.7	CWP - Forever Active	Personal details plus sensitive info Age, gender, ethnicity and health status, disability	There is no statutory obligation to keep the information but it is useful to be able to review previous application forms for changes etc Hard copy Participant Registration forms to be kept as evidence of attendance and as part of the monitoring and evaluation for Sport England.	Three years 12 months after the end of the project in October 2018. 12 months after last active involvement in FAEH.		Electronic Paper forms kept in locked cupboard Electronic information in password protected spreadsheet on M drive
CW&P1.8	CWP - Business Support Unit	Post log – names of individuals	No statutory obligation but useful to track incoming mail	Post log – names of individuals		
CW&P1.9	CWP - Business Support Unit	SAG Post log – names of individuals		Up to 3 years		S:\Licensing&CommunitySafety\SAG
CW&P2.0	CWP - Business Support Unit	Refunds	Evidence	Three years		Paper (lever Arch File)
CW&P2.1	CWP - Business Support Unit	PPC Folder – holding addresses	Evidence and to refer back to whilst IDOX PPC module is being built	Three Years		Paper (lever Arch File)
CW&P2.2	CWP - Business Support Unit	Cash Bag receipts / remittances / receipt books	To refer back to for queries on payments	5 years		Paper – lever arch
CW&P2.3	CWP - Business Support Unit	Service Level agreements	Check if we need to keep copies	?		
CW&P2.4	CWP - Business Support Unit	Safe contents, tapes, pace books and financial documents	Check with Service Managers if we need to keep the content	?		
CW&P2.5	CWP - Business Support Unit	Complaints / Flexi sheets	Reference	?		
CW&P2.6	CWP - Business Support Unit	Community Grants	Details of grant applications 17/18	7 years		
CW&P2.7	CWP - Business Support Unit	Grant award receipts	12 files including archived information on grant award recipients such as Performance to Excellence, Time Banking	7 years		
CW&P2.8	CWP - Business Support Unit	Grant Applications	Ring binders and box containing grant applications	7 years		
CW&P2.9	CWP - Business Support Unit	Information on voluntary and community groups	Held for consultation purposes. Password protected. Recently obtained consent.	There is no statutory obligation to keep the information but it is useful to be able to review for events.		
PR1.0	HR&OD - Payroll	Computer System – NGA ResourceLink	Computer system used to calculate record and track payment of salaries, wages & members allowances.	6 years plus current		Normal Business. Restricted Internal only
PR1.1	HR&OD - Payroll	Payroll Files	Individual employee files containing employment record, individual terms & conditions and misc. correspondence.	Period of Employment plus 6 years plus current		Normal Business. Confidential
PR1.2	HR&OD - Payroll	Leaver Files	Individual employee files containing employment record, individual terms & conditions and misc. correspondence.	6 years plus current		Normal Business. Confidential
PR1.3	HR&OD - Payroll	Payroll Backup Files	Claim forms including: car mileage, overtime, subsistence, timesheets, members expenses, post entry training etc.	2 Years		Normal Business. Internal Only
PR1.4	HR&OD - Payroll	Computer System Reports	Daily, weekly, monthly, annual computer system generated reports recording transactions, movements, actions etc.	6 Years plus current P6 6 Years		Normal Business. Internal Only
PR1.5	HR&OD - Payroll	Tax Files	Information relating to Income Tax, NI etc. including Tax Forms P6, P45, P60, Annual returns Etc.	P45 6 Years P60 2 Years Annual return 6 Years		Normal Business. Internal Only
PR1.6	HR&OD - Payroll	Year End Files	Working papers, documents, returns relating the preparation of final accounts close down etc. for Payroll. Includes Superannuation/pension returns, Annual earnings summary.	6 Years plus current. Superannuation returns - Permanent. Annual earnings summary 12 Years		Normal Business. Internal Only
HR1.0	HR&OD - Human Resources	Personal Files	Record of employment details from recruitment to end of employment with authority.	Period of employment plus 6 years plus current		Normal Business. Confidential Restricted
HR1.1	HR&OD - Human Resources	Job Application file	Applications for current vacancies.	1 year for unsuccessful applicants.		Normal Business. Confidential
HR1.2	HR&OD - Human Resources	Service Plan	Annual Service Plan set out what key actions need to be undertaken to deliver the service targets contained in the Strategic Plans and to identify the statutory obligations of the service.	7 Years		Normal Business. Internal Only
HR1.3	HR&OD - Human Resources	Establishment List	List of current Posts with grades etc.	Permanent		Normal Business. Internal Only
HR1.4	HR&OD - Human Resources	Sickness Record	Details of employee sickness record held on Delphi system	Period of Employment plus 6 years plus current		Normal Business. Confidential
HR1.5	HR&OD - Human Resources	Training Record - Staff	Corporate training records including Course details, attendance, feedback.	Period of employment plus 6 years plus current		Normal Business. Internal Only
HR1.6	HR&OD - Human Resources	Statics File	Various statistical data, returns relating to HR & Employment	7 years		Normal Business. Internal Only
HR1.7	HR&OD - Human Resources	HR Policies	Policies, Codes of Conduct and Procedures relating to employees employment.	Permanent		Permanent
H&S1.0	HR&OD - Health & Safety	Accident Report BI510	Used accident report pad with retained stubs	3 years after the date of the last entry	Destroyed	3 years after the date of the last entry (see below for accidents involving chemicals or asbestos) and special provisions for children *
H&S1.1	HR&OD - Health & Safety	Accident Report BI510	Used accident report pad with retained stubs	3 years after the date of the last entry	Destroyed	3 years after the date of the last entry (see below for accidents involving chemicals or asbestos) and special provisions for children *
H&S1.2	HR&OD - Health & Safety	Accident Report BI510	Accident report forms and reports, with related correspondence – (Adult IP)	Current + 6 years	Destroyed	Current + 6 years
H&S1.3	HR&OD - Health & Safety	Accident Report BI510	Accident and incident reports with related correspondence – (Minors under 18 IPs)	3 years after 18th birthday has passed	Destroyed	3 years after 18th birthday has passed
H&S1.4	HR&OD - Health & Safety	RIDDOR Report - F2508	Reporting Injuries, Diseases Dangerous Occurrences to the HSE	3 years from the date of the last entry or, if the accident involves a child/ young adult, then until that person reaches the age of 21.	Destroyed	3 years from the date of the last entry (or, if the accident involves a child/ young adult, then until that person reaches the age of 21). (See below for accidents involving chemicals or asbestos)
H&S1.5	HR&OD - Health & Safety	Accident and Incident Records	Exposure to hazardous substance at the workplace: a) general exposure b) personal exposure of identifiable employee	(a) 5 Years (b) 40 Years	Destroyed	Statutory. Confidential
H&S1.6	HR&OD - Health & Safety		Medical records under the Control of Asbestos at Work Regulations. Medical records containing details of employees exposed to asbestos. Medical examination certificates	40 years from the date of the last entry, 4 years from the date of issue	Destroyed	Statutory. Confidential
H&S1.7	HR&OD - Health & Safety		Medical records and details of biological tests under the Control of Lead at Work Regulations	40 years from the date of the last entry	Destroyed	Statutory. Confidential
H&S1.8	HR&OD - Health & Safety		Medical records as specified by the Control of Substances Hazardous to Health Regulations (COSHH	40 years from the date of the last entry	Destroyed	Statutory. Confidential
H&S1.9	HR&OD - Health & Safety		Records of tests and examinations of control systems and protective equipment under the Control of Substances Hazardous to Health Regulations (COSHH)	5 years from the date on which the tests were carried out	Destroyed	Statutory. Confidential
H&S2.0	HR&OD - Health & Safety	Accident and Incident Records	Health surveillance, including medical reports	40 Years from date of last entry	Destroyed	Statutory. Confidential
H&S2.1	HR&OD - Health & Safety	Accident and Incident Records	Investigation of Accidents, Dangerous Occurrences and Notifiable Diseased	40 Years	Destroyed	Statutory. Confidential
H&S2.2	HR&OD - Health & Safety	Accident and Incident Records	Notification of Hazard	12 Years	Destroyed	Statutory. Confidential
H&S2.3	HR&OD - Health & Safety	Accident and Incident Records	Report of Violent Conduct at Work	12 Years	Destroyed	Statutory. Confidential
H&S2.4	HR&OD - Health & Safety	Accident and Incident Records	Witness Statements - Date Created	12 Years	Destroyed	Statutory. Confidential
H&S2.5	HR&OD - Health & Safety	Safety Policy - Health and Safety Governance	Written statement of employers general policy for the health and safety at work of employees	Until superseded	Archived for historical purposes	Statutory. Public
H&S2.6	HR&OD - Health & Safety	Safety Policy - Health and Safety Governance	The organisation and arrangements for carrying out the policy as described above	Until superseded	Archived for historical purposes	Statutory. Public
H&S2.7	HR&OD - Health & Safety	Safety Policy - Health and Safety Governance	Record of health and safety arrangements contained in the policy	Until arrangements are changed / superseded or replaced	Archived for historical purposes	Statutory. Public
H&S2.8	HR&OD - Health & Safety	Health and Safety Governance	Records of Issue or Protective and Personal Protective Equipment	6 Years from date of issue	Archived for scientific purposes	Statutory. Confidential
H&S2.9	HR&OD - Health & Safety	Health and Safety Governance	Audit and review of EHC H&S provision	10 Years	Archived for historical purposes	Statutory. Public
H&S3.0	HR&OD - Health & Safety	Assessments and Inspections	DSE self and desk side assessments	6 Years - Termination of contract	Archived for statistical purposes	Statutory. Confidential
H&S3.1	HR&OD - Health & Safety	Assessments and Inspections	DSE Assessments first stage identification of users form and e-mail notification	Until self and desk assessment has been undertaken	Archived for statistical purposes	Statutory. Confidential
H&S3.2	HR&OD - Health & Safety	Assessments and Inspections	DSE Records of corrective appliance voucher records	6 Years - Date Created	Archived for statistical purposes	Statutory. Confidential
H&S3.3	HR&OD - Health & Safety	Assessments and Inspections	Manual Handling Assessments	6 Years - Termination of Contract		Statutory. Confidential
H&S3.4	HR&OD - Health & Safety	Assessments and Inspections - Corporate and Generic Risk Assessments	Identification of service specific safety hazards to employees and others on East Herts Council premises, and the conduct and results of risk assessments in relation to a services specific work activities and functions.	Elimination of the risk + 5 years or updating of risk assessment	Archived for statistical purposes	Statutory. Public
H&S3.5	HR&OD - Health & Safety	Assessments and Inspections - Corporate and Generic Risk Assessments	Health and Safety Site and Premises Inspections	Current plus 5 years	Archived for historical purposes	Statutory. Business. Public
H&S3.6	HR&OD - Health & Safety	First Aid	Specifications for first aid facilities and equipment	5 Years - Date superseded	Archived for historical purposes	Statutory. Public
H&S3.7	HR&OD - Health & Safety	First Aid	Risk Assessment of requirements for first aid provision, facilities and equipment	5 Years - Review of assessment	Archived for historical purposes	Statutory. Public
H&S3.8	HR&OD - Health & Safety	First Aid	Appointment of qualified first aiders	Termination of contract	Archived for historical purposes	Statutory. Public
H&S3.9	HR&OD - Health & Safety	First Aid	List of first aiders	Date superseded	Destroyed	Business. Public
H&S4.0	HR&OD - Health & Safety	Fire Safety	Fire Certificate	3 Years - Date modified	Archived for historical purposes	Statutory. Public
H&S4.1	HR&OD - Health & Safety	Fire Safety	Assessment of requirements for firefighting systems & equipment	5 Years - Review of Assessment	Destroyed	Statutory. Public
H&S4.2	HR&OD - Health & Safety	Fire Safety	Nomination/appointment of Volunteer Fire Marshals	Termination of Contract	Archived for historical purposes	Statutory. Public
H&S4.3	HR&OD - Health & Safety	Fire Safety	Fire evacuation/drill reports	Date Superseded	Archived for historical purposes	Statutory. Business. Public
H&S4.4	HR&OD - Health & Safety	Fire Safety	Fire equipment repair and inspection logs	3 Years - Date of inspection	Archived for statistical purposes	Statutory. Public
H&S4.5	HR&OD - Health & Safety	Fire Safety	Annual fire safety equipment & systems inspections	3 Years - Date of inspection	Archived for statistical purposes	Statutory. Public
H&S4.6	HR&OD - Health & Safety	Fire Safety	Arrangements with external emergency services	5 Years - Review of Arrangements	Archived for historical purposes	Statutory. Public
H&S4.7	HR&OD - Health & Safety	COSHH	COSHH Assessments & recommended actions	5 Years	Archived for statistical purposes	Statutory. Public
H&S4.8	HR&OD - Health & Safety	COSHH	Monitoring of exposure to employees to substances hazardous to health	5 Years	Archived for statistical purposes	Statutory. Public
H&S4.9	HR&OD - Health & Safety	COSHH	Examination, testing & repair of plant & equipment provided to control exposure to substances hazardous to health	5 Years	Archived for statistical purposes	Statutory. Public
H&S5.0	HR&OD - Health & Safety	COSHH	Hazardous Substances Present/In use	40 Years	Archived for scientific purposes	Statutory. Public
H&S5.1	HR&OD - Health & Safety	COSHH	List of employees exposed to Group 3 or 4 biological agents	40 Years	Archived for scientific purposes	Statutory. Public
H&S5.2	HR&OD - Health & Safety	Asbestos	Examination, testing and repair of plant and equipment provided to control asbestos levels	5 Years	Archived for statistical purposes	Statutory. Public
H&S5.3	HR&OD - Health & Safety	Asbestos	Identifying the presence of Asbestos	5 Years	Archived for historical purposes	Statutory. Public
H&S5.4	HR&OD - Health & Safety	Asbestos	Written plans of work for undertaking work with asbestos	5 Years	Archived for statistical purposes	Statutory. Business. Public
H&S5.5	HR&OD - Health & Safety	Asbestos	Medical records containing details of employees exposure to asbestos	Date of last entry - 40 Years	Archived for scientific purposes	Statutory. Confidential
H&S5.6	HR&OD - Health & Safety	Asbestos	Medical examination certificates	4 Years from date of issue	Archived for historical purposes	Statutory. Confidential

Ref	Function	Record	Description / Purpose	Purpose / Justification	Retention	Action / Notes	Statutory / Location
H&SS.7	HR&OD - Health & Safety	Lead	Air Monitoring		5 Years	Archived for scientific purp...	Statutory. Public
H&SS.8	HR&OD - Health & Safety	Lead	Health surveillance and monitoring where exposure requires individual employees to be under surveillance		40 Years	Archived for historical purp...	Statutory. Confidential
H&SS.9	HR&OD - Health & Safety	Lead	Examination, testing and repair of plant and equipment provided to control exposure to lead		5 Years	Archived for historical purp...	Statutory. Public
H&SS.0	HR&OD - Health & Safety	Lead	Risk Assessments of employees exposed to lead		5 Years	Archived for statistical purp...	Statutory. Public
H&SS.1	HR&OD - Health & Safety	Compressed Air	Health surveillance		40 Years - From date of last entry	Archived for statistical purp...	Statutory. Confidential
H&SS.2	HR&OD - Health & Safety	Compressed Air	Records of exposure		40 Years - From date of last entry	Archived for scientific purp...	Statutory. Confidential
H&SS.3	HR&OD - Health & Safety	PPE	Record of issue of personal protective equipment		Date of issue / Life of equipment	Destroyed	Statutory. Confidential
H&SS.4	HR&OD - Health & Safety	Personal Details e.g. Medical Information, personal biographical data.	The issue of personal lone worker devices, details recorded on Management Portal accessible to authorised persons and Lone worker Service providers Alarm Receiving Centre (ARC) for the purpose of personal safety		Date of issue / Life of equipment	Destroyed	Statutory. Confidential
DMS1.0	L&D - Democratic services	Councillors' interests	Personal interests stated		Up to 18 months after the length of a councillor's term of office	Destroyed	Hard copy stored in locked cupboard. Stored in ModGov and published to website.
DMS1.1	L&D - Democratic services	Councillors' personal contact details	Personal contact details		In perpetuity (archived in the public interest as a historic record)	Archived in the public inter...	Stored in ModGov system and published to website
LEG1.0	L&D - Legal Services	Claims made by or against local authority including process	Litigation		7 years after the last action		Legal challenge periods, appeals linked cases, subsequent action
LEG1.1	L&D - Legal Services	Any legal advice from in house or external legal advisors	Legal Advice		6 years		Statutory time limit
LEG1.2	L&D - Legal Services	Any contract, including service level agreements, agreement, deed lease, licence, conveyance, tran...	Agreements under hand*		6 years		Statutory time limit
LEG1.3	L&D - Legal Services	Any contract, agreement, deed lease, licence, conveyance, transfer, easement etc. NB includes eval...	Agreements under Seal*		12 years		Statutory time limit
LEG1.4	L&D - Legal Services	Calls for Tenders, PQQs specifications, tender returns, Quotations, invitations to tender	Pre Contract Documents		2 years after contract let or not proceeded with		Common practice
LEG1.5	L&D - Legal Services	Compliance reports, performance reports etc.	Contract Monitoring		2 years after contract let		Common Practice
LEG1.6	L&D - Legal Services	Seal registers, contract registers, registers of interests in contracts etc.	Registers		indefinitely		statutory
LCL0	L&D - Land Charges	Land Charges search results	No personal data		7 years plus current year		Required by law
LCL1	L&D - Land Charges	Land Charges remittance sheets	No personal data		7 years plus current year		For audit purposes
SNN1.0	L&D - Street Naming/Numbering	Street Naming/Numbering applications	This includes applicant's name and address, which may be personal data		10 years		In case of problems with the development once built
SNN1.1	L&D - Street Naming/Numbering	Street Naming/Numbering cheque payments	A copy of the cheque is scanned in as proof of payment, this may be a business or personal cheque		7 years		For audit purposes, in case the cheque bounces, or the case doesn't proceed after all
SNN1.2	L&D - Street Naming/Numbering	Local Land and Property Gazetteer 'organisation' names	Mostly company names, but does contain a small percentage of personal names		Forever, or until the business changes hands		An organisation name is required for all commercial records on the LLPG
Elec 1.0	L&D - Elections	Paper IER Applications			15 years		Paper copy kept for 1 week then details are kept on xpress. NI redacted after 13 months
Elec 1.1	L&D - Elections	Online IER Applications			15 years		Paper copy kept for 1 week then details are kept on xpress. NI redacted after 13 months
Elec 1.2	L&D - Elections	Query Letters					Paper copy kept for 1 week then details are kept on xpress. NI redacted after 13 months
Elec 1.3	L&D - Elections	Evidence Requests					Paper copy kept for 1 week then details are kept on xpress
Elec 1.4	L&D - Elections	Change of Name					Paper copy kept for 1 week then details are kept on xpress
Elec 1.5	L&D - Elections	Absent Vote Application					Paper copy kept for 1 week then details are kept on xpress
Elec 1.6	L&D - Elections	Attestation					Paper copy kept for 1 week then details are kept on xpress
Elec 1.7	L&D - Elections	Additional Information for Electors					Paper copy kept for 1 week then details are kept on xpress
Elec 1.8	L&D - Elections	Anonymous Electors					Paper kept for 1 week then details are kept on xpress
Elec 1.9	L&D - Elections	Staffing - Paperwork					Under review - no guidance regarding how long paper forms should be kept
Elec 2.0	L&D - Elections	Staffing - Express Information			Data retained until consent is withdrawn		Annual review of consent for all data subjects
Elec 2.1	L&D - Elections	Nomination papers			6 Months		Legislative retention (Representation of the People Regulations 2001)
Elec 2.2	L&D - Elections	Marked Registers			1 year		
Elec 2.3	L&D - Elections	Postal Vote Statements			1 year		
Elec 2.4	L&D - Elections	Ballot Papers			1 year		
Elec 2.5	L&D - Elections	Corresponding number lists			1 year		
Elec 2.6	L&D - Elections	Tendered Votes			1 year		
Elec 2.7	L&D - Elections	Certificate of Employment			1 year		
Elec 2.8	L&D - Elections	Marked absent voter list			1 year		
Elec 2.9	L&D - Elections	Register of elector and monthly updates			15 years		
Elec 3.0	L&D - Elections	Overseas lists			Until 1 December of corresponding year		
Elec 3.1	L&D - Elections	Register requests			Until 1 December of corresponding year		
Elec 3.2	L&D - Elections	Certificate of nominating officers			Until new certificate is received or for lifetime of certificate		
Elec 3.3	L&D - Elections	Registrars list					Paper kept for 1 week then details are kept on xpress
Elec 3.4	L&D - Elections	Election expenses			2 years		
DP/FOI 1.0	L&D - Data Protection and Freedom of Information	Data Protection	All records relating to the creation and implementation of policies under General Data Protection Regulations		3 years	Archived in the public inter...	Does not contain personal data
DP/FOI 1.1	L&D - Data Protection and Freedom of Information	Data Protection	All records relating to the management of subject access requests under General Data Protection Regulations		2 years	Destroyed	
DP/FOI 1.2	L&D - Data Protection and Freedom of Information	Data Protection	Records relating to the creation of data privacy impact assessments		Until superseded	Archived in the public inter...	Does not contain personal data
DP/FOI 1.3	L&D - Data Protection and Freedom of Information	Data Protection	Records relating to the development, implementation of maintenance of the Record of Processing Activities (ROPA) under Article 30 of the GDPR		Until superseded	Archived in the public inter...	Does not contain personal data
DP/FOI 1.4	L&D - Data Protection and Freedom of Information	Data Protection	Records relating to the process of data mapping as part of GDPR		Until superseded	Archived in the public inter...	Does not contain personal data
DP/FOI 1.5	L&D - Data Protection and Freedom of Information	Freedom of Information	All records relating to the creation of policies to deal with requests under the Freedom of Information Act 2000		3 years	Archived in the public inter...	Does not contain personal data
DP/FOI 1.6	L&D - Data Protection and Freedom of Information	Freedom of Information	All records relating to the management of Freedom of Information Requests		2 years	Destroyed	
DP/FOI 1.7	L&D - Data Protection and Freedom of Information	Re-use of public sector information	All records relating to the management of the re-use of public sector information		2 years	Destroyed	
PLA1.0	P&BC - Planning Applications	3rd Party Correspondence	To satisfy the requirements of the Openness of Local Government Bodies Regulations 2014		6 years after decision or Appeal		DMS and Uniform
PLA1.1	P&BC - Planning Applications	Consultee Correspondence	To satisfy the requirements of the Openness of Local Government Bodies Regulations 2014		6 years after decision or Appeal		DMS and Uniform
PLA1.2	P&BC - Planning Applications	Application Form	To satisfy the requirements of the Openness of Local Government Bodies Regulations 2014		6 years after decision or Appeal		Paper, DMS and Uniform
PLA1.3	P&BC - Planning Applications	Plans	In order to remain as part of the Planning Register		indefinitely		Paper, DMS and IDOX Uniform
PLA1.4	P&BC - Planning Applications	Supporting Docs	To satisfy the requirements of the Openness of Local Government Bodies Regulations 2014		6 years after decision or Appeal		Paper, DMS and IDOX Uniform
PLA1.5	P&BC - Planning Applications	Officers Report	In order to remain as part of the Planning Register		Indefinitely		Paper, DMS and Uniform
PLA1.6	P&BC - Planning Applications	Decision Notice	In order to remain as part of the Planning Register		Indefinitely		DMS and Uniform
PLA1.7	P&BC - Planning Applications	Extra Correspondence (post application decision)	In order to inform subsequent planning proposals		6 Months after matter closed		Paper, DMS and IDOX Uniform
PLA1.8	P&BC - Planning Applications	Appeal Form	In order to inform subsequent planning proposals		3 years after appeal decision		Paper, DMS and IDOX Uniform
PLA1.9	P&BC - Planning Applications	Appeal Questionnaire	In order to inform subsequent planning proposals		3 years after appeal decision		Paper, DMS and Uniform
PLA2.0	P&BC - Planning Applications	Grounds of Appeal	In order to remain as part of the Planning Register		Indefinitely		Paper, DMS and Uniform
PLA2.1	P&BC - Planning Applications	Appeal Statement	In order to remain as part of the Planning Register		Indefinitely		Paper, DMS and Uniform
PLA2.2	P&BC - Planning Applications	Appeal Supporting Docs	To satisfy the requirements of the Openness of Local Government Bodies Regulations 2014		6 years after appeal decision		Paper, DMS and Uniform
PLA2.3	P&BC - Planning Applications	Appeal Decision	In order to remain as part of the Planning Register		Indefinitely		Paper, DMS and Uniform
PLA2.4	P&BC - Pre-Planning Application	Pre-Application Form/Letter	In order to inform subsequent planning proposals		24 Months after response made		Paper, DMS and Uniform
PLA2.5	P&BC - Pre-Planning Application	Plans	In order to inform subsequent planning proposals		Indefinitely		Paper, DMS and Uniform
PLA2.6	P&BC - Pre-Planning Application	Supporting Docs	In order to inform subsequent planning proposals		24 Months after response made		Paper, DMS and Uniform
PLA2.7	P&BC - Pre-Planning Application	Decision Letter	In order to inform subsequent planning proposals		Indefinitely		Paper, DMS and Uniform
PLA2.8	P&BC - Pre-Planning Application	Invoices and Purchase Orders	Financial Accounting		Not retained on DMS system. Paper copies are retained for Previous financial year		
PLA2.9	P&BC - Pre-Planning Application	Copy Doc Requests	To inform further customer requests		Not retained on DMS system. Paper copies are retained 1 Month after matter dealt with		
PLA3.0	P&BC - Pre-Planning Application	Complaints	In order to inform subsequent planning proposals or other service delivery issues		12 Months after complaint closed. Paper copies are destroyed after Complaint Decision		
PLA3.1	P&BC - Conservation and Urban Design	Heritage and Urban Design advice	No data held separately from pre-app and planning application process above				
PLA3.2	P&BC - Conservation and Urban Design	HAR Register	No personal data held				
PLA3.3	P&BC - Conservation and Urban Design	Direct correspondence with customers	In order to inform decisions with regard to future planning proposals and the implementation of work		All personal details will be deleted within 18 months of matter closed. Important emails (details of agreed repairs, etc) will be saved on S drive indefinitely with all personal details redacted.		
PLA3.4	P&BC - Conservation Area Appraisals	Public Consultations	In order to inform future decisions with regard to planning proposals in Conservation Areas		Digital copies will be redacted and saved on S drive. Redacted copies stored indefinitely. Paper copies 6 months after adopt		Paper, MS Outlook, and electronic
PLA3.5	P&BC - Conservation Area Appraisals	Consultation Event Attendance Lists	To provide record of attendance		6 months after adoption of CAA		
PLA3.6	P&BC - Conservation Area Appraisals	Historic Building Grant application form and all associated documents	To enable assessment of grant application and to inform subsequent decisions and implementation of work		3 years after payment of any agreed grant or date of panel if grant refused		Paper
PLA3.7	P&BC - Conservation Area Appraisals	Consultation Database (District Plan)	In accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012, Part 6, and in accordance with section 113 of the Planning and Compulsory Purchase Act 2		Reviewed every three years.		Legal and Objective
PLA3.8	P&BC - Conservation Area Appraisals	Neighbourhood Planning	In accordance with The Neighbourhood Planning (General) Regulations 2012 and in accordance with section 113 of the Planning and Compulsory Purchase Act 2004.		6 months after adoption of a Neighbourhood Plan.		Electronic Drive
PLA3.9	P&BC - Conservation Area Appraisals	Self-Build Register	The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)		After a related planning permission granted.		Electronic Drive
PLA4.0	P&BC - Conservation Area Appraisals	Brownfield Register	In accordance with The Town and Country Planning (Brownfield Land Register) Regulations 2017.		Annually reviewed as part of the Brownfield Register process.		Electronic Drive
PLA4.1	P&BC - Conservation Area Appraisals	SLAA	To enable the Council to update landowners if a site is proposed to be allocated through the Local Plan process.		Annually reviewed.		Electronic Drive/Paper
PLA4.2	P&BC - Conservation Area Appraisals	Emails / correspondence on allocated sites	To inform ongoing discussions through application process.		To form part of the planning application file and to be deleted accordingly		Electronic Drive / Paper
PLA4.3	P&BC - Enforcement	Reporting Form (on-Line, Email & paper)	Details of reporting party to allow updates on the matter		6 months once case closed		DMS and IDOX Uniform
PLA4.4	P&BC - Enforcement	Service request	Details of reporting party to allow updates on the matter		6 months once case closed		DMS and IDOX Uniform
PLA4.5	P&BC - Enforcement	Acknowledgement email/letter	To acknowledge the case is open and to provide info to customer		6 months once case closed		DMS and IDOX Uniform
PLA4.6	P&BC - Enforcement	Correspondence with customer	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		10 years once case closed for electronic copies and 6 months once case closed for paper copies		DMS and IDOX Uniform
PLA4.7	P&BC - Enforcement	Closure Letters	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		10 years once case closed for electronic copies and 6 months once case closed for paper copies		DMS and IDOX Uniform
PLA4.8	P&BC - Enforcement	Officers report	In order to inform future planning and enforcement matters.		Indefinitely for electronic copies and 6 months once case closed for paper copies		DMS – Electronic Drive
PLA4.9	P&BC - Enforcement	Enforcement Notices	In order to form part of the Planning Enforcement Register		Indefinitely for electronic copies and 6 months once case closed for paper copies		DMS – Electronic Drives
PLA5.0	P&BC - Enforcement	Appeal form	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		10 years once case closed for electronic copies and 1 year after decision for paper copies		DMS and IDOX Uniform
PLA5.1	P&BC - Enforcement	Appeal questionnaire	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		10 years once case closed for electronic copies and 1 year after decision for paper copies		DMS and IDOX Uniform
PLA5.2	P&BC - Enforcement	Grounds of Appeal	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		10 years once case closed for electronic copies and 1 year after decision for paper copies		Paper, DMS, Uniform
PLA5.3	P&BC - Enforcement	Appeal statement	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		10 years once case closed for electronic copies and 1 year after decision for paper copies		Paper, DMS, Uniform
PLA5.4	P&BC - Enforcement	Appeal supporting Doc's	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		10 years once case closed for electronic copies and 1 year after decision for paper copies		Paper, DMS, Uniform
PLA5.5	P&BC - Enforcement	Appeal Decision	In order to form part of the Planning Enforcement Register		Indefinitely for electronic copies and paper copies are destroyed After Decision		
PLA5.6	P&BC - Enforcement	File Notes	In order to inform subsequent planning proposals and given that claims in relation to land uses are required to provide evidence of use over a period of the preceding 10 years		Indefinitely for electronic copies and paper copies are destroyed After Decision		Uniform
PLA5.7	P&BC - Enforcement	IP Details	In order to be able to contact land owners and others with an interest in a case		6 months once case closed		
PLA5.8	P&BC - Building Control service	Application Forms	During consideration of submission, undertaking work and after to ensure that works correctly implemented		N/A		Tascomi/ IDOX Uniform/ Microfilm
PLA5.9	P&BC - Building Control service	Plans	During consideration of submission, undertaking work and after to ensure that works correctly implemented. To inform subsequent enquiries in relation to work		Indefinitely		Tascomi/ IDOX Uniform/ Microfilm
PLA6.0	P&BC - Building Control service	Decision Notices	During consideration of submission, undertaking work and after to ensure that works correctly implemented. To inform subsequent enquiries in relation to work		Indefinitely		Tascomi/ IDOX Uniform/ Microfilm
PLA6.1	P&BC - Building Control service	All supporting documents and correspondence	During consideration of submission, undertaking work and after to ensure that works correctly implemented. To inform subsequent enquiries in relation to work		N/A		Tascomi/ IDOX Uniform/ Microfilm
PLA6.2	P&BC - Building Control service	Site Inspection records	During consideration of submission, undertaking work and after to ensure that works correctly implemented. To inform subsequent enquiries in relation to work		Indefinitely		Tascomi/ IDOX Uniform/ Microfilm
PLA6.3	P&BC - Building Control service	Completions certificates	To inform subsequent enquiries in relation to work		Indefinitely		Tascomi/ IDOX Uniform/ Microfilm
PLA6.4	P&BC - Building Control service	All Notifications	To inform subsequent enquiries in relation to work		Indefinitely		Tascomi/ IDOX Uniform
PLA6.5	P&BC - Building Control service	Competent Persons register	To inform subsequent enquiries in relation to work				Tascomi/ IDOX Uniform
PLA6.6	P&BC - Building Control service	Enforcement action	In order to inform any enforcement action				Tascomi/ IDOX Uniform
PLA6.7	P&BC - Building Control service	Dangerous Structures actions	In order to inform and decisions or subsequent enquiries in relation to actions undertaken.				Tascomi/ IDOX Uniform
CT1.0	Revenues and Benefits	Council tax annual notification	All records relating to the Council tax annual notification		7 years from Year records created		Legislative - Saved on Capita
CT1.1	Revenues and Benefits	Council tax account enquiries	All records relating to enquiries about council tax accounts		7 years from Year records created		Legislative - Capita & I@W
CT1.2	Revenues and Benefits	Council tax discount	All records relating to discounts made to council tax		7 years from Year records created		Legislative - Capita
CT1.3	Revenues and Benefits	Council tax exemptions	All records relating to council tax exemptions		7 years from Year records created		Legislative - Capita
CT1.4	Revenues and Benefits	Council tax band reductions	All records relating to council tax band reductions		7 years from Year records created		Legislative - Capita
CT1.5	Revenues and Benefits	Council tax benefit backdated claims	All records relating to council tax benefit back claims		7 years from Last action		Legislative - Capita & I@W
CT1.6	Revenues and Benefits	Council tax benefit new claim	All records relating to new claims for council tax benefit		7 years from Year records created		Legislative - Capita & I@W
CT1.7	Revenues and Benefits	Council tax benefit current claim	All records relating to current claims for council tax benefit		7 years from Last action on the claim		Legislative - Capita & I@W
CT1.8	Revenues and Benefits	Council tax benefit appeals	All records relating to council tax benefit appeals		7 years from Date appeal resolved		Legislative - Capita & I@W
CT1.9	Revenues and Benefits	Council tax benefit overpayments	All records relating to the overpayment of council tax benefits		7 years from Date overpayment resolved		Legislative - Capita & I@W
CT2.0	Revenues and Benefits	Council tax benefit renewal	All records relating to the renewal of council tax benefits		7 years from Year records created		Legislative - Capita & I@W
CT2.1	Revenues and Benefits	Housing benefit renewal	All records relating to the renewal of housing benefit		7 years from Date of renewal		Legislative - Capita & I@W
CT2.2	Revenues and Benefits	Going into hospital	Notifications of people claiming benefits who is admitted to hospital must notify the local authority that deals with their claims for housing and council tax benefit		7 years from Date of renewal		Legislative - Capita & I@W
CT2.3	Revenues and Benefits	Discretionary Housing Payment	All records relating to discretionary housing payments		7 years from Date of payment		Legislative - Capita & I@W
CT2.4	Revenues and Benefits	Council tax appeals	All records relating to Council Tax Appeals		7 years from Date appeal completed		Legislative - Capita & I@W
CT2.5	Revenues and Benefits	Council tax benefit renewal	All records relating to the renewal of council tax benefits		7 years from Year records created		Legislative - Capita & I@W
CT2.6	Revenues and Benefits	Housing benefit backdated claims	All records relating to back dated claims for housing benefit		7 years from Date claim received		Legislative - Capita & I@W
CT2.7	Revenues and Benefits	Housing benefit new claim	All records relating to new claims for housing benefit		7 years from Year records created		Legislative - Capita & I@W
CT2.8	Revenues and Benefits	Housing benefit current claim	All records relating to current claims for housing benefit		7 years from Year records created		Legislative - Capita & I@W
CT2.9	Revenues and Benefits	Housing benefit overpayments	All records relating to the overpayment of housing benefit		7 years from Date overpayment resolved		Legislative - Capita & I@W
CT3.0	Revenues and Benefits	Housing benefit appeals	All records relating to the management of housing benefit appeals		7 years from Date appeal resolved		Legislative - Capita & I@W
CT3.1	Revenues and Benefits	Housing benefit renewal	All records relating to the renewal of housing benefit		7 years from Date of renewal		Legislative - Capita & I@W
CT3.2	Revenues and Benefits	Private housing advice	All records relating to advice given to tenants and landlords in the private sector on housing related matters such as tenancies, welfare benefits, rent, repairs		1 years from Year records created		Legislative - Capita & I@W
CT3.3	Revenues and Benefits	Going into hospital	Notifications of people claiming benefits who are admitted to hospital must notify the local authority that deals with their claims for housing council tax benefit		7 years from Year records created		Legislative - Capita & I@W
CT3.4	Revenues and Benefits	Rent determination	All records relating to the determination of private rents for those in receipt of housing benefit		7 years from Year records created		Legislative - Capita & I@W
CT3.5	Revenues and Benefits	Discretionary Housing Payment	All records relating to discretionary housing payments		7 years from Date of payment		Legislative - Capita & I@W
CT3.6	Revenues and Benefits	Debt enforcement	All records relating to debt enforcement		7 years from Year records created		Legislative - Capita & I@W
CT3.7	Revenues and Benefits	Debt enforcement	Case files relating to debt recovery		7 years from Close of case		Legislative - Capita & I@W
CT3.8	Revenues and Benefits	Valuation Lists	Council tax, business rates and general rates		Permanent		Legislative - Capita & I@W
CT3.9	Revenues and Benefits	Court Lists	Council tax, business rates and general rates		7 years from Year records created		Legislative - Capita & I@W
CT4.0	Revenues and Benefits	Liability Orders			7 years from Year records created		Legislative - Capita & I@W
PROC1.0	SF&P - Procurement	Contracts executed under hand	To operate the contract and deal with issues arising after expiry		6 years from end of contract		Procuring officer in the relevant department
PROC1.1	SF&P - Procurement	Contracts executed as deed	To operate the contract and deal with issues arising after expiry		12 years from end of contract		Procuring officer in the relevant department
PROC1.2	SF&P - Procurement	Expressions of interest	In case of challenge to the procurement process		1 year from start of contract		Procuring officer in the relevant department
PROC1.3	SF&P - Procurement	Unsuccessful bids	In case of challenge to the procurement process		1 year from start of contract		Procuring officer in the relevant department
PROC1.4	SF&P - Procurement	Evaluation processes	In case of challenge to the procurement process		1 year from start of contract		Procuring officer in the relevant department
FIN1.0	SF&P - Finance	Working document for Statement of Accounts	Legally required		6 years		Responsibility of Finance Officer
FIN1.1	SF&P - Finance	Budget working papers	Legally required		6 years		Responsibility of Finance Officer
FIN1.2	SF&P - Finance	Payroll data disclosures	Legally required		6 years		Responsibility of Finance Officer
FIN1.3	SF&P - Finance	Invoicing with debtors information	Legally required		6 years		Responsibility of Finance Officer
PRO1.0	SF&P - Property	Tenants information in relation to properties owned by EHDC	In case of an issue during tenancy		For the duration of the tenancy and then 8 years afterwards in line with the statute of limitations		Responsibility of Property team
PRO1.1	SF&P - Property	Conveyancing documents for properties owned by EHDC (may have name and contact details of pr...	Proof of ownership and history of ownership – required by land registration legislation		For the lifetime of the property ownership		Responsibility of Property team
INS1.0	SF&P - Insurance	Insurance policy documentation including key declarations.	To evidence in event of future claims		Key documentation that may be relied up in future years – indefinitely. Regular contract / financial documentation – 6 years		Insurance and Risk Business Advisor
INS1.1	SF&P - Insurance	Unsuccessful tenders	Audit, procurement challenge		6 years		Insurance and Risk Business Advisor
INS1.2	SF&P - Insurance	Claims records: a) Injury b) PI c) Motor -damage only d) Personal accident e) Property f) Life	Audit, claim investigations, repeat claimants, fraud		a) Regular claims – 6 years. Child- until 21st birthday. Developing illness – 50 years. b) 6 years c) 6 years d) 6 years e) 6 years f) 6 years		Insurance and Risk Business Advisor
INS1.3	SF&P - Insurance	Return cheques	Audit		6 years		Insurance and Risk Business Advisor

Code	Department	Record Type	Description	Retention	Disposal/Notes
OPR1.0	Ops - Business Support	Work Instructions / projects / procurement	Work Instructions and procedures relating to the processes of Operations in relation to business development and support work to all departments within Operations	PERMANENT	Kept as part of Normal Business Saved on G'Drive - Bus Development & Support
OPR1.1	Ops - Business Support	Work Instructions / customer information	Work Instructions and procedures relating to the process of Abandoned Vehicles in relation to enquiries, inspection and removal of abandoned vehicles etc.	PERMANENT	Kept as part of Normal Business Mayrise - Abandoned Vehicles
OPR1.2	Ops - Business Support	Work Instructions / customer information	Work Instructions and procedures relating to the process of Waste Services in relation to enquiries, complaints, escalated technical complaints, provision of services etc.	PERMANENT	Kept as part of Normal Business Mayrise - Waste Management
OPR1.3	Ops - Business Support	Work Instructions / customer information	Work Instructions and procedures relating to the process of Parks & Open Spaces in relation to enquiries, complaints, escalated technical complaints, provision of services, event set up, etc	PERMANENT	Kept as part of Normal Business Mayrise - Parks & Open Spaces
OPR1.4	Ops - Business Support	General Files	General correspondence files relating to all services undertaken, includes daily letters files etc.	2 years after administrative period is concluded	Kept as part of Normal Business General Admin
OPR1.5	Ops - Business Support	Invoices	Invoices and supporting documentation issued to contractors who remove abandoned vehicles.	2 years after the conclusion of the financial transaction that the record supports	Kept as part of Normal Business Abandoned Vehicles
OPR1.6	Ops - Business Support	Case Files	Individual case file for each abandoned vehicle containing documents and correspondence and details of ownership including names and addresses.	2 years after the conclusion of the financial transaction that the record supports	Kept as part of Normal Business Abandoned Vehicles
OPR1.7	Ops - Business Support	Finance	Information relating to Orders, Invoices, refunds relating to the Castle Hall (Hertford Theatre) - only information held by Business Development & Support Team	6 years after the conclusion of the financial transaction that the record supports	Kept as part of Normal Business
OPR1.8	Ops - Inspection & Enforcement	Stray Dog Register	Register of stray dogs, details of dog, disposal, ownership etc.	PERMANENT	Statutory
OPR1.9	Ops - Inspection & Enforcement	Fly Tipping	DEFRA statutory fly tip return calculation sheets and fly tip collection sheets from Veolia - No personal information	7 years	Kept as part of Normal Business
OPR2.0	Ops - Inspection & Enforcement	Fly Tipping	All detail relating to Fly Tipping keep on Mayrise computer system	PERMANENT	Kept as part of Normal Business
OPR2.1	Ops - Inspection & Enforcement	Fly Tipping Covert Cameras	Paperwork relating to the authorisation and use of covert cameras used to record illegal Fly Tipping	RIPA Forms - 5 years Case Files (including recordings 7 yrs from last action	Kept as part of Normal Business
OPR2.2	Ops - Inspection & Enforcement	Environmental Crime Case Files	Individual case file for each environmental crime containing documents and correspondence including evidence, statements, names and addresses.	7 Years after case closed	Kept as part of Normal Business
OPR2.3	Ops - Inspection & Enforcement	Grounds Maintenance	Work sheets relating to inspections of contractors performance. Data copied into Mayrise.	2 yrs. after contract has expired	Kept as part of Normal Business
OPR2.4	Ops - Inspection & Enforcement	Street Cleansing	Work sheets relating to inspections of contractors performance. Data copied into Mayrise.	2 yrs. after contract has expired	Kept as part of Normal Business
OPR2.5	Ops - Inspection & Enforcement	Street Cleansing / Grounds / Refuse / Recycling	Inspections reports regarding contractor health & safety compliance	2 yrs. after contract has expired	Kept as part of Normal Business
OPR2.6	Ops - Inspection & Enforcement	Pest Control	Job sheets/dockets relating to detail of work required & copy of risk assessment, benefit no's, poison sheet for each job	7 Years	Kept as part of Normal Business
OPR2.7	Ops - Inspection & Enforcement	Pest Control & Animal Warden	Orders and invoices	6 years from date of transaction	Kept as part of Normal Business
OPR2.8	Operations	General Files	Contracts, Inspection, financial information relating to the supply of Healthcare products used in Public Toilets	2 yrs. after contract has expired	Kept as part of Normal Business
OPR2.9	OPERATIONS - ALL SERVICE AREAS	Service Plan	Annual Service Plan set out what key actions need to be undertaken to deliver the service targets contained in the Strategic Plans and to identify the statutory obligations of the service.	7 Years	Archived in the public interest Kept as part of Normal Business
OPR3.0	OPERATIONS - Waste, Street Cleansing, Grounds Maintenance, Parks & Open Space	Mayrise Computer System	Computer system used to record and track information relating to all aspects of Operations including:- Refuse Collection, Bulky Collections, Fly Tipping, Abandoned Vehicles, Healthcare W	Subject to regular Archiving	Kept as part of Normal Business
OPR3.1	Ops - P&OS	Grounds Maintenance	Information on Sec 106 agreements, maps, plans relating to Highway verges, Open Space, parks, play Areas. Advice given on new and existing areas of land due to be adopted as part of n	Indefinite	Kept as part of Normal Business
OPR3.2	Ops - P&OS	Grounds Maintenance	Background papers relating to new and existing area's where contract needs to be amended	Life of Contract + 7 Years	Kept as part of Normal Business
OPR3.3	Ops - P&OS	Grounds Maintenance – Allotments	Information relating to plot holders etc. including maps, plans, correspondence, invoices etc. Contains personal Information names addresses etc.	6 years after agreement expires or is terminated (see 4.3 refers -Retention Guidelines v4)	Kept as part of Normal Business
OPR3.4	Ops - P&OS	Grounds Maintenance – Contract Payments	Monthly background papers and documents supporting and relating to monthly contract payments	7 years	Kept as part of Normal Business
OPR3.5	Ops - P&OS	Grounds Maintenance	Documents background papers relating to One-Off jobs including authorisation details	7 years	Kept as part of Normal Business
OPR3.6	Ops - P&OS	Grounds Maintenance	General complaints from public re grounds maintenance kept as performance monitoring data.	7 years	Kept as part of Normal Business
OPR3.7	Ops - P&OS	Grounds Maintenance -County Invoices	Background papers relating to Invoices sent to HCC re Quarterly Bill and variations to contract.	7 years	Kept as part of Normal Business
OPR3.8	Ops - P&OS	Grounds Maintenance -Dog Bins	Background papers relating to Invoice raising for Emptying of Dog Bins on behalf of Parish & Town Councils.	7 years	Kept as part of Normal Business
OPR3.9	Ops - P&OS	Grounds Maintenance - Playground Inspections	Background papers relating to Invoice raising for playground inspections.	7 years	Kept as part of Normal Business
OPR4.0	Ops - P&OS	General Files - Landscape Designs	Advice and guidance, both internal and external, on landscaping relating to new and existing developments. Includes Maps, Plans, correspondence etc.	5 years	Kept as part of Normal Business Corporate archive stds for electronic data apply
OPR4.1	Ops - P&OS	Library - Landscape Designs	Library of Statutes, books, journals etc relating to Landscape design, Trees etc	Guidance books only	
OPR4.2	Ops - P&OS	Tree Preservation Orders - Landscape Designs	Working files relating to trees subject to a preservation order. Includes original order, map/plans, maintenance work, permissions to work, correspondence etc.	Permanent	Statutory
OPR4.3	Ops - P&OS	TPO General Corrs Files - Landscape Designs	General correspondence relating to Trees not subject to TPO. Contains correspondence, maps, advice etc.	5 Years	Kept as part of Normal Business
OPR4.4	Ops - P&OS	Conservation Area's - Landscape Designs	Working files relating to trees subject to a preservation order in a conservation area. Includes original order, map/plans, maintenance work, permissions to work, correspondence	Permanent	Statutory
OPR4.5	Ops - P&OS	Playground Play area Inspections - Monitoring Team	Inspection reports, correspondence etc relating to individual sites, ROSPA check reports etc	50 Years	Kept as part of Normal Business
OPR4.6	Ops - P&OS	Capital Projects (Castle Park) / Play Areas Remedial Works / Tree Works	Procurement & contract award records for capital & revenue projects	Ordinary contracts - 6 years after the terms of the contract have expired	Kept as part of Normal Business
OPR4.7	Ops - P&OS	Projects Information - background, consultations & work info	Information on P&OS projects - inception, consultation, implementation & competition - no personal information retained.	Keep for reference - no personal details retained in files	Kept as part of Normal Business
OPR4.8	Ops - Parking	Notice Processing of challenges received by post	Letter from recipient of PCN is kept in a folder in order of receipt until a Notice Processing Officer consider and responds to the challenge against the issue of the PCN	Securely disposed of as soon as an officer has responded to the correspondence – Maximum 6 weeks	Kept as part of Normal Business
OPR4.9	Ops - Parking	Notice Processing of challenges received by email	Email from recipient of PCN is filed on the outlook Server	Deleted from the server annually -1 year	Kept as part of Normal Business
OPR5.0	Ops - Parking	Recording evidence in accordance with TMA 2004	All incoming communication must be filed on PCN in the event of case progressing to Adjudication as all correspondence needs to be included in the appeal pack	Kept on the system for a period of two years after case closed and then personal contact information and attached letters a	Statutory
OPR5.1	Ops - Parking	Application forms for parking permits	Motorists who are eligible for permits must fill out an application form and provide documentary evidence of proof of residence and proof vehicle is registered	Securely disposed of as soon as application- 24 hours	Kept as part of Normal Business
OPR5.2	Ops - Parking	Permit holder records	Name and address of permit holders kept on the PCN IT system	At present, no retention process in place - TBC	Kept as part of Normal Business
OPR5.3	Ops - Parking	Outgoing letters	A record of all outgoing communication must be filed on PCN in the event of case progressing to Adjudication as all correspondence needs to be included in the appeal pack	2 years after case is closed	Statutory
OPR5.4	Ops - Waste	Bulky Waste Refunds	Bulky Waste Refunds	6 years after the conclusion of the financial transaction that the record supports	Kept as part of Normal Business
OPR5.5	Ops - Waste	Monitoring Meetings	Minutes and notes of regular Refuse/Street Cleaning Contract Monitoring meetings	Contract Life + 7 Years	Kept as part of Normal Business
OPR5.6	Ops - Waste	Invoice Files	Monthly invoices from contractor together with backup and monitoring papers	7 years	Kept as part of Normal Business
OPR5.7	Ops - Waste	Assisted Collection & extra capacity bins applications	Assisted Collections (AC) and Extra Capacity (EC) application forms	AC - 1 year retained only EC - 2 years	Kept as part of Normal Business
OPR5.8	Ops - Waste	Operation Daily Sheets	Daily record of vehicles and staff on duty	3 Years (life of contract)	Kept as part of Normal Business
OPR5.9	Ops - Waste	Order & Invoices	Orders & Invoices Issued by East Herts together with all paperwork relating to collection and disposal of recycling material broken down by budget code	7 years	Kept as part of Normal Business
OPR6.0	Ops - Waste	Tonnages	Record of recycling waste collected from households and recycling sites and sent for recycling. Individual records for glass, paper, and garden waste etc. Includes weighbridge tickets.	Rolling 2 Years	Kept as part of Normal Business
OPR6.1	Ops - Waste	Credits	Background information from HCC to enable us to Invoice HCC to reclaim recycling credits	7 years	Kept as part of Normal Business
OPR6.2	Ops - Waste	Sites	Historical data on location of recycling sites in district	Permanent	Kept as part of Normal Business
OPR6.3	Ops - Waste	Cans Consortium	Records of collections, tonnages, Invoices etc relating to cans collection consortium between East Herts, North Herts & Welwyn	7 Years	Kept as part of Normal Business
OPR6.4	Ops - Waste	Environmental Education	Awareness raising material mainly issued to schools relating to recycling and its impact on the environment	Kept for reference – No personal data (5 years)	Kept as part of Normal Business
OPR6.5	Ops - Waste	Publicity	Leaflets, Adverts, Press releases relating to recycling and refuse collection	Kept for reference – No personal data (5 years)	Kept as part of Normal Business
OPR6.6	Ops - Waste	Database containing name, address, tel.no, bin type, frequency, collection day etc.	Database of Waste customers including name, address, tel.no, bin type, frequency, collection day etc.	3 Years	Kept as part of Normal Business
OPR6.7	Ops - Waste	Database containing name, address, tel.no, frequency, collection day etc.	Database of Trade Waste customers including name, address, tel.no, frequency, collection day etc.	3 Years	Kept as part of Normal Business
OPR6.8	Ops - Waste	Sales Bins/Sacks	Record of purchases of Bins & Sacks	3 Years	Kept as part of Normal Business
OPR6.9	Ops - Waste	Customer Files	Individual customer records contains correspondence, invoicing details, complaints, Duty of Care Cert etc.	3 Years	Kept as part of Normal Business
OPR7.0	Ops - Waste	Dead Accounts	Paperwork from customer files once collections have finished	3 Years	Kept as part of Normal Business
OPR7.1	Ops - Waste	Clinical waste	Details of customers who require clinical waste disposal, includes names, address, bin/sack type etc.	3 Years	Kept as part of Normal Business
OPR7.2	Ops - Waste	Recycling for Flats	Details of inspection reports on suitability introduction of recycling bins to blocks of flats.	3 Years	Kept as part of Normal Business
OPR7.3	Ops - Waste	Recycling	Record sheets of inspections relating to recycling box's before collection, checking for wrong items (Contaminated Bins). If found warning labels affixed.	3 Years	Kept as part of Normal Business
OPR7.4	Ops - Markets	Licences for Traders	Paper records of Traders Licence	2 Year	Kept as part of Normal Business
OPR7.5	Ops - Markets	Licences for other Markets	Paper records of other Market Licence	2 Year	Kept as part of Normal Business
OPR7.6	Ops - Markets	Market Contract Agreement with Bishop's Stortford Town Council	Market Contract Agreement	Ordinary contracts - 6 years after the terms of the contract have expired	Kept as part of Normal Business
OPR7.7	Ops - Markets	Market Contract Inspection records and monitoring records	Market Contract Inspection records and monitoring records	2 years after the terms of the contract have expired	Kept as part of Normal Business
OPR7.8	Ops - Theatre	Ticketsolve – Booking system	customer data for booking	6 years	Kept as part of Normal Business
OPR7.9	Ops - Theatre	contracts	contracts for professional promotion events	2yrs +1yr	trend analysis
OPR8.0	Ops - Theatre	staff emergency contact	staff emergency numbers	ongoing or deleted immediately when someone leaves	
COV19	L&D - COVID Response	Clinically Extremely Vulnerable Persons Data	To support residents during COVID 19 pandemic	until 30th September 2021	Destroyed Shared by NHS Digital

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East Herts Council Report

Executive

Date of meeting: 6 July 2021

Report by: Tyron Suddes – Information Governance and Data Protection Manager

Report title: East Herts Council Data Breach Policy and procedures

Ward(s) affected: All

Summary – This report presents the revised East Herts Council Data Breach Policy (Appendix A) and its related revised procedural documents, the Data Breach Flowchart (Appendix B), the Staff Data Breach Report Form (Appendix C) and the Data Breach Report template (Appendix D).

The policy updates and replaces the Data Security Breach Management Policy.

In a report taken to Overview and Scrutiny Committee on 8 June 2021, the committee supported the proposal to recommend this policy and procedures to Executive for adoption.

Executive is asked to consider the revised policy and procedures, propose any amendments and **adopt** the policy and procedures following any amendments.

RECOMMENDATIONS FOR Executive

(a) **That the revised Data Breach Policy and its related procedural documents are adopted following any amendments.**

(b) **That the Information Governance and Data Protection Manager be authorised to make any minor amendments that may be required, in consultation with the Head of Legal and Democratic Services.**

1.0 Proposal(s)

It is proposed that Executive considers the revised Data Breach Policy and its related procedural documents and adopt it having first proposed any amendments it sees fit.

2.0 Background

2.1 Following an audit of the council's information management arrangements, it was identified that although the council had documented its data breach procedures, its Data Breach Policy had not been formally adopted.

2.2 The audit recommended that the policy should be adopted and then communicated to all staff.

2.3 The draft policy and procedures went before Overview & Scrutiny Committee on 8 June 2021 and was recommended to Executive for adoption without any further amendments.

3.0 Reason(s)

3.1   The revised policy and procedures ensure that the council has robust and updated breach detection, investigation and internal reporting procedures in place that facilitate decision-making about whether or not to notify the Information Commissioner's Office ("the ICO") or the affected individuals, or both. It also ensures that record is kept of any personal data breaches, regardless of whether notification is required or not so that council is able to demonstrate compliance with the UK GDPR.

3.2   The policy initially sets out what data breaches are and how to recognise them. Initial steps to be taken upon notification of a suspected breach are then laid out, including containing the breach itself, determining the full particulars of it, working out what needs to be done to resolve and remedy the situation properly and establishing who needs to be notified internally. Officers that need to be notified are determined following a risk assessment of the potential breach. This initial process is recorded in the Staff Data Breach Report Form.

3.3   The policy then sets out the steps for a full investigation and assessment of the potential breach by determining who will be affected by the breach and to what degree, how much data is involved, how many data subjects will be affected, the consequences of the breach and more. Additionally, some personal data breaches must be notified to the ICO and to the individual data subjects whose data is involved in the breach. This policy sets out

some key considerations to help determine who needs to be notified. The process above is recorded in the Data Breach Report template.

3.4 The policy and its related procedures have been drafted to ensure that suspected breaches are contained quickly and reported, if required, within the 72 hour timeframe set out by the Information Commissioner's Office.

3.5 The policy and data breach report template ensure that, once the breach itself is resolved and all necessary parties have been notified, steps are taken to prevent similar breaches from occurring in future. It sets out that all data breaches, regardless of risk, are recorded in a data breach log and reported half yearly to Leadership Team and Audit and Governance Committee so that existing practices, procedures, and measures can be evaluated, and changes and improvements implemented if required.

3.6 The updated data breach procedure flowchart reflects the contents of the policy in a summary chart of what needs to be done if a breach is suspected.

4.0 Options

4.1 Not to adopt this policy and maintain the existing data breach procedures and guidance without an adopted policy document. **NOT RECOMMENDED** as this would work against the audit recommendations and the council's aim to ensure consistently robust data breach reporting procedures and compliance with the UK GDPR.

4.2 To consider and adopt this policy and procedures. **RECOMMENDED** as a means of ensuring that the council has an up-to-date policy document in place to ensure that data breach best practice is adopted and applied.

5.0 Risks

5.1 Failing to notify the Information Commissioner's Office and/or data subjects of a breach when required to do so can result in significant fines which would have a high impact on the council.

5.2 There may be additional reputational implications if the Information Commissioner's Office were to investigate the council following a failure to notify regardless of the final decision.

6.0 Implications/Consultations

Community Safety

No

Data Protection

Yes – The adoption of this policy would ensure that the council has a robust breach reporting process in place to ensure that it is able to detect, and notify relevant parties of breaches, on time and provide and/or record the necessary details where required.

Equalities

Yes – The policy aims to ensure that equality best practice is applied to the council's data breach reporting procedures and guidance.

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes – The Council is under an obligation to ensure it complies with UK data protection law, and the adoption of this policy strengthens the council's compliance with the relevant data protection legislation.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – DRAFT – East Herts Council Data Breach Policy 2021

7.2 Appendix B – Data Breach Procedure Flowchart – 2021

7.3 Appendix C – Staff Data Breach Report Form – 2021

7.4 Appendix D – Data Breach Report Template - 2021

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East Herts District Council

Data Breach Policy

DRAFT

Document Control

Organisation	East Hertfordshire District Council
Title	Data Breach Policy
Author – name and title	Tyron Suddes, Information Governance and Data Protection Manager
Owner – name and title	Tyron Suddes, Information Governance and Data Protection Manager
Date	
Approvals	
Version	1.1
Next Review Date	

Contents

DRAFT

1. Introduction

This Policy sets out the obligations of East Hertfordshire District Council ("the Council") regarding the handling and reporting of data breaches and personal data breaches in accordance with UK Data Protection Legislation. "Data Protection Legislation", in this Policy, means all legislation and regulations in force from time to time regulating the use of personal data including, but not limited to, the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (the "UK GDPR"), as it forms part of the law of England and Wales, Scotland, and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018, the Data Protection Act 2018, and any successor legislation.

The UK GDPR defines "Personal Data" as any information relating to an identified or identifiable natural person (a "Data Subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

The UK GDPR defines a "Personal Data Breach" as a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored, or otherwise processed.

The Council is under a duty to report certain types of Personal Data Breach directly to the Information Commissioner's Office ("ICO"). The Council is also required to inform individual Data Subjects in the case of breaches that present a high risk of adversely affecting their rights and freedoms.

All personal data collected, held, and processed by the council will be handled in accordance with the Council's Policy for Handling Personal Data.

The Council has in place procedures for the detection, investigation, and reporting of data breaches. This Policy applies to all data breaches (including personal data breaches) within the Council and is designed to assist in both the handling of such breaches and in determining whether or not they must be reported to the ICO and/or to Data Subjects.

The Council's Information Governance and Data Protection Manager and Information Officer are responsible for overseeing the handling of all data breaches. The Council's Leadership Team, line managers and Information Governance and Data Protection Manager are responsible for the implementation of this Policy and ensuring that this Policy is adhered to by all staff.

2. Scope of Policy

1.1 This Policy relates to all forms of data (including personal data and sensitive personal data (known as "special category" under the Data Protection Legislation)) collected, held, and processed by the Council.

1.2 This Policy applies to all staff and elected members of the Council, including but not limited to employees, agents, contractors, consultants, temporary staff, casual or agency staff, or other suppliers or data processors working for or on behalf of the Council.

1.3 This Policy applies to all data breaches, whether suspected or confirmed.

2. Data Breaches

2.1 For the purposes of this Policy, a data breach means any event or action (accidental or deliberate) which presents a threat to the security, integrity, confidentiality, or availability of data.

2.2 Incidents to which this Policy applies may include, but not be limited to:

2.2.1 the loss or theft of a physical data record;

2.2.2 the loss or theft of computer equipment (e.g. laptop), mobile devices (e.g. smartphone or tablet), portable data storage devices (e.g. USB drive), or other data storage devices;

2.2.3 equipment failure;

2.2.4 unauthorised access to, use of, or modification of data (or inadequate access controls allowing unauthorised access, use, or modification);

2.2.5 unauthorised disclosure of data;

2.2.6 human error (e.g. sending data to the wrong recipient);

2.2.7 unforeseen circumstances such as fire or flood;

2.2.8 hacking, phishing, and other 'blagging" offences whereby information is obtained by deception;

3. Internal Reporting

3.1 If a data breach is discovered or suspected, members of staff should immediately notify their line manager and complete a Staff Data Breach Report Form (available on the Council's intranet) and send the completed form to the Council's Information Officer and/or Information Governance and Data Protection Manager. If considered necessary due to the nature of the breach, it should be reported to IT Services via the ICT Help Desk (ext. 2249).

3.2 Members should complete a Staff Data Breach Report form and send the completed form to the Council's Information Officer and/or Information Governance and Data Protection Manager and if considered necessary, IT should be notified.

3.3 A completed Staff Data Breach Report Form should include full and accurate details about the incident including, but not limited to (where applicable):

3.3.1 the time and date the breach was discovered;

3.3.2   the type(s) of data involved;

3.3.3   where the breach involves personal data, the categories(s) of data subject to which the personal data relates (e.g. customers, employees etc.);

3.3.4   whether or not any sensitive personal data is involved;

3.3.5   how many Data Subjects are likely to be affected (if known);

3.3.6   details of what may have caused the breach;

3.3.7   details of any immediate actions taken to reduce the impact of the breach.

3.4 If a data breach occurs or is discovered outside of normal working hours, it should be reported as soon as is reasonably practicable to keep within the **72 hour limit** imposed by Data Protection Legislation. Staff should keep in mind that some time may be needed to minimise the effect of the potential data breach.

3.5 Unless and until instructed to by the Information Governance and Data Protection Manager or a Head of Service, no further action should be taken with respect to a data breach. In particular, individual members of staff should not take it upon themselves to notify affected Data Subjects, the ICO, or any other individuals or organisations.

4. Initial Management and Recording

4.1 Upon receipt of a Staff Data Breach Report Form (or upon being notified of a data breach in any other way), the Information Governance and Data Protection Manager and/or Information Officer and relevant member(s) of staff and/or their line manager shall begin by determining whether the data breach is still occurring. If this is the case, appropriate steps shall be taken immediately to minimise the effects of the data breach and to stop it.

4.2 Having established the above, the following steps shall then be taken by the parties mentioned in 5.1 above with respect to the data breach:

4.2.1   undertake an initial assessment of the data breach, liaising with the relevant staff and departments where appropriate, to establish the likelihood and severity of the data breach. This is will be determined on a case by case basis and may include, but is not limited to, consideration of the number of Data Subjects and sensitivity of personal data involved;

4.2.2   With assistance from IT if required, contain the data breach and, to the extent reasonably practicable, recover, amend, or restrict the availability of (e.g. by changing or revoking access permissions or by temporarily making the data unavailable electronically) the affected data;

4.2.3 determine whether anything further can be done to recover the data and/or other losses, and to limit the damage caused by the breach;

4.2.4 establish who needs to be notified initially (including, if physical records or equipment have been lost or stolen, the police) as part of the initial containment;

4.2.5 determine, in liaison with the relevant staff and departments, the best course of action to resolve and remedy the data breach; and

4.2.6 record the breach and the initial steps taken above in the Council's Data Breach Log.

4.2.7 Having completed the initial steps described above, the Information Governance and Data Protection Manager and/or Information Officer and relevant member(s) of staff and/or line manager shall proceed with investigating and assessing the data breach as described in Part 5, below.

5. Investigation and Assessment

5.1 The Information Governance and Data Protection Manager and/or Information Officer and relevant member(s) of staff and/or line manager shall begin an investigation of a data breach as soon as is reasonably possible after receiving a Staff Data Breach Report Form (or being notified in any other way) and, in any event, within **24 hours** of the data breach being discovered and/or reported.

5.2 Investigations and assessments may take the following into account:

5.2.1 the type(s) of data involved (and, in particular, whether the data is personal data or sensitive personal data);

5.2.2 the sensitivity of the data (both commercially and personally);

5.2.3 what the data breach involved;

5.2.4 what organisational and technical measures were in place to protect the data;

5.2.5 what might be done with the data as a result of a breach (including unlawful or otherwise inappropriate misuse);

5.2.6 where personal data is involved, what that personal data could tell a third party about the Data Subjects to whom the data relates;

5.2.7 the category or categories of data subject to whom any personal data relates;

5.2.8 the number of Data Subjects (or approximate number if calculating an exact number is not reasonably practicable) likely to be affected by the data breach;

5.2.9 the potential effects on the Data Subjects involved;

5.2.10 the potential consequences for the Council;

5.2.11 the broader consequences of the data breach, both for Data Subjects and for the Council;

5.3 The results of the investigation and assessment described above must be recorded in a Data Breach Report and a summary noted in the Council's Data Breach Log.

5.4 Having completed the investigation and assessment described above, the Information Governance and Data Protection Manager and/or Information Officer in liaison with the relevant member(s) of staff and/or line manager, shall determine the parties to be notified of the breach as described in Part 6, below.

6. Notification

6.1 If not already aware, the Head of Service of the affected service area shall be made aware of all data breaches regardless of the level of risk.

6.2 The Information Governance and Data Protection Manager and/or Information Officer in liaison with the relevant member of staff and/or line manager shall determine whether to notify one or more of the following parties of the breach:

6.2.1 Senior Information Risk Officer (SIRO);

6.2.2 Deputy Chief Executive and/or Chief Executive;

6.2.3 Head of Communications and Leader of the Council (if not already notified)

6.2.4 affected Data Subjects;

6.2.5 the ICO;

6.2.6 the police;

6.2.7 affected third parties;

6.2.8 IT (if not already notified).

6.3 When considering whether to notify the SIRO, Deputy Chief Executive, Chief Executive or affected third parties, the nature of the breach and the severity of the impact it may have on Data Subjects should be taken into account. All data breaches deemed medium to high risk should immediately be brought to the attention of these parties. The Council's Leadership Team and Audit and Governance Committee will be made aware of all data breaches regardless of risk level on a half yearly basis through a data breach summary report.

6.4 If not already aware, the Head of Communications and Leader of the Council should be made aware of any high risk breaches so that they can be appropriately briefed if approached by the media for comment.

6.5 When considering whether (and how) to notify individual Data Subjects in the event of a personal data breach, the following should be considered:

6.5.1 the likelihood that Data Subjects' rights and freedoms as set out in the Data Protection Legislation (and the Council's Policy for Handling Personal Data) will be adversely affected;

6.5.2 whether there is a legal or contractual requirement to notify;

6.5.3 whether measures in place to protect the affected personal data (e.g. pseudonymisation or encryption) have been applied, thereby rendering the data unusable to any unauthorised parties;

6.5.4 whether measures have been taken following the data breach that will ensure that a high risk to the rights and freedoms of affected Data Subjects is no longer likely to occur;

6.5.5 the benefits to Data Subjects' of being notified (e.g. giving them the opportunity to mitigate the risks posed by the data breach);

6.5.6 whether notifying individuals will involve disproportionate effort (in which case a public communication or other widely available notice may suffice, provided that affected Data Subjects will still be informed effectively);

6.5.7 the best way of notifying Data Subjects, taking into account the urgency of the situation and the security of the possible methods;

6.5.8 any special considerations applicable to certain categories of data subject (e.g. children or vulnerable people);

6.5.9 the information that should be provided to affected Data Subjects;

6.5.10 how to make it easy for affected Data Subjects to contact the Council to find out more about the data breach;

6.5.11 further assistance that the Council should provide to the affected Data Subjects, where appropriate;

6.5.12 the risks of over-notifying – not all data breaches require notification and excessive notification may result in disproportionate work and numbers of enquiries from individuals;

6.6 When individual Data Subjects are to be informed of a data breach, those individuals must be informed of the breach without undue delay. Individuals shall be provided with the following information:

6.6.1 a user-friendly description of the data breach, including how and when it occurred, the personal data involved, and the likely consequences;

6.6.2   clear and specific advice, where relevant, on the steps individuals can take to protect themselves;

6.6.3   a description of the measures taken (or proposed to be taken) to address the data breach including, where relevant, measures taken to mitigate any possible adverse effects;

6.6.4   contact details for Information Governance and Data Protection Manager and relevant member(s) of staff from whom affected individuals can obtain further information about the data breach.

6.7 When considering whether (and how) to notify the ICO of a data breach, the following should be considered:

6.7.1   the risk and potential harm to Data Subjects, their rights, and freedoms – harm can include (but is not limited to) financial harm, physical harm, loss of control over personal data, discrimination, identity theft or fraud, damage to reputation, and emotional distress;

6.7.2   the volume of personal data involved – the ICO should be notified if a large volume of data is involved and there is a real risk of Data Subjects suffering harm as a result, however it may also be appropriate to notify the ICO if a smaller amount of high-risk data is involved;

6.7.3   the sensitivity of the data involved – the more sensitive the personal data is, the less the volume of it is relevant and if the data breach presents a significant risk of Data Subjects suffering substantial detriment or distress, the ICO should be notified.

6.8 If the ICO is to be notified of a data breach, this must be done within **72 hours** of becoming aware of the breach, where feasible. This time limit applies even if complete details of the data breach are not yet available. The ICO must be provided with the following information:

6.8.1   the category or categories and the approximate number of data subject whose personal data is affected by the data breach;

6.8.2   the category or categories and the approximate number of personal data records involved;

6.8.3   the name and contact details of the Information Governance and Data Protection Manager from which the ICO can obtain further information about the data breach;

6.8.4   a description of the likely consequences of the data breach; and

6.8.5   a description of the measures taken (or proposed to be taken) to address the data breach including, where relevant, measures taken to mitigate any possible adverse effects.

6.9 The police may have been contacted at an earlier point in the data breach procedure (see 4.2), however further investigation may reveal that the data breach resulted from a criminal act, in which case the police should be further informed.

6.10   Records must be kept of all data breaches, regardless of whether notification is required. The decision-making process surrounding notification should be documented and recorded in a Data Breach Report and a summary noted in the Data Breach Log.

7. Evaluation and Response

7.1 When the steps set out above have been completed, the data breach has been contained, and all necessary parties notified, the Information Governance and Data Protection Manager and/or Information Officer and/or relevant member(s) of staff, their line manager and, if required, the relevant Head of Service shall conduct a complete review of the causes of the data breach, the effectiveness of the measures taken in response, and whether any systems, policies, or procedures can be changed to prevent data breaches from occurring in the future. Additionally, where breaches have not been escalated, these will be reported via the half yearly meetings as mentioned in paragraph 6.3 above in order to determine if improvement is required. Any recommendations and/or actions made through a review, if applicable, will be shared with all council staff as soon as possible.

7.2 Such reviews shall, in particular, consider the following with respect to data (and in particular, personal data) collected, held, and processed by the Council:

7.2.1   where and how data is held and stored;

7.2.2   the current organisational and technical security measures in place to protect data and the risks and possible weaknesses of those measures;

7.2.3   the methods of data transmission for both physical and electronic data and whether or not such methods are secure;

7.2.4   the level of data sharing that takes place and whether or not that level is necessary;

7.2.5   whether any data protection impact assessments need to be conducted or updated;

7.2.6   staff awareness and training concerning data protection;

7.3 Where possible improvements and/or other changes are identified, the Information Governance and Data Protection Manager shall liaise with the relevant member(s) of staff, their line manager and, if required, the relevant Head of Service with respect to the implementation of such improvements and/or changes.

7.4 Any actions taken against an employee found to be responsible for a confirmed data breach shall be in line with the Council's Disciplinary Policy and should be treated as a general misconduct breach of the Council's Code of Conduct.

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DATA BREACH REPORTING PROCEDURE

(SEE DATA BREACH POLICY FOR DETAIL)

Actual or suspected Data breach identified by Officer(s)

→

Notify Line Manager and IT (f required) and complete Staff Data Breach Report Form (SDBF)

→

Officer(s)/Line Manager sends SDBF to and notifies Information Governance and Data Protection Manager and/or FOI Officer

→

Information Governance and Data Protection Manager and/or FOI Officer and officer(s) and/or Line Manager determine if data breach is occurring. If so, put in place steps to minimise effects and stop breach

↓

If breach is low risk, Information Governance and Data Protection Manager and/or Information officer and officer(s) and/or Line Manager to complete final data breach report and include details in breach log

←

Information Governance and Data Protection Manager and/or FOI Officer and officer(s) and/or Line Manager to determine which parties need to be notified

←

Information Governance and Data Protection Manager and/or FOI Officer and officer(s) and/or Line Manager to begin investigation of breach within 24 hours of notification using a Data Breach Report Form

↓

If breach is medium-high risk then notify:

Senior Information Risk Officer

Head of Service

Deputy Chief Exec/Chief Exec

The Police(if required)

Affected Third Parties

→

If breach is deemed high risk then ICO and/or data subjects to be notified within 72 hours. ICO breach form to be completed for ICO notification.

Consider notifying Head of Comms and Leader of the Council to brief for media questions.

→

Information Governance and Data Protection Manager and/or FOI Officer and officer(s) and/or Line Manager and Head of Service (if required) to evaluate response using Data Breach Report Form

↓

All data breaches reported to:

Leadership team – half yearly

Audit and Governance Committee – half yearly

←

Information Governance and Data Protection Manager and Line Manger, officer(s) and Head of Service (where required) to ensure improvements are implemented

←

Final breach report (including possible improvements) circulated with informed parties (ICO and Date Subjects if required)

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Please fill in and send this form as soon as possible after being notified of a data breach

Staff Data Breach Report Form (to be updated onto the intranet)

Name of staff member reporting breach:

Today's date:

Date that breach was reported to East Herts:

Service Area:

Has ICT been notified (if required)?

Has your line manager been notified?

Please give details of the breach including:

- *The type(s) and/or categories of data involved*
- *Whether sensitive personal data is involved*
- *How many people are likely to be affected (if known)*

Please give details of what may have caused the breach (if known):

Please give details of any immediate actions that have been taken to reduce the impact of the breach:

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Data Breach Report

Date of Breach:

Date breach notified to Information Governance and Data Protection Manager (DPO) and/or Information Officer:

Investigating Officer:

Notified to Line Manager/Head of Service/Deputy Chief Executive/Chief Executive:

Details of breach (use staff breach report form):

Who Notified East Herts of breach:

Details of Investigation undertaken (consider the points below):

- *Sensitivity of data (both commercially and personally)*

- *What organisational and technical measures were in place?*

- *What might be done with the data as a result of the breach?*

- *What could the personal data tell a third party about the person(s)?*

- *Potential effects on the data subject*

- *Potential consequences for the council*

- *Broader consequences of the breach (both for the person(s) and the council)*

Did a breach occur and if so, what was the severity?

Was the breach reported to the ICO, if so, on what date?

Were the Police informed?

Were the Data Subjects informed?

Were any other parties informed?

What corrective action(s) were considered/taken (consider the points below)?

- *Where and how data is held and stored*
- *Current organisational and technical security measures and possible weaknesses of these*
- *Methods and security of data transmission of data*
- *Level of data sharing and whether or not it is necessary*
- *Whether any data protection impact assessments need to be conducted or reviewed*
- *Staff awareness and training*

Date report circulated with Line Manager/Head of Service/Deputy Chief Executive/Chief Executive:

2

East Herts Council

Executive

Date of Meeting: 6 July 2021

Report by: Cllr Goodeve, Executive Member for Planning and Growth

Report title: Bengeo Neighbourhood Area Plan 2019-2033

Ward(s) affected: Bengeo Ward

Summary

- To adopt the Bengeo Neighbourhood Area Plan following the Referendum of 6th May 2021.

RECOMMENDATIONS FOR Executive to recommend to Council:

(a)   The Bengeo Neighbourhood Area Development Plan 2019-2033, as detailed at Appendix A to this report, be formally 'made'.

1.0   Proposal(s)

1.1   The Bengeo Neighbourhood Plan went to Referendum on the 6th May 2021. A majority voted in favour of the Neighbourhood Plan and as such the Council now has the opportunity to formally 'make' the Neighbourhood Plan.

2.0   Background

2.1   Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Hertford Town Council submitted a request for Neighbourhood Area Designation of the Bengeo Ward in March 2017 which was subsequently agreed on June 27th 2017.

2.2 The Town Council submitted the draft Neighbourhood Plan to East Herts Council in February 2020. Following this, an eight week consultation took place between 16th July and 10th September 2020. The Neighbourhood Plan was then assessed by an Independent Examiner between October and December 2020 and was recommended to proceed, subject to recommended modifications, to Referendum.

3.0 Reasons

3.1 Due to the coronavirus pandemic, all referendums were postponed between March 16th 2020 and May 5th 2021 in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020.

3.2 The Referendum took place on 6th May 2021 with a 49.1% turnout. There was an overall 'yes' vote of 2,821, against 152 who voted 'no'. As outlined within Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004, (as amended by the Neighbourhood Planning Act 2017) the Council is able to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the plan being used to help decide planning applications in the area. The residents within the Bengeo Neighbourhood Area voted on the following question:

"*Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Bengeo Neighbourhood Area to help it decide planning applications in the neighbourhood area?*"

3.3 With an overall successful 'yes' vote, the Council are now able to formally adopt the Neighbourhood Plan as part of the East Herts Development Plan.

Adoption

3.4   Following a successful referendum, there are narrow circumstances where the local planning authority is not required to make the neighbourhood plan or Order. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended).

3.5   The Bengeo Neighbourhood Area Plan does not breach the aforementioned obligations.

3.6   The Bengeo Neighbourhood Area Plan already forms part of the development plan for East Herts. As such any planning applications within the Neighbourhood Area will be assessed alongside the current East Herts District Plan 2018 policies, the National Planning Policy Framework (NPPF) and all other material planning considerations.

3.7   It is considered that the Bengeo Neighbourhood Area Plan positively contributes to the East Herts Development Management process providing a strong community vision that seeks to contribute to sustainable development and as such the Neighbourhood Plan can proceed to be formally 'made'.

3.8   The final version of the Bengeo Neighbourhood Area Plan can be found in Appendix A.

4.0   Options

4.1   The Council is permitted, in narrow circumstances only to not make a neighbourhood plan. this is when it is in breach or incompatible with any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 as Amended)

5.0 Risks

5.1 If the Neighbourhood Plan does not proceed to be formally 'made' then the Council wouldn't be fulfilling its duties as Local Planning Authority and there is the risk of legal challenge.

6.0 Implications/Consultations

6.1 The Neighbourhood Plan has been subject to multiple rounds of statutory public consultation.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

The Bengeo NP has been screened to determine whether a Strategic Environmental Assessment and/or a Habitats Regulations Assessment is required, the report concluded that the Plan is not likely to have any significant environmental effects and as such neither were required. The Plan also contains policies that aim to protect the environment.

Financial

It is the responsibility of the LPA to cover examination and referendum costs. Government grants available when a Plan has a formal referendum date.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

The Council must make a deicision under section 38A(4) of the 2004
Act

Specific Wards

Bengeo Ward

7.0 Background papers, appendices and other relevant material

7.1   Appendix A: Bengeo Neighbourhood Area Plan 2019-2033

Contact Member

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BENGEO

NEIGHBOURHOOD AREA PLAN
2019-2033

love bengeo

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> *"Bengeo has grown logically and carefully over the centuries. The Neighbourhood Plan respects its wonderful history and heritage, and simultaneously reflects the aspirations and needs of its 21st century dwellers."*

The history and heritage of the Neighbourhood Plan Area

Today's residents like to call Bengeo a village, but it began as two distinct small settlements half a mile apart – the more ancient settlement near St. Leonard's with its farm, grand houses and cottages, and the trading settlement, straddling 'the straight' of Bengeo Street, near The Greyhound pub.

Apart from its southern fringe, with the ribbon of ancient buildings, the area was agricultural until the start of the mid-Victorian spread from Hertford. In the late Victorian era, the expansion of homes began, always well built (no slums) which, in time, connected the two centuries-old clusters of buildings near St. Leonard's and The Greyhound. Dr Thomas Dimsdale's 'Pest House' (Plague House) – so called because of his inoculation researches - was necessarily isolated for medical purposes when built in 1763 on Port Hill Common. It's now part of Byde Street's residential neighbourhood.

Local street names remember Lord Nelson and Sir Minto Farquhar, the Gosselin family, the Chambers family and the Dimsdales. They also recognise features of the area: The Fore-Lea (Folly); Millmead, Port Hill and Port Vale, Great and High Molewood, Buckwell's Field and Westfield, but, pepper-potted across the wider area are some icons. Today, we love the 1890s McMullen Brewery, the Prince Albert Model Cottages, the iconic Water Tower, Ware Park Mansion, the Carmelite Monastery, the railway tunnel below Molewood, and our many places of worship. The glorious spire of the Church of St. Andrew (hit by lightning more times than any other spire nationally on the books of the Ecclesiastical Insurers) 'speaks' from the area's valley territory at the middle of the Hertford basin.   At the Bengeo hilltop is Holy Trinity, another good Victorian building, and then out on the promontory, which gave Bengeo its name (the 'Ho' bit of 'Beane Ho'/Bengeo) is the Bengeo gem, the ancient Norman St. Leonard's.

Modern Bengeo thus grew out from Hertford to become a distinct community. First in Hertford, there is always 'the water'. Skirting around the area at the foot of the hillsides of 'Bengeo proper' are the rivers Beane, Lea and Rib (like seaside children, Hertford's children learn to swim at an early age). These provide a collection of mills, mill sites, millraces and weirs (Ware Park Mill, Dicker Mill, Town Mill, Sele Mill). They remind us of the earliest industries. The water and the grain from the arable lands led to our staple industry - brewing. In Victorian times, the town's time-honoured industrial area made way for the present-day Conservation Area focus - the artisan terraced cottage homes on Folly Island.

Starting at the southern base of the area, and moving upwards to its northern tip, St. Andrew Street (no apostrophe 's' please) with its domestic scale, juxtaposes fine examples of County town homes and shops from each century since the 15th. It is a wonderful heritage asset. There are clearly identifiable entrances to the 19th century yards and their notorious insanitary 'dwellings'. Northwards, but still on town/valley territory, some industrial evidence remains. There is the present-day brewery and the old maltings; the Great Northern Railway's industrial archaeology, and Hertford's playground for 1,000 years, Hartham. At the top of the hill, is the 'village' of Bengeo and its vital open countryside beyond, from Westmill to Waterford and from Stoneyhills to Molewood.

Bengeo has grown logically and carefully over the centuries. The Neighbourhood Plan respects its wonderful history and heritage, and simultaneously reflects the aspirations and needs of its 21st century dwellers.

Peter Ruffles

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1. Introduction

The Purpose of a Neighbourhood Plan

1.1. Neighbourhood Planning gives communities direct powers to shape the development and growth of their local area. The Localism Act 2011 introduced the right for communities to set planning policies that have statutory weight, which are used by their local authority to determine planning applications.

1.2. Through the policies they write into their Neighbourhood Plan, communities can influence planning decisions on issues like residential and commercial development, the protection of local green spaces and important buildings, and the provision and protection of community facilities. A Neighbourhood Plan should support the strategic development needs set out in the Local Plan and, once adopted, it has the same legal status.

Bengeo Neighbourhood Area Plan

1.3. The Bengeo Neighbourhood Area Plan (hereinafter referred to as the Neighbourhood Plan) will guide the direction of future development in the Hertford Bengeo Ward up to 2033. The Neighbourhood Plan will form part of the statutory Development Plan, comprising the Local Plan (East Herts District Plan), the Minerals and Waste Local Plans for Hertfordshire, and any adopted Neighbourhood Plans. It is in accordance with the strategic policies of the East Herts District Plan, which was adopted on the 23 October 2018, and will be in force until 2033.

Qualifying Body and Neighbourhood Plan Area

1.4. The qualifying body for the submission of the Neighbourhood Plan is Hertford Town Council (HTC). On the 29 March 2017, HTC applied to East Herts District Council (EHDC) for the designation of Hertford Bengeo Ward as a Neighbourhood Plan Area. East Herts Council approved the designation on 27 June 2017. The Neighbourhood Plan Area is represented in Figure 1 opposite.

Legislation

1.5. The Neighbourhood Plan must comply with other local, national and European (or UK equivalent) policies, as required in the Localism Act. Specifically, it is required to meet four criteria called 'Basic Conditions' as set out in paragraph 8(s) of Schedule 4B of the Town and Country Planning Act 1990 (as amended), as referred to by Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended):

(i) The Plan must have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);

(ii) The Plan must contribute to the achievement of sustainable development;

(iii) The Plan must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case, the East Herts District Plan (see separate Basic Conditions Statement); and

(iv) The Plan must abide by the relevant EU regulations (or UK equivalent).

1.6. A separate document has been prepared to demonstrate how the Bengeo Neighbourhood Area Plan meets these Basic Conditions.

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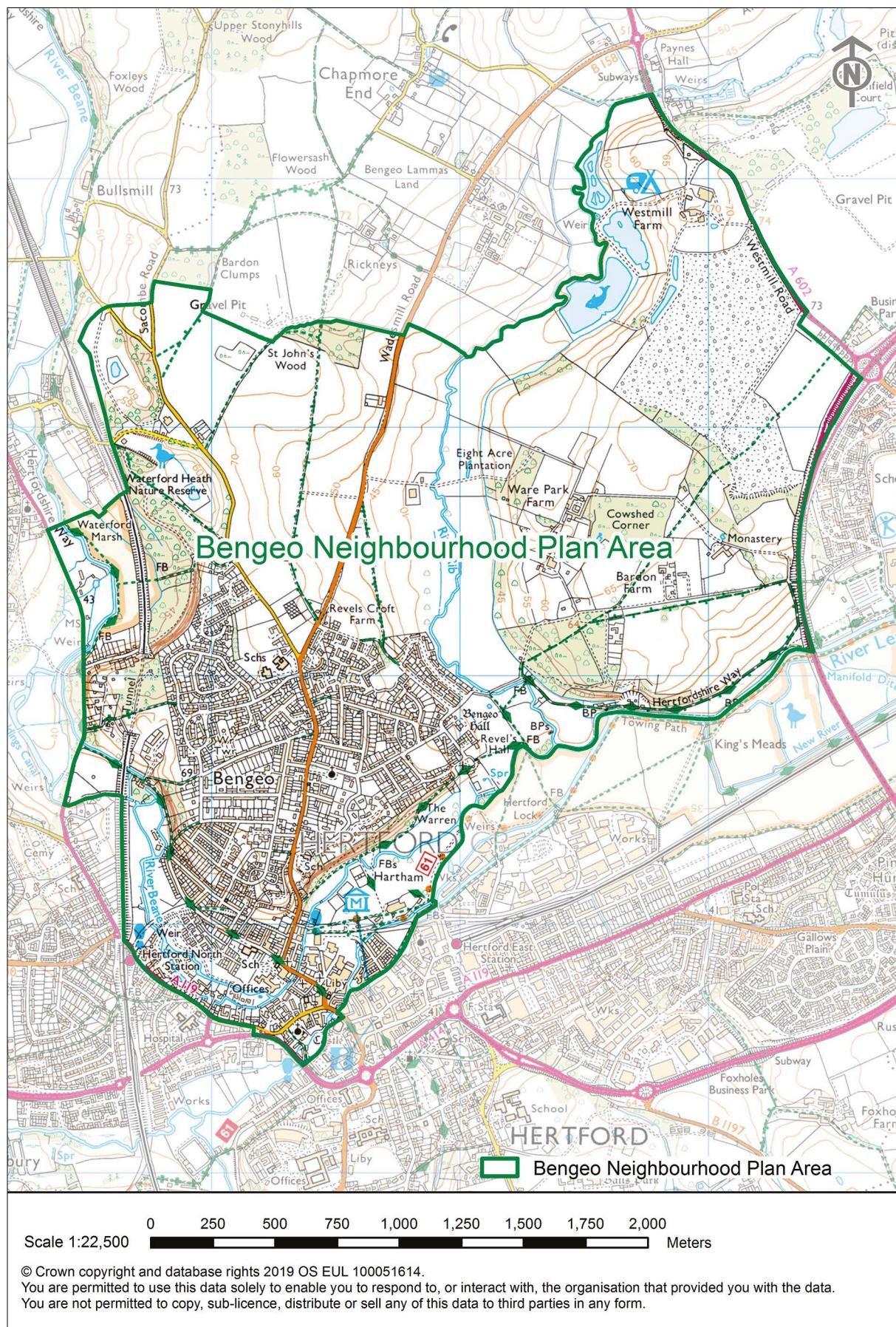
Figure 1: Bengeo Neighbourhood Plan Area.

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Preparing the Neighbourhood Plan

1.7.   On 24 June 2017, a public meeting was held at Bengeo Primary School to explain the Neighbourhood Plan process, following which a Community Steering Group was formed. The group was endorsed by Hertford Town Council to prepare a Neighbourhood Plan on its behalf.

1.8.   At a community workshop on the 26 July 2017, four Working Groups were agreed: Community, Heritage and Culture, Homes and Development, Natural Environment and Green Spaces and Transport and Travel. Subsequently, a Business and Enterprise Working Group was set up to ensure representation from the local business community.

1.9.   An experienced Neighbourhood Planning Consultant, appointed by Hertford Town Council, ran public workshops and provided valuable specialist advice at Working Group meetings.

1.10.   Working Groups met on a regular basis to agree key objectives, identify questions for the Neighbourhood Plan survey, draw up draft policies, plan public exhibitions, and evaluate consultation feedback. Working Parties, and members of the community, delivered consultation leaflets to households and businesses in the Ward.

Community Engagement

1.11.   The Neighbourhood Plan consultation process has included:
• a public meeting at Bengeo School and two public workshops
• a business forum
• a household survey
• a children's survey
• an exhibition on survey outcomes at Bengeo School
• an exhibition on draft policies at Mill Mead School
• A Summary Document with Neighbourhood Plan policies distributed throughout Hertford Bengeo Ward
• Nine-week public consultation on the Pre-Submission Draft (Regulation 14) Neighbourhood Plan
• Full draft Plan available on line, with hard copies available for viewing at key locations
• Drop-in events held at Bengeo Parish Church Hall and Mill Mead School to answer queries on the Draft Neighbourhood Plan
• Eight-week East Herts District Council Regulation 16 consultation
• updates on the Love Bengeo website and Facebook, Twitter and Instagram pages
• updates on Hertford Town Council's website, Facebook and Twitter pages
• press releases

1.12.   A separate document, called the Bengeo Neighbourhood Area Plan Consultation Statement has been prepared. This explains the work of the Community Steering Group, describes the engagement techniques used, events held, and the results of the public consultations.

Monitoring and Review

1.13.   Implementation of the Neighbourhood Plan will be monitored by Hertford Town Council and a review will be undertaken should the policies become out of date or no longer relevant.

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2. Hertford Bengeo Ward

2.1.   Hertford Bengeo Ward, one of four Hertford Wards, spans just over 680 hectares from Westmill Farm in the north to Folly Island in the south. It's surrounded on three sides: north, east and west by the Green Belt, and by the Great Molewood and Hartham 'Green Fingers' to the west and east respectively. The boundary incorporates parts of Hertford town centre at Old Cross and St. Andrew Street and parts of Hartham Common.

2.2.   The rivers Beane and Rib weave through significant parts of the Ward, with the Beane merging with the Lea in Hartham and the Rib joining it by St. Leonard's Meadows. There are more than 100 hectares of woodland, and two woods have Ancient Woodland status; St. John's Wood and Great Mole Wood. Waterford Heath and Marsh and St. John's Wood are Local Wildlife Sites and Waterford Heath is also designated as a Local Nature Reserve. There are nearly 15km of Public Rights of Way, including 8.8km of footpaths.

Figure 2: River Lea at Hartham, just south of The Warren.

2.3.   There are more than seventy streets and roads in the Ward and the majority of residents live in the urban area, some in the Victorian houses on narrow streets in Lower Bengeo and on Folly Island. Several busy roads intersect the Neighbourhood Plan Area: the A602, A414, A10 and A119, and the B158 runs centrally through it from Mill Bridge in the town centre up to the northern boundary line, just to the east of St. John's Wood.

2.4.   Hertford Bengeo Ward had 7,456 usual residents and a total of 3,347 household spaces in the 2011 census. These household spaces were mostly semi-detached (32.8%) or terraced (30.8%) homes with only 16.6% being purpose-built or converted flats. Whilst some flats are above shops on the edge of the town centre, most are in the north-east of the Plan area in Mansfield Gardens and Bengeo Mews.

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2.5. The countryside in Hertford Bengeo is beautiful with wonderful walks and views, and, within walking and cycling distance (but outside the Ward boundary) there are two train stations, one into Moorgate and the other into Liverpool Street. The Neighbourhood Plan Area includes Green Belt and the town centre; a perfect combination. When residents were asked what they liked most about living in Hertford Bengeo, the biggest response was the semi-rural nature of the area and the easy access to green spaces, and the second was the proximity to the town centre.

2.6. There is good access to recreational and leisure facilities, and a growing cultural quarter, including the Hertford Arts Hub in Hartham Lane, Courtyard Arts in Port Vale and the Company of Players Theatre on Balfour Street. Support for the enhancement of cultural activities and facilities has been shown throughout the consultation process.

Challenges and Opportunities

2.7. Despite the many benefits of living in the Ward, there are significant pressures on local roads, and, throughout consultation, traffic congestion and road safety were repeatedly raised as a significant concern. Serious peak-time congestion is a daily occurrence and the impact on residents, particularly on the Lower Bengeo roads, is significant. Many of the Ward's listed buildings, some dating back to the 15th century, front onto St. Andrew Street, with its high traffic volumes. Through its Sustainable Travel policies and the Action Plan, the Neighbourhood Plan aims to mitigate the impact of development and help improve local travel conditions.

2.8. Equally important to improving local travel conditions is the protection and enhancement of our natural areas. Easy access to green spaces is valued by residents, and green infrastructure and green corridors protect wildlife and enhance biodiversity and should be essential components of development.

2.9. Although Hertford Bengeo Ward has been allocated a smaller number of new homes through the District Plan (Policy HERT4 North of Hertford) than other Hertford Wards, proposals should mitigate the impact of development on local roads by enabling walking and cycling and promoting public transport use.

2.10. East Herts District Council has committed to moving towards net zero carbon emissions. In July 2019, they said they would *'seek, where possible, to include the very best measures into the Local Plan to minimise any negative impact on the environment'*. An adopted Neighbourhood Plan has the same legal status as the Local Plan. The Vision Statement and Objectives in this Neighbourhood Plan reflect the broad range of issues highlighted as important by residents, including those of the environmental impact of development. The Neighbourhood Plan's policies and Action Plan support sustainable development whilst placing the protection of our local environment, air quality and natural habitats at the forefront.

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3. Vision and Objectives

3.1. Our Vision Statement sets out what the Neighbourhood Plan aims to achieve up to 2033, in conjunction with the District Plan and a range of National, County and local plans and initiatives.

Vision Statement

Hertford Bengeo Ward is a vibrant community with easy access to beautiful countryside and historic buildings. Our vision is to create a place for people to walk and cycle safely, with well-connected routes. Development will be to high environmental standards and natural areas and biodiversity will be enhanced and protected. The aim is for facilities to be accessible and designed to offer a diverse range of activities. With a strong business economy, a thriving cultural centre, and valued local heritage, it will be a place people will want to live, work and visit.

Planning Objectives

3.2. The Objectives in the Neighbourhood Plan link to the Vision Statement and provide the basis for the planning policies.

Green Spaces, Views, Nature Conservation and Air Quality

Objective A: Protect precious green spaces through 'Local Green Space' designation and preserve important views.
Objective B: Maintain, protect and increase natural habitats, wildlife and local biodiversity.
Objective C: Reduce traffic emissions and preserve and increase green lungs and corridors.

Community, Heritage and Culture

Objective D: Retain, protect and enhance community facilities.
Objective E: Encourage the development of cultural facilities and protect valuable heritage assets.

Sustainable Travel

Objective F: Improve travel conditions and road safety and mitigate the impact of development on local roads.
Objective G: Improve and extend footpath routes to increase levels of walking.
Objective H: Improve and extend the cycle network to increase levels of cycling.
Objective I: Increase the use of local public transport as a preferred option over cars.
Objective J: Increase the availability of cycle parking and improve local car parking conditions.

Homes and Development

Objective K: Achieve high-quality sustainable development with good access to natural areas and foot and cycle routes.
Objective L: Achieve brownfield development that meets residential, community or commercial need.

Sustainable Commercial Growth

Objective M: Ensure commercial development supports local businesses in continuing to thrive.

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4. Neighbourhood Plan Policies

4.1.   This chapter sets out the planning polices for the Neighbourhood Plan for the period 2019-2033, which aligns with the end of the period for the East Herts District Plan. The policies will help the Plan's objectives to be achieved and other matters, some not related to planning, will be taken forward in the Action Plan (Appendix H). This includes some of the important road and travel related matters raised during consultation. The Policy Process Map (Appendix G) demonstrates how the objectives and policies in the Plan are linked.

Green Spaces

4.2.   Meeting housing needs and supporting the local business economy is essential, but it has to be balanced with the protection of valuable natural and recreational areas. There's well documented evidence of the benefits to our physical and mental health from accessible green spaces, and green corridors provide essential protection to wildlife, and enhance biodiversity.

4.3.   Through Neighbourhood Plans, communities can now identify natural areas of importance to them and give them additional protection through 'Local Green Space' (LGS) designation. This designation is only appropriate for areas which are 'demonstrably special' to a community. This could, for example, be for their tranquillity, richness of wildlife, historical significance, beauty, or recreational value. Public access is not a requirement for LGS designation, but the areas need to be in reasonably close proximity to the community.

4.4.   During the Neighbourhood Plan's development, a number of natural areas were evaluated. These included: Beane Marshes, Hartham Common, Great and Little Molewood, The Warren, the fields adjoining St. Leonard's Church, and High Molewood. These areas are within the Green Fingers and are already designated as Local Green Spaces through the East Herts District Plan.

4.5.   Through a process of consultation, and assessment of current levels of protection, eight areas were identified for Local Green Space designation. All eight areas received overwhelming support for LGS designation at the policy consultation at Mill Mead School in March 2019, and during the subsequent Regulation 14 consultation, with only a handful of objections. Information on the assessment for each proposed Local Green Space site is in Appendix B: Local Green Spaces Assessment.

Policy HBN1: Local Green Space (LGS) Designation

I. Eight Local Green Spaces have been identified on the Policies Map (including Inset Maps) in Appendix A.

LGS1: Land at Bengeo Field.

LGS2: Former Railway Line, Lower Bengeo.

LGS3: Millmead Park.

LGS4: St. Leonard's Garden.

LGS5: Woodland Adjacent to the Sacombe Road Play Area.

LGS6: North Road Meadow.

LGS7: Watermill Lane Play and Recreation Area.

LGS8: Port Vale Wildlife Garden.

II. Development within these designated areas will only be permitted where exceptional circumstances can be demonstrated, in accordance with the National Planning Policy Framework.

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LGS1: Land at Bengeo Field

4.6. This 5.7-hectare, clearly defined area of Bengeo Field, is indicated by the green hatched section in Figure 3. Views north across the site are iconic of Bengeo. The Byway 1 subsoil, within LGS1, is registered as an Asset of Community Value. This path is used by hundreds of residents for health walks, running, cycling, dog walking and horse riding. In the Neighbourhood Plan Survey (January 2018), more residents showed support for protecting Bengeo Field than any other green space. In the Public Inquiry report 'Land at Ware Park' (ref:APP/M1900/W/17/3178839), the Inspector noted the importance of landscapes such as Bengeo Field as *'especially important as a foil to the urban settlement of Hertford'*. He referred to the field as *'a landscape resource and visual amenity of considerable importance because of its proximity to the urban area'*. The Inspector's view was endorsed by the then Secretary of State.

Figure 3: LGS1: Land at Bengeo Field.

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LGS2: Former Railway Line, Lower Bengeo

4.7. This land runs parallel to Port Vale and has returned to nature over the last 50 years. In 2017, hundreds of people signed a petition to protect it from development and, in August 2018, a Hertfordshire County Council report ('Planning Appraisal for dismantled Bengeo railway land, Hertford') deemed it unsuitable for development and said it had the potential to become part of the area's green infrastructure, with *'locally significant gains for biodiversity'*. It could also form a wildlife corridor, augmenting the Great Molewood Green Finger, and almost joining up with the Hartham Green Finger. If it was publicly accessible, it could become part of a network of paths to make walking and cycling better and safer and create an important linking route.

Figure 4: Former Railway Line, looking east.

Figure 5: Former Railway Line, looking west.

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LGS3: Millmead Park

4.8.   This park is adjacent to 107 homes on the Millmead Estate and is used for walking, cycling and ball games. It has two play areas and is part of the cycle route from North Road to Hartham. Dense tree planting serves as a buffer from the noise of Hertford North station and the busy Lower Bengeo roads. The River Beane runs through the park and the semi-natural areas attract a range of wildlife. The highway land next to the River Beane (adjoining Cedar Court) and the former railway embankment land adjoining Beane Road, are included in the designation to prevent encroachment from development, and to safeguard wildlife habitat.

Figure 6: LGS3: Millmead Park.

LGS4: St. Leonard's Garden

4.9.   This pretty public garden, close to Hartham Common, overlooks the wonderful Norman church of St. Leonard (the oldest building in Hertford). In 1948, the garden was gifted to the then Hertford Borough Council by William Gosselin Trower for the use of local people for *'exercise and recreation'.* Although the garden is in the Hertford Conservation Area, designation as a Local Green Space gives it much needed additional protection. The view from the garden of St. Leonard's Church is protected through the Neighbourhood Plan. This wildlife-friendly garden has Silver Birch, Dogwood and Beech, as well as nesting boxes and bird feeders, and is a tranquil place to sit and relax.

Figure 7: LGS4: St. Leonard's Garden.

LGS5: Woodland Adjacent to the Sacombe Road Play Area

4.10.   This pretty woodland is used regularly by residents for walking, cycling and play. It appears on the 1843 Tithe Map and is a peaceful oasis. It's inhabited by woodpeckers, bats and hedgehogs. Levels of wildlife decreased following the Buckwell's Field development and it's hoped that wildlife will be encouraged to return.
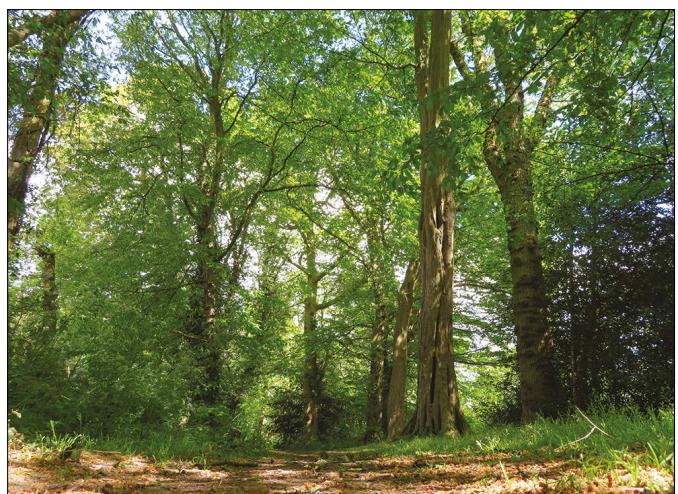
Figure 8: LGS 5: Woodland Adjacent to the Sacombe Road Play Area.

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LGS6: North Road Meadow

4.11. This beautiful meadow adjoins the popular Hertford Footpath 93 (part of The Hertfordshire Way) between Molewood Road and North Road. The River Beane forms the southern boundary of the meadow and the area is a wildlife haven. Some densely wooded areas help to reduce the impact of noise from North Road. Re-development has taken place nearby. Protecting the meadow through Local Green Space designation will help prevent further Green Belt encroachment. On the Title Deed, this land is referred to as 'Land at North Road'.

Figure 9: LGS6: North Road Meadow.

LGS7: Watermill Lane Play and Recreation Area

4.12. This lovely recreation area is highly valued by residents. It's used extensively and many residents enjoy its tranquil surroundings. There are semi-natural areas within the park and owls, hawks and Red Kites visit regularly. Since its regeneration in the 1970s, many trees and shrubs have matured. This wonderful park has been cared for by residents and should be protected from development.

Figure 10: LGS 7: Watermill Lane Play and Recreation Area.

LGS8: Port Vale Wildlife Garden

4.13. This wildlife garden, near the Port Vale scout hut, is sandwiched between two houses and is adjacent to the busy Lower Bengeo roads. It's a little haven of trees, shrubs and perennials, attracting birds and pollinating insects. There's a pond for frogs, wood piles for ground insects, and a compost system for recycling. It's admired by residents and is a good model for other wildlife gardens. Local Green Space designation gives it additional protection from development.

Figure 11: LGS8: Port Vale Wildlife Garden.

Naturalistic Planting Areas

4.14. A community garden and wildflower meadow areas were popular options in the Neighbourhood Plan survey, and advice was sought from the Herts and Middlesex Wildlife Trust on suitable locations and conditions for meadow planting. We will seek to increase areas of naturalistic planting throughout the Ward and, in 2019, the inclusion of wildflower areas in the HERT4, Hartham Leisure Centre and Hartham Play Area planning applications was endorsed by the Neighbourhood Plan.

4.15. A community garden, like St. Leonard's Garden, with its bug hotel, bird feeders, composting boxes and water butt, is one we are keen to emulate. We are proposing that the plot on the corner of Tower Street and Duncombe Road (owned by East Herts District Council) is landscaped into a community garden with seating and wildlife-friendly planting. The proposal received almost 100% approval at the March 2019 exhibition and comments on it included: *'Great use of this unused space'* and *'Excellent initiative'.* Support for a community garden is included in the Action Plan.

Views

4.16. Protecting special views from inappropriate development, particularly in the rural areas at the northern end of the Ward, will help preserve its character and aesthetic appeal. The impact of mineral workings on the local landscape is highlighted in Hertfordshire County Council's Landscape Character Assessment for the Lower Rib Valley. One of its recommendations is *'resist the targeting of redundant or derelict pasture for development'.* The National Planning Policy Framework states that *'planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes'* and should *'allocate land with the least environmental or amenity value, where consistent with other policies in this Framework'.* Landscape Character Areas (LCAs) are 'unique individual geographical areas in which landscape types occur.' Five LCAs intersect with the Neighbourhood Plan area: Lower Beane Valley, Lower Rib Valley, Stoneyhills, Ware Parklands, and the Kingsmead and Hartham Floodplain. Appendix C provides more detail on the LCA locations.

4.17. Eight special views have been identified for protection and, at the consultation in March 2019, over 98% of those responding agreed with the proposal to protect these views from the impact of development. Each view is identified on the Policies Map in Appendix A and also on the Views Map in Appendix D.

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Policy HBN2: Important Views

The following views, as shown in Appendix D, are designated Important Views. If a Landscape and Visual Impact Assessment and/or a Landscape Sensitivity and Capacity Assessment, as required by Policy DES2 of the East Herts District Plan, reveals a harmful impact on those views as a result of the proposal, the development will only be permitted where appropriate mitigation measures can be delivered.

View 1: Three Lakes towards west Bengeo.

View 2: North from Bengeo Field towards 'The Lonely Oak'.

View 3: Bengeo Field towards Ware Park Manor.

View 4: Watermill Lane North towards Ware Park Manor.

View 5: Beane Marshes towards Molewood from Beane Road bridge.

View 6: St. Leonard's Church from St. Leonard's Garden.

View 7: Hartham Common towards Port Hill.

View 8: Hartham Common towards The Warren.

View 1: Three Lakes towards west Bengeo

4.18.   This view captures the wonderful rural nature of the area. Views of the lakes, fields and trees give a sense of tranquillity and wellbeing. The landscape is undulating, and Red Kites can be seen hunting in the skyline. Although houses are visible, the volume is not enough to detract from the rural feel.

Figure 12: View 1: Three Lakes towards west Bengeo.

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View 2: North from Bengeo Field towards 'The Lonely Oak'

4.19.   The Stoney Hills landscape character is clearly seen in this view. There are two distinct waves in the field caused by the underlying gravel. Just over the rim of the hill, on the far side of the oak tree, lies the ancient St. John's Wood. As the only agricultural land within easy access of the Molewood Estate, this view is not only iconic of Bengeo, but much enjoyed by local people. The land is part of the Green Belt and the subsoil of the pathway running through it has been registered as an Asset of Community Value.
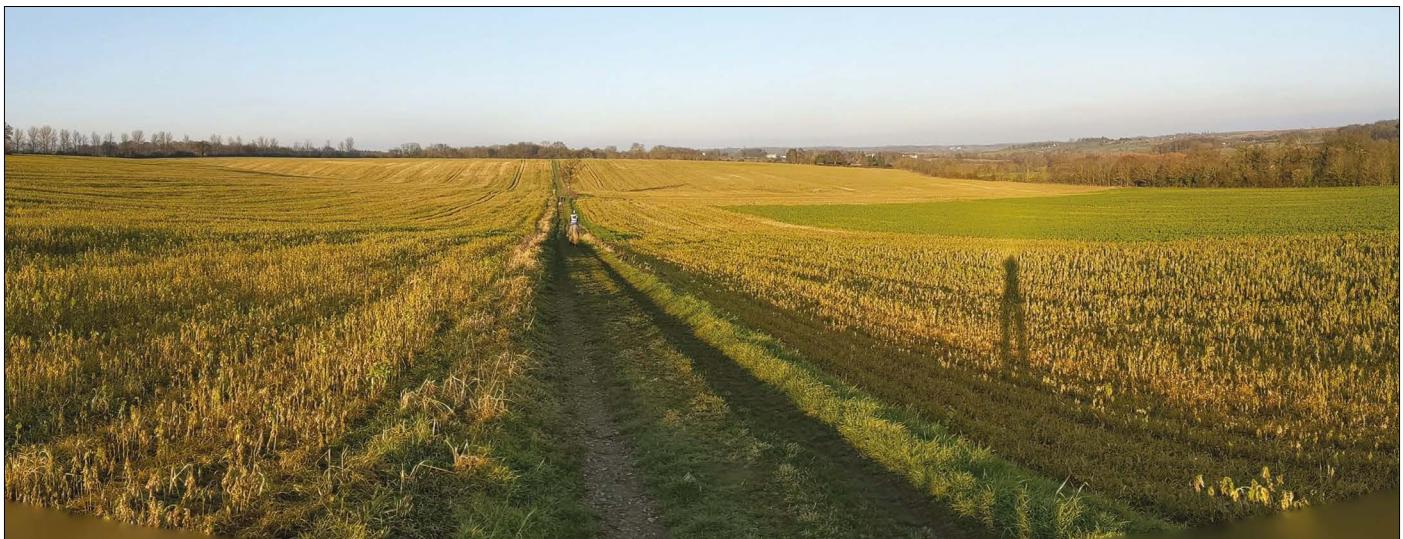
Figure 13: View 2: North from Bengeo Field towards 'The Lonely Oak'.

View 3: From Bengeo Field towards Ware Park Manor

4.20.   The panorama to the east reveals Hertfordshire's rolling countryside, while a manor house is seen nestling on the opposite side of the valley. The partly wooded valley on the other side of the River Rib provides a stunning vista in all seasons and is a popular view with walkers and local people. Byway 1 is a Public Right of Way from Bengeo to Chapmore End and is a very well-used path, popular with walkers, joggers and equestrians. It's common to see skylark, deer and brown hare on this Green Belt land.
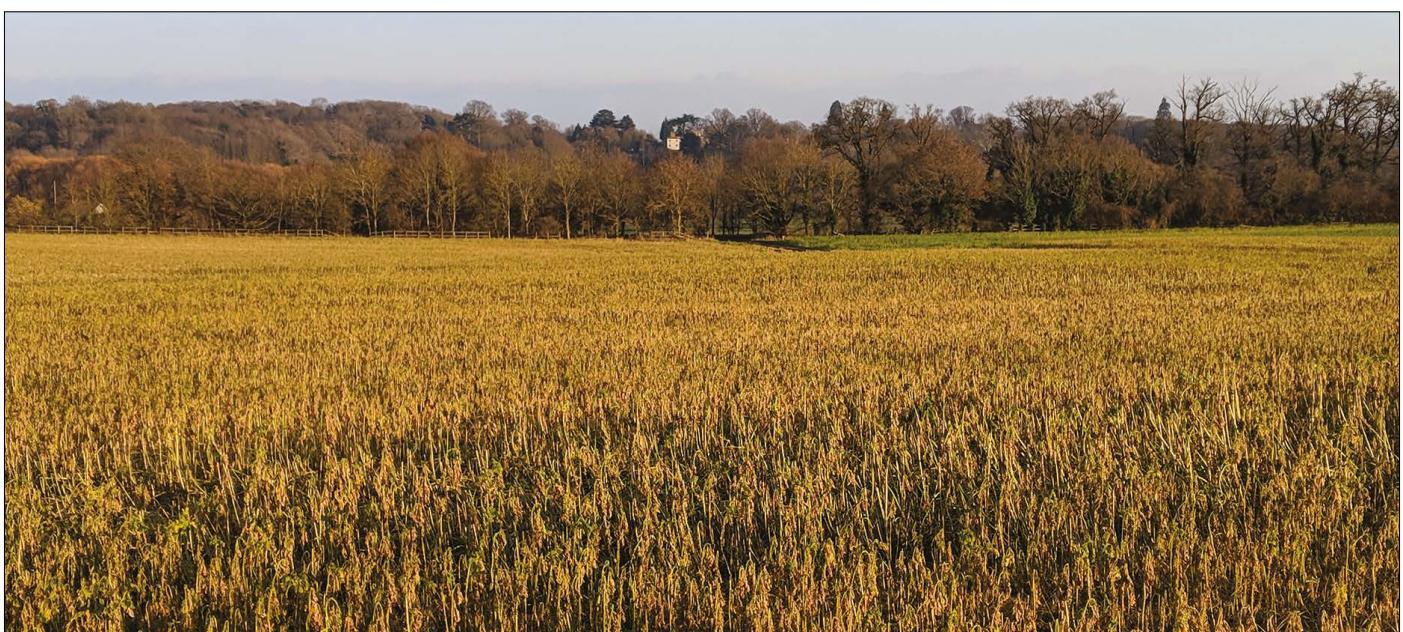
Page 394   *Figure 14: View 3: Bengeo Field towards Ware Park Manor.*

View 4: From Watermill Lane North towards Ware Park Manor

4.21.   The public footpath to the south of Watermill Lane North commands a spectacular view of Ware Park Manor, across the River Rib. The river course can easily be seen, together with the parklands, and lush woodland surrounds the Manor, stretching over the brow of the hill towards Ware. Ware Park is of considerable local historic interest, including ancient hornbeam, oak and lime pollards, and earth works relating to the early deer park and later ornamental park. The floodplain running along the River Rib is also plainly visible. The area is alive with the sound of birds and is a haven for wildlife. Ware Park Manor is privately owned therefore this view gives the public a glimpse of a building that is otherwise difficult to access. This farmland, to the north of the public footpath on Watermill Lane, is unsuitable for development due to the open, unspoiled views.

Figure 15: View 4: From Watermill Lane North towards Ware Park Manor.

View 5: Beane Marshes looking towards Molewood from Beane Road bridge

4.22.   The panorama to the north and northeast takes in the River Beane and its floodplain, a rare example of a naturalised water meadow that has significant amenity and biodiversity value and provides a strong landscape setting for Bengeo's historic settlement on the hill. Some perimeter trees along Beane Road have been cut down, to the detriment of the amenity value of this space, but it is still an important, locally tranquil area of green space, providing essential wildlife habitat. Parts of Beane Marshes are owned and managed by the Herts and Middlesex Wildlife Trust.
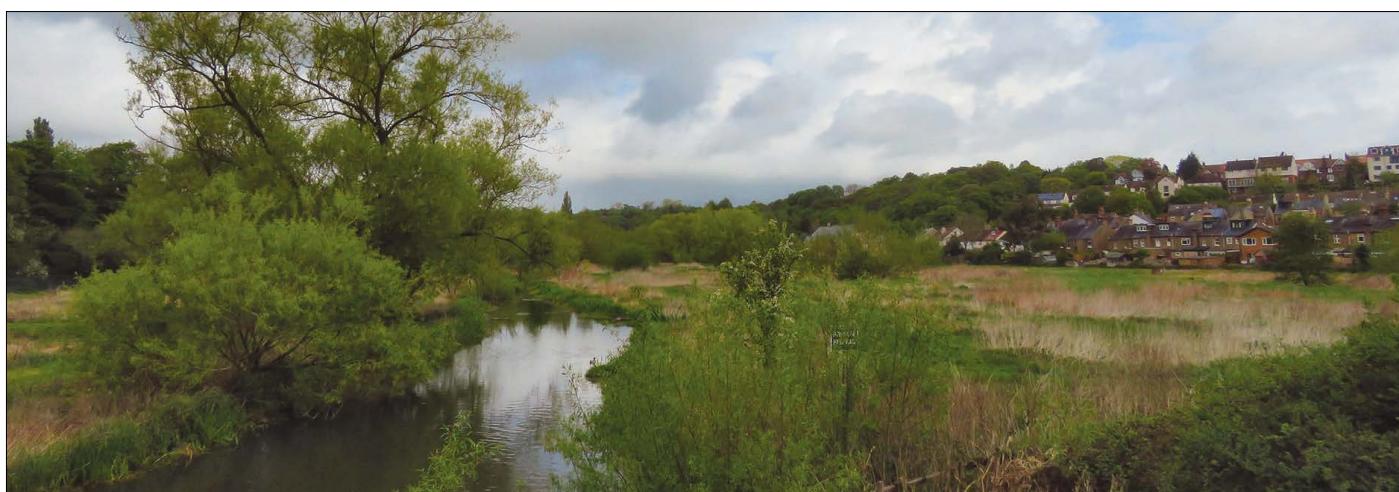
Figure 16: View 5: Beane Marshes from Beane Road bridge.

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View 6: St. Leonard's Church from St. Leonard's Garden

4.23. This view of the iconic Norman Church of St. Leonard was taken from one of the benches in St. Leonard's Garden. The church is the oldest building in Hertford. If St. Leonard's Garden (which is designated as a Local Green Space in Policy HBN1) were developed, this wonderful view of the church would be lost to the public and should be preserved in perpetuity. The Action Plan includes a proposal for wayfinding signs from Hertford town centre towards St. Leonard's Church.

Figure 17: View 6: St. Leonard's Church from St. Leonard's Garden.

View 7: Hartham Common towards Port Hill

4.24. This view across the Common towards Port Hill is primarily one of densely planted mature trees, uninterrupted by high-rise buildings. It gives a sense of history to the setting and conveys the character and history of the area. The woods and Common are home to many different species of wildlife and this Green Finger helps the area not to feel over-developed. These beautiful trees change colour with the season, and the view is appreciated by residents and visitors as they walk or cycle through the Common.
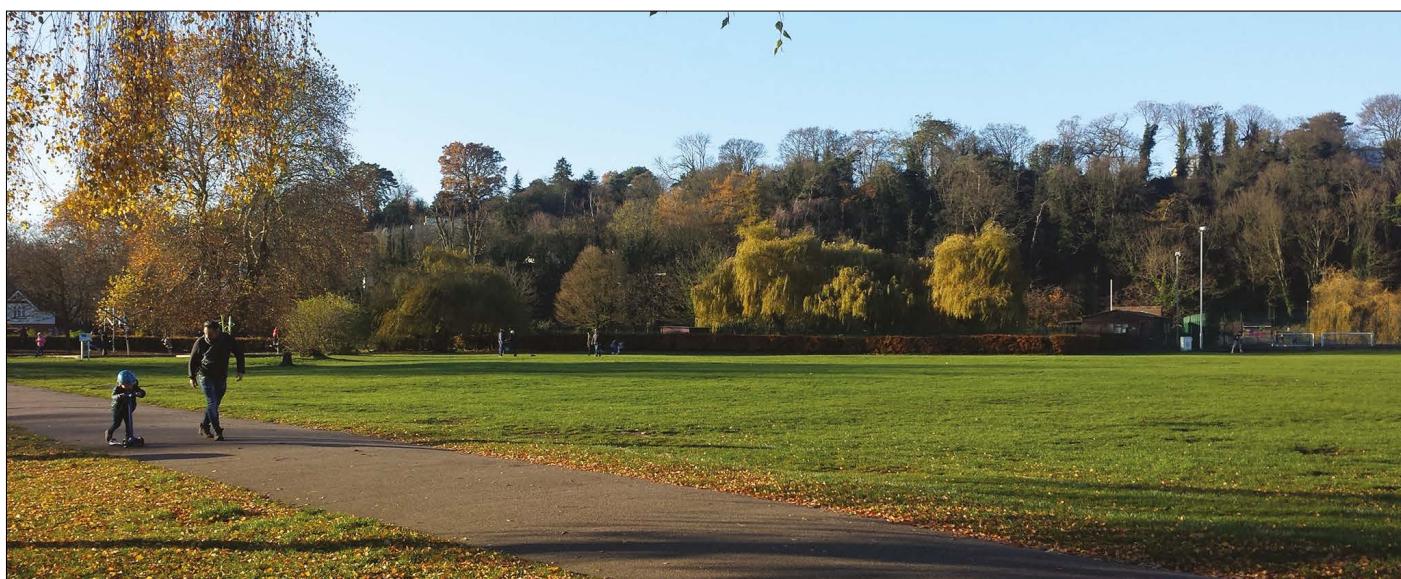
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Figure 18: View 7: Hartham Common towards Port Hill.

View 8: Hartham Common towards The Warren

4.25.   The view looking north (north-east through north-west) from Hartham Common has a predominantly natural horizon formed by trees in The Warren. This pleasant aspect enhances the feeling of openness of the Hartham Common Green Finger and adds value to this open space. In recent years, development in Warren Park Road and Danesbury Park has had a negative impact on the view from Hartham, reducing the natural openness. An increased number of structures, including homes, and the covering of the all-weather sports facility at Duncombe School, are now visible through the trees. The impact is lessened when the trees are in leaf but, in winter, the man-made structures are more prominent.

Figure 19: View 8: Hartham Common towards The Warren.

4.26.   To preserve the positive aspects of the view north, including that of the bellcote of St. Leonard's Church (just visible in Figure 20), a significant feature of the local landscape since Norman times, future development should not exceed the total height of any pre-existing structure/s they replace or complement, nor of the trees forming the skyline when seen from Hartham. No future development should be permitted to prevent the view of the bellcote seen from Hartham or 'St. Leonard's Meadows'.

Figure 20: View towards St. Leonard's Church from Hartham Common.

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Nature Conservation

4.27. Hertford Bengeo Ward has several areas that are protected through East Herts District Plan Policy NE1 International, National and Locally Designated Nature Conservation Sites, because of their nature conservation value. These include the flood meadows alongside Beane Road, parts of the River Beane, the River Lea and the River Rib adjacent to Hartham Common, Great Molewood, and the Waterford Heath Local Nature Reserve. Strong support was shown in the Neighbourhood Plan survey for protecting sites of nature conservation value and existing protections should be maintained.

4.28. Maintaining isolated protected areas is not enough to halt and reverse continuing declines in nature's diversity and abundance. The Lawton Review highlighted the need for a 'step change' in approach, involving ecological restoration and re-creation on a landscape scale, as opposed to smaller, fragmented, interventions, to give biodiversity a boost and increase ecosystem resilience to climate change and other pressures. The 2019 IPBES global assessment report on biodiversity and ecosystem services highlights land-use change as one of the most important drivers of biodiversity loss. The report warns that *'The health of ecosystems on which we and all other species depend is deteriorating more rapidly than ever. We are eroding the very foundations of our economies, livelihoods, food security, health and quality of life worldwide.'*

4.29. The Lower Beane Valley is recognised as a High Biodiversity Area for its wetlands and woodlands and the Lower Beane river valley in Waterford Marsh and Bengeo Meads is described in Hertfordshire County Council's 'Local Character Assessment' as *'the best example of wetlands in Central Hertfordshire'.* Hertfordshire's Environmental Records Centre (HERC) Ecological Network Mapping is a key evidence base document, identifying how our habitats are spatially related to each other, and where the highest priorities are for expanding them and linking them together. This strategic approach ensures that efforts can be targeted to where they are of the most potential benefit. The map in Figure 21 indicates clusters of high value habitats (green) and high priority areas for ecological restoration (purple) along the River Beane valley, and along the Lea and Rib river valleys.

4.30. These areas should be managed sensitively for biodiversity and be the focus of strategic restoration initiatives to increase biodiversity levels and ecological network connectivity. Biodiversity offsetting contributions from developments within or closest to the Plan Area should be invested in projects in these areas, or in other high priority areas identified in the HERC Ecological Network Mapping. The Neighbourhood Plan would strongly support local designation of these areas as Nature Improvement Areas, in accordance with District Plan Policy NE4.

4.31. The District Plan notes the importance of taking opportunities to enhance biodiversity whenever possible, especially in urban areas, as this can *'contribute significantly to the success of the wider ecological network'.* This Neighbourhood Plan strongly supports any initiatives to enhance biodiversity within the built environment, including the aim to create a community garden on the corner of Duncombe Road and Tower Street. The Former Railway Line in Lower Bengeo is a green corridor, recognised as having the potential to offer significant biodiversity gains. Any project to enhance and manage biodiversity on this site, and open up public access, will be strongly supported.

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Ecological Networks

- Existing S41 NERC Act habitat
- Existing habitat not currently qualifying under S41 NERC Act
- No known habitats present (high priority for habitat creation)
- No known habitats present (lower priority for habitat creation)
- No known habitats present (medium priority for habitat creation)

Bengeo Neighbourhood Plan Area

Environmental Networks data courtesy of Herts Environmental Records Centre, hosted by Herts and Middlesex Wildlife Trust, a registered charity (No 239863) and company (No 816710).

Scale 1:25,000

0   250   500   750   1,000   1,250   1,500   1,750   2,000   Meters

Figure 21: Herts Environmental Records Centre (HERC) Environment Networks.

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Policy HBN3: Nature Conservation

I. If development is unavoidable in the areas coloured purple on the Hertfordshire Environmental Records Centre (HERC) Ecological Network Mapping for the Neighbourhood Plan Area (as shown in Figure 21) it must deliver net biodiversity gains (in accordance with the latest version of Defra's Biodiversity Impact Calculator) and contribute towards enhancing ecological connectivity (in accordance with the HERC mapping).

II. Proposals to create new natural areas and wildlife habitats, or to expand or enhance existing provision, will be supported.

III. Replacement of trees with native species, in suitable locations, will be encouraged where the development results in the unavoidable loss of trees on the site.

Air Quality

4.32.   Local Authorities are responsible for monitoring air quality to meet the requirements of the UK Air Quality Strategy. Three areas within East Hertfordshire have been declared as Air Quality Management Areas (AQMAs). One of these is the Gascoyne Way AQMA which includes St. Andrew Street, North Road (A119), Old Cross and the Hertford Castle Gardens play area. The Hertford Town Centre Urban Design Strategy proposes a possible relocation of this play area, further from Gascoyne Way, to reduce the negative impact of poor air quality on park users. We would support this relocation within the Castle grounds. The Gascoyne Way AQMA is indicated in Figure 22.

Key

Hertford AQMA

Bengeo Neighbourhood Plan Area

Scale 1:12,000

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Page 400   *Figure 22: Gascoyne Way Air Quality Management Area.*

4.33. Policy EQ4 in the District Plan requires developers to take account of the Council's latest Air Quality Action Plan, local Air Quality Strategies, Local Transport Plans, and national air quality guidance. Where adequate mitigation cannot be provided, development will not normally be permitted. Sustainable travel options that encourage reduced car use for shorter journeys are central to this Plan. Representations have been made by the Neighbourhood Plan Steering Group to local transport consultations in support of active travel initiatives. Achieving a sustainable travel route on the former railway line in Lower Bengeo, which is adjacent to some of the most traffic-congested roads, could contribute to the wider strategy of reducing car use.

4.34. 'School-gate' congestion is a significant concern locally, not only because of the additional pressure placed on local roads, but also because of engines left idling. Development proposals should encourage and facilitate active travel to and from schools to reduce unnecessary car use wherever possible.

Policy HBN4: Improving Air Quality

I. Development within the Gascoyne Way 'Air Quality Management Area' should minimise and mitigate any increase in air pollution.

II. Where appropriate, development proposals should support the creation, improvement and extension of foot and cycle path connectivity, particularly to key services such as train stations, local employment, health care, and retail and leisure services throughout the Neighbourhood Plan Area.

III. Proposals to relocate the Hertford Castle Gardens children's play area to an alternative location within Hertford Castle Gardens will be supported. Relocation away from the A414 boundary will help to reduce the negative impact of poor air quality on play area users.

IV. S106 contributions towards the funding of 'Turn-off engine' signs outside schools, shops and other waiting areas throughout the Neighbourhood Plan Area will be encouraged where the development is likely to increase waiting traffic in such locations.

Community Assets

4.35. In Hertford Bengeo Ward, more than 40 venues are used for a broad range of recreational and community activities. Church and school halls, community huts, social clubs, pubs, playing fields and allotments are all utilised and valued. If people can travel to facilities and activities without using their car, it reduces the impact on local roads, so it's important that development does not result in the loss of community buildings or facilities.

4.36. Good access to local facilities brings people together, builds social cohesion, and promotes wellbeing. In the Neighbourhood Plan survey 255 respondents wanted to see a community allotment in Hertford Bengeo, with 223 respondents supporting an allotment space with an allotment shop. Allotments allow for the meeting of like-minded people, provide good exercise, and also provide a refuge for wildlife. Folly Island Allotments and Bengeo Allotments are much valued by the local community and are included on the list of community facilities in Appendix E.

4.37. During consultation, residents were asked about the community buildings and facilities they valued. Although all community facilities are important, through a process of evaluation, three buildings and two allotments sites were identified as suitable for registration as 'Assets of Community Value'. Through the rights and powers conferred on communities by the Localism Act, land or facilities can be registered as Assets of Community Value (ACV). Registered ACVs remain on the East Herts Council Assets of Community Value Register for up to 5 years. If, during that time, the facility's owner decides to sell, they must notify EHDC and the community will have an opportunity to raise purchase funds. Page 401

4.38.   Unless they are no longer needed, community facilities should be protected from development that may harm the function of the facility, and, where gaps in provision are identified, community facilities should be enhanced. The only GP services in the Ward are in St. Andrew Street. Residents living at the northern end of the Ward, with serious health conditions or mobility constraints, would benefit from more accessible health services. In the Neighbourhood Plan survey, 85% of respondents supported the provision of GP services as part of new development. Better facilities for young people have also been suggested during consultation and both will be encouraged through S106 contributions.

Policy HBC1: Enhanced Community Facilities

I. Existing community facilities, as listed in Appendix E, should be retained and protected. Loss of facilities will only be acceptable where alternative provision is of a scale and standard equivalent to, or superior to, the existing facilities. Alternative provision should be provided within walking or cycling distance of the existing facility.

II. Proposals to improve or enhance community facilities will be supported when they improve the range, quality, suitability and accessibility of facilities for residents, and when the benefits of development outweigh any disadvantages. Contributions towards enhanced youth facilities and accessible GP services, collected pursuant to Policy CFLR7 in the District Plan, will be welcomed to address any shortfall in the existing provision within the Plan Area, which would be exacerbated as a result of the development.

4.39.   Residents expressed a wish for young people to be involved in the Neighbourhood Plan consultation process. Key Stage 2 children at Mill Mead and Bengeo Primary schools completed a survey in which they were asked about housing; walking and cycling, public transport, pollution; sport and activities; parks and green spaces.

4.40.   110 forms were returned from the children. They said they wanted better maintenance of parks and liked the idea of a splash park, something many people would be keen to see on Hartham Common. A summary of outcomes from the children's survey is in Figures 23 and 24. The Hartham Common Greenspace Action Plan (GAP) sets out the programme of maintenance and upgrades to Hartham up to 2023. The Plan includes an objective to *'develop the play facilities to provide an exciting, challenging and unique experience for all age groups that befits a destination park'* and also states that it will *'explore, develop and implement proposals for a new leisure space on the old pitch and putt site'*. The Neighbourhood Plan supported the 2019 planning application for the refurbishment of the Hartham Common Play Area to significantly update and improve play facilities. The Plan also endorsed the proposed enhanced community facilities in the 2019 Hartham Leisure Centre planning application, including the proposed provision of a soft play area.

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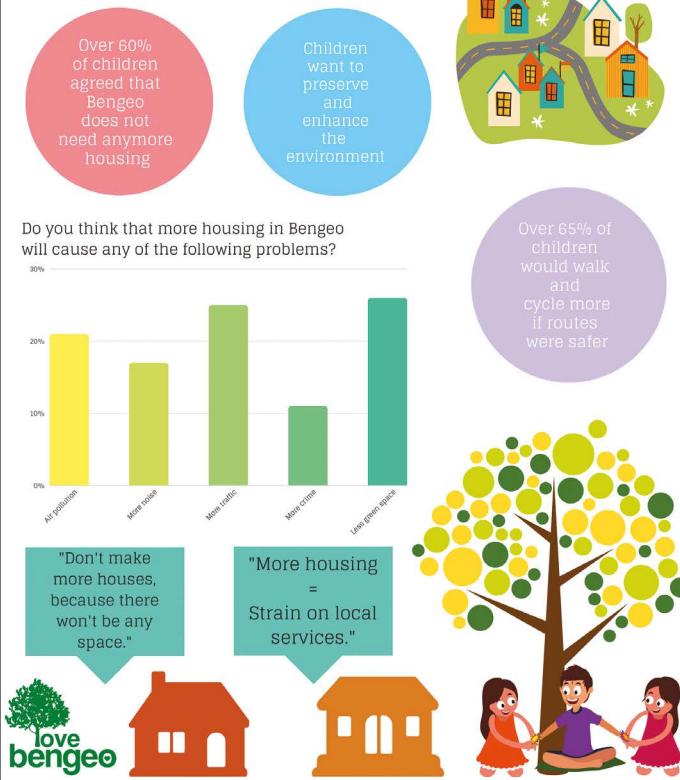
Figure 23: Children's Survey Part I.
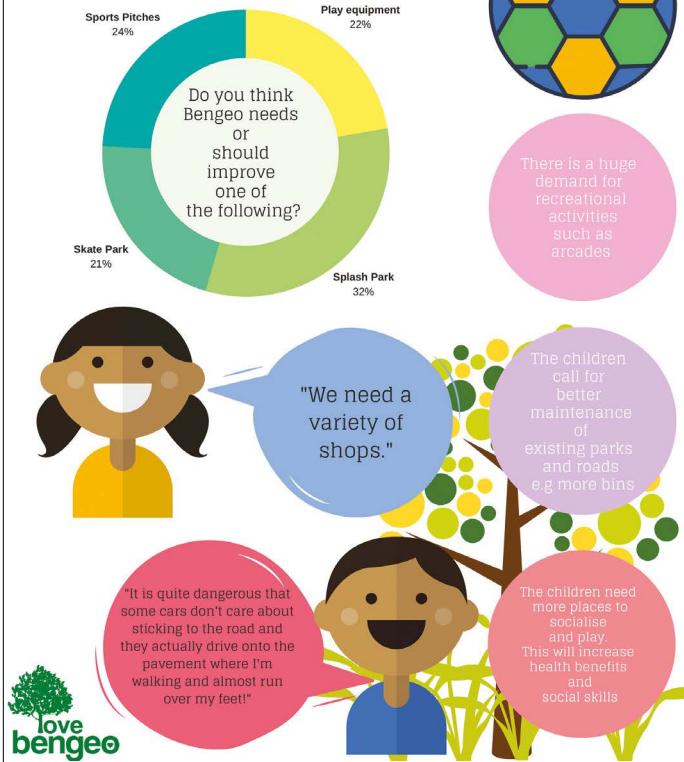
Figure 24:Children's Survey Part II.

4.41. There are six formally identified play and recreation areas in the Neighbourhood Plan Area: Hertford Castle Gardens, Hartham Common, Millmead Park, Sacombe Road, Watermill Lane and Bengeo Recreation Ground (also known as the New Road Sports Ground). They're afforded protection from development through District Plan Policy CFLR1 Open Space, Sport and Recreation. Sport England oversee applications to the Community Asset Fund through which communities can apply for funds to improve their outdoor sport and fitness areas. If a suitable project is identified, funding will be explored.

4.42. The Neighbourhood Plan Area would benefit from a youth club or similar facility for young people and this will be explored if funding provision is available. Initiatives working with schools and YC Hertfordshire will also be encouraged. There have been incidents of anti-social behaviour in local parks and any initiatives to ensure our parks and recreation areas are safe and welcoming will be welcomed.

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Heritage Assets

4.43.   There are at least one hundred listed buildings and structures in the Plan Area including the former Hertford Library, St. Andrew's Church, and the 15th century Old Verger's House (the oldest surviving domestic building in Hertford). A listed building or structure is added to the National Heritage List for England because of its special architectural or historic interest.

Figure 25: Former Hertford Library.
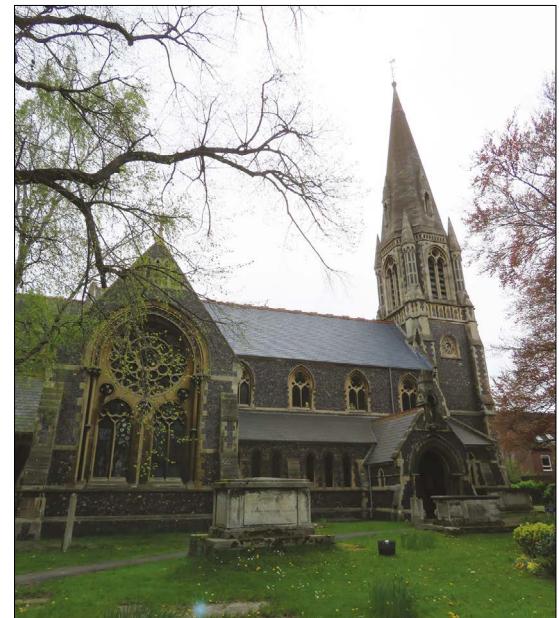
Figure 26: St. Andrew's Church.

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Figure 27: The Old Verger's House.

4.44.   Many of the listed buildings in the Plan Area are in the St. Andrew Quarter of Hertford, one of six distinct town centre 'Quarters' identified in the Hertford Town Centre Urban Design Strategy (HUDS). The map in Figure 28 shows the area covered by the St. Andrew Quarter. The HUDS includes a core objective to promote the identity of the town centre by making the most of its historic assets and street pattern. Given the substantial volume of listed assets in the Plan Area, it's important that full account is taken of their value to the community and to future generations when development takes place.
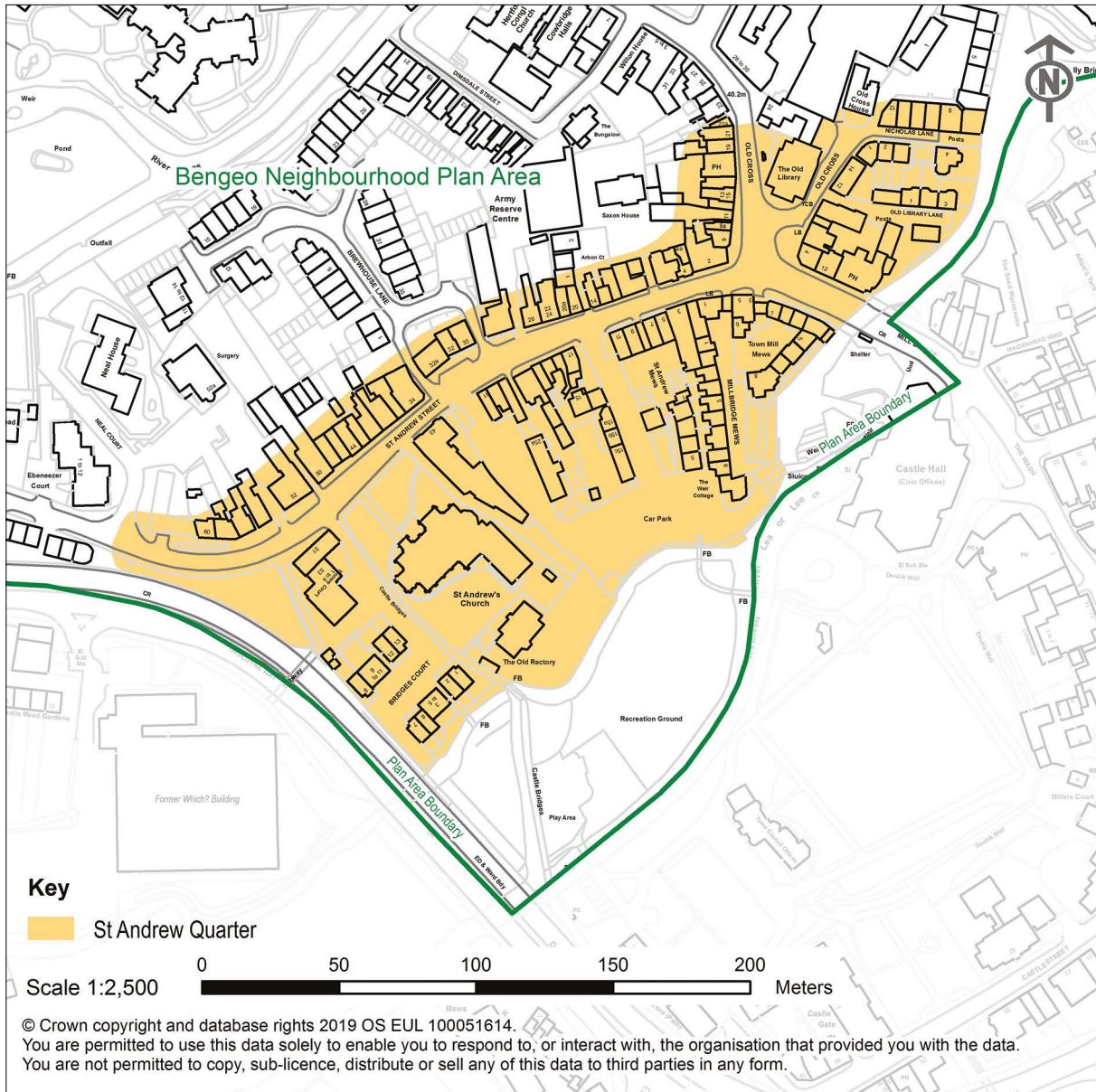
Figure 28: St. Andrew Quarter.

4.45.   District Plan Policy HA1: Designated Heritage Assets (II) says '*Development proposals that would lead to substantial harm to the significance of a designated heritage asset will not be permitted unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Less than substantial harm should be weighed against the public benefits of the proposal*'.

4.46.   Some listed buildings have lain empty for a considerable time, including the former motorcycle shop on Cowbridge and the empty premises on St. Andrew Street that previously operated as an audio shop. Historic England's Guidance 'Vacant Historic Buildings: Guidelines on Managing Risks' says that historic buildings that are left vacant are '*at a greatly increased risk of damage and decay, as well as being a potential blight on their locality*'.

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Policy HBC2: Listed Buildings and Structures

I. Development proposals which affect designated heritage assets in the Neighbourhood Plan Area, including listed buildings and structures, will be permitted provided that they preserve or enhance the significance of the asset and its setting.

II. A statement setting out any adverse impacts on the asset and its setting, along with any proposed mitigation measures, will be required.

III. Proposals to bring empty listed buildings back into appropriate use, in line with Historic England's guidelines, will be supported when the benefits of development outweigh the disadvantages.

IV. Proposals for the development or re-development of listed buildings will be supported when they meet identified housing, community or business need and when they are consistent with other policies in the Neighbourhood Plan.

4.47. The Hertford Conservation Area Appraisal and Management Plan identifies a considerable number of non-listed buildings and structures that *'make an important architectural or historic contribution to the conservation area'* including some in Dimsdale Street, Cowbridge, Bengeo Street, Port Hill and many of the Lower Bengeo Roads. Folly Island, which became an island when a millstream (now the Lea Navigation) was dug through in the 11th century, is described as being *'overall a most delightful area and one worthy of careful protection'*.

Figure 29: Thornton Street, Folly Island.

4.48. In the Neighbourhood Plan survey, almost three quarters of respondents were in favour of giving protection to Bengeo Water Tower, though there are divergent views on its architectural merit. There are many buildings and structures that aren't listed but are of sufficient historical or architectural interest to be worthy of a sympathetic approach should development proposals be submitted. Ten of these are included in Policy HBN3: Non-designated Buildings and Structures and more information on each is in Appendix F.

Policy HBC3: Non-designated Buildings and Structures

I. Ten non-listed buildings and structures have been identified as having local historic or architectural importance.

1. Bengeo Parish Church Hall.
2. Bengeo Water Tower.
3. Castle Joinery.
4. The Old British School (also known as Cowbridge School).
5. Duncombe School.
6. Lodge Close wall.
7. The Greyhound Public House.
8. The Old Barge Public House.
9. Gates to The Warren and Hartham Common, Port Hill.
10. Nos. 38-40 Port Hill.

II. Development proposals which affect these, and other non-designated heritage assets, will be permitted provided that the scale of any harm or loss is balanced against the significance of the asset.

Cultural Facilities in the Plan Area

4.49. Cultural facilities within the Plan Area include Courtyard Arts in Port Vale, the Company of Players Theatre in Balfour Street, the Hertford Arts Hub in Hartham Lane and Hertford Theatre (the majority of which falls within Castle Ward).

4.50. The Hertford Arts Hub, within the Old Hertford Brewery, is a gallery space and not-for-profit arts organisation. Their website www.hertfordartshub.org refers to '*concept plans to convert the Old Hertford Brewery and Old British School into a high-quality public gallery.*' During the Neighbourhood Plan consultation process, the majority of residents who responded to questions about a possible expansion of the Hertford Arts Hub, were supportive of the proposal.

4.51. The locations proposed by the Hertford Arts Hub for their expansion are adjacent to Cowbridge, which is in the Gascoyne Way Air Quality Management Area. It's vital that any development proposals do not exacerbate poor air quality levels. A 'joined up' approach, incorporating reduced traffic volumes, an active modal shift towards walking and cycling, facilitated by better connected foot and cycle paths, and the provision of adequate and secure cycle parking, should all be components of development within this area.

Figure 30: The Old Hertford Brewery.

Figure 31: The Old British School.

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4.52. Proposals to improve or increase cultural facilities within the Plan Area, and to promote parts of the area as a regional cultural centre, will be supported where consideration is given to the amenity of nearby residents, where the benefits to the community outweigh any disadvantages, and when the proposals are consistent with Neighbourhood Plan policies.

Policy HBC4: Cultural Facilities

Proposals for the development or expansion of cultural facilities will be supported, subject to compliance with other relevant policies in the development plan.

Sustainable Travel

4.53. National, County, and District Plans place a strong emphasis on reducing car use and increasing more sustainable modes of travel. This Plan echoes the transport hierarchy in local plans and seeks to improve conditions for pedestrians and cyclists so that more of us feel safer when walking or cycling. Development throughout East Hertfordshire will put additional pressure on the transport network and on locally congested roads. Nearly 1,000 new homes are scheduled for development in Hertford up to 2033, and, throughout East Hertfordshire, around 18,500 new homes are planned. Only a small number of these are scheduled for development in Hertford Bengeo (HERT4), but traffic on local roads is not restricted to local residents.

4.54. Latest available data shows that vehicle availability per household in Hertford Bengeo Ward was broadly similar to the whole of Hertfordshire, with a smaller proportion of households having three or more vehicles in comparison to the rest of East Hertfordshire District and Hertfordshire County.

Car or van availability in households: 2011 census (%)			
	Hertford Bengeo Ward	East Hertfordshire District	Hertfordshire County
No cars/vans in household	14.65	12.77	16.93
One car/van in household	46.36	40.80	42.16
Two cars/vans in household	31.13	34.61	30.89
Three cars/vans in household	5.66	8.37	7.23
Four or more cars/vans in household	2.20	3.45	2.79
At least one car/van in household	85.35	87.23	83.07
Cars/vans per household	1.35	1.51	1.38

Source: Office for National Statistics, 2011 Census, Table KS404EW.

4.55. Given the proximity to two rail stations, it's unsurprising that the Ward has a higher proportion of people who travel to work by train, in comparison to the rest of Hertfordshire, but, in common with the rest of the County, the largest number of people drive to work. In the 2011 census (Table QS702EW) around a third of residents (aged 16-74 in employment) travelled less than 10km to work and approximately 12.5% worked at or mainly from home.

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Method of travel to work: people aged 16-74 in employment. 2011 census			
	Hertford Bengeo Ward	East Hertfordshire	Hertfordshire
People aged 16-74	5347	100093	806213
Work at or from home	487	8869	64336
Underground, metro, light rail, tram	26	553	12775
Train	769	9367	62877
Bus, mini bus, coach	52	1324	17631
Taxi	10	242	2389
Motorcycle, scooter, moped	22	406	3917
Driving a car or van	1977	41922	319347
Passenger in a car or van	100	2494	22594
Bicycle	70	896	9122
On foot	371	5917	47983

Source: Office for National Statistics, 2011 Census. Table QS703EW.

4.56. Concern about local travel conditions generated more feedback during consultation than any other issue. At the Policy exhibition in March 2019, more than a third of comments were about congestion, dangerous parking, commuter parking, speeding, school-gate congestion, and, particularly, the strain on the Lower Bengeo roads which are used by many people as a 'cut through'. Every day, hundreds of cars ignore the 'Except for Access' and 'No Right Turn' (Monday - Friday 7.30am - 9.30am except cycles) restrictions onto these roads, primarily north to south in the morning peak and south to north in the evening rush hour.

Figure 32: Beane Road.

Figure 33: Cross Road.

Figure 34: Bengeo Street.

4.57. Traffic-calming measures have been achieved by the Molewood and Lower Bengeo Residents' Associations, but the current situation can only be described as unsustainable. It's essential that development proposals demonstrate how the impact of more vehicles on congested roads will be mitigated, and any initiatives to tackle the current traffic crisis will be strongly supported.

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4.58. The urban environment envisaged by the Neighbourhood Plan requires supportive highway measures that give priority to pedestrians and cyclists on all roads that are essentially residential, whether designated A, B or C roads or not. The highways environment needs to encourage walking to school, to the shops, and, indeed, walking and cycling for most local journeys. The Neighbourhood Plan will support traffic calming measures, including, but not restricted to:
- a 20 MPH speed limit on Bengeo Street
- a 20 MPH speed limit on Sacombe Road from the Wadesmill Road/Sacombe Road mini roundabout up to The Wick
- increased compliance with, and enforcement of, access restrictions.

Policy HBT1: Traffic Congestion and Road Safety

I. Transport assessments for developments that will generate significant amounts of transport movement should demonstrate predicted levels of generated vehicular traffic, and the impact of this on traffic congestion. Solutions should not only mitigate impact but, where possible, improve congestion and road and pavement safety, particularly for pedestrians and cyclists.

II. Development proposals that include sustainable measures such as car club provision and the installation of electric car charging points will be supported if they are consistent with other Policies in this Plan.

III. Development proposals for new schools or school extensions which will result in an increase in the capacity of the school, should include school travel plans that promote sustainable transport choices and reduce school-gate congestion. Community involvement in the management of travel plans will be encouraged.

Walking and Cycling

4.59. The HERT4 housing development just off Sacombe Road is approximately 1.5km from Hertford town centre and a similar distance from Hertford North rail station. During consultation, many residents indicated they would walk more if there were more routes separated from cars and lorries, and two-thirds agreed that the separation of cycles from cars and lorries would encourage them to cycle more. Speeding cars, vehicle fumes, pavement parking, uneven or obstructed routes, and lack of safe crossing points were all cited as reasons for not walking more. Road safety, insufficient secure cycle parking and poor cycle route connectivity were reasons given for not cycling. More secure, covered, cycle parking is needed to encourage cycling, and options for expanding this provision will be explored through the Action Plan.

4.60. A publicly accessible path along the Former Railway Line in Lower Bengeo has been proposed by residents. A 2018 Hertfordshire County Council report ('Planning Appraisal for dismantled Bengeo railway land, Hertford') concluded that *'due to its shape, location and connectivity within an established residential area, it could be enhanced and opened up for public use as a pedestrian route to serve this part of Hertford in accordance with District Plan Policies NE2, NE3 and NE4.'* This proposal has received considerable local support, particularly as it has the potential to improve connectivity for pedestrians and cyclists between the two Hertford rail stations. Proposals to achieve this will be supported, subject to compliance with other policies in this Plan.

Figure 35: Former Railway Line, Lower Bengeo.

4.61. The Hertford Town Centre Urban Design Strategy includes core objectives to prioritise the needs of pedestrians, cyclists and public transport, and to reduce conflict with vehicles. Its 'Place-making objectives' include reducing traffic dominance on St. Andrew Street and the Old Cross junction and improving the pedestrian crossing. The Strategy also explores an alternative vehicle access route onto Folly Island, via Thornton Street, but recognises that there are land ownership, technical details, and significant works to adapt the bridge onto the street that would need to be overcome to achieve that long-term aspiration. The map in Figure 36 indicates the public realm and footway improvements proposed in the town centre strategy for St. Andrew Street and Old Cross.

Figure 2.18: Improvement strategy for St Andrew Street

Key

○ Gateway points to alert vehicles to reduce speed

▭ Repave footway - type as materials strategy

◯◯ Street tree planting zone

▭ Raised paved crossing to ease pedestrian crossing

▬ Extend width of footway

●●● Town loop walk

●●● New path through or defined route to Castle Grounds

●●● Paths enhanced
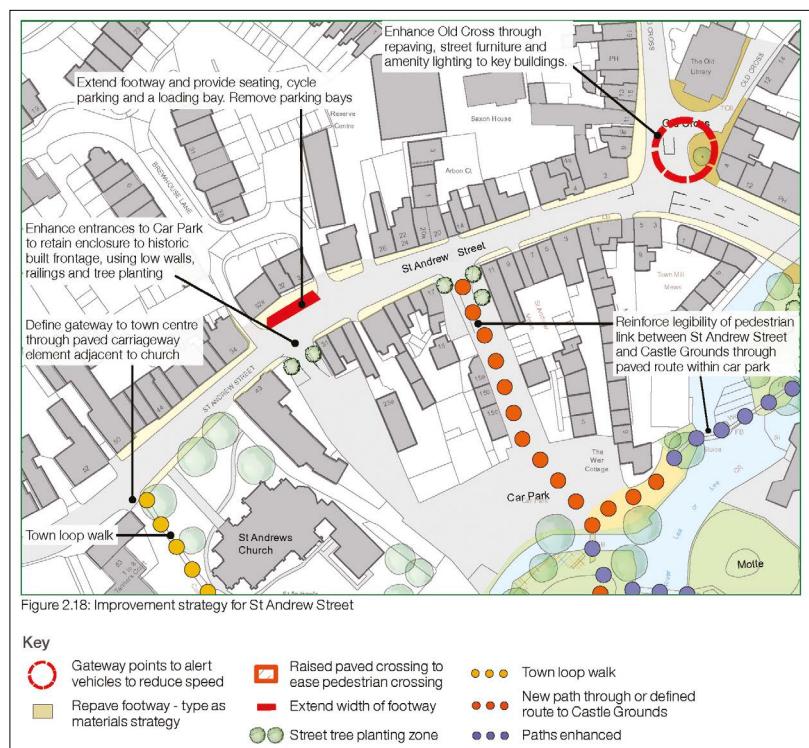
Figure 36: Hertford Town Centre Urban Design Strategy. Public Realm improvements.

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4.62. The Hartham Common and Beyond project, part of the Hartham Common Greenspace Action Plan (GAP), is developing seven circular walking routes centred on Hartham Common and connecting all the major public green spaces around the town. Signage and infrastructure improvements, including the replacement of stiles with gates, and making routes more welcoming, are part of the project. The route network will be displayed on an interpretive map panel in Hartham Common and seven leaflets will promote the walks.

Policy HBT2: Encouraging More Walking

I. Where possible, all significant developments should deliver improvements that result in good connectivity between new and existing pedestrian routes to encourage walking as a first option. The emphasis should be on safe and unobstructed pedestrian routes to key services including health care, railway stations, bus stops, local employment, shops and leisure facilities. S106 contributions collected under the provision of Policy TRA1 of the District Plan could contribute towards:

• improvements to the Public Rights of Way network, which could include those from Ware Park Road to Hertford Lock (Hertford 17,18,19,20,23) connecting with Sustrans off-road route 61. The preference is for the footpaths to be upgraded to be capable of allowing cycling. Permissive rights could be considered as a compromise
• new pedestrian routes separated from other traffic, including cycles, either physically or with road markings. Routes should be suitable for those with pushchairs, wheelchairs or other mobility aids

II. Development proposals should include clear strategies for:

• making it easier and safer for children to walk to local schools
• ongoing maintenance of new routes to ensure they are fully accessible and not obstructed

III. Development proposals that include safe crossing points for pedestrians; traffic calming measures to reduce vehicle speeds; minimising of unnecessary road and pavement gradients; level/even pavements, and widening of pavements, will be supported when consistent with other policies in this Plan.

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Figure 37: Cycling in Millmead Park.

Policy HBT3: Encouraging More Cycling

I. Development proposals should contribute to the establishment, enhancement, and improved connectivity of cycle routes into, out of, and through the Neighbourhood Plan Area. S106 contributions collected under the provisions of Policy TRA1 of the District Plan could contribute towards:

• the installation of secure covered cycle racks within Hertford North Station car park
• cycle training courses for children and adults

II. Development proposals that include segregated cycle paths and the on-site provision of electric bikes, cycle hire, and bike club schemes, will be supported if they are consistent with other policies in this Plan.

Public Transport

4.63. The 333 bus provides a daytime service through Hertford Bengeo Ward. Bus services to Stevenage, Ware, Welwyn Garden City, other parts of Hertford and to Heathrow, run from outside Hertford North Station which is a few metres outside the Ward boundary. The HERT4 development site is around 400m from the Bengeo Street bus stop.

4.64. Consultation feedback showed that a marginally higher number of residents use bus services for shopping and leisure than the number who cycle. Significantly higher numbers use their car or walk for the same purpose. More residents cycle to work than use the bus. Just over a third of those responding said they would drive less locally if there were more frequent buses. Development should ensure good pedestrian access to local bus stops to support the modal shift from cars to public transport.

Policy HBT4: Public Transport

I. The masterplanning of significant new residential development should allow, where it would be appropriate, the development to be capable of being served by local public transport services which should complement the provision of safe walking and cycling routes.

II. Travel Plans should include information on local public transport and, where feasible, incentives to use public transport e.g. travel vouchers. The overall aim should be to facilitate behavioural change and reduce pollution.

III. S106 contributions collected under the provisions of Policy TRA1 of the District Plan, could contribute towards the extension of public and community transport services to new developments.

Parking

4.65. Parking in urban parts of the Ward is challenging. At the Policy consultation in March 2019, parking issues generated more responses than any other. Commuter parking on roads near Hertford North station is a particular concern and pavement parking, and parking close to road junctions, were also highlighted as a safety issue.The Buckwell's Field development has placed additional pressure on Sacombe Road parking and the potential impact of increased parking pressures arising from the HERT4 development is a significant concern. It's essential that development proposals include strategies to promote walking and cycling and discourage car journeys to Hertford North station, to avoid additional parking pressures on roads close to Hertford North station.

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4.66. Parking provision in high housing density areas needs to be managed and balanced against the protection of green spaces and well-connected and accessible foot and cycle paths. The Neighbourhood Plan is opposed to the development of Beane Marshes for housing or car parking but supports new parking provision that is consistent with other policies in this Plan. The Neighbourhood Plan survey revealed that 30% of those responding who said they wanted residents' parking lived in the Lower Bengeo postcodes. Of those who said they would use a residents' car park, most (121 respondents) said they would use one up to 50m away from their homes, and 108 respondents said they would use one up to 100m away.

Policy HBT5: Parking

I. Proposals to increase off-street car parking provision in areas with insufficient residents' parking (particularly near to Hertford North Station) will be supported when consistent with other policies in the Neighbourhood Plan. S106 contributions collected under the provisions of Policy TRA1 of the District Plan could contribute to solutions to improve residents' parking in areas with limited parking.

II. Provision of electric car charging points in car parks and other developments will be supported.

Homes and Development

4.67. The District Plan has allocated one area in Hertford Bengeo Ward for residential development. Policy 'HERT4 North of Hertford' (Figure 38 map) schedules around 50 homes for development to the north of Sacombe Road by 2022 and, *'subject to the satisfactory previous phased extraction of mineral deposits on the neighbouring site,'* around 100 homes to the west of Wadesmill Road between 2022-2027. In September 2019, Durkan (Bengeo) Ltd. submitted a planning application for 52 dwellings on the former Bengeo Nursery site. Planning consent was granted in July 2020.

4.68. If the development of approximately 100 homes within HERT4, which is '*subject to the satisfactory previous phased extraction of mineral deposits'* has not received planning permission and is removed from the District Plan as a Strategic Site Allocation, the Neighbourhood Plan would seek to extend LGS1 (Land at Bengeo Field) by a further 2.7Ha through a review of the Neighbourhood Plan. This would include land to the east of restricted Byway 1, north of Glenholm and west of Wadesmill Road i.e. land currently forming part of HERT4.

4.69. No additional development sites in Hertford Bengeo Ward are identified by the District Plan but, small sites have come forward for development and are likely to continue doing so.

4.70. Local housing is expensive. Land Registry data reveals that, between 2015-2017, average house sale prices in Hertford Bengeo Ward were higher than the average for East Hertfordshire District and Hertfordshire.

Average Yearly Overall House Sale Prices			
	All house types (2015)	All house types (2016)	All house types (2017)
Hertford Bengeo Ward	£430,900	£469,400	£485,400
East Hertfordshire District	£382,800	£427,400	£442,300
Hertfordshire	£398,000	£436,200	£455,300

Source: HM Land Registry Price Paid Data (as analysed by Hertfordshire County Council).

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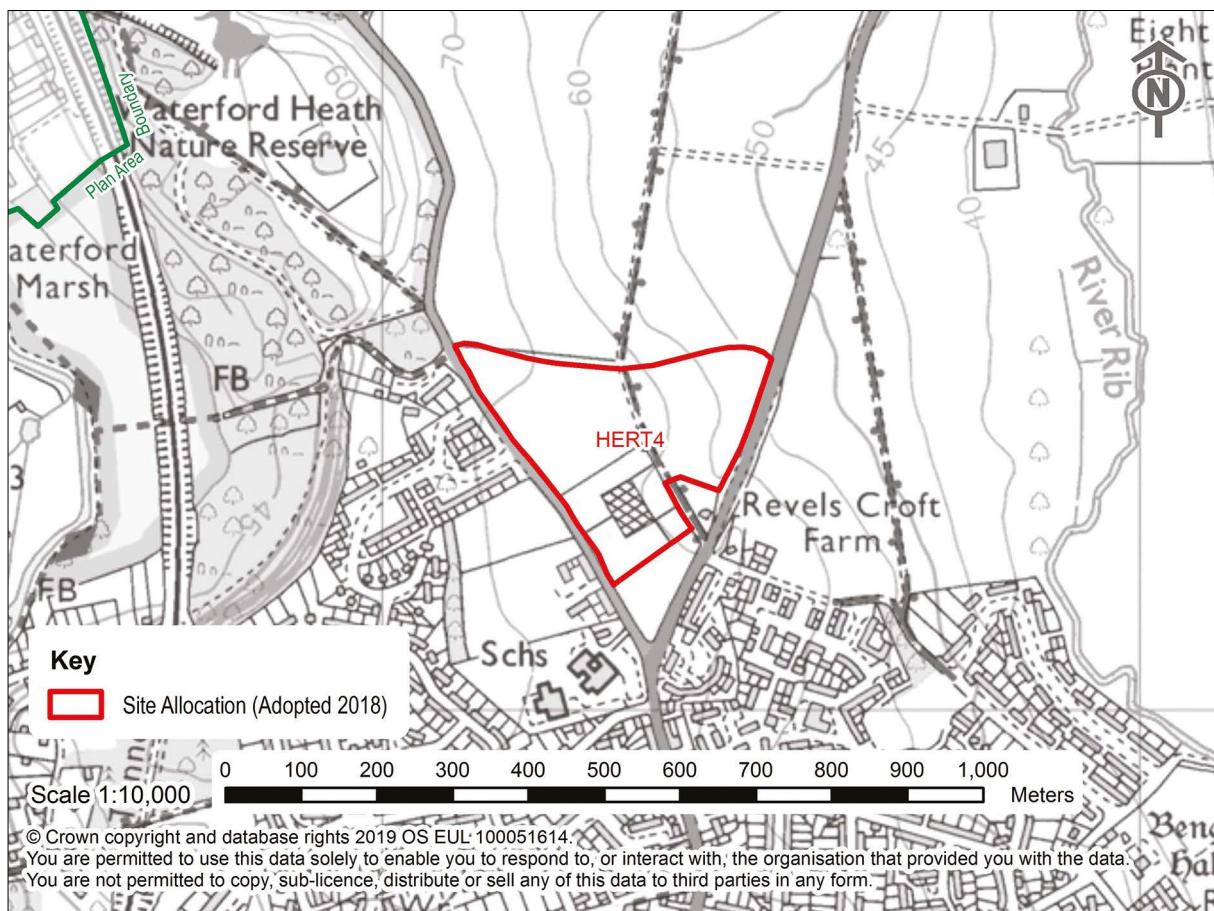
Figure 38: HERT4 site.

4.71. Residents would like to see more affordable housing (to rent and buy) in the Ward but, with relatively small-scale development proposals likely to come forward, achieving that on a significant scale through development will be challenging. Latest available census data shows that, in 2011, there was a slightly higher proportion of 2-bedroom properties (35.75%) than 3-bedroom ones (32.29%). Around 16% were 4-bedroom homes (Source: Office for National Statistics, 2011 Census, Tables KS403EW, QS411EW, QS413EW). In consultation, a preference was expressed for more 3-bedroom homes, as well as accessible homes for older people wishing to downsize, and homes for single people.

4.72. In the 2011 census, 39.20% of residents owned their property with a mortgage, 35.66% owned outright, 13.83% rented privately and 10.21% rented local authority or social housing properties. (Source: Office for National Statistics, 2011 Census, Table KS402EW).

Policy HBH1: Housing Supply

Development proposals that demonstrate how they will meet unmet demand, particularly schemes delivering at least the minimum criteria for affordable housing (to rent and buy), will be supported when consistent with other policies in the Neighbourhood Plan.

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Exemplary building and landscape design

4.73.   Development should echo the best examples of layout and design. The Brewhouse Lane development, just off St. Andrew Street, is close to local amenities, meaning residents can easily walk or cycle to them. Buildings are set back from traffic noise and the architecture avoids uniformity and is sympathetic to nearby older buildings. Residents' parking provision is unobtrusive and avoids the need for vehicles to be parked on front gardens or obstruct roads and pavements. Planting softens hard landscaping, and with the River Beane on the northern side, there's plenty of opportunity for natural habitats and biodiversity to be enhanced. It feels welcoming, unlike some nearby gated developments.

Figure 39: Brewhouse Lane.

4.74.   In a speech to the March 2019 Waterwise Conference, the chief of the Environment Agency warned that, unless action is taken, within 25 years, England will not have enough water to meet demand. Climate change means that hotter, drier summers are predicted, with higher drought risk and less predictable rainfall. UK population growth is expected to rise from 67 million in 2019 to 75 million in 2050. The Environment Agency is working with planning authorities, businesses and local communities to *'design towns, cities and other places which put the sustainable use of water at the heart of their design and functioning'.*

4.75.   Residents do not want development in the Plan Area to increase parking pressures on busy local roads. Throughout consultation, concerns were raised about vehicle speeds and hazards from parked cars, particularly on Sacombe Road, Bengeo Street and the Lower Bengeo roads. Criticism has been levelled at the lack of parking spaces on the Buckwell's Field development, resulting in overspill onto Sacombe Road, a problem exacerbated by the loss of informal parking at the former Bengeo Nursery. District wide vehicle parking standards are contained within East Herts District Plan Policy TRA3 Vehicle Parking Provision and the District Council's Supplementary Planning Document Vehicle Parking Provision at New Development.

Policy HBH2: Design and Layout

I. In addition to meeting the requirements set out in District Plan Policy DES4, residential development proposals should aim to incorporate all of the following provisions:

a) follow the principles set out in the 'Building for Life 12' (or equivalent replacement scheme) criteria
b) be set back from the road to minimise the impact of traffic noise on site occupants, in those locations subject to high levels of road traffic noise
c) ensure green amenity areas are overlooked by windows to increase connection with outdoor spaces
d) avoid unnecessary uniformity in external design to increase individuality between buildings
e) provide discreet, accesible, bin storage (for residents in apartments as well as those in houses), with sufficient space to accommodate the full complement of recycling/refuse bins
f) protect the amenity and privacy of existing and future residents

II. Proposals for 'Gated Communities' in the Plan Area will not be supported. It is considered that they do not support the principles of community cohesion and inclusion.

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4.76. In designing the green spaces around new development, and their connection with surrounding countryside, developers have an opportunity to demonstrate best practice. Building with Nature is a benchmark for the design and maintenance of green infrastructure in housing and commercial development. Designers and planners can use Building with Nature standards to inform development from the outset. By encouraging developers to achieve an 'Excellent' rating, against this standard, we will ensure they deliver high quality green infrastructure including wildlife habitats.

4.77. Where feasible, development proposals should aim to include wildflower meadow planting areas, the retention of rough grass edges to encourage and support wildlife, and bird and bee nesting boxes and nesting areas.

4.78. HERT4 landscaping proposals should prioritise measures to mitigate the impact of development on local roads. The emphasis should be on improving and extending walking and cycling routes.

Policy HBH3: Landscape Design

I. Landscaping schemes should enhance the character of the development and reflect and complement the surrounding landscape, particularly when in or adjacent to the Green Belt. All the following criteria should be incorporated:

a) welcoming, accessible open spaces and natural play areas
b) planting of native tree and hedgerow species with green buffers between large developments and adjacent countryside, and between new developments and existing residential areas
c) sufficient, secure, covered cycle parking to encourage active travel
d) hard landscaping for vehicle parking should be constructed from permeable materials to reduce water run-off.

II. In addition, landscaping within the HERT4 development is encouraged to:

a) incorporate highways improvements and a network of paths that provide good connectivity to existing routes and key services, and improve safe and accessible walking and cycling routes to Bengeo School
b) ensure protection of local aquifers and Hertford's water supply
c) achieve a Building with Nature 'Excellent' rating
d) incorporate headland wildflower planting, bee bricks and nesting boxes for swifts
e) provide opportunities to grow food.

Brownfield Land and re-use of buildings

4.79. In their 2018 report, State of Brownfield 2018: An analysis demonstrating the potential of brownfield land for housing, the Campaign to Protect Rural England examined brownfield registers produced by 320 planning authorities in England. One of the key findings in the report was that published registers demonstrate that there are suitable brownfield sites available for over 1 million homes in England. The District Plan prioritises the development of brownfield land over other sites. Rather than encroach on the Green Belt or reduce the volume of green spaces, it's preferable to re-use industrial land or disused buildings for housing, leisure, employment or enterprise.

4.80. There is relatively little unused land in the Plan Area, but small areas of disused industrial land or buildings may become available for development and should be utilised if the benefits to the community outweigh the disadvantages. Most development proposals that will be judged against the policies in this Plan will be on brownfield land.

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Policy HBH4: Brownfield Development

Proposals for the development of brownfield sites will be supported, especially those that provide tangible benefits to the community through the provision of community facilities, live/work spaces or housing that meets an identified need.

Sustainable Commercial Growth

4.81. Thriving local businesses contribute to the vitality and economy of the area, create employment, and provide services for local people. If they can be reached by foot, cycle, or public transport, it reduces the need for unnecessary car use.

4.82. There are more than 125 businesses in Hertford Bengeo Ward, around 50% of them in St. Andrew Street and Old Cross, including a number of restaurants, hairdressers and home interiors shops. McMullen's has been brewing in Hertford since 1827. On the northern boundary, businesses at Westmill Farm include a horticultural nursery, camp site, restaurant and play-barn. On The Avenue near the top of Bengeo Street, a newsagent, hairdresser, café, and pharmacy are all popular with the local community, who are particularly keen to ensure local pharmacy services are not lost.

4.83. During the preparation of the Neighbourhood Plan, a forum was held with 20 local business representatives. Concerns expressed by many of those attending were: lack of customer and employee parking, traffic congestion, and the impact of high business rates on small independent outlets.

4.84. One of the core objectives of the Hertford Town Centre Urban Design Strategy is to promote Hertford as a destination for small and medium sized businesses, and to work with the St. Andrew Street Traders' Association to improve and promote the area. Initiatives to encourage a diverse range of businesses into the Ward, and to support existing businesses, will be endorsed by the Neighbourhood Plan.

Policy HBB1: Local Business Development

Sustainable proposals for the development and/or redevelopment of business premises will be supported.

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5. Implementation

5.1.   The Policies in this Neighbourhood Plan will be implemented by East Herts District Council through the determination of planning applications within the Plan Area. The policies are intended to support sustainable residential and commercial development, protect important natural areas and community assets, and improve local travel conditions. S106 Agreements, negotiated between developers and local authorities, should take account of the policies in this Plan and should improve local infrastructure and enhance facilities for residents.

5.2.   The Neighbourhood Plan policies may be amended at intervals to ensure they remain in line with the District Plan. Any such review or update will be carried out in accordance with the process and procedures in place at that time.

5.3.   Projects in the Action Plan will be achieved through various public and private funding mechanisms.

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6. Appendices
Appendix A: Policies Map

Bengeo Neighbourhood Plan Area

See Inset Map 1
See Inset Map 1a
See Inset Map 1b
See Inset Map 4
See Inset Map 3
See Inset Map 2a
See Inset Map 2

View 1
View 2
View 3
View 4
View 5
View 6
View 7
View 8

Bengeo Neighbourhood Plan Area
Extent of Inset Map
Views - showing viewpoint and direction of view

0   250   500   750   1,000   1,250   1,500   1,750   2,000
Scale 1:22,500   Meters

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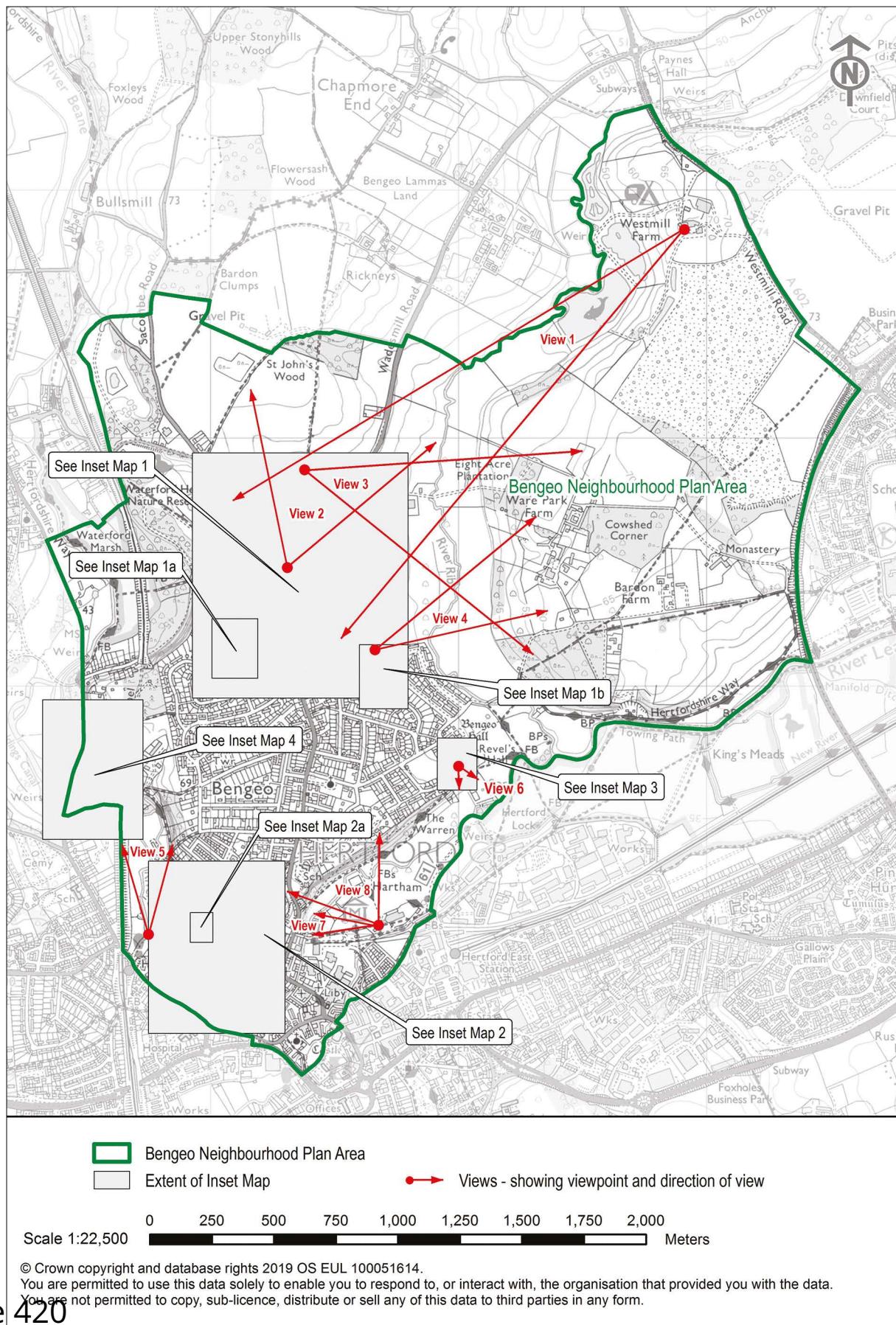
Policies Map Inset 1. LGS1: Land at Bengeo Field

Path

Indicative Limit of View 1 from Three Lakes

View 3

48m

Rev
Farm

Restricted Byway 01

LGS1

SACOMBE · ROAD

71m

View 2

WADESMILL ROAD

Path

Indicative Limit of View 1 from Three Lakes

Mast

Nursery

Glenholm

Bengo Meadows

Playing Field

Detail is
Indicative Only
See Inset Map 1a

BUCK WELLS FIELD

Allot
Gdns

B158

SHEPHERDS

TEMPLE FIELDS

View 4

Detail is
Indicative Only
See Inset Map 1b

Schools

66m

BARTLE

BARLEY

⬜ Bengeo Neighbourhood Plan Area

▨ Local Green Space

●→ Views - showing viewpoint and direction of view

Scale 1:5,000   0   50   100 150 200 250 300 350 400 450 500 Meters

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Policies Map Inset 1a. LGS 5: Woodland Adjacent to the Sacombe Road Play Area

Scale 1:1,250

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Policies Map Inset 1b. LGS7: Watermill Lane Play and Recreation Area

Bengeo Neighbourhood Plan Area	
Local Green Space	
Views - showing viewpoint and direction of view	

Scale 1:1,250

0   10   20   30   40   50   60   70   80   90   100   Meters

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Policies Map Inset 2. LGS 2: Former Railway Line, Lower Bengeo; LGS3: Millmead Park, and Inset 2a. LGS8: Port Vale Wildlife Garden

Scale 1:3,500

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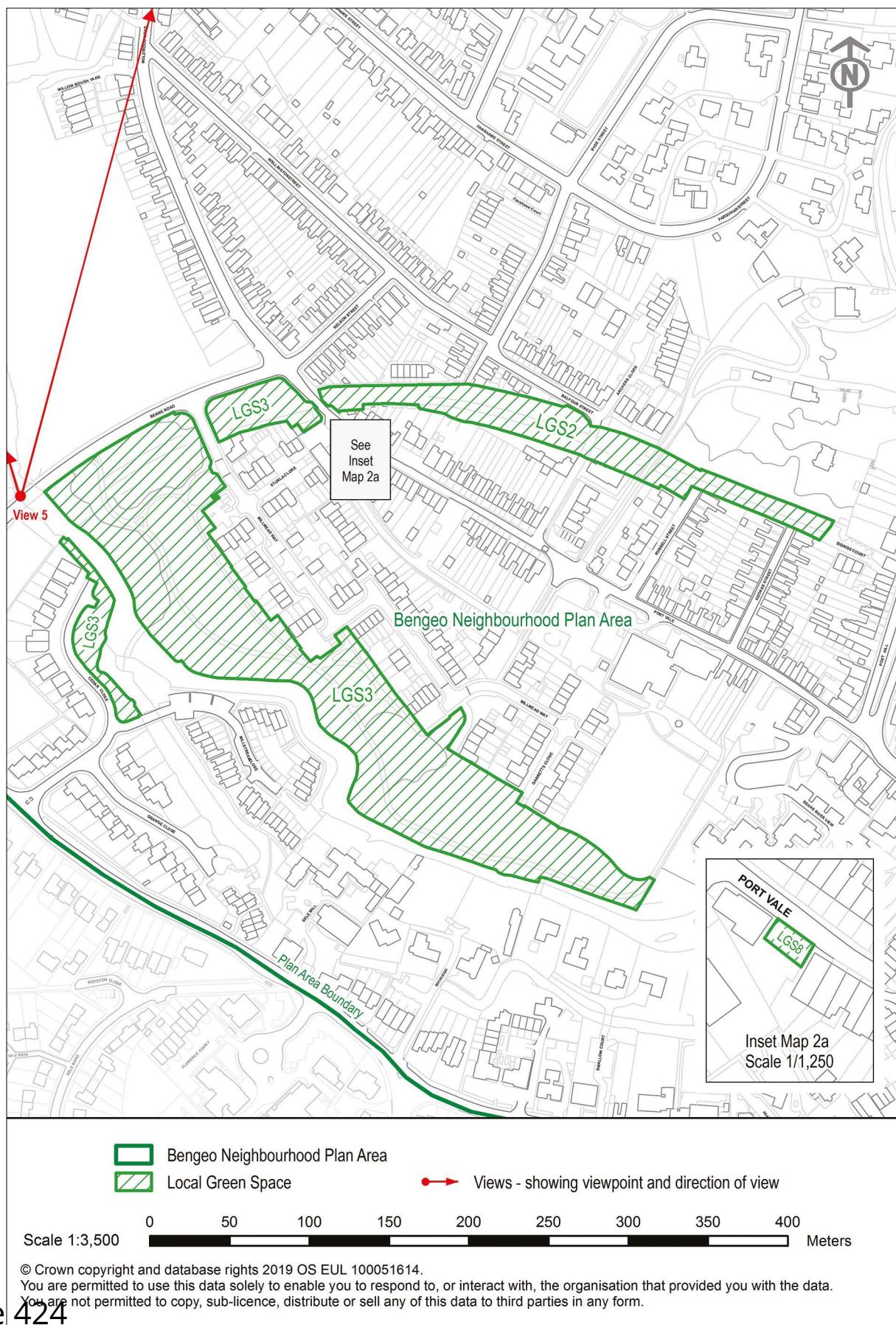
Policies Map Inset 3. LGS4: St. Leonard's Garden

Bengeo Hall

Bengeo Cottage

ST LEONARD'S ROAD

ST LEONARDS CLOSE

View 6

LGS4

St Leonard's Church

Bengeo

ST LEONARD'S ROAD

	Bengeo Neighbourhood Plan Area
	Local Green Space
	Views - showing viewpoint and direction of view

Scale 1:1,000

0 10 20 30 40 50 60 70 80 90 100
Meters

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Policies Map Inset 4. LGS6: North Road Meadow

Great Mole Wood

Pampas

Wroxham

Mole Cottage

Plan Area Boundary

ESS

Robin Hill

SM   SM

Bengeo Neighbourhood Plan Area

Footpath Hertford 93

The Hertfordshire Way

LGS6

Boat House

Molewood End

Weir   Weir

Molewo

Weir

Molewood

Plan Area Boundary

El Sub Sta

| | Bengeo Neighbourhood Plan Area | | Local Green Space |

Scale 1:2,500

0   20   40   60   80   100   120   140   160   180   200   Meters

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Appendix B: Local Green Spaces Assessment

No.	Site description	National designation	Potential development site	Common land, village green or private garden	Owner known	Extant planning permission	Local in character	Extensive tract	Very special	Close by	Beauty	Historical significance	Recreational	Tranquillity	Wildlife
		Site Information					**Critical Criteria**				**Evidence of specialness**				
1	Land at Bengeo Field	N	N	N	Y	N	Y	N	Y	Y	Views towards Chapmore End and Ware Park Manor.	Archaeological remains.	Boundary path used for dog and health walks, jogging, bike and horse riding.	Very peaceful and tranquil.	Skylarks and brown hare.
2	Former Railway Line, Lower Bengeo	N	N	N	Y	N	Y	N	Y	Y	Naturalised with native trees and hedgerows.	Was final stretch of Gt. Northern Railway's line to Hertford terminus.	Could serve community as pedestrian/cycle route if accessible.	Quiet green oasis in middle of built up area.	Badgers, foxes, muntjac.
3	Millmead Park	N	N	N	Y	N	Y	N	Y	Y	Open green space with woodland areas and River Beane.	N	Walking, cycling, ball games, play equipment.	Quiet space between rail station and busy roads.	Coot, moorhen, cormorant, kestrel, Canada geese.
4	St. Leonard's Garden	N	N	N	Y	N	Y	N	Y	Y	Beautiful public garden.	Gifted to local Council in 1948.	Horticultural group tends it. Benches for seating.	Quiet spot for contemplation.	Bird feeders and bug hotels.
5	Woodland Adjacent to Sacombe Rd Play Area	N	N	N	Y	N	Y	N	Y	Y	Attractive woodland in residential area.	On the 1843 Tithe map	Walking, cycling and play.	Peaceful woodland oasis.	Woodpecker bats, grass snakes.
6	North Road Meadow	N	N	N	Y	N	Y	N	Y	Y	Meadow with River Beane on southern boundary.	N	Adjacent to well used 'Hertfordshire Way' route.	Tranquil area between North Road and residential area.	Birds and grizzled skipper larvae.
7	Watermill Lane Play & Recreation Area.	N	N	N	Y	N	Y	N	Y	Y	Well cared for with mature trees.	N	Extensively used for play and recreation.	Two benches for relaxation.	Owls, hawks, Red Kites.
8	Port Vale Wildlife Garden	N	N	N	Y	N	Y	N	Y	Y	Pretty wildlife area between housing.	N	Viewed daily by passers-by.	Tranquil area near busy roads.	Nesting boxes, wood piles, pond.

Appendix C: Landscape Character Areas

69 Stoneyhills

76 Ware Parklands

Urban Area

75 Lower Rib Valley

68 Lower Beane Valley

Urban Area

77 Kings Mead and Hartham Common Floodplain

Urban Area

Urban Area

Bengeo Neighbourhood Plan Area　　Landscape Character Area Boundary

| 0 | 250 | 500 | 750 | 1,000 | 1,250 | 1,500 | 1,750 | 2,000 |

Scale 1:22,500　　Meters

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Appendix D: Views

Bengeo Neighbourhood Plan Area

View - showing viewpoint & direction of view

Scale 1:22,500

| 0 | 250 | 500 | 750 | 1,000 | 1,250 | 1,500 | 1,750 | 2,000 |
Meters

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Appendix E: Community Facilities

Bengeo Allotments

Bengeo Cricket Club

Bengeo Parish Church Hall

Bengeo Primary School and halls

Bengeo Recreation Ground

Courtyard Arts

Cowbridge Café (43) and drop-in centre

Folly Island Allotments

Hertford Castle Gardens Play Area

Hartham Common sports facilities

Hartham Common Play Areas (younger and older children)

Hartham Common Skate Park

Hartham Leisure Centre and swimming pool

Hertford Arts Hub

Hertford Baptist Church and hall

Hertford Theatre (primarily in Castle Ward but partly in Hertford Bengeo Ward)

Hertford United Reform Church and Cowbridge Hall

Herts Canoe Club

Hertford Lawn Tennis Club

Hertford Town Church

Holy Trinity Church

Millmead Park Play and Recreation Area

Mill Mead Primary School and hall

Port Vale Scout Hut

Sacombe Road Play Area

Sele Farm Bowls Club

St. Andrew's Church and St. Andrew's Centre

The Bengeo Club including the bowling green

The Company of Players Theatre

The Greyhound Pub

The Millstream Pub

The Old Barge Pub

The Old Cross Tavern

The Two Brewers Pub

The Woolpack Pub

Watermill Lane Scout Hut

Watermill Lane Play and Recreation Area

White Lion Pub

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Appendix F: Non-designated Buildings and Structures

Bengeo Parish Church Hall

This red brick building with decorative brick detailing, built in 1899 by Robert Green, is in Duncombe Road. It's the church hall for Holy Trinity Church, which is on the corner of Bengeo Street and New Road.

Figure 40: Bengeo Parish Church Hall.

Bengeo Water Tower

Also referred to as the 'Artistic Water Tower' (Source: Ferro-Concrete Vol 21, May 1930 p228-291), Bengeo Water Tower is an elevated water-tank made of Ferro concrete, designed in 1930 by engineers L.G. Mouchet & Partners of Westminster. The floor of the tank is 75ft above ground level, held aloft by eight columns and a central octagonal shaft. The flagstaff, which is 15ft high, surmounts the domed roof cupola. Ferro-concrete was preferred over steel to ensure that the appearance of the tower blended harmoniously with its surroundings. The tower is understood to be still functioning as a water tower.

Figure 41: Bengeo Water Tower.

Castle Joinery

A family joinery in Tower Street, formerly known as Greens. It produces joinery products for local country estates such as Hatfield House. Built in the 1880s by Robert Green, it still looks remarkably similar, with timber cladding and a wall of timber-framed multi-paned windows.

Figure 42: Castle Joinery. Page 431

Duncombe School

The Hertford Villa Residence Company, formed in the 1860s, created Warren Park Road Suburban Villas. One of the villas, Daneshill House, is now Duncombe School. Towards the end of the Victorian era, Daneshill House was home to Mr. Mitchell (a shipping agent) and his family. It became the home of Duncombe School in 1951.

Figure 43: Duncombe School.

Lodge Close Wall

The wall was part of the walled garden of the now demolished Bengeo Lodge, built in the early 1800s by William Lockett. Today, two remaining sections of the wall can be seen in Lodge Close, between numbers 14 & 16 and opposite those houses. About a dozen new homes were built on the garden of the old Lodge in the 1970s/80s.

Figure 44: Lodge Close Wall.

The Greyhound Public House

The Greyhound Pub appears on late 19th century mapping and was McMullen's first pub purchase in 1836. The adjacent site, previously a garage and car wash, has been developed for housing.

Figure 45: The Greyhound.

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The Old Barge Public House

Re-built in the 1890s to serve beer to residents of The Folly and its industries, including the industry associated with the barge traffic. Prior to the Old Barge, there was The Jolly Bargeman, which, with nearby cottages and sheds, was connected with the making of clay pipes.

Figure 46: The Old Barge.

The Old British School

Known locally as the Old British School in Dimsdale Street and also referred to as 'Cowbridge School' ('The Former British School' on the Land Title) it opened in 1863 as a school for children from 'dissident' and 'non-conformist' families. After several changes of use, it has been unoccupied since 1968. It is one of the properties being considered for renovation by the Hertford Arts Hub.

Figure 47: The Old British School in Dimsdale Street.

Gates to The Warren and Hartham Common, Port Hill

These ornate metal gates were presented to the town by Philp Raynsford Longmore and form an attractive feature in the street scene.

Figure 48: Gates to The Warren and Hartham Common, Port Hill.

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Nos. 38-40 Port Hill

This pair of pretty houses on Port Hill are next to the gates to The Warren and Hartham Common. They are referred to in the Hertford Conservation Area Appraisal and Management Plan (2017) as probably dating from the 19th century. Their ornate detailing includes finials and barge boarding. Number 38 is also known as Warren Meadows Lodge and appears on late 19th century mapping as 'Lodge'.

Figure 49: 38-40 Port Hill.

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Appendix G: Policy Process Map

This table shows how the Neighbourhood Plan's Objectives have been translated into Policies.

Objective		Policies that help achieve the Objectives
	Green Spaces, Views, Nature Conservation and Air Quality	
A	Protect precious green spaces through 'Local Green Space' designation and preserve important views.	HBN1: Local Green Space Designation HBN2: Important Views
B	Maintain, protect and increase natural habitats, wildlife and local biodiversity.	HBN3: Nature Conservation
C	Reduce traffic emissions and preserve and increase green lungs and corridors.	HBN3: Nature Conservation HBN4: Improving Air Quality
	Community, Heritage and Culture	
D	Retain, protect and enhance community facilities.	HBC1: Enhanced Community Facilities
E	Encourage the development of cultural facilities and protect valuable heritage assets.	HBC2: Listed Buildings and Structures HBC3: Non-designated Buildings and Structures HBC4: Cultural Facilities
	Sustainable Travel	
F	Improve travel conditions and road safety and mitigate the impact of development on local roads.	HBT1: Traffic Congestion and Road Safety
G	Improve and extend footpath routes to increase levels of walking.	HBT2: Encouraging More Walking
H	Improve and extend the cycle network to increase levels of cycling.	HBT3: Encouraging More Cycling
I	Increase the use of local public transport as a preferred option over cars.	HBT4: Public Transport
J	Increase the availability of cycle parking and improve local car parking conditions.	HBT5: Parking
	Homes and Development	
K	Achieve high quality, sustainable development with good access to natural areas and foot and cycle routes.	HBH1: Housing Supply HBH2: Design and Layout HBH3: Landscape Design
L	Achieve brownfield development that meets residential, community or commercial need.	HBH4: Brownfield Development
	Sustainable Commercial Growth	
M	Ensure commercial development supports local businesses in continuing to thrive.	HBB1: Local Business Development

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Appendix H: Action Plan

No.	Strategic Aim	Action	Funding	Responsibility
1	Increase natural areas and improve biodiversity.	Support the landscaping of a community garden on the empty plot on the corner of Duncombe Road and Tower Street.	Hertford Town Council Grants and other funding streams.	Neighbourhood Plan Steering Group and Hertford Town Council.
2	Increase natural areas and improve biodiversity.	Encourage the creation of wildflower meadow areas in developments. Encourage naturalistic planting areas throughout the Plan Area.	S106 Agreements. Public and private funding streams.	Neighbourhood Plan Steering Group and Hertford Town Council. Neighbourhood Plan Steering Group and Hertford Town Council.
3	Increase awareness of air quality issues.	Install 'Turn-off engine' signs outside schools, shops and other waiting areas.	Hertford Town Council Community Grants and S106 Agreements.	Neighbourhood Plan Steering Group Hertford Town Council.
4	Address volume and speed of traffic and increase sustainable travel.	Support initiatives to: • increase walking and cycling routes • improve road, foot, cycle and pavement surfaces (a request will be made to Hertfordshire County Council to resurface Bridleway 14/15 to improve the cycle route from HERT4 (former Bengeo Nursery site) to the town centre) • introduce a 20 MPH speed limit on Bengeo Street and on Sacombe Road from the Wadesmill Road/Sacombe Road mini roundabout to The Wick • increase compliance with and enforcement of access restrictions • introduce traffic calming and road and pavement safety measures on the Lower Bengeo roads • increase the provision of secure, covered cycle parking	S106 Agreements, local grants and other funding streams.	Hertford Town Council and the Neighbourhood Plan Steering Group.
5	Foster increased appreciation of architectural and heritage assets.	Work with Hertford Museum and local historians to develop a leaflet identifying places of architectural and historical interest in the Neighbourhood Plan Area.	Hertford Town Council Community Grants.	Neighbourhood Plan Steering Group. Hertford Town Council.
6	Improve wayfinding to heritage sites.	Support the installation of directional signs in the town centre showing the route to St. Leonard's Church, with subsequent signs erected along the route as needed.	Hertford Town Council.	Neighbourhood Plan Steering Group Hertford Town Council.

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Appendix I: Glossary

Affordable Housing
Includes social rented, affordable rented and intermediate housing, provided to specified eligible households whose needs are not met by the market.

Ancient Woodland
Woodland known to have existed continuously since at least 1600.

Conservation Area
An area designated under Section 69 of the Town and Country Planning Act 1990 (as amended) as being of *'special architectural or historical interest',* the character and appearance of which it is desirable to preserve and enhance.

Green Finger
Unique areas of open land which penetrate (in this case) towards the centre of Hertford and are a recognised local amenity, wildlife and leisure asset. They have been designated as Local Green Spaces through East Herts District Policy CFLR2, ensuring development will not be allowed other than in very special circumstances.

Green Infrastructure
A network of green spaces and other features such as parks, open spaces, woodlands, playing fields, allotments and gardens, providing a range of quality of life benefits for the local community.

Landscape Character Areas
Areas that share similar landscape characteristics and which follow natural lines in the landscape.

Local Nature Reserve
Places with wildlife or geological features that are of special interest locally.

Local Wildlife Site
Areas of land with significant wildlife value. Typically, they are ancient woodland, a flower-rich hay meadow, or a village pond.

Nature Improvement Areas
An ongoing network of large-scale initiatives in the English landscape to improve ecological connectivity and improve diversity.

S106 Agreements
Also known as Planning Obligations. They are legal obligations entered into to mitigate the impact of development proposals. Through these agreements, developers may be asked to provide contributions for infrastructure.

Sustainable development
Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Wetland
An ecosystem that is covered permanently or seasonally by water. Wetlands are described by the World-Wide Fund for Nature (WWF) as *'some of the most productive habitats on the planet'.*

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Appendix J: References and Acknowledgements

East Herts Air Quality Action Plan 2017/18-2019/20
https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/East_Herts_Air_Quality_Action_Plan_2017-18_-_2019-20_3_final.pdf

East Herts District Plan, October 2018
https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/District_Plan_Publish_web_view.pdf

Hartham Common Greenspace Action Plan
https://cdn-eastherts.onwebcurl.com/s3fs-public/2019-11/Hartham%20Common%20GAP%202018-23.pdf

Hertford Conservation Area Appraisal and Management Plan
https://eastherts.gov.uk/media/31364/Hertford-Conservation-Area-Appraisal/PDF/Hertford_Conservation_Area_Appraisal.pdf

Hertfordshire County Council Landscape Character Assessments
https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/landscape/landscape-character-assessment.aspx

Hertford Town Centre Urban Design Strategy
https://eastherts.fra1.digitaloceanspaces.com/s3fs-public/2019-11/Hertford%20Town%20Centre%20and%20Urban%20Design%20Strategy_0.pdf

Vacant Historic Buildings: Guidelines on Managing Risks
https://historicengland.org.uk/images-books/publications/vacanthistoricbuildings/

National Planning Policy Framework (NPPF)
https://www.gov.uk/government/publications/national-planning-policy-framework--2

The Lawton Review
https://www.researchgate.net/publication/268279426_Making_Space_for_Nature_A_Review_of_England's_Wildlife_Sites_and_Ecological_Network

UK Air Quality Strategy
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69336/pb12654-air-quality-strategy-vol1-070712.pdf

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Molewood Residents' Association

Sponsored by
Watermill Estate Residents' Association

HERTFORD TOWN COUNCIL

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East Herts Council

Executive

Date of Meeting: 6 July 2021

Report by: Cllr Goodeve, Executive Member for Planning and Growth

Report title: Sele Neighbourhood Area Plan 2018-2033

Ward(s) affected: Sele Ward

Summary

- To adopt the Sele Neighbourhood Area Plan following the Referendum of 6th May 2021.

RECOMMENDATIONS FOR Executive to recommend to Council:

(a)   The Sele Neighbourhood Area Development Plan 2018-2033, as detailed at Appendix A to this report, be formally 'made'.

1.0   Proposal(s)

1.1   The Sele Neighbourhood Plan went to Referendum on the 6th May 2021. A majority voted in favour of the Neighbourhood Plan and as such the Council now has the opportunity to formally 'make' the Neighbourhood Plan.

2.0   Background

2.1   Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Hertford Town Council submitted a request for Neighbourhood Area Designation of the Sele Ward in January 2016 which was subsequently agreed on April 5th 2016.

2.2 The Town Council submitted the draft Neighbourhood Plan to East Herts Council in February 2020. Following this, an eight week consultation took place between 16th July and 10th September 2020. The Neighbourhood Plan was then assessed by an Independent Examiner between October and December 2020 and was recommended to proceed, subject to recommended modifications, to Referendum.

3.0 Reasons

3.1 Due to the coronavirus pandemic, all referendums were postponed between March 16th 2020 and May 5th 2021 in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020.

3.2 The Referendum took place on 6th May 2021 with a 34.5% turnout. There was an overall 'yes' vote of 1,317, against 121 who voted 'no'. As outlined within Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004, (as amended by the Neighbourhood Planning Act 2017) the Council is able to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the plan being used to help decide planning applications in the area. The residents within the Sele Neighbourhood Area voted on the following question:

"*Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Sele Neighbourhood Area to help it decide planning applications in the neighbourhood area?*"

3.3 With an overall successful 'yes' vote, the Council are now able to formally adopt the Neighbourhood Plan as part of the East Herts Development Plan.

Adoption

3.4 Following a successful referendum, there are narrow circumstances where the local planning authority is not required

to make the neighbourhood plan or Order. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended).

3.5 The Sele Neighbourhood Area Plan does not breach the aforementioned obligations.

3.6 The Sele Neighbourhood Area Plan already forms part of the development plan for East Herts. As such any planning applications within the Neighbourhood Area will be assessed alongside the current East Herts District Plan 2018 policies, the National Planning Policy Framework (NPPF) and all other material planning considerations.

3.7 It is considered that the Sele Neighbourhood Area Plan positively contributes to the East Herts Development Management process providing a strong community vision that seeks to contribute to sustainable development and as such the Neighbourhood Plan can proceed to be formally 'made'.

3.8 The final version of the Sele Neighbourhood Area Plan can be found in Appendix A.

4.0 Options

4.1 The Council is permitted, in narrow circumstances only to not make a neighbourhood plan. this is when it is in breach or incompatible with any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 as Amended)

5.0 Risks

5.1 If the Neighbourhood Plan does not proceed to be formally 'made' then the Council wouldn't be fulfilling its duties as Local

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Planning Authority and there is the risk of legal challenge.

6.0   Implications/Consultations

6.1   The Neighbourhood Plan has been subject to multiple rounds of statutory public consultation.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

The Sele NP has been screened to determine whether a Strategic Environmental Assessment and/or a Habitats Regulations Assessment is required, the report concluded that the Plan is not likely to have any significant environmental effects and as such neither were required. The Plan also contains policies that aim to protect the environment.

Financial

It is the responsibility of the LPA to cover examination and referendum costs. Government grants available when a Plan has a formal referendum date.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

The Council must make a deicision under section 38A(4) of the 2004 Act

Specific Wards

Sele Ward

7.0 Background papers, appendices and other relevant material

7.1   Appendix A: Sele Neighbourhood Area Plan 2018-2033

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SELE

NEIGHBOURHOOD AREA PLAN
2018 – 2033

SELE
NEIGHBOURHOOD
AREA PLAN

Contents

Foreword

Several distinct and sizeable residential communities fit comfortably together to make Hertford's Sele ward the home of nearly 6,000 residents. Sele ward, largely settled as a community, is close to the busy Hertford North Railway Station, and focuses within the ward are its four schools and its very busy shopping area.

A short bus ride away (downhill for most ward residents) is the historic Hertford town centre; a fine cultural, administrative and service centre with cafés and specialist independent shops. The ward itself has very high-quality parkland, river valley Green Finger, woodland, and an award winning play area at its western and northern boundaries.

Sele ward is a good place to live. Future residential 'life-quality' and opportunity has to be weighed up carefully and considered intelligently, and the work which the community's neighbourhood planners have done, attentively and professionally, has brought so much of what residents feel and believe into thoughtful scrutiny and wide dialogue. The community as a whole has benefited enormously during these months of engagement of various kinds.

For some members of the community group 'out of the box' ideas have been important; some, valuing what there is at present, have been keen to conserve. All have had to read the community make up, in order to plan for the best for all in the future years. Taken as a whole, (but there are geographical areas of the ward which are quite different), Sele has 22% of its children affected by income deprivation, and 15% of older people similarly affected. These figures are the highest in the affluent town of Hertford and, together, are virtually unique within the 200 square miles of East Herts District.

Neighbourhood Planning at ward level is therefore particularly important as a tool for those elected to serve Sele ward's particular interests, when these are set in the context of Town and District and County debate and decision-making. Less than a handful of wards in East Herts District have comparably high figures indicating deprivation, and none is recorded as having both older people and children affected by deprivation. At the same time, some areas of Sele ward are distinctly 'affluent', and one area, in its own private acreage, exceptionally so. Almost a quarter of Sele ward's households have no access to a motorcar. With no other ward in East Herts District coming close to these statistics, the ward is far and away the most deprived ward in East Herts.

So, our Neighbourhood Plan's Community Steering Group members have had diversity and social cohesion in mind. They have considered 'area characters' within Sele, and environmental qualities shared by all across the ward. They have considered movement and transport access, issues of isolation, education, and health. They have weighed up 'proximities' and the values they add: the nearby town centre, the high-quality countryside around and the accessible wider cultural, shopping and leisure centres. Together, these 'at hand' facilities provide well for Sele residents.

Home is central to each resident's life. Neighbourhood Planning is therefore so very important as a whole community engagement. The neighbourhood planning process has certainly engaged those who love and value Sele and who seek to maintain and enhance all that is good about where they live.

Peter Ruffles

Preface

The Sele ward has a unique character because, unlike large parts of Hertford, it is an area of relatively new developments of around 70 years or less. The Neighbourhood Plan presents the opportunity to ensure that improvement and growth in the years ahead will create a positive change for the community and its residents. By planning for the future with the needs and aspirations of the local people in mind, the Sele community can maximise opportunities and tackle the present challenges such as deprivation and the impact of new housing development.

The preparation of the Sele Neighbourhood Plan began in May 2016 and was a three-year long community effort to establish a vision to 2033. The East Herts District Plan included the allocation of two substantial housing sites in the ward. It was important for residents in Sele to contribute to the shaping of these new communities and to benefit from the investment in facilities and services.

Yet the Neighbourhood Plan is much more than this. It sets a vision and policies on key topics such as housing and transport, community facilities, and the environment (protecting green spaces for both recreation and wildlife). Additionally, it specifies a set of actions by which the community, Town, District and County Councils, as well as other partners, will achieve the Neighbourhood Plan's objectives. It is based on the principles of improving health indicators, ensuring that development is sustainable for people and the environment, and catering for the needs of all groups, particularly the vulnerable ones.

Throughout the neighbourhood planning process contacts and partnerships have been developed and a strong, committed Steering Group of local residents has worked on supporting and publicising the Neighbourhood Plan's progress. Maintaining and building up the momentum created by the preparation of the Neighbourhood Plan will enable us to work together to make sure Sele remains a place in which people enjoy living.

1 Introduction

The Purpose of the Neighbourhood Plan

1.1 The adopted Sele Neighbourhood Area Plan (the Neighbourhood Plan) will form part of the statutory Development Plan which is formed of the Local Plan (The East Herts District Plan), the Minerals and Waste Local Plans for Hertfordshire, and any adopted Neighbourhood Plans. The Localism Act 2011, with effect from April 2012 sets out the provision for communities to produce plans that have statutory weight. Taking part in the making of this plan is an opportunity for the community to have a say about future growth in their area. The policies contained in the Neighbourhood Plan will be used in determining planning applications, will provide guidance for developers and will inspire local residents to enjoy and improve their area.

1.2 The Neighbourhood Plan is in general conformity with the Development Plan and in particular with the strategic policies of the East Herts District Plan. The East Herts District Plan was adopted on 23rd October 2018 and covers the period until 2033. The current planning documents that make up the Statutory Development Plan can be found on EHDC website and HCC website.

1.3 Of particular consideration in the East Herts District Plan are its site-specific policies for the Hertford Sele area (HERT3). These require the provision of around 550 new homes in Sele ward to the north and south of the Welwyn Road, between 2017 and 2033, as part of the district-wide objective to deliver sustainable new development. According to paragraph 29 of the NPPF the Neighbourhood Plan cannot restrict the maximum number of housing units being proposed.

1.4 The Neighbourhood Plan has been prepared with regard to the National Planning Policy Framework (NPPF) 2019 and current Planning Practice Guidance.

1.5 The Sele Neighbourhood Area Plan includes a vision for the future, objectives, planning policies and a set of actions, which aim to ensure that Sele ward will grow sustainably and thrive over time. The Sele Neighbourhood Area Plan includes a vision for the future, objectives, planning policies and a set of actions, which aim to encourage good quality sustainable development, enhance the environment and provide facilities that can enrich the wellbeing of the community.

Qualifying Body & Neighbourhood Area Plan

1.6 This Neighbourhood Plan was prepared by the Sele Community Steering Group (SCSG) through thoroughly researching the topics of interest and issues raised by the community and consultation with residents and other stakeholders in Sele ward. The qualifying body for the submission of the Neighbourhood Plan is Hertford Town Council (HTC).

1.7 On 28 January 2016 Hertford Town Council applied to the local planning authority, East Herts District Council, for the designation of the Sele ward as a Neighbourhood Plan Area. The Neighbourhood Plan area is represented in Figure 1 below. East Herts District Council approved the area designation on 5 April 2016.

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Figure 1: Designated Neighbourhood Plan Area

Legislation

1.8 While reflecting the aspirations of local communities, Neighbourhood Plans must comply with other local, national and European policies, as required in the Localism Act. Specifically, a Neighbourhood Plan must meet four criteria, named "Basic Conditions" and set out in paragraph 8(2)'of Schedule 4B to the Town and Country Planning Act (1990), as referred to by Section 38A of the Planning and Compulsory Purchase Act (2004):

(i) The Plan must have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);

(ii) The Plan must contribute to the achievement of sustainable development;

(iii) The Plan must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case East Herts District Plan (see separate Basic Conditions Statement); and

(iv) The Plan must abide by the relevant EU regulations.

1.9 A separate document has been prepared to demonstrate how the Sele Neighbourhood Plan meets these Basic Conditions.

Process of Preparing the Neighbourhood Plan

1.10 The Community Steering Group for the Neighbourhood Plan was formed following a well-attended public event in May 2016. This group was endorsed by Hertford Town Council to prepare a neighbourhood plan on its behalf. The process chart below shows how the preparation of the Neighbourhood Plan progressed.

1.11 Initially five working groups were formed; later these were reduced to three: Community and Public Services, Housing and Transport, and Environment. An experienced Neighbourhood Planning Consultant ran a series of public workshops in October 2016. After a survey was conducted of Sele residents in early 2017, the Planning Consultant was appointed to provide specialist advice to the Town Council and the Community Steering Group.
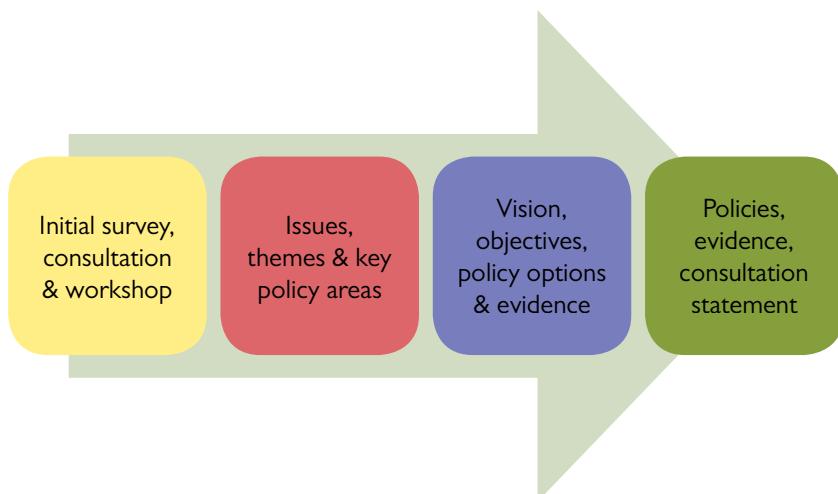
Figure 2: Process Chart

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Community Engagement

1.12   The content of the Sele Neighbourhood Plan has been developed from a continuous process of gathering the views of local people in the ward using a variety of consultation approaches including:

- a ward-wide survey

- an exhibition

- a public meeting

- a workshop at Sele School

- stall at local 'Funday'

- numerous working group evening meetings

1.13   A separate document called the Sele Neighbourhood Area Plan Consultation Statement has been prepared which explains the work of the Community Steering Group, describes the engagement techniques used, events held and the results of the public consultations. It also contains a list of consultees.

Monitoring and Review

1.14   The Neighbourhood Plan will be monitored by HTC and a review will be considered at an appropriate time should the policies become out of date or no longer relevant.

2   The Sele Ward

Location, Main Features & Basic Statistics

2.1   Sele is one of the four wards in Hertford on the north-west side of the town, covering an area of about 275 hectares and bounded to the west and north by open spaces. Unlike older parts of the County Town, Sele has been mostly developed in the last 70 years, and the predominant architectural style is modern. Land at the original Sele Farm has been in-filled over time and no longer exists. The most prominent heritage feature is the Goldings Estate registered parkland and the listed buildings within it. The parkland was created in the mid 1800's and is contemporary with the existing 1870's Tudor style mansion. The house and parkland have survived well and some early 18th century elements can still be seen in the landscape.

2.2   Many of the businesses in Hertford are concentrated around the town centre, while Sele ward is mostly a residential area. The commercial premises of the ward are based on Fleming Crescent and apart from those there are a substantial number of home-based businesses.

2.3   In 2011, 73.8% of those between 16 and 64 were in employment (either employees or self-employed), while 6.8% were unemployed. This compares to a rate of 4.3% of unemployment in East Hertfordshire.

2.4   A 2015 Government report on deprivation shows that in the Sele area the percentage of employment deprivation is as high as 20%, while in other parts of the ward this ranged between 2.9 and 16.6%. Employment deprivation represents the percentage of the people of working age (16-64) who are involuntarily excluded from the labour market. Reasons for employment deprivation are difficulties in finding work, caring responsibilities, and sickness or disability.

Deprivation

2.5   According to a report of East Herts District Council (2015), Sele ward is one of the most heterogeneous wards in East Hertfordshire. There are pockets of deprivation in close proximity with highly sought-after areas. Some of the indices that form the deprivation score are low income, unemployment, a lack of qualifications, bad health, crime and overcrowding of houses.

2.6   For statistical purposes, the ward is divided into four small units (LSOA's – Lower Super Output Areas) and two of them have high rates of deprivation, ranking second and fourth most deprived areas in East Herts; which overall makes Sele the most deprived ward in East Hertfordshire. The area in the central part of Sele incorporating streets such as Windsor Drive, The Ridgeway and Tudor Way is among the top 30% of the most deprived areas in the country (DCLG 2015).

2.7   Overall, Sele ward has the highest proportion of children living in poverty in East Hertfordshire and the third highest percentage of income deprivation affecting older people. In July 2018, 1.4% of the population claimed out-of-work benefits, above the average in East Hertfordshire at 0.7%. It is nevertheless important to remember that despite the pockets of deprivation, living in Sele has many benefits such as good public

facilities, large green spaces and a strong community spirit. In addition, there are numerous opportunities to help drive regeneration and change perception of the area.

The History and Heritage of Sele

2.8   Sele started as an ancient hall situated in the Parish of St. Andrew. According to the Domesday Book it was an estate of 60 acres 1086. Sele farmhouse, including its cottage and outbuildings adjoined Sele Mill. The manor was initially owned by William the Conqueror and then went through the hands of successive owners, such as Geoffrey de Bech, Hugh de la Sele in the 12th and 13th century, the Butler family in the mid 14th century, Sir Thomas Rumbold in 1788, the Earl of Hillsborough in 1791 and Earl Cowper of Panshanger in 1800.

2.9   In the late 18th century, the fields belonging to Sele Farm covered parts of what is now Sele Road, the County Hospital, the railway, Beane Road and meadows, Sandy Close, the Thieves Lane and Fordwich Estate, as well as the land where Sele Farm Estate was built from the 1950's onwards.

2.10   In the mid-19th century, the farmland was divided in multiple plots and the farm buildings were let to several occupiers. In 1850, the land in North Road was purchased from Earl Cowper by St. Andrew's Church and was turned into a cemetery. In 1851 Captain Archibald Robertson, took the lease of the Sele farmhouse and subsequently he redeveloped and re-named it 'Sele Grange'. In 1905, the Hertford Corporation purchased another plot of land adjoining St. Andrew's cemetery and this was developed into a burial ground to extend the capacity of the cemetery

2.11   In the late 1920's Sele Grange was converted into a hotel and later on the land was redeveloped to provide housing, thus creating Grange Close and Cedar Close.

2.12   At the beginning of the 20th century, William Alexander set up a herd of pedigree jersey cattle on Sandy Lane Farm. During the time he leased the farm, a large farmhouse was built on the instructions of Lady Cowper but later on after tragedy struck the family, and Mr Alexander went bankrupt, the farmhouse lay derelict. In the 1960's, a section of the wall collapsed after several acts of vandalism and the farmhouse was eventually taken down. Successive farming tenants continued farming activities, such as dairy farming and keeping chickens. The Sadlers, neighbouring occupants, opened a coal yard alongside the chicken farm.

2.13   After the Second World War, numerous residential developments sprung up in Sele to meet the needs of the wider population. The municipal Borough of Hertford aspired to build hundreds of houses and flats on 50 acres of land. Based on residents' memories, the first stage of the project, which took about four years to complete, involved building work on Cherry Tree Green, Hawthorn Close, Bramfield Road, Tudor Way, Windsor Drive, Hollycroft and Welwyn Road. The second stage involved building housing on Calton Avenue and all the roads to the West of Thieves Lane. In the early 1960s, a new housing development comprising Sadlers Way, Chandlers Way and Alexander Road was built on the site of Sadler's coal yard and chicken farm.

2.14   Public amenities, such as Fleming Crescent shops and Sele School were built in the 1960's after the residents had moved in.

2.15   Today the area still commonly referred to as "Sele Farm", is the central point of the ward, as this is where the shops, the medical centre and the secondary school are located. Local residents are proud to live in Sele and a strong sense of community exists.

Challenges and Opportunities

2.16   Through the initial public engagement events and the resident's survey, a number of challenging issues were raised. Some of these have been addressed through planning policies in the Neighbourhood Plan, others have been addressed during the process of preparing the Neighbourhood Plan and those outstanding are detailed in the Action Plan (Appendix F).

2.17   The identified issues fell into five themes:

- A lack of venues for teenagers, the need to maintain existing facilities, requests for adequate play areas in HERT3, and an aspiration to create new walking and cycling routes to improve health indicators for residents.

- Transport issues were the poor public transport service despite the proximity to Hertford, the shortage of off-road parking on residential roads, the need for traffic calming to dissuade rat running, congestion at Fleming Crescent and non-observance of the 20mph speed limit.

- Countryside issues were primarily over the loss of green space which would occur through the HERT3 housing developments and the impact this would have on wildlife.

- Public Services issues focussed on deprivation indices for residents. These were identified as a lack of training facilities for adults, low achievement of pupils in primary and secondary education and poor access to health services.

- Housing issues identified mainly related to the HERT3 developments namely the impact on residential properties during and after development and improving community facilities as a result of the development. Concerns were also raised about any further loss of amenity greens within the existing Sele Farm estate as a result of Registered Housing Providers intensification of development through new build and re-building.

2.18   However, through challenges come opportunities and the Neighbourhood Plan has been seen as an opportunity to influence how Sele changes over the next 15 years. The Community Steering Group engaged with the developers of both major housing sites and with the Registered Housing Provider (Network Homes) to influence their development decisions.

2.19   The four schools in Sele (i.e. The Sele school, Hollybush Primary School, St Joseph's Catholic Primary School, Hertford St Andrew C of E Primary School) have become more aware of the issues for each establishment, options for empty commercial properties in Fleming Crescent have been explored, Assets of Community Value have been identified and the best and most valuable open spaces will be protected from harmful development through the policies in the Neighbourhood Plan. In addition, projects have been detailed in the Action Plan, to take advantage of community funding that becomes available.

3   Vision & Objectives

Our Vision

3.1   We have sought to provide a planning framework for development in Sele ward, based on the basic principle that better lives for residents now does not mean worse lives for future generations. We have embraced the positive growth of our area and sought to guide that growth to enhance all aspects of living in Sele. Our vision statement is:

The community of Sele ward will have easy access to attractive and historic countryside that is protected for future generations; be a vibrant and healthy community with a variety of accessible, appropriate and affordable facilities and public services; provide new housing developments that respect the principles of sustainability for climate change, accessibility, suitability and affordability; and ensure that that the transport infrastructure provides improved links to Hertford and surrounding towns by bus, foot and bicycle.

Overarching Objectives

3.2   In accordance with the NPPF, all plans should promote sustainable development; achieving sustainable development through the three overarching and interdependent objectives:

- Economic sustainability

- Social sustainability

- Environmental sustainability

3.3   Sustainable development should be pursued in a positive way with the presumption in favour of sustainable development at the heart of every plan, but taking into account and reflecting the character, needs and opportunities of each area.

3.4   The SCSG considered that improving key health indicators for the residents in Sele was a primary aim. This aim informed not only thematic policies on green spaces and public facilities, but also the approach to transport and housing policies.

3.5   The policies in this Plan also took into consideration the existing pockets of deprivation in Sele and sought to contribute positively towards their reduction. Deprivation is reflected in a lack of social, economic and environmental opportunities and therefore there is no one single measure that could be taken to reduce deprivation. Rather, the Neighbourhood Plan adopts an outlook that incorporates the aspiration for better education and skills, improved physical and mental health, a strong community spirit, reduced loneliness and access to quality green spaces.

Planning Objectives

3.6   The objectives focus on specific parts of the vision statement and provided the context for the development of the planning policies. The list of objectives that were formed from our vision statement are:

OBJECTIVE A: Help improve key health indicators for residents of Sele ward through improving access to the countryside and enhancing recreational open space.

OBJECTIVE B: Preserve and improve the biodiversity of natural habitats including gardens, wildlife corridors and the River Beane wetlands. Identify and protect local wildlife sites and the links between them. Create new habitat in green corridor buffer zones and in Sustainable Urban Drainage Systems (SUDS).

OBJECTIVE C: Designate Local Green Spaces (LGS) according to legislation and identify important views.

OBJECTIVE D: Highlight the importance of designated heritage assets and their settings, including Goldings and its historic parkland, identify buildings, features and landscapes of historic interest and ensure their conservation and enhancement.

OBJECTIVE E: Retain and expand existing community facilities, including new sports facilities and training facilities to meet children and adults' educational need and improve key health indicators.

OBJECTIVE F: Ensure access to and provision of a local doctors' surgery that is Sele residents focused, staffed by qualified medical practitioners, and open seven days a week to meet residents medical requirements and to improve key health indicators.

OBJECTIVE G: Retain Fleming Crescent shopping parade and actively support both the existing shops and changes of use which provide community facilities.

OBJECTIVE H: Ensure all new housing developments include a mix of house sizes and types to match local needs in Hertford and include an accessible external environment with accessible homes for the elderly and first time homes for young people.

OBJECTIVE I: Ensure that the design and layout of new housing and the redevelopment of existing housing areas creates a safe, attractive and sustainable living environment to enhance the lives of residents in Sele.

OBJECTIVE J: Ensure that sufficient resident and visitor parking is provided in any new development and retained according to need, to prevent overspill into the existing estates and avoid congestion on residential and surrounding roads.

OBJECTIVE K: Provide effective infrastructure and support to enable and enhance good walking and cycling routes throughout the area and high-quality public and community transport.

4   Neighbourhood Plan Policies

4.1   This chapter sets out the planning policies for the Sele ward for the period 2018–2033, which are aligned with the end of the plan period for the East Herts District Plan. The planning policies, together with the reasoned justification for them, are set out below. The policies reflect the main issues, which were raised in consultation, and provide the means by which Objectives A to K will be achieved. Appendix G sets out how policy options were mapped to objectives.

Countryside, Green Spaces and Conservation

4.2   The large green spaces in Sele ward are one of the greatest assets of the area. Much of this space is accessible open space that can be used for recreational purposes. Open space is invaluable for the physical and mental health of local people, so it is essential that the most valued spaces be protected from inappropriate development and enhanced to provide better facilities. Better management or community stewardship of these spaces will be sought.

4.3   Existing accessible green space will be lost in Sele as a result of development. Accessible routes through the new housing areas to the countryside beyond HERT3 should be an integral part of the urban design.

POLICY HSHE1 - ACCESS TO GREEN SPACE

Development proposals that require the preparation of a masterplan under the terms of District Plan Policy DES1 should aim to improve access into green/open spaces within and adjoining the Sele ward area, in particular, access to Panshanger Park, Archers Spring, Long Wood, the recreational open space on The Ridgeway and to new open spaces provided within the development proposals north of Welwyn Road and south of Welwyn Road/ west of Thieves Lane (Policy HERT3 of the East Herts District Plan) for existing and future residents.

This includes:

- Improving and increasing pedestrian and cycling paths

- Improving and increasing signage to encourage cycling uptake and walking for leisure purposes

- Separating cycle paths from motorised vehicles where possible

- Improving pedestrian crossings

4.4   Well maintained recreational open spaces provide for healthy outdoor leisure pursuits. There are nine open spaces in Sele, which are recognised as important for recreational purposes. These spaces are shown as Protected Recreational Open Space (PROS) on the Policies Map (Appendix A). The NPPF (paragraphs 96 – 99) stress the importance of access to a network of high quality open spaces for recreation and general health

and wellbeing, including the benefits of protecting and enhancing public rights of way. In accordance with policy CFLR1 of the East Herts District Plan, Protected Recreational Open Spaces that are accessible to all residents should be retained or enhanced. Enhancements might include appropriate mowing regimes, seating, outdoor gym equipment, soil improvement on allotments and new formal and informal opportunities to grow food.

4.5   One of the defining features of the landscape of Sele is the River Beane crossing the ward

POLICY HSHE2 - PROTECTED RECREATIONAL OPEN SPACE

I. The sites identified on the Policies Map and detailed below are allocated as Protected Recreational Open Space:

    PROS 1: Playing fields, playground and MUGA on The Ridgeway

    PROS 2: Lawrence Close amenity green

    PROS 3: Bentley Road amenity green (known as The Spider Park)

    PROS 4: Norwood Close Allotments

    PROS 5: Old Thieves Lane allotments

    PROS 6: Thieves Lane between Calton Avenue and Bentley Road

    PROS 7: Allotments rear of 96 – 108 Windsor Drive

    PROS 8: Play space Campfield Road

    PROS 9: Play space Mount Road

II. Proposals that enhance the provision of recreational open space within the built-up area will be supported provided they are consistent with other policies in this Plan.

III. Development will be permitted provided that it would not result in the loss of all or part of these spaces, and provided they are replaced with better facilities that are as accessible to the residents as the current recreational open spaces and/or the quality of those spaces is improved.

and the Goldings Canal running alongside it. The ward also contains part of Panshanger Park and the entirety of Goldings Park. Through its green areas and corridors, Sele supports a rich variety of natural habitats and species, many of these are of regional and national significance. A total of 652 botanical and zoological species have been identified in Sele, among which 93 are rare and have a protected status. Examples of such rare species are the Common Pipistrelle, the Brown Long-eared Bat and the Bullhead fish.

4.6   Although Local Wildlife Sites have no statutory protection, they must be considered in the planning process through the guidance provided by the NPPF, which states that to minimise impacts on biodiversity and geodiversity, planning policies should identify, map and safeguard components of local wildlife-rich habitats, including locally designated sites of importance for biodiversity and wildlife corridors and promote their conservation, restoration and enhancement. Plans should be concerned not only with designated areas, but also with other land of conservation value identified by local partnerships such as the Herts and Middlesex Wildlife Trust. Local Wildlife Sites are designated land of local and regional importance defined as discrete areas of land considered to be of significance for their wildlife features. They are the most important places for wildlife outside legally protected land such as SSSIs and can be as ecologically valuable as SSSI (from East Herts District Plan). Other wildlife areas containing habitats listed in Section 41 of the NERC Act such as Oakfield Plantation and Chelmsford Wood are provided protection by District Plan Policy NE3.

POLICY HSHE3 - CONSERVE AND ENHANCE BIODIVERSITY

I. Development proposals should conserve and enhance biodiversity and deliver net biodiversity gains (in accordance with the current best practice Biodiversity Impact Calculator). The nature conservation value of wildlife sites and other significant habitats including the River Beane will be protected from any harmful impacts of development, in accordance with their status. In particular, the following designated local wildlife sites, as shown on the map in Appendix C(ii) and detailed below, will be protected, managed and where possible enhanced:

- Broadoak End & Pastures
- Panshanger Park (Panshanger Spring)
- Goldings Meadows & Wood
- Grassland East of Icehouse Wood

- Elevenacre Wood
- Long Wood (Sele Farm)
- North Road (Hertford) Cemetery
- Land west of Sele Farm (Archers Spring)

II. Any scheme adjacent to the Beane and its tributaries should be designed with a naturalised buffer zone of at least 10 metres from the top of the bank in order to protect and enhance the conservation value of the watercourse and ensure access for flood defence maintenance.

Broadoak End & Pastures

4.7   Broadoak End & Pastures is a 2.03 ha area of old grassland which is home to a wide variety of grass and herb species. Examples of grass species found on the site are Red Fescue, Common Bent, Yorkshire Fog and False Oat-grass. Herbs species include Common Rest-harrow, Sheep's Sorrel, Common Sorrel, Bird's-foot Trefoil and Meadow Vetchling.

Goldings Meadows & Wood

4.8   Goldings Meadows & Wood is an area of 24.13 ha, located on alluvial and glacial gravels of the lower Beane valley. The site comprises meadows, ancient woodland and several watercourses, including an 18th Century landscape canal, which are of high wildlife and scenic value. It is a habitat for a rich variety of plants species such as Reed Sweet-grass, Fool's Water-cress found in the watercourses; Dog's Mercury, Wood Millet found on the ground flora, and Hornbeam, Oak, Horse chestnut and Sycamore found in Great Mole Wood West, an area of ancient semi-natural Oak/Hornbeam woodland on the Goldings Estate bordered by the River Beane.

Elevenacre Wood

4.9   Elevenacre is a narrow strip of ancient semi-natural pedunculate Oak and Hornbeam woodland covering an area of 2.32 ha, located on a steep north facing gravel escarpment. It is a habitat for numerous plants species such as Bluebell, Wood Anemone, Dog's Mercury and Wood Meadow-grass.
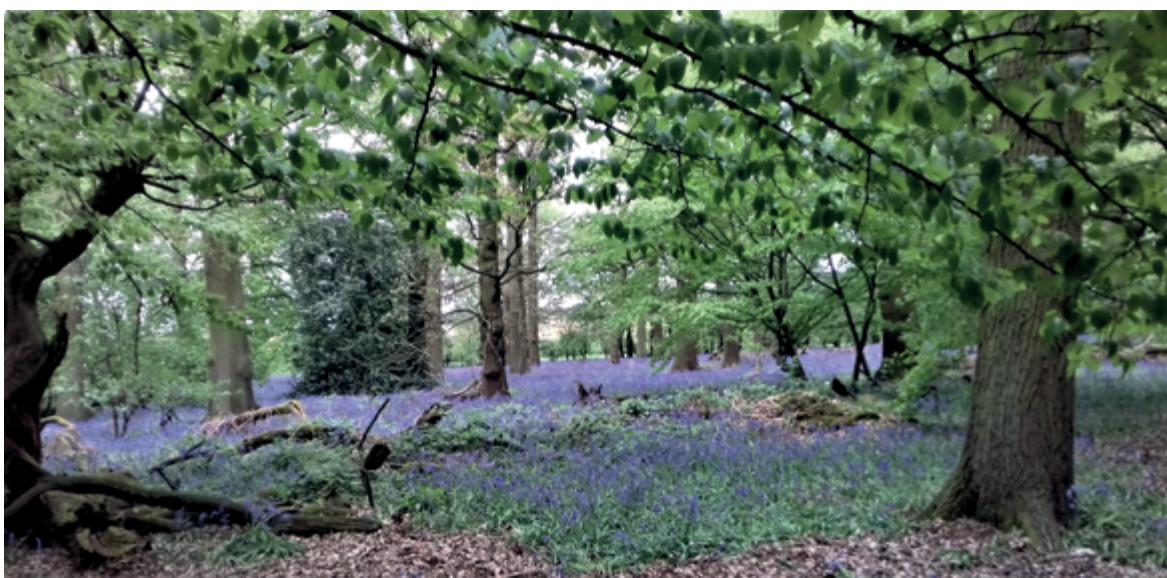
North Road (Hertford) Cemetery

4.10   North Road Cemetery is semi-improved neutral grassland, located in Hertford, covering an area of 1.71 ha. It is home to a good mix of grass species such as Yellow Oat-grass and Red Fescue and herbs species such as Common Knapweed, Germander Speedwell, Bird's-foot Trefoil, Common Sorrel and Oxeye Daisy. Meadow Saxifrage has also been recorded.

Panshanger Park (Panshanger Spring)

4.11 Panshanger Park is 255.01 ha parkland situated along the valley of the River Mimram. The site comprises ancient Oak woodland, a variety of grassland and a series of springs along the eastern reaches of the river. It is home to a wide variety of flora and fauna, including but not limited to, several veteran trees older than the creation of the park, a 600-700 years old Panshanger Oak, bluebell and Dong's Mercury, invertebrate species, protected birds and mammals.

Grassland East of Icehouse Wood

4.12 The Grassland East of Icehouse Wood is 3.32 ha area of old grassland situated on a moderate north-east facing slope. The site comprises a reasonable mix of finer grass and commoner herbs species such as Sweet Vernal-grass, Bird's-foot Trefoil, Field Wood-rush, Common Sorrel, Sheep's Sorrel, Meadow Buttercup and Spiked Sedge.

Long Wood (Sele Farm)

4.13 Long Wood is a 1.95 ha ancient semi-natural broadleaf woodland with a dense canopy of Hornbeam coppice located adjacent to Sele Farm. Examples of species of trees found on the site are Field Maple and Hazel. Plants species are varied, including Bluebell, Wood Anemone, Yellow Archangel, Wood Millet and Wood Meadow-grass. Some Elder and Common Nettle are found on the north-west edge of the site.

POLICY HSHE4 - GREEN CORRIDORS AND NETWORKS

I. Green corridors should provide permeability for wildlife and people. In accordance with the East Herts Green Infrastructure Plan, the green corridors in the neighbourhood plan area as shown in Appendix C(i) will be protected from harmful development, managed and where possible enhanced to create increased public access.

II. New green infrastructure (GI) should be included in all major development proposals where it is appropriate and practical to do so. Such GI should if possible provide functional wildlife habitat linking habitats together and where possible, public access. In particular, the green corridors between the north of the area opposite Waterford Marsh through to Panshanger Park should be enhanced.

III. New corridors should be provided in the HERT3 development proposals to mitigate against the harmful impact of development, north and south of Welwyn Road. These should include:

(a) A green corridor linking Land West of Sele Farm (Local Wildlife Site) with the Panshanger Park (Local Wildlife Site) at the western extremity of the neighbourhood plan area, south of Welwyn Road; and

(b) A green corridor linking Long Wood (Local Wildlife Site) with Blakemore Wood. Native species with positive benefits for biodiversity should be used wherever possible and appropriate planning conditions will be necessary to ensure that the corridor remains permeable for wildlife in perpetuity.

Land west of Sele Farm (Archers Spring)

4.14   Land west of Sele Farm also known as Archers Spring is a 2.66 ha derelict old grassland and scrub especially towards the eastern side of the site. The grassland is home to several plant species, including Red Fescue, Field Wood-rush, Sheep's Sorrel, Musk Mallow, Bird's-foot Trefoil, Common Rest-harrow, Agrimony, Sweet Vernal-grass and Common Bent. Examples of plant species found in the scrub are Hawthorn, Elder, Willow, Blackthorn and Pedunculate Oak.

4.15   Creating new green corridors between housing areas and to link existing Wildlife Sites was identified as a necessity that would reduce the impact of the new development proposed for the western edge of Sele, for example, green corridor (GC1) linking two Local Wildlife Sites and green corridor (GC2) linking Long Wood to Blakemore Wood retaining the ancient hedgerow and improving access between Bramfield Road and Welwyn Road (See Policies Map Appendix A).

4.16   A green corridor can have many uses including wildlife habitat and rights of way (pedestrian routes and cycle-paths) and improving the environment by absorbing noise and particles in the air. The better designed the corridor is, the more effective it will be. Natural England's Green Infrastructure Guidance provides information on the value of green infrastructure and how to deliver it effectively (Natural England 2009). Ideally, the minimum width of a green corridor for wildlife is 50 m but in the context of the development proposal west of Hertford, anything of more than 15 m between the existing built edge and new homes would be sufficient to create a piece of usable green infrastructure. New green infrastructure can also help to manage local flood risk by incorporating effectively planned Sustainable Urban Drainage Systems (SUDS).

POLICY HSHE5 - GREEN INFRASTRUCTURE AND SUDS

Development proposals are encouraged to use opportunities to build SUDS that enrich the aesthetic and recreational value of a development, promote health and well-being and support green infrastructure. They should also maximise wildlife habitat creation to increase and improve local biodiversity.

4.17   The NPPF allows communities to identify and protect green areas of particular importance through designating land as Local Green Space (LGS) in neighbourhood plans. They must be local in character; close to the community they serve; and hold a special and particular local significance. That significance can be beauty, historical significance, recreational value, tranquillity or richness in wildlife. A number of green spaces were identified and assessed to ascertain whether they met the criteria in the NPPF. That assessment is presented in a spreadsheet (Appendix E).

4.18   Once the assessment had been completed, residents were asked at a consultation event in April 2018 "Do you support the following Local Green Space designations?" At that time seven LGS were presented. All were supported by residents and received between 48 and 55 votes each (net of one vote against each LGS). As a result of that consultation, the CSG were asked to look more closely at the Goldings estate to see if land within the estate could be designated as LGS. One additional green space was added to the list.

The additional LGS is within the Historic Park but unlike other areas of the park, is not designated as a Local Wildlife Site.

4.19   Policies for managing development within a Local Green Space should be consistent with those for Green Belts. Eight LGS are identified in Policy HSHE6 below with accompanying photographs and descriptions

POLICY HSHE6 - LOCAL GREEN SPACE

I. Eight areas within the Sele ward have been identified on the Policies Map and are detailed below:

LGS 1: Panshanger Spring	LGS5: Hertford Cemetery
LGS 2: Archers Spring South	LGS6: North Road Allotments
LGS 3: Archers Wood	LGS7: Farm Close Orchard
LGS 4: Long Wood	LGS8: Goldings Meadow

II. New development will only be allowed within designated Local Green Spaces where very special circumstances can be demonstrated, in accordance with the National Planning Policy Framework.

Farm Close Orchard

LGS 1: Panshanger Spring

4.20   Panshanger Spring is a local green space which adjoins Panshanger Park and is covered by young plantation with mixed deciduous trees and hedgerows. Many people pass through the site to access the surrounding areas, Sele ward, and Panshanger Park. The area has a number of recreational uses such as dog walking and cycling. Although it is not designated as parkland, Panshanger Spring is a key part of the setting of the Registered Panshanger Park.

LGS 2: Archers Spring South

4.21   Archers Spring South is an open space area covered by young trees, scrub and old hedgerow. It is an important wildlife habitat for owls, deer, badgers and a number of other species. The site is used by walkers, runners and cyclists to access the local countryside and it is also occasionally used by mountain bikers. It is the main route between Tewin and Hertford. The site is currently owned by London & Regional (HC Sites) Limited.

LGS 3: Archers Wood

4.22   Archers Wood sits on a ridge and affords views across Archers Spring and Archers Spring south. It is regularly used by walkers, runners and cyclists, most coming from the Sele ward. The site is a route between Hertford and Tewin. It is currently owned by Lafarge Aggregates Limited.

LGS 4: Long Wood

4.23   Long Wood is a bluebell wood, which is characterised by ancient/semi-natural broadleaf woodland and contains English bluebell plants. It is an important site for walkers, dog walkers, runners and cyclists and it is easily accessed from Sele Farm. The site is currently owned by Lafarge Aggregates Limited.

LGS 5: Hertford Cemetery

4.24   Hertford Cemetery is an open cemetery with avenues, large Victorian-era trees, ornamental walls and gates and well-maintained grass areas. It is used as a memorial space. The site is owned by Hertford Town Council.

LGS 6: North Road Allotments

4.25   North Road Allotments is a large allotment space, bordering the railway line and tucked behind houses on the east side of North Road. The site is described on the North Road Allotments website as a triangular haven of peace and quiet. The semi-natural broadleaved woodland, which creates the boundary between the allotments and the railway line, is a haven for wildlife. The North Road Plotholders Group run a shop during the growing season, which sells horticultural items at cost price to members and non-members. The site is owned by Hertford Town Council.

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LGS 7: Farm Close Orchard

4.26   Farm Close Orchard is a valuable local green space for local residents which is used by walkers and runners and as a children's play area. The site contains remnants of the old farm orchard for Sele Farm dating at least to the early 20th Century. A previous community initiative to plant new trees (heritage local variant fruit trees) has been successfully integrated into the existing historic orchard. It is currently owned by East Herts District Council.

LGS 8: Goldings Grassland

4.27   The area of grassland bordering the A119 to the north-east of the house contains two public footpaths (FP 105 and FP 106) and is the most publicly accessible part of the Goldings estate providing access through the estate to Waterford Marsh and Waterford Heath on the other side of the A119. The green space comprises areas of mixed parkland and grassland containing habitats qualifying under S41 of the NERC Act, which should be avoided by development proposal, and areas not currently qualifying but with a high potential to do so. The area is tranquil and uncultivated, gently undulating and forms part of a 18th Century designed landscape in the Lower Beane Valley.

Views and Vistas

4.28   The rural nature of Sele Ward is described in detail in the East Hertfordshire Landscape Character Assessment, adopted by the District Council in 2007 as a Supplementary Planning document (SPD). According to the SPD Sele is covered by three character areas: 44 Panshanger Parkland, an area of historic parkland with dense wooded boundaries; 67 Bramfield Plain, with one of the key features being the long views over the area; and 68 the Lower Beane Valley, in which Goldings mansion and parkland are noted as a distinctive feature.

4.29   East Herts District Plan policy for the HERT3 development land specifically mentions the importance of including measures in the development proposals to ensure that any impact on views affecting Panshanger Park and Goldings are successfully mitigated. A community assessment of the views on the western boundary of Hertford identified two significant views, all of which would be impacted by HERT3.

POLICY HSHE7 - VIEWS AND VISTAS

I. Two important views and vistas have been identified on the Policies Map and are detailed below:

View 1: West/southwest from the junction of Thieves Land and Welwyn Road of Blakemore Wood (through HERT3 (south side of Welwyn Road)). The development of this site should retain a vista through the development to the woodland beyond.

View 2: North from land north of the Welwyn Road towards Goldings. Any development in the foreground should be designed to maintain a vista through the site so that the historic site of Goldings is still visible.

II. Any development proposal in the Neighbourhood Plan Area should include an assessment of the impact of the development on the key views and vistas. Proposals where a harmful impact is identified will only be permitted where effective mitigation measures can be delivered as required by District Plan Policy DES2.

View 1: Blakemore Wood

4.30   This currently uninterrupted view across fields towards Blakemore Wood and Panshanger Park is subject to a development proposal detailed in the East Herts District Plan. Any development on the site should retain a vista through the development to the woodland beyond.

View 2: Goldings

4.31   The stunning Goldings Grade II Listed 19th Century Historic Park and some of the listed buildings within it can be seen on the rise in the distance. Bramfield Road and Broadoak Manor are in the dip in the middle ground. Any development in the foreground should be designed to maintain a vista through the site so that the historic site of Goldings is still visible.

Heritage

4.32   A total of 29 heritage sites and items have been identified in Sele ward. Significant assets include Goldings Registered Park and Garden (Grade II*), and 17 listed buildings, of which one - Goldings – is listed Grade II*. The landscape around Hertford is dominated by highly significant medieval and post-medieval designed landscapes, and on the north side of the town Goldings is one of the most important. Archaeological remains found in the area include Neolithic tools, medieval road bridges and jettons, and cropmarks of a ring ditch in Broadoak End.

4.33   In addition, members of the community identified two other sites of local historical importance; Cemetery Lodge on North Road which was built between 1880 and 1897 and extended more recently, is a two storey home, half tile hung with scalloped and rectangular tiles and decorative bargeboards; Walls and railings to the Cemetery on North Road with cast iron railings and original gates (now disused) featuring decorative finials and panels, a pillared entrance from Bramfield Road added in the early 1900's and various other walls around the cemetery.

POLICY HSHE8 - LISTED AND NON-LISTED BUILDINGS

I. Proposals for development, which affect designated heritage assets including listed buildings and historic parks, will be permitted provided that they preserve or where possible enhance the significance of the asset and its setting. A statement setting out any adverse impacts on the asset and its setting, along with any proposed mitigation measures must be submitted with the development proposal.

II. Two non-listed buildings have been identified as non-designated heritage assets having local historic importance:

- Cemetery Lodge on North Road

- Walls and railings to the Cemetery on North Road

III. Development proposals which affect these non-designated heritage assets will be permitted provided that the scale of any harm or loss is balanced against the significance of the asset.

POLICY HSHE9 - LISTED AND NON-LISTED HISTORIC PARKS AND GARDENS

I. Development proposals which affect the Historic Parks and Gardens will be permitted provided that they conserve or enhance the significance of the asset or its setting. These heritage assets include the listed Goldings Park, the setting of the Grade II* listed Panshanger Park and the locally listed Historic Parks and Gardens identified by Hertfordshire Gardens Trust:

- Broadoak Manor Gardens

- Hertford Cemetery (including St Andrews Cemetery)

- Sele Farm Orchard, Farm Close

II. Proposals that restore, enhance and facilitate good conservation management (through a Conservation Landscape Management Plan) of any of these historic parks and gardens will be encouraged.

Goldings Park Estate

4.34   The wider Goldings Park Estate is a 100 Hectare site on the northern limits of Hertford town, comprising parkland, landscaped gardens in the style of Capability Brown, a large Grade II* listed historic mansion house and eight other listed buildings. The park is Grade II registered under the Historic Buildings and Ancient Monuments Act 1953 in the Register of Historic Parks and Gardens, and it is classified as "a C19 park and pleasure grounds contemporary with the 1870s Tudor-style country mansion with elements from the C18 surviving in the landscape". The site is in the Green Belt and contains three Local Wildlife Sites (Goldings Meadows & Woods, Elevenacre Wood and Grassland E. of Icehouse Wood).

4.35   Modern enabling development at Goldings has had a neutral impact on the setting of the site. Whilst development has reduced the degree to which the extended historic landscape has survived, "it has facilitated the continued residential use of the site in a positive way that has maintained the listed buildings and has also enabled the preservation of aspects of the historic parkland and gardens" Panshanger Park and Environs – Heritage Impact Assessment (July 2016, para 3.5.5). The site was sympathetically converted in 2004 to a premium residential location comprising of 18 apartments in the mansion, 24 properties in the Old Walled Garden and 12 other adjacent properties. The residents of the estate wish to preserve the exceptional parkland and views, along with Sele and Hertford residents who also enjoy access to the park via multiple footpaths connected to Waterford Heath Nature Reserve and Waterford Marsh.

4.36   While the park is protected up to its boundaries, major development along or in close proximity to these boundaries would have a significant impact on the environment, and historic but unprotected views, most of which are bordered by deciduous trees. High rise flats under construction on the edge of the park are already impacting the rural landscape.

The Panshanger and Environs – Heritage Impact Assessment (July 2016, para 3.1.31) states "the Victorian mansion of Goldings and its Registered Park and Garden are just visible in views across from the northeast edge of Panshanger, past the modern development at Sele Farm on the outskirts of Hertford". Future development must demonstrate how it will mitigate any further impact on the historic parkland. Consultation should be undertaken with both Goldings and the wider Sele community when considering any development that may impact the parkland views, boundaries or internal landscape.

Figure 3: View from mansion looking south

Figure 4: View from south park edge looking north

Figure 5: View looking south-west

Figure 6: Buildings and gardens on the estate

POLICY HSHE10 - GOLDINGS

Any development proposal, which has the potential to impact the significance of the historic park, the designated heritage assets it contains or the park's setting should provide a heritage impact assessment that includes all of the following considerations:

(a) Impact of high buildings on views and vistas to and from Goldings;

(b) Impact of major infrastructure proposals e.g. road widening or service utilities including pipelines, pylons and masts;

(c) Impact on the waterways within the park of any water management scheme;

(d) Impact on landscape character and setting of the heritage assets within the park and the historic park itself, in particular, agricultural structures, temporary caravans, field sports or other use of the park for agricultural purposes; and

(e) Impact on important views within the park from the mansion south towards Sele Farm and the view east / west from the Goldings Estate entry drive (see map Figure 7).

Blue arrows:
Principal Protected Views

Yellow line:
Perimeter of Grade II Historic Park & Garden
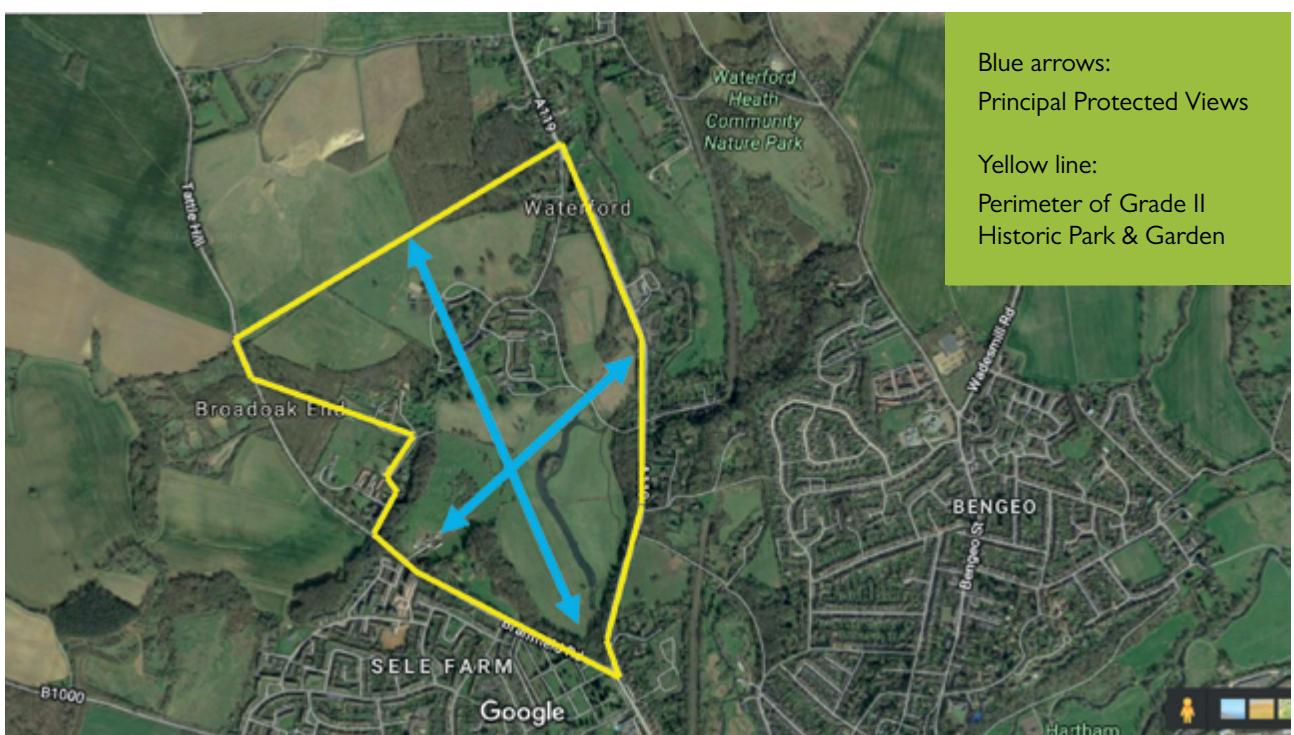
Figure 7: Views in Goldings Park

Community and Public Services

4.37   The overall aim of this section of the Plan is to help improve key health indicators and contribute to the physical and mental wellbeing of the residents, through the provision of facilities and public services tailored to meet the needs of the Sele community. Ensuring the long-term use and up-keep of these community facilities could be achieved by encouraging community use of and ownership of those facilities. The ward is relatively well served, with a range of public facilities for the education, health and wellbeing of the local people.

Schools and Education

4.38   There are four schools in Sele – three primaries (Hollybush, Hertford St Andrew CE and St Joseph's Catholic School), and one secondary school with a sixth-form (Sele School). Currently Ofsted rates all these as "Good".

4.39   In 2011, 22.4% of people aged 16 and over in Hertford Sele ward had no qualifications. This compares to 17.2% of people in East Hertfordshire District and 18.2% of people in Hertfordshire.

The breakdown of highest qualification achieved by Sele ward residents as follows:

- 15% of the population has a Level 1 Qualification;

- 15% of the population has a Level 2Qualification;

- 11% of the population has a Level 3 Qualification;

- 29.6% of the population has a Level 4 or above Qualification;

- 7% of the population has an apprenticeship and other certificate.

4.40   Good accessible educational provision, for all ages, is a priority in Sele due to the low level of education attainment. Opportunities for adults to retrain or improve their skills are as important as the availability of pre-school places. This priority should be considered when negotiating S106 contributions from developers, in particular, the developers of the HERT3 sites.

POLICY HSC1 - PROVISION OF EDUCATION FACILITIES

I. Proposals for accessible childcare/pre-school facilities will be supported.

II. These facilities which are a priority in the area could be provided through Section 106 contributions or other funding mechanisms sought under the provisions of District Plan Policies CFLR10 Education, DEL1 Infrastructure and Service Delivery and DEL2 Planning Obligations.

Crime and Safety

4.41   Sele is generally a safe area, with overall crime levels below the average in Hertfordshire. However, as a result of recent changes brought about by "County Lines", which is the expansion of city based organised crime groups selling drugs to the suburbs, the community and surrounding area has been affected by an increase in drug related criminality and anti-social behaviour.

4.42   These offences typically tend to include thefts from motor vehicles and shops and are committed in order to fund substance misuse habits. In particular, the phenomenon of "cuckooing" the addresses of vulnerable residents has impacted the local area. This involves the address of a vulnerable resident being taken over by organised crime groups in order to sell drugs from that location. Furthermore, and in line with similar trends across Hertfordshire, the local community has experienced increases in violent crime and the possession of knives by young people linked to "County Line" activity.

4.43   Hertfordshire Constabulary together with the local community, and in particular with the Neighbourhood Plan and its aims relating to crime and safety, are working closely to create situations and facilities that would enable us to effectively and quickly bring about a satisfactory resolve to this situation. Protecting both the community and individuals living in Sele.

4.44   Good planning contributes to making a place safer. Ensuring that places feel safe is a key planning consideration. The sense of safety in Sele could be further improved through the implementation of the national police policy initiative 'Secured by Design' (SBD) which promotes focuses on the design and security of new and refurbished homes. This should be applied to both proposal for new development in HERT3 and Housing Association schemes to refurbish their existing housing stock.

4.45   In addition, any opportunity should be taken to improve the community facilities in Sele. Opportunity sites such as the St John's Ambulance Centre (see below) should provide a youth/adult facility which could reduce the incidence of anti-social behaviour in the area.

Community Facilities

4.46   Retaining community facilities is key in promoting community health and well-being. These are places where members of the community, old and young, have an opportunity to engage in valuable social interactions, exchanging skills and knowledge that are beneficial to society as a whole. Well-maintained community facilities help foster a sense of belonging and ownership. As people feel they belong and appreciate the places they live in, they are less likely to engage in anti- social behaviour.

4.47   The following is the list of community facilities in Sele:

- A surgery facility on Calton Court

- Four schools (three primary and one secondary and sixth-form)

- An early-years centre providing for new parents on Welwyn Road

- Three playgrounds on Bentley Road, on the Ridgeway and the Multi Use Games Area (MUGA) on The Ridgeway

- The Golden Griffin pub

- The Scout Hut

- The Sele Farm Community Centre

- Three allotments sites located on North Road, Norwood Close and Windsor Drive

- The shops on Fleming Crescent

4.48   The Sele School main hall, library and classrooms provide accommodation for a wide range of activities seven days a week, including fitness, pottery, painting, football (Bengeo Tigers), dancing (Carter School of Dance), singing (Hertford Rock Choir & Hertford Choral Society), all of which are advertised on a very full timetable. In addition, Sele Farm Community Centre is booked most of the time for private events and community activities

4.49   The site of the St John Ambulance centre was well used by the community, prior to it being closed, as it centrally situated, close to the shops and within walking distance from anywhere in Sele ward. Should development result in the loss of the building, the site should remain as a community asset. Through consultation during the preparation of the Neighbourhood Plan, a need for a youth/adult education facility was identified. A replacement dedicated community building could provide training in basic skills, which would increase residents' access to employment opportunities and food/lifestyle awareness to combat aspects of poor health and income deprivation, present on the Sele Farm estate in particular. Such a facility could also contribute to reducing the relatively high incidence of anti-social behaviour recorded in Sele and improve social cohesion.

4.50   The Localism Act 2011 gave local people the opportunity to identify buildings and land that they felt was of particular value to their local community as Assets of Community Value (ACVs). Hertford Town Council will nominate the ACVs that were identified and supported through the neighbourhood plan engagement process. Nominations will be made to East Herts District Council. These will be listed as assets if they further social wellbeing (by facilitating social interaction) or social interests (cultural, recreational or sporting interests) of the local community.

4.51   Once listed as an ACV, the community have the opportunity to buy or acquire an interest in the asset if it were being sold. In order to qualify for listing support from the local community is vital.

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4.52   A comprehensive audit was carried out of all community facilities identified by the CSG. At a community consultation event in April 2017, residents were asked "Do you support the listing of the following Assets of Community Value?" Four of the assets presented received a very similar number of votes (between 51 and 53), the Golden Griffin public house had 35 votes (the net number of votes for and against). The site of the St John Ambulance no longer qualifies as an ACV because the centre has now closed. All four of the proposed ACVs are highlighted in Policy HSC2 below and are detailed in Appendix B.

POLICY HSC2 - EXISTING COMMUNITY BUILDINGS AND LAND

I. Existing community buildings valued by the community are listed below:

1.   Hertford Selections Children's Centre

2.   Sele Farm Community Centre

3.   Girl Guides and Scout Hut (Glenfield Court)

4.   The Golden Griffin Public House

II. These community buildings will be retained in community use unless they are:

(a) No longer needed or

(b) Replaced by better facilities as part of a development proposal (The existing buildings that house community facilities, particularly the Community Centre and the sports and play facilities already available on the Ridgeway, should be enhanced and improved rather than replaced, as these will be located centrally between the existing community and the new development proposed to the west of Sele. This may be achieved through S106 contributions collected pursuant to District Plan Policy CFLR7 or other funding mechanisms.).

III. The site of the building previously used by St John Ambulance (on Hawthorn Close off Tudor Way) was primarily a training facility. The need for a replacement facility for young people/adults has been identified through the Neighbourhood Plan. A joint project between Hertford Town Council and East Herts Council to re-use the site for community use or re-provide a similar facility in Sele could be funded through Section 106 collected pursuant to District Plan Policy CFLR7 or similar funding mechanisms.

POLICY HSC3 - NEW COMMUNITY FACILITIES

Proposals to improve or expand community and recreation facilities, or provide new developments of multi-use community facilities, particularly the provision of space to meet informally (e.g. a community café), will be supported provided that all the following apply:

(a) They fulfil the needs of existing and future residents of Sele;

(b) All Sele residents are able to access them by walking/cycling or public transport;

(c) Suitable parking provision is made so as not to cause traffic congestion; and

(d) Any adverse impacts would not outweigh the benefits.

Health

4.53   The ward is served by a doctor's surgery and a pharmacy. It is reported that the general practice is busy, however this is not a Sele-specific problem. Currently new patients cannot join the surgery at Calton Court unless someone else at their address is already registered with the service. A few key outliers in terms of health condition need to be mentioned here. For example, the centre and west of the Sele ward has one of the highest percentages of self-declared bad health in East Hertfordshire of about 5.2%, while in the other areas of the ward the percentages range between 2.3 and 2.7%.

4.54   Overall the Sele ward is among the top three wards in East Hertfordshire in terms of child obesity by Year Six, hospital admissions for self-harm and premature deaths for the under 65s. Improving health and wellbeing of the Sele population is a main priority for this Neighbourhood Plan and its policies reflect this goal.

4.55   During consultation exercises in 2017 residents told us that provision of a local doctors' surgery was very important to them. Objective F of the Neighbourhood Plan is to ensure provision of a local surgery. This objective received the largest number of supporting comments in the July 2017 consultation and comments were made in the survey responses earlier that year, requesting better access to doctors (see the Consultation Statement for more details).

POLICY HSC4 - CONTRIBUTION TO IMPROVE HEALTH CARE FACILITIES

Proposals for a new health centre or the expansion of the existing facilities could be funded from S106 contributions from new developments in Sele ward collected pursuant to District Plan Policy CFLR9 and DEL2, or other funding mechanisms. Such facilities could include a one stop shop which delivers a wide range of health and social care services. They should be located either at Calton Court or where all Sele residents are able to access them by walking/cycling or public transport.

Shopping

4.56 Fleming Crescent includes a good selection of shops, frequented by residents and by the wider Hertford community, such as a supermarket, an award-winning fish-and-chip-shop, a hairdresser, a traditional butchery, a bakery/coffee shop, a post office, a pharmacy and a drop-in centre for Council "surgeries". This area is the nearest thing Sele has to a community/village centre. Any proposals for new shops which would reduce the viability of the shopping parade or the loss of the essential parking area would be detrimental to community life and would be strongly opposed.

4.57 The shopping parade, parking area and greenspace should be enhanced to ensure the longevity of the facilities it supports. These measures could include making existing parking facilities easier to access, landscaping the green to make it more attractive and encouraging multi-use of the community office. Planned consultation with the local community and existing shopkeepers should be carried out to ensure proposals fulfil community aspirations.

POLICY HSC5 - EXISTING SHOPS (FLEMING CRESCENT)

I. Proposals that may reduce the viability of the Fleming Crescent shopping parade will not be permitted.

II. Proposals for the improvement and enhancement of Fleming Crescent shopping parade will be supported especially those that provide for:

(a) Better signage to the existing parking provision and disabled parking bays are clearly marked;

(b) Measures to reduce traffic congestion at the shopping parade;

(c) A significant element of the amenity green space to be retained.

Housing and Development

4.58 In 2015 the total resident population in Sele ward was 5,632 people, among which 22.5% were under 16 and 14.6% were over 65 (ONS, 2015). About 37% of the people of pension age were living alone.

4.59   One of the demographic particularities is that the area commonly known as Sele Farm has one of the highest proportions of under 16s in East Hertfordshire, and also a high proportion of lone parents with dependent children, particularly in the western side of the ward.

According to the ONS Census, in 2011 there were 2449 households in Sele. House ownership and private renting are lower in Sele than the average in East Hertfordshire.

4.60   The breakdown by ownership was as follows:
https://www.nomisweb.co.uk/reports/localarea?compare=1237323740

- 845 (34.5%) were owned with a mortgage or loan

- 633 (25.8%) were rented from social landlords

- 626 (25.5%) were owned outright

- 164 (6.6%) were rented from private landlords or letting agency

- 113 (4.6%) were rented from housing association

- 68 (2.7%) had another form of ownership (rent-free, shared ownership or other private landlords)

4.61   Due to infill and regeneration, the number of homes in the ward has steadily increased over time. However, lack of affordability is a reason why ownership is relatively low. In March 2017 the median price of a house in Sele ward was £330,000 (ONS, 2017).

4.62   The occupancy rating of -1 or less (meaning households in which at least one more bedroom would be needed) is 9.6%, which is higher than the average in East Hertfordshire. This is important as an indicator of overcrowding and occupancy ratings of rooms are an indicator of deprivation in a household, according to ONS.

POLICY HSHT1 - HOUSING MIX AND AFFORDABLE HOUSING

The tenure, type, and size of developments of 5 or more new homes should reflect identified local housing need in Hertford and local housing market assessments. To ease identified overoccupancy and lack of affordability for existing residents the following types of housing with an indistinguishable quality external finish will be distributed throughout the development:

- Starter homes and smaller dwellings

- Accessible homes for those with limited mobility; homes for later life including bungalows; and homes for vulnerable residents

- Affordable housing for rent or shared ownership (only to be required on schemes of 10 units or more)

POLICY HSHT2 - LAYOUT OF REDEVELOPMENT AND NEW DEVELOPMENT

I. Any new residential development in the existing built area should:

(a) not worsen on-street parking issues;

(b) maintain the quantity of green open space;

(c) where possible improve the quality of green open space.

II. Innovative layouts will be encouraged which futureproof streets and spaces and draw on best practice, for example, The Essex Design Guide. In particular, the outer edge of new developments should respect the attractive rural edge of the town location and entrance to Hertford from the west.

Design

4.63   The proposed new development represents more than a 20% increase in the number of homes in the Neighbourhood Plan area over the plan period. In order to protect the amenities of existing and future residents, sustainable design principles must be adhered to. This includes mitigation for the loss of greenspace and Green Belt, and the impact of the encroachment of residential development into the countryside. Features such as balconies for flats with no private amenity space can improve quality of life of residents

4.64   Climate change is projected to increase the risk of flooding and number of flooding incidents over the Plan period. The Neighbourhood Plan Area includes areas in Flood Zone 2, 3a and 3b, associated with the River Beane and it's tributaries. The Environment Agency's surface water flood map shows many parts of Sele are at risk from surface water flooding. It is critical to manage flood risk in order to minimise harm to people and property. The location and design of buildings and their curtilages are key factors in reducing the risk of such damage. New developments should aim to be "rain ready". This can be achieved through urban design that captures more water and slows runoff into drains and sewers as well as including flood resilient buildings and infrastructure.

4.65   The use of high energy efficiency standards is particularly important for affordable homes to reduce household bills for those least able to pay.

4.66   Small amenity greens are scattered throughout the existing residential areas and contribute to their distinctive characters. They provide micro-scale breathing spaces and informal places for informal play. Through the early consultation stages of the Neighbourhood Plan, the community expressed their dissatisfaction with the loss of amenity greens and the intensification of residential development. No further amenity greens should be lost without consultation and agreement with the local community.

POLICY HSHT3 - DESIGN OF NEW HOMES

The design of new homes should follow sustainable design principles and reduce any negative impacts of development to protect the amenities of existing and future residents. The following criteria should be accommodated in all development proposals:

(a) In small scale developments in the existing built up area, building heights should reflect the prevailing height of properties in the immediate vicinity of the development. In the development proposals north of Welwyn Road and south of Welwyn Road/west of Thieves Lane (Policy HERT3 of the East Herts District Plan) building heights should reduce towards the outer edges to minimise the impact on the countryside beyond;

(b) The use of micro-renewables for domestic scale heating and electricity is encouraged where appropriate, particularly in the development proposals north of Welwyn Road and south of Welwyn Road/west of Thieves Lane (Policy HERT3 of the East Herts District Plan);

(c) Surface water attenuation schemes should be designed to enhance the choice of green spaces for the community. Within existing residential areas, increased surface water run-off through the loss of front gardens to provide vehicle hardstandings should be mitigated through the use of permeable surfaces. Domestic rainwater harvesting is encouraged.

POLICY HSHT4 - LANDSCAPING IN NEW DEVELOPMENT

I. Landscaping schemes in development proposals should utilise native species, add to the character of new development, be designed to incorporate wildlife friendly property boundaries, contribute to a net gain in biodiversity and provide opportunities to grow food.

II. A green buffer between development proposals and the countryside should provide new habitat for native plants and animals. Buffer zones should be at least 15m wide to provide protection to existing habitats (in accordance with Natural England's Green Infrastructure Guidance (2009)).

POLICY HSHT5 - AMENITY GREENS IN EXISTING DEVELOPMENTS

Amenity greens and informal green spaces provide a breathing space and a much-valued asset. These green areas should be retained and improved to maintain the open character of the estates in which they were provided. Proposals for development that results in the loss of amenity greens will not be supported.

Transport and Parking

4.67   Sele is close to Hertford North station, which is the second busiest station in East Herts and is served by regular trains from London (Moorgate) via Finsbury Park, Enfield, and Hertford to Stevenage. These provide very good connectivity into and beyond London.

4.68   The area has regular bus services to Hertford town centre during daytime hours Monday to Saturday plus some buses to Ware, Hatfield and Welwyn Garden City. However, there is a very limited bus service run in the evenings and on Sundays. Bus operation suffers from traffic congestion and high levels of on-street parking, making services slower and more expensive to operate and causing unreliability which makes them unattractive. A much better bus service, with regular evening and Sunday operation, would benefit residents without use of a car, who are the main users at present, and would encourage those with cars to use buses and hence reduce congestion and pollution. This could be achieved through reduction in delays to buses caused by traffic congestion and on-street parking, through the creation of bus priority measures, supported by effective traffic management.

4.69   Local community managed buses offer some travel services to specific groups of people. A number of taxi companies also serve the area. These both also play a role in improving mobility without a car. Priorities for scheduled bus services should also be usable to community buses and taxis.

4.70   Car ownership is low in Sele, and parts of the ward have the lowest rates in the whole East Herts District. This may be a positive aspect in terms for air quality, increased physical movement and limited congestion. However, it is also seen as an indicator of deprivation.

4.71   There is a 20mph zone covering Sele Farm. This was established following a community led campaign for the lowering of the speed limit. Streets on the new developments on Archers

Spring and Thieves Lane should also adopt the 20mph speed limit as this will encourage walking, cycling and community interaction.

4.72 Despite the overall low car ownership, limited availability of parking spaces can be a problem for residents and visitors. The consultation exercise conducted in March 2019, revealed that there is a lack of appropriate car parking provision particularly at Burnett Square. In general, the areas that are most likely to be affected are the areas around the shops and schools. When events take place in Panshanger Park, Thieves Lane, Turpins Close and the Ladywood estate are affected by an overspill of cars. Every opportunity to provide appropriate car parking on the edge of the park will be sought and associated safety issues affecting cyclist and pedestrians should be addressed. In addition, congestion occurs on North Road outside St Joseph's School and on Bramfield Lane at busy times, especially the morning peak. Measures to alleviate the conflict between the school drop-off and commuters travelling to the station or Hertford Town Centre, though parking restrictions and/or provision for safe off-road drop-off facilities for children, will be sought through the Action Plan (Appendix F).

POLICY HSHT6 - VEHICLE PARKING IN RESIDENTIAL AREAS AND NEW RESIDENTIAL DEVELOPMENTS

I. Proposals to improve the current provision of residents' parking within existing residential areas will be supported especially if developed in consultation with local residents. Garage blocks that no longer provide car parking could be redesigned as residents parking areas. Redevelopment of garage blocks should ensure no net loss of parking shown to be used, through surveys, by existing residents and adequate parking for occupants of the new homes.

II. In all proposals for residential development, adequate off-street car parking should be provided, where possible underground. Vehicle parking provision should be assessed on a site by site basis to ensure parking for existing residents in not worsened.

 (a) For developments of one, two, or three bedrooms, two parking spaces per dwelling (in addition to any garages) will be required within the curtilage of the dwelling or specifically allocated to the dwelling;

 (b) For developments of four or more bedrooms, three parking spaces per dwelling (in addition to any garages) will be required within the curtilage of the dwelling or specifically allocated to the dwelling;

 (c) For visitor and overspill car parking, one off-road space will be required for every three dwellings in a communal parking area;

 (d) For sheltered housing units, including housing for older people, a minimum of one off-street car parking space per dwelling will be required, together with one space per warden, and a ratio of one visitor parking space per four units; and

III. Any development proposals that result in the loss of parking provision should submit evidence demonstrating why the facility is no longer needed. Where appropriate, permitted development rights for the conversion of garages will be removed through conditions applied at the planning permission stage.

POLICY HSHT7 - SAFE AND ACCESSIBLE WALKING AND CYCLING ROUTES

I. New developments that require the preparation of a masterplan under the terms of District Plan Polcy DES1, and estate refurbishment schemes should feature an appropriate package of safe and attractive walking and cycling routes that link schools and services. This includes providing safe crossing points and minimising unnecessary gradients. Existing routes should be able to accommodate increased footfall and cycle use or be widened to accommodate additional users, particularly along narrow stretches of pavement on heavily used routes such as the B1000 towards Hertford North Station.

II. Streets should be designed with speed limits conducive to safe walking and cycling. For this reason it is particularly important that the streets in the development proposals north of Welwyn Road and south of Welwyn Road/west of Thieves Lane (Policy HERT3 of the East Herts District Plan) be designed for speeds of no more than 20mph.

POLICY HSHT8 - SUSTAINABLE AND INTEGRATED LOCAL TRANSPORT SOLUTIONS

Development proposals should seek to positively contribute to behavioural changes supported by the delivery of a variety of new local transport solutions, including the provision of safe walking and cycling routes, and community transport services which demonstrate that the solutions adopted will reduce pollution, overreliance on the private car and support the mobility of all members of the community. Local transport solutions including well-designed and located bus stops, and complementary traffic calming measures could be funded through S106 contributions collected under the provisions of District Plan Policy TRA1or other funding mechanisms.

5   Implementation

5.1   The Neighbourhood Plan will primarily be implemented through the determination of planning applications, by East Herts Council within Sele ward. The Neighbourhood Plan policies will provide a local focus to ensure decisions benefit the local community and will protect those assets most appreciated by residents. Major developments and associated infrastructure, including the implementation of East Herts policy HERT3, will be achieved principally through agreements between the local planning authority, developers and infrastructure providers.

5.2   In order to ensure that development proposals comply with Policy WAT6 of the East Herts District Plan developers are advised to contact Thames Water at an early stage to discuss the drainage requirements for their development. Details regarding Thames Water's pre-application service can be found at: www.thameswater.co.uk/preplanning

5.3   The Neighbourhood Plan policies may be amended at intervals in order to remain in line with the District Plan and any such review or update will be carried out in accordance with the process and procedures in place at that time.

5.4   A number of non-land use proposals have been put forward during the various community consultation events and the through the initial residents survey. These have been worked up into potential projects and have been included in an Action Plan at Appendix F. These projects or actions, which have been endorsed by Hertford Town Council help to complete the picture of community aspirations for residents of Sele.

5.5   Projects in the Action Plan will be achieved through various funding mechanism, both public and private. The Action Plan should be taken into account by developers when submitting planning applications for development in the ward and by the local planning authority when negotiating Section 106 Agreement

6   Appendices

APPENDIX A - Policies Map
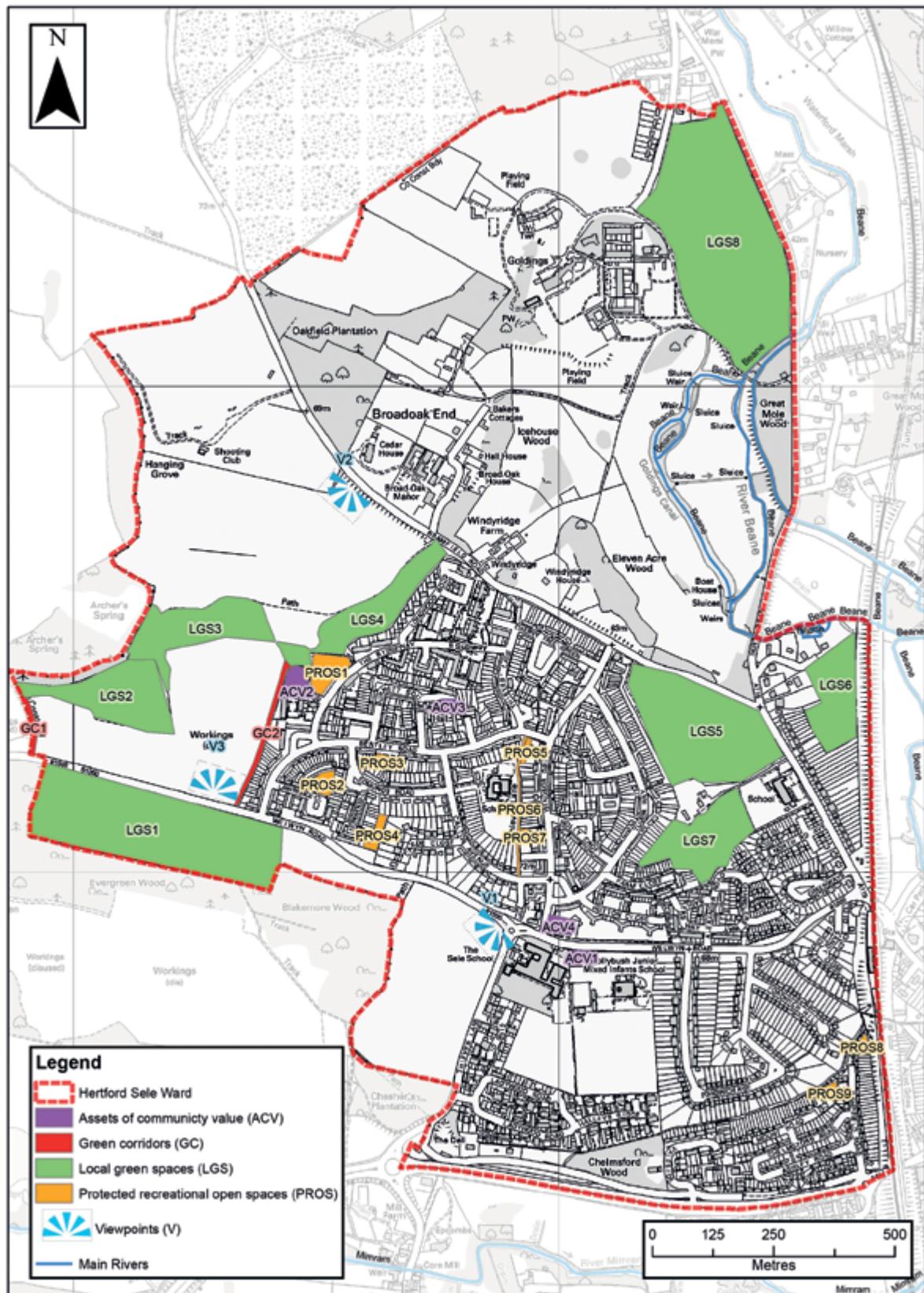
APPENDIX B – Assets of Community Value

1. Hertford Selections Children's Centre

Hertford Selections Children's Centre, located on Welwyn Road next to Sele School, is a valuable community resource which provides support services to new parents, babies and young children. These range from courses on baby massage, tips on breastfeeding, coping with post-natal blues, to play sessions for children and their parents. The centre is also hired outside its working hours by local community groups for meetings, classes and delivering activities such as playschemes for children with special needs and their siblings.

Following a consultation, the centre will change in the future to become a Family Centre which will bring together all the services it currently delivers along with Health Visiting and School Nursing services. This is intended to support services being delivered more efficiently, flexibly and in a more family-friendly way to local people.

The centre aims to provide lifelong learning opportunities and pathways that meet the needs of Hertford people in order to promote:

- Personal growth and expanded horizons

- A broader range of interests

- A wider social life

- A healthier life

- Community engagement.

2: Sele Farm Community Centre

The Sele Farm Community Centre was completed in 2007. It is a purpose-built facility designed for use by the local community and beyond, as a function centre for hire. It has a large main hall, a fully-equipped kitchen, two committee rooms, adequate storage and parking for 40 cars.

The Sele Farm Community Centre is situated in Perrett Gardens, just off The Ridgeway, well served by roads and footpaths from the rest of the Sele Farm estate and easily accessed for those travelling in.

It is mainly used for hire on a period basis (morning, afternoon or evening) or for the whole weekend. It currently has 19 different local groups with regular bookings and has an expanding reputation as a venue for celebration events.

Now celebrating its 10th year, it has become a vital hub for the Community, being extremely well run by a Management Committee and overseen by a Board of Trustees.

3: Girl Guides and Scout Hut (Glenfield Court)

The Girl Guides and Scout Hut is a good-sized, purpose brick-built, single storey meeting place comprising a main hall, kitchen and other facilities. It is located in Glenfield Court towards the centre of the estate, easily accessible by road or on foot from Burnet Square.

It is used primarily by the Scouting and Guiding movements and is also available for private and organisation hire. It is a very useful and well used facility offering a meeting place for local organisations.

4: The Golden Griffin Public House

The Golden Griffin Public House is probably the first building of note to be seen as one turns into Windsor Drive, situated on the corner of the Welwyn Road (B1000). Access to the public house is very easy and there is a good number of dedicated off-road parking spaces.

It is currently owned by local brewers McMullens while the pub is run by a friendly landlady. They run an orderly and characterful establishment which is well patronised by local people and those from further afield. It is also a regular "watering hole" for cycling clubs and other organisations whose routes run through the Hertford area.

In addition to the usual pub facilities, the landlords put on various events, including children's days, quiz nights, open days and live music events. These always attract good numbers of people, again mainly locals, but the pub's reputation means that it draws in custom from the whole of Hertford and beyond. They also offer private function facilities, backed up by the excellent service.

As the only licensed premises in Sele ward, this pub offers an excellent focal point for the locality, is always well patronised and is considered a vital element in the life of the local area. It currently enjoys a well-deserved 4.5/5 star rating on Facebook and very positive Trip Advisor feedback.

APPENDIX C(i) – Extract from East Hertfordshire Green Infrastructure Plan 2011, Fig 3.1
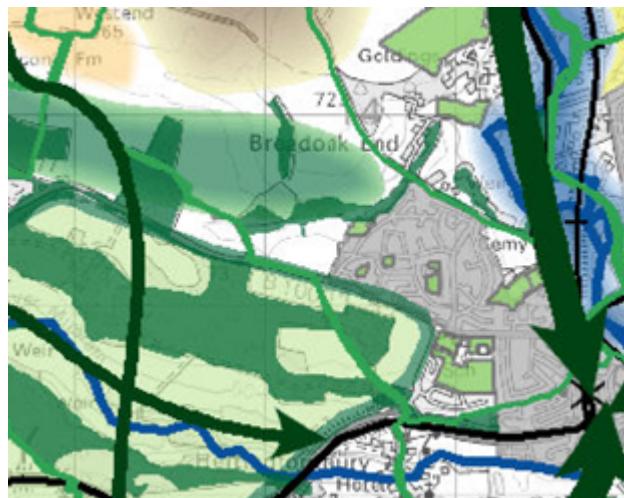
APPENDIX C(ii) - Map of Local Wildlife Sites
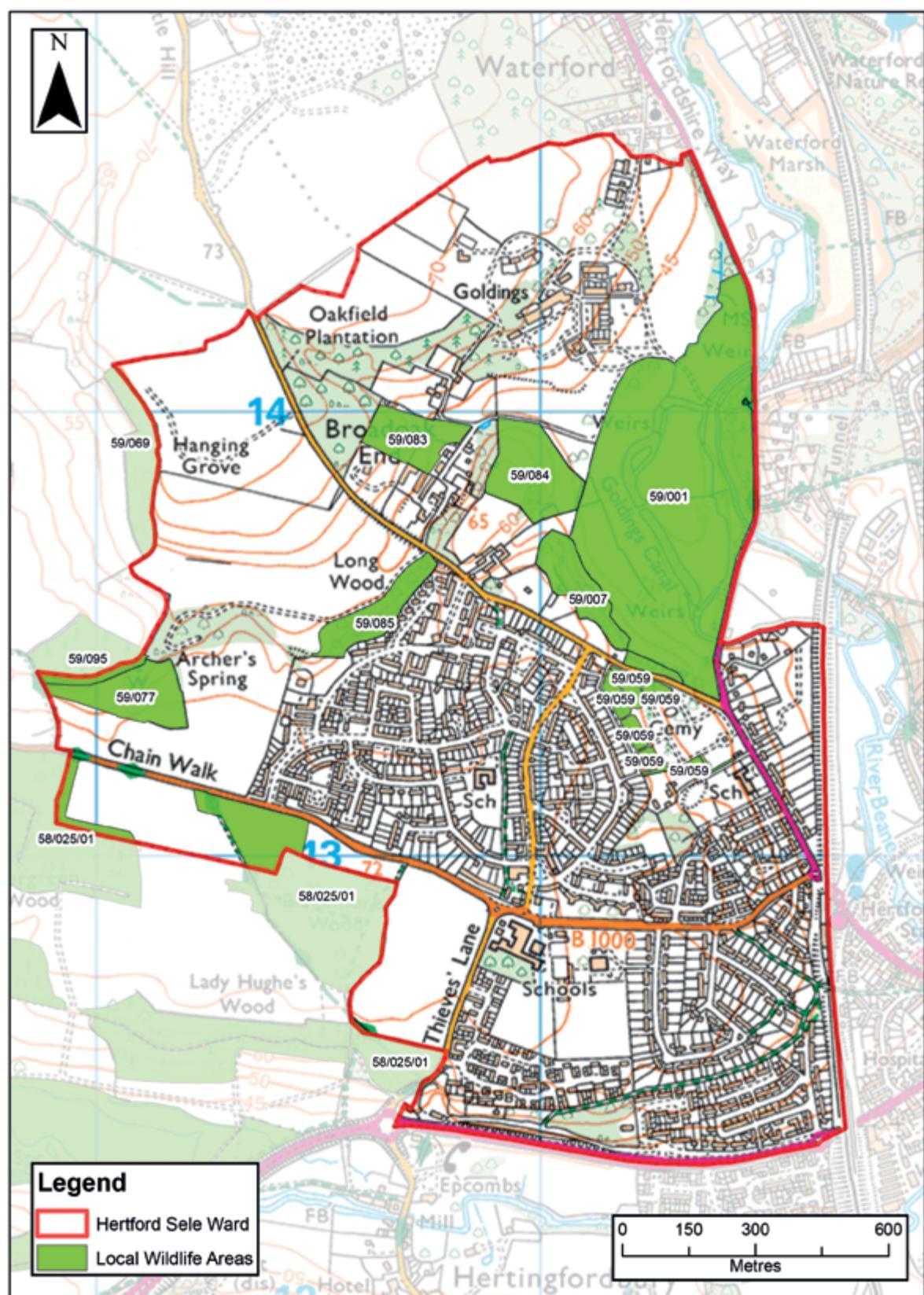
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APPENDIX D – Sites, Finds and Heritage Assets

(Historic England – advanced search for Sele Ward)

167	CROPMARK OF A RECTANGULAR ENCLOSURE, GOLDINGS, HERTFORD
613	FLINT HANDAXE, 4 FORDWICH RISE, HERTFORD
1160	SCRAPER, 41 FORDWICH RISE, HERTFORD
1756	ICEHOUSE, ICEHOUSE WOOD, BROADOAK END, HERTFORD
2088	NEOLITHIC POLISHED AXEHEAD AND OTHER FLINTS, 25 FORDWICH RISE, HERTFORD
4247	MEDIEVAL DEER PARK & POST-MEDIEVAL LANDSCAPE PARK, HERTINGFORDBURY PARK, HERTFORD
4734	MEDIEVAL JETTON, CHELMSFORD WOOD, HERTFORD
5061	MILESTONE, OPPOSITE GOLDINGS, WATERFORD
5183	ROAD BRIDGE, GOLDINGS, NEAR HERTFORD
5184	ROAD BRIDGES, GOLDINGS, HERTFORD
5185	ROAD BRIDGE, GOLDINGS, NEAR HERTFORD
6637	SPIGOT MORTAR BASE, NORTH ROAD, HERTFORD NORTH STATION, HERTFORD
6864	SITE OF POST-MEDIEVAL GRAVEL PIT, THIEVES LANE, HERTFORD
7239	SITE OF A BRICKGROUND, ST ANDREW'S CEMETERY, HERTFORD
7334	PANSHANGER, REMAINS OF 18TH AND 19TH CENTURY PARK, HERTINGFORDBURY
7612	CROPMARKS OF A RING DITCH, BROADOAK END, HERTFORD
7613	CROPMARKS OF A RING DITCH, BROADOAK END, HERTFORD
9464	GOLDINGS, 19TH CENTURY PARK AND PLEASURE GROUNDS, HERTFORD
9996	ROMAN COIN HOARD, NEAR GOLDINGS, HERTFORD
12605	SITE OF 18TH CENTURY CLASSICAL TEMPLE, GOLDINGS PARK, WATERFORD
13046	GOLDINGS, HERTFORD
13047	SITE OF GOLDINGS HALL, GOLDINGS PARK, HERTFORD
18105	CROPMARKS OF SUBRECTANGULAR DITCHED ENCLOSURE, HANGING GROVE, BROADOAK END, HERTFORD
18577	ST ANDREW'S CEMETERY, NORTH ROAD, HERTFORD
18707	THE DELL, THIEVES LANE/HERTINGFORDBURY ROAD, HERTFORD
30289	SITE OF POST-MEDIEVAL BRICKFIELD, VALESIDE, HERTFORD
30943	COURSE OF THE WATTON TURNPIKE, GOLDINGS, BENGEO
31286	BROAD OAK MANOR, BRAMFIELD ROAD, BROADOAK END, HERTFORD
31287	WINDYRIDGE, BRAMFIELD ROAD, BROADOAK END, HERTFORD

APPENDIX E - Local Green Spaces Assessment

#	Local green spaces	Potential development site	National designation or right of way	Common land or village green	Private garden	Owner known	Insufficient evidence or data	Extant planning permission	Local in character	Extensive tract	Demonstratively special	Reasonably close	Beauty	Tranquil	Intrinsic local character	Historical significance	Recreational	Natural wildlife
1	Panshanger Spring (plantation)	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Young plantation with mixed deciduous trees and hedgerows. Used for access routes into and around Panshanger park.	Part of the setting of the historic landscape of Panshanger Park, it was part of the wider estate but not designed parkland	Used by walkers, runners and cyclists.	Part LWS
2	Archers Spring south	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Open space with scrub, hedgerow and young trees. Used by walkers/runners to access the local countryside. Also occasionally used by mountain bikers and moto-cross bikers.	Historically farmland with old hedgerows intrsecting	Used by walkers, runners and cyclists.	LWS
3	Archers Wood	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Wooded area used to access local countryside and as a route between Hertford and Tewin.		Used by walkers, runners and cyclists (permissive path)	Yes
4	Longwood	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Blue bell wood used by walkers and runners.	Ancient/semi-natural broadleaf woodland	Used by walkers, runners and cyclists (permissive path)	LWS including English Bluebell
5	Cemetery	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Open cemetery with avenues, large Victorian-era trees, ornamental walls and gates and maintained grass areas.	Yes	Open for visitors	Part LWS
6	North Road allotments	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Large allotment space. Wildlife etc.	Long standing allotment site	Health benefits of growing own food	Yes
7	Farm Close orchard	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Valuable local green space for local residents. Green space often used by children.	Yes	Used by walkers and runners. Used as a childrens play area. Used as a green space	Yes
8	Goldings Meadow	N	N	N	N	Y	N	N	Y	N	Y	Y	Y	Y	Attractive less formal part of the historic parkland, gently undulating meadow	Part of the Goldings Estate Parkland	Well used by walkers as bordered by two public footpaths	Yes

APPENDIX F - Action Plan

No.	Strategic Aim	Tasks	Who will lead	Notes	Funding
	Overarching	Ensure that everything that is done relates to the whole of the Neighbourhood Area.	Hertford Town Council, East Herts Council and community members	Change the language we are using. Investigate linking possible community hub on Fleming Crescent to activities in other community facilities (community centre etc.) in discussion with East Herts Council.	East Herts Council
1	A stronger Sele community	Increase support and awareness for the voluntary and community groups, including for unsung heroes.	Hertford Town Council	Rewarding and recruiting, posters and social media	Hertford Town Council community projects
2	A stronger Sele community	Retain and enhance existing community facilities. Make community space available at any time and organise more public events.	East Herts District Council	Circulate planning applications on St John Ambulance site to allow the public to respond. Audit all facilities and events. Expand community spaces. Encourage volunteers. Promote through newsletters, notice boards etc. Set up Sele ward website, run by young people.	
3	A stronger Sele community	Provide meeting spaces for young people. Provide a youth officer in Sele.	YC Hertfordshire, East Herts District Council		East Herts Community Grants; Hertford Town Council New Homes Bonus
4	A stronger Sele community	Cater for the needs of lonely or old people and people with learning disabilities through services and facilities.	East Herts District Council		East Herts Community Grants; Hertford Town Council New Homes Bonus
5	A safe Sele community	Deliver additional programmes of information and participatory activities to educate children and young people on crime prevention.	Hertfordshire Constabulary, the community members in Sele ward and Sele schools		Community Safety Grants - Police and Crime Commissioner Hertfordshire
6	An efficient and safe transport system	Overarching objective: Traffic congestion remains the same or is improved.	Hertfordshire County Council	Organise a meeting with Hertfordshire County Council to discuss the traffic and transport concerns in the area.	
7	An efficient and safe transport system	Provide maintenance and improvements to footways, footpaths and cycleways to increase usability and reduce the risk of accidents. Provide better bike racks at the shops, North Station, and other public amenities.	Hertfordshire County Council		Hertford Town Council New Homes Bonus for bike racks
8	An efficient and safe transport system	Consider the possibility of creating separated lanes for bicycles and pedestrians and areas where priority is given to pedestrian and non-motorised traffic.	Hertfordshire County Council		
9	An efficient and safe transport system	Ensure that speed limits are enforced and additional safety measures are introduced where necessary. Consider limiting the traffic speed to 20m/h in the entire ward area. For limiting speed, preference is given to chicanes, rather than speed bumps.	Hertfordshire Constabulary and Hertfordshire County Council		Community Safety Grants - Police and Crime Commissioner Hertfordshire
10	An efficient and safe transport system	Address the safety and congestion issues at peak times (particularly the morning peak and around St Joseph's School and traffic using North Road to access the train station and town centre).	Hertford Town Council and Hertfordshire County Council	Restrict parking on Bramfield Road at school dropping-off time. Hertford Town Council to brief Hertfordshire County Council on issue and discuss possible options.	
11	An efficient and safe transport system	Seek to create more parking spaces, such as around the North Road, cemetery, schools and Panshanger Park. Provide better signposting of parking spaces. Improve residents' parking in Norwood Close and other residential areas.	Hertfordshire County Council, Hertfordshire Constabulary and Hertford Town Council	Parking monitored by PCSO's. 'Controlled Parking Zone' near cemetery. Disabled Bay signing. Signpost car park in Calton Avenue. Norwood Close options: turn part of allotments into residents' parking; waiver fee for dropped curbs; new access onto Welwyn Road; improve layout in existing car park.	Hertford Town Council New Homes Bonus for parking signs

No.	Strategic Aim	Tasks	Who will lead	Notes	Funding
12	An efficient and safe transport system	Make bus service in the area more reliable and convenient to use at any time. Improve coverage, frequency, operating times and capacity to bus and rail services to Ware, Welwyn Garden City and St Albans.	Hertfordshire County Council and bus and train operators in the area		
13	An efficient and safe transport system	Do whatever possible to avoid the temporary closure of the rail link between Hertford and Stevenage.	Hertfordshire County Council	Lobby Network Rail and the Government. Discuss with Hertfordshire County Council the proposed bus replacement service.	
14	An efficient and safe transport system	Some privately owned communal drives and garages are poorly looked after.	Hertford Town Council	Consider options for encouraging improvements and make representations at planning committees.	
15	High quality natural environment	Overarching objective: Green spaces in Sele are well-maintained and open for public access.	East Herts District Council, Countryside Management/ Rights of Way at Hertfordshire County Council and community members in Sele ward	Various issues on public footpaths. Eg.: insufficient number of dog and litter bins, maintenance and lighting on Thieves Lane.	
16	High quality natural environment	The wetland is preserved and improved around the River Beane.	Community members in Sele ward	Not a major concern. Consult with the River Beane Restoration Association and the River Beane Catchment Partnership to decide if the matter can be progressed as a project plan.	
17	High quality natural environment	Goldings estate - public footpath signage and routes to be maintained to ensure routes and designated footpaths are clearly marked for enjoyment of wider Sele community while balancing privacy of residents (consider segregated footpaths in private area). Additional signage and appropriate fencing to be installed to guide visitors. Also promote footpaths, possibly through leaflets. Consider installation of litter bins at key points where public footpaths meet Goldings Park and at litter hotspots along A119.	Goldings Estate Management	Consult with Goldings residents and wider Sele Community.	
18	Quality education, health and wellbeing services	Develop and promote programmes of health walks and exercises that are free for the Sele residents.	East Herts District Council		Hertford Town Council New Homes Bonus for outdoor gym equipment
19	Quality education, health and wellbeing services	GP surgeries should provide more doctors to cover the actual and future demand.	NHS England	Make representations to Wallace House to provide a better service.	
20	Quality education, health and wellbeing services	Improve key health indicators for residents of the Sele area by providing new facilities and opportunities for outdoor leisure e.g. an outdoor gym and access to recreational areas e.g. Panshanger Park.	East Herts District Council and Hertford Town Council	Tie these two things together through Archers Spring.	
21	Quality education, health and wellbeing services	Retain the existing shopping parade.	Community members in Sele ward	If Network Homes takes over the empty unit, make representations to include a community café or other community facilities. Alternatively, cafés can be approached directly to see if there is interest for the space.	
22	Quality education, health and wellbeing services	Provide adult courses at a community centre or the Children's Centre near Sele School or in schools.	Community members in Sele ward	Expand the opportunities for adult learning if there was proven demand. This would need a community consultation with venues and organisations involved when an audit of all facilities has taken place. Contact Sele Youth and Community Forum.	

Appendix G - Policy Process Map

This table shows how the key objectives of the plan have been translated into planning policies.

	Key Objective	Policies that achieve the Key Objectives
A	Help improve key health indicators for residents of Sele ward through improving access to the countryside and enhancing recreational open space.	POLICY HSHE1 ACCESS TO GREEN SPACE POLICY HSHE2 PROTECTED RECREATIONAL OPEN SPACE POLICY HSHE6 LOCAL GREEN SPACE
B	Preserve and improve the biodiversity of natural habitats including gardens, wildlife corridors and the River Beane wetlands. Identify and protect local wildlife sites and the links between them. Create new habitat in green corridor buffer zones and in SUDS schemes.	POLICY HSHE3 CONSERVE AND ENHANCE BIODIVERISTY POLICY HSHE4 GREEN CORRIDORS AND NETWORKS POLICY HSHE5 CREATING NEW GREEN INFRASTUCTURE POLICY HSHE6 LOCAL GREEN SPACE
C	Designate Local Green Spaces (LGS) according to legislation and identify important views.	POLICY HSHE6 LOCAL GREEN SPACE POLICY HSHE6 VIEWS AND VISTAS
D	Highlight the importance of designated heritage assets and their settings, including Goldings and its historic parkland, identify buildings, features and landscapes of historic interest and ensure their conservation and enhancement.	POLICY HSHE8 LISTED AND NON-LISTED BUILIDNGS POLICY HSHE9 LISTED AND NON-LISTED HISTORIC PARKS AND GARDENS POLICY HSHE10 GOLDINGS
E	Retain and expand existing community facilities, including new sports facilities and training facilities to meet children and adults' educational need and improve key health indicators.	POLICY HSC1 PROVISION OF EDUCATION FACILITIES POLICY HSC2 EXISTING COMMUNITY BUILDINGS AND LAND POLICY HSC3 NEW COMMUNITY FACILITIES
F	Ensure access to and provision of a local doctors' surgery that is Sele residents' focused, staffed by qualified medical practitioners, and open seven days a week to meet residents medical requirements and to improve key health indicators.	POLICY HSC4 CONTRIBUTION TO IMPROVE HEALTH CARE FACILITIES
G	Retain Fleming Crescent shopping parade and actively support both the existing shops and changes of use which provide community facilities.	POLICY HSC5 EXISTING SHOPS (FLEMING CRESCENT)
H	Ensure all new housing developments include a mix of house sizes and types to match local needs in Hertford and include an accessible environment, accessible homes for the elderly active and affordable starter homes.	POLICY HSHT1 HOUSING MIX AND AFFORDABLE HOUSING
I	Ensure that the design and layout of new housing and the redevelopment of existing housing areas creates a safe, attractive and sustainable living environment to enhance the lives of residents in Sele.	POLICY HSHT2 LAYOUT OF NEW HOMES POLICY HSHT3 DESIGN OF NEW DEVELOPMENT POLICY HSHT4 LANDSCAPING IN NEW DEVELOPMENT POLICY HSHT5 AMENITY GREENS IN EXISTING DEVELOPMENTS
J	Ensure that sufficient resident and visitor parking is provided in any new development and retained according to need, to prevent overspill into the existing estates and avoid congestion on residential and surrounding roads.	POLICY HSHT6 VEHICLE PARKING IN RESIDENTIAL AREAS AND NEW RESIDENTIAL DEVELOPMENT
K	Provide effective infrastructure and support to enable and enhance good walking and cycling routes throughout the area and high-quality public and community transport.	POLICY HSHT7 SAFE AND ACCESSIBLE WALKING AND CYCLING ROUTES POLICY HSHT8 SUSTAINABLE AND INTEGRATED LOCAL TRANSPORT SOLUTIONS

APPENDIX H - Glossary of Terms

Affordable Housing

Housing for sale or rent made available, based on the evidence of need, to people whose needs are not met by the market, including Social Housing.

Ancient Woodland

Woodland known to have existed continuously since at least 1600 AD.

Archaeological interest

There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Broadleaf Woodland

Woodland composed of trees that are more than 5m high when mature, with leaves which are not needle-like, tending to be flat, broad shapes.

C18 and C19

This refers to 18th Century and 19th Century

Conservation (for heritage policy)

The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Green buffer or Buffer zone

An area of land separating certain types of development from adjoining sensitive land uses, in this case a green buffer between existing and new housing or a buffer zone between new housing and the countryside.

Green walls

Walls that partially or completely covered by greenery for aesthetic or functional purposes such as improving air quality.

Heritage asset

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic environment

All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Jetton

A coin-like object most commonly made of copper or brass, produced across Europe from the 13th through the 16th centuries, used in the calculation of accounts.

LGS/Local Green Space

A National designation of land made through local and neighbourhood plans which allows communities to identify and protect green areas of particular importance to them.

LGA/Local Government Association

The National voice of local government, working with councils to support, promote and improve local government.

Major development

For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m2 or more, or a site of one hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

MUGA /Multi-Use Games Area

An enclosed purpose-built area with synthetic grass or hard surface that enables children of all ages to play sports such as football and basketball in a safe environment.

NERC/Natural Environment and Rural Communities Act 2006

An Act of Parliament given royal assent in 2006 designed to promote a rich and diverse natural environment and sustainable rural communities by means of modernising and simplifying arrangements for delivering Government policy.

ONS/Office for National Statistics

The UK's largest independent producer of official statistics which is recognised as the national statistical institute of the UK and is responsible for collecting and publishing statistics related to the economy, population and society at national, regional and local levels.

Porous Boundaries

Designed to allow wildlife to move between neighbouring gardens freely

Setting of a heritage asset

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy)

The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

SSSI/Site of Special Scientific Interest

An area designated by Natural England under the Wildlife and Countryside Act 1981 which has a high conservation area value and is of special interest because of its fauna, flora or geological or physiological features; in other words (plants, animals and natural features relating to the Earth's structure).

SUDS/Sustainable Urban Drainage System

An alternative system to conventional piped designed to manage surface water which mimics natural systems by for example managing rainfall close to where it falls.

Sustainable development

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

S106 Contributions (and other funding mechanisms)

Section 106 (S106) of the Town and Country Planning Act 1990 are legal-binding agreements or planning obligation made between local planning authorities and developers. These are linked to the granting of planning permissions with the aim of ensuring that matters that are necessary to make a development acceptable in planning terms are addressed and/or delivered. Other funding mechanisms may include a Community Infrastructure Levy (CIL) which East Herts Council may introduce in the future.

Qualification Level 1-5

A range of qualifications taken through school, college, university or work, fitting into 9 qualification levels, level 1 being the lowest qualification.

APPENDIX 1 - References

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SELE
NEIGHBOURHOOD
AREA PLAN

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East Herts Council

Executive

Date of Meeting: 6 July 2021

Report by: Cllr Goodeve, Executive Member for Planning and Growth

Report title: Thundridge Neighbourhood Plan 2018-2033

Ward(s) affected: Thundridge and Standon Ward

Summary

- To adopt the Thundridge Neighbourhood Plan following the Referendum of 6th May 2021.

RECOMMENDATIONS FOR Executive to recommend to Council:

(a)   **The Thundridge Neighbourhood Development Plan 2018-2033, as detailed at Appendix A to this report, be formally 'made'.**

1.0   Proposal(s)

1.1   The Thundridge Neighbourhood Plan went to Referendum on the 6th May 2021. A majority voted in favour of the Neighbourhood Plan and as such the Council now has the opportunity to formally 'make' the Neighbourhood Plan.

2.0   Background

2.1   Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Thundridge Parish Council submitted a request for Neighbourhood Area Designation of the Thundridge Parish, excluding land within that part of the Parish which the District Council had identified to fulfil the land

requirements District Plan Policy WARE2, in February 2017 which was subsequently agreed on September 5th 2017.

2.2 The Parish Council submitted the draft Neighbourhood Plan to East Herts Council in October 2019. Following this, a six week consultation took place between 7th November and 19th December 2019. The Neighbourhood Plan was then assessed by an Independent Examiner between March and July 2020 and was recommended to proceed, subject to recommended modifications, to Referendum.

3.0 Reasons

3.1 Due to the coronavirus pandemic, all referendums were postponed between March 16th 2020 and May 5th 2021 in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020.

3.2 The Referendum took place on 6th May 2021 with a 43% turnout. There was an overall 'yes' vote of 470, against 56 who voted 'no'. As outlined within Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004, (as amended by the Neighbourhood Planning Act 2017) the Council is able to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the plan being used to help decide planning applications in the area. The residents within the Thundridge Neighbourhood Area voted on the following question:

"*Do you want East Hertfordshire District Council to use the Neighbourhood Plan for Thundridge to help it decide planning applications in the neighbourhood area?*"

3.3 With an overall successful 'yes' vote, the Council are now able to formally adopt the Neighbourhood Plan as part of the East Herts Development Plan.

Adoption

3.4   Following a successful referendum, there are narrow circumstances where the local planning authority is not required to make the neighbourhood plan or Order. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended).

3.5   The Thundridge Neighbourhood Plan does not breach the aforementioned obligations.

3.6   The Thundridge Neighbourhood Plan already forms part of the development plan for East Herts. As such any planning applications within the Neighbourhood Area will be assessed alongside the current East Herts District Plan 2018 policies, the National Planning Policy Framework (NPPF) and all other material planning considerations.

3.7   It is considered that the Thundridge Neighbourhood Plan positively contributes to the East Herts Development Management process providing a strong community vision that seeks to contribute to sustainable development and as such the Neighbourhood Plan can proceed to be formally 'made'.

3.8   The final version of the Thundridge Neighbourhood Plan can be found in Appendix A.

4.0   Options

4.1   The Council is permitted, in narrow circumstances only to not make a neighbourhood plan. this is when it is in breach or incompatible with any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 as Amended)

5.0 Risks

5.1   If the Neighbourhood Plan does not proceed to be formally 'made' then the Council wouldn't be fulfilling its duties as Local Planning Authority and there is the risk of legal challenge.

6.0 Implications/Consultations

6.1   The Neighbourhood Plan has been subject to multiple rounds of statutory public consultation.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

The Thundridge NP has been screened to determine whether a Strategic Environmental Assessment and/or a Habitats Regulations Assessment is required, the report concluded that the Plan is not likely to have any significant environmental effects and as such neither were required. The Plan also contains policies that aim to protect the environment.

Financial

It is the responsibility of the LPA to cover examination and referendum costs. Government grants available when a Plan has a formal referendum date.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

The Council must make a deicision under section 38A(4) of the 2004 Act

Specific Wards

Thundridge and Standon

7.0 Background papers, appendices and other relevant material

7.1   Appendix A: Thundridge Neighbourhood Plan 2018-2033

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THUNDRIDGE NEIGHBOURHOOD PLAN

2018 – 2033

Contents

Foreword

Foreword by

Steve Bosson (Chair of Thundridge Parish Council when the Neighbourhood Plan was submitted) and Catherine Archer (a member of the Thundridge Neighbourhood Plan Advisory Committee, long-term resident and parishioner).

Steve Bosson

Following the long-awaited transition of High Cross to become a Group 2 village with the adoption of the East Herts District Plan, our entire parish is now offered greater protection from speculative development. This Neighbourhood Plan now becomes the parishioner-led legal document against which new development proposals will be measured. This means that the parishioners have helped to influence controlled parish development moving forward. The parish council is indebted to all who have given so generously of their time and skills in the collection of data and the preparation of this important document.

Catherine Archer

My aspirations for the parish over the next 20 years are largely built on the wonderful facilities and riches we already have. We have two village primary schools. In 15 years' time some of these pupils will be involved in deciding the next stages of the development of the village in a new neighbourhood plan. We have many great resources e.g. churches, school playing fields and village halls and I look forward to seeing them shared with the community.

Local people and outsiders to the villages, who enjoy the many rights of way, which are clearly marked and maintained, also appreciate the pubs in the parish. Walkers, many with dogs, horse riders and cyclists all express great appreciation and admiration of the lovely countryside in the parish. This leads to healthy living.

Puller Memorial School

Preface

Thundridge Neighbourhood Plan is the product of more than two years of consultation with the local community, relevant organisations and East Herts District Council, to produce a local plan for local people. It sets out planning policies for Thundridge Parish that will be used to make decisions on planning applications. People who know and love the area have written the policies so that they get the right types of development in the right place.

As the result of engagement with the community, lots of good ideas about how life in the parish could be improved were collated into an Action Plan. This will be delivered by Thundridge Parish Council and other local groups and funding bodies.

A great deal of volunteer time has been enthusiastically given to this project. Guided by their planning consultants, the community has written a co-researched, co-produced plan in the spirit of localism. Thanks go to all contributors to the plan and acknowledgements for photographs include Jane Harris, Richard Hallman, David Blowers and Jacqueline Veater.

Thundridge Neighbourhood Plan Team Meeting

1. Introduction

The Purpose of the Neighbourhood Plan

1.1   The Thundridge Neighbourhood Plan (referred to as 'the Plan' or 'the Neighbourhood Plan') has been prepared under the provisions of the Localism Act 2011, the Neighbourhood Planning (General) Regulations 2012, and the Neighbourhood Planning Act 2017. Thundridge Parish Council is the "qualifying body" for the production of the document. Essentially, the Plan is a community-led framework for guiding the future development and growth of the parish. A Neighbourhood Plan Advisory Committee, set up on 8th August 2016 for the purpose of managing the process and drafting the document for the council's approval, has compiled the Plan on behalf of the parish council.

1.2   In the early stages, the formulation of the Plan paid regard to the "saved" policies of the East Herts Local Plan Second Review 2007. As time has progressed, the primary linkage has been with the emerging East Herts District Plan, which was submitted to the Secretary of State for Communities and Local Government on 31st March 2017. Following an examination by an independent Inspector in the autumn of 2017, East Herts District Plan was formally adopted by East Herts Council on 23rd October 2018.

1.3   The Neighbourhood Plan has also been checked against government planning policies in the National Planning Policy Framework 2019 (NPPF) and the advice set out in the on-line Planning Practice Guidance (NPPG). Within both the national and local frameworks, the Neighbourhood Plan is concerned with the development and use of land in the Neighbourhood Plan Area which comprises most of the Parish of Thundridge. In accordance with national policy, the Plan seeks to promote sustainable development and embraces a range of social, economic, and environmental issues. It provides a vision for the future of the parish, coupled with a range of planning objectives, policies and proposals.

Key Topics of the Neighbourhood Plan

1.4   A wide range of topics are covered in the Plan, including the environment, local character, housing, employment, transport, facilities and services. The detailed choice of issues was very much influenced by the community and reflects the concerns which are important for the area and its residents. Specific planning proposals include designating Local Green Spaces, whilst other policies highlight those sites and areas of the parish which should be protected and enhanced and provide guidance on how applications for development should be considered. Where appropriate, the policies and proposals are depicted on the policies map, which is cross-referenced to this written statement. It is important to stress, however, that this document is concerned primarily with the development and use of land within the Neighbourhood Plan Area. Wider community aspirations have been considered in the consultation process, but not all of these can be addressed by land use policies. For this reason, non-land use matters are dealt with in Appendix H, in the form of an Action Plan.

Community Engagement

1.5 The Neighbourhood Plan is founded on pro-active involvement with the local community at all stages during its preparation. As a result of this process of positive engagement, the Plan captures the essence of life in the parish and its community. It seeks to ensure that the quality and vitality of life in the parish continues into the future, whilst not inhibiting local enterprise, innovation and technical and social development. A full account of the Regulation 14 consultation is set out in the Consultation Statement which is submitted with this Plan.

2. The Parish of Thundridge

2.1 The current Parish of Thundridge is located in the district of East Hertfordshire, within an extensive rural area to the north of Ware and Hertford. According to the 2011 Census, the population of the parish was 1,406. As can be seen from the map, this is concentrated in the three linear villages of Thundridge, Wadesmill, and High Cross. To the east is the hamlet of Cold Christmas; part of a network of small farming communities across the parish.

2.2 The parish is bisected by the valley of the River Rib, which runs in a south westerly direction to join the River Lee (Lea) at Hertford. The three main settlements grew up alongside Ermine Street, the old Roman road which connected London to Lincoln and York. This road became an important coaching route in the 18th century, The Great North Road, linking London and Cambridge. Later, it formed the basis of the A10 trunk road, which was replaced by the current dual-carriageway bypass, which runs through the area from south to north. Wadesmill was important as the crossing point over the River Rib – the bridge built in 1826 to carry increasing amounts of traffic is still in use today.

Thundridge

2.3 At the southern end of the parish, Thundridge, formerly part of Wadesmill, grew up as a result of its position on the main road, building up its trade with passing travellers and servicing their needs. In mediaeval times, to the east of the current settlement, there was the manor house of Thundridge Bury, with its church, its farm, and associated cottages. In 1811, the mansion was demolished, having been purchased by Daniel Gibbs of Youngsbury. The church of All Hallows and Little St. Mary (also known as Thundridge Old Church) was abandoned in 1854, although the Grade II* derelict tower dating back to the 15th Century remains as an iconic local landscape feature seen from vantage points to the north, south, east and west. It was replaced by the Church of St. Mary the Virgin, which is located in a prominent position on the village skyline.

2.4 The centre of the village is now a Conservation Area, with many listed buildings. The main street was bypassed in the 19th century by a new road which led to the bridge over the River Rib at Wadesmill. Within the village, there are a number of facilities and services, including the JMI School, the Village Hall, the Norman Wodson Pavillion and playing areas. At the time of writing, the 'Sow and Pigs', the only surviving public house has re-opened as 'Maltons'. The centre of economic activity within the village is

the small industrial estate located to the east of Thundridge Hill. Hanbury Manor, the luxury hotel and golf course to the south west of the village, is also an important source of local employment.

Wadesmill

2.5   To the north of Thundridge is the adjacent settlement of Wadesmill, which also developed because of its position on the main road. In 1663, the village was the site of the first turnpike gate in England, when the road to Cambridge became a Turnpike Road. It is also famous as the place where Thomas Clarkson, in 1785, resolved to devote his life to the abolition of slavery. This event is commemorated by the stone monument on the west side of the highway on High Cross Hill.

2.6 Wadesmill still has two public houses, the 'Feathers', and the 'Anchor', both of which are linked to the village's history as a staging post on the coaching route. Stabling was provided for the additional horses required to assist in the ascent of the hill leading to High Cross. Today, Wadesmill and Thundridge operate as one settlement, sharing facilities and services.

High Cross

2.7 High Cross is also associated with the servicing of travellers on the London to Cambridge road. To the east of the road is the Church of St. John the Evangelist, which was originally built in 1845–46. The tower was added later, in 1906. To the north of the church is the Puller Memorial Church of England Primary School, built in 1864. In the centre of the settlement, there is the petrol filling station, which includes a shop and a car workshop. High Cross Village Hall is located a short distance down North Drive. The only remaining public house in the village, the White Horse, was closed in 2017. Business activity is centred on Oakley's, which manufactures and equips horse boxes.

The Rural Area

2.8 The Rib valley is an exceptionally unusual example of unbroken activity and occupation for at least two millennia, in a landscape that has remarkably not been disturbed or archeologically investigated and has great historic significance. The overall pattern of development in the parish reflects its origins and history over several millennia. There is evidence within the Rib Valley of: Neolithic finds; Bronze Age barrows; Iron Age hilltop and rare pre-Christian settlements; ancient routes and river crossings; evidence of Roman habitation; Anglo-Saxon place names; medieval and post-medieval sites and finds and well preserved Georgian and Victorian estates. It is this essential rural character that the Neighbourhood Plan seeks to conserve and enhance for the benefit of existing and future generations.

2.9 The rural area of the parish contains a number of farm holdings, largely devoted to the growing of arable crops with some meadowland. There are also extensive areas of woodland, all of which were formerly coppiced. Most of the farm houses are of ancient origin and are listed buildings. On the eastern edge of the parish is the hamlet of Cold Christmas, which overlooks the valley of the River Rib.

2.10 There are a number of large private residential properties which are listed for their historical and architectural interest. The two most prominent country estates in the parish were Poles and Youngsbury.

2.11 Records of an estate at Poles date from the sixteenth century, although no records of a house were shown until the late eighteenth century. The original building was replaced by the Hanbury family in the 1880s. In 1913, the estate was bought by a Mr. H King, a diamond merchant from South Africa. Ten years later, the property became a convent and boarding school for girls. It was sold in 1985, and was transformed into the Hanbury Manor luxury hotel, which was opened in 1990.

2.12 Early records show that the manor of Youngs existed in 1426. The current house of Youngsbury was built in 1745, together with an ice house and a bath house. Later, from 1769, the property was enlarged with the addition of a stable block. Lancelot 'Capability' Brown was engaged to landscape the grounds. A number of alterations were made to the house in the early nineteenth century, and in the period following the Second World War. The most extensive of these works entailed the removal of the top storey, with the original pitched roof.

Basic Statistics (2011 Census Parish Profile)

- Thundridge has a population of 1,406 people in 578 households.

- Thundridge has an ageing population, with, 20.2% of the population aged 65 or over (compared to 15.4% for East Herts).

- Home ownership is relatively high at 73.9%" (compared with 71.9% for East Herts).

- 91.5% of households have access to one or more cars/vans (compared with 87.2% for East Herts).

- 70.8% of the population is economically active (compared with 75.4% for East Herts), of which 15.6% are self-employed (compared with 12.3% for East Herts).

Neighbourhood Plan Area

2.13 The area covered by the Neighbourhood Plan is shown on Figure 1. This was formally designated by East Herts Council on 5th September 2017. A small area to the south east of the A10 was not included within the Neighbourhood Plan area, because it is part of the area of housing development proposed to the north and east of Ware (see East Herts District Plan Policy WARE2).
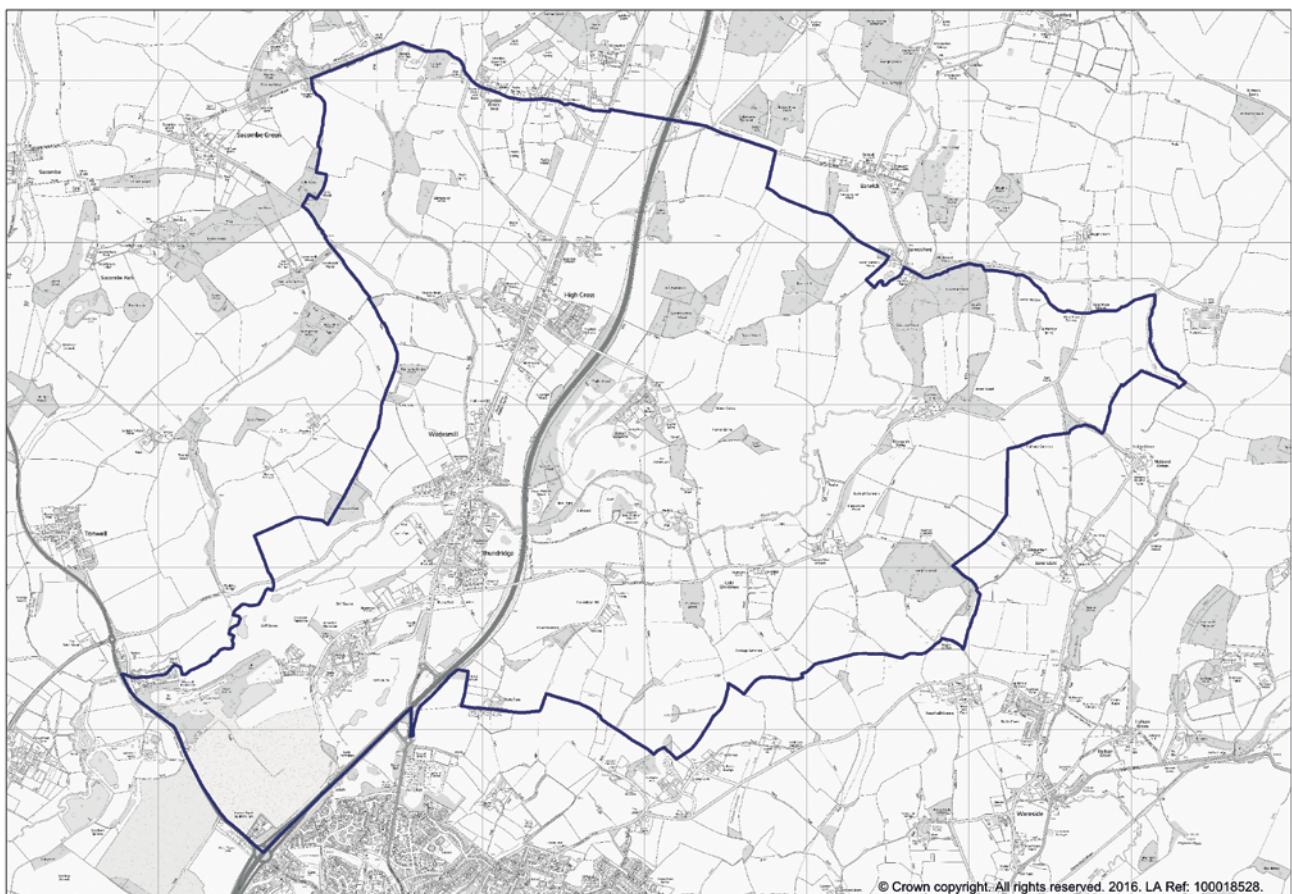
FIGURE 1 - Thundridge Boundary for NP Area Designation

3. Process Summary
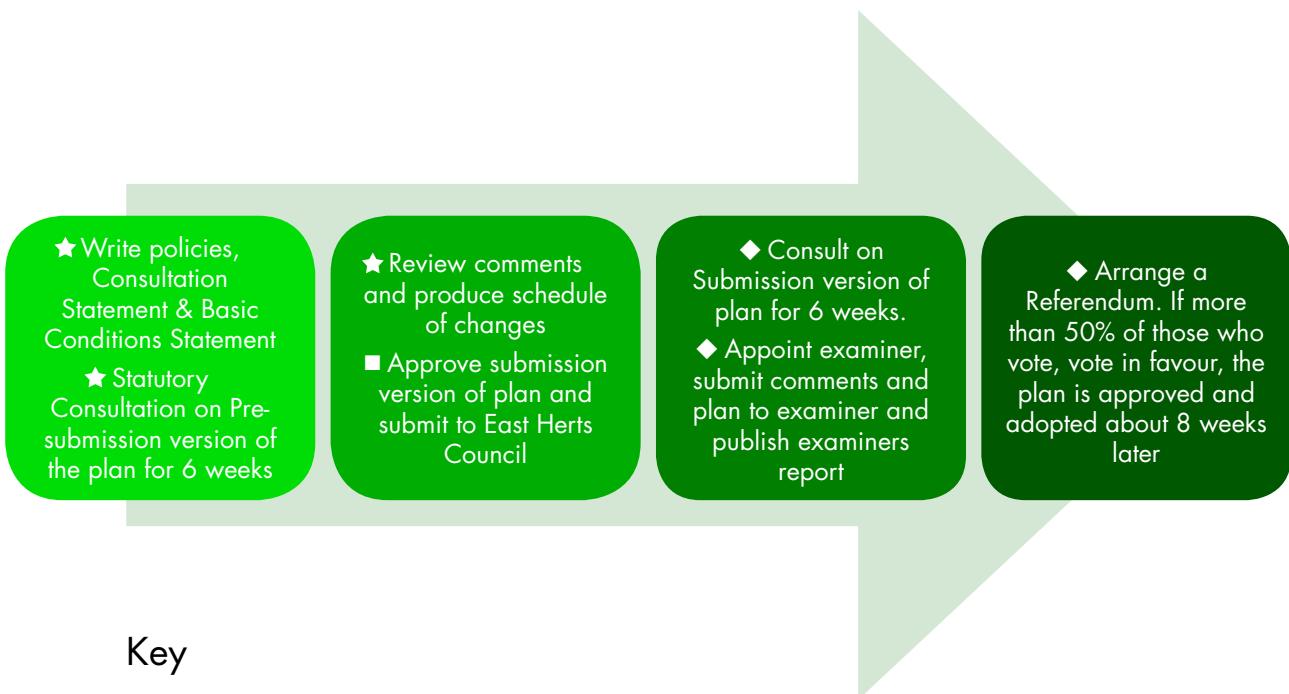
Key

★ Thundridge Neighbourhood Plan Advisory Committee
■ Thundridge Parish Council
◆ East Herts District Council

FIGURE 2: Thundridge Neighbourhood Plan Process Chart

3.1 The Thundridge Neighbourhood Plan has been assembled in full consultation with the local community. A full description of the process is set out in the Consultation Statement. The stages in the preparation of the Plan are summarized in the ensuing paragraphs, as follows:

Stage 1: Setting Up

Stage 2: Public Events, Survey and Consultation I

Stage 3: Vision and Objectives

Stage 4: Public Consultation II

Stage 5: Policy Formulation

Stage 6: Public Consultation III

Stage 7: Drafting of the Plan

Stage 1: Setting Up

3.2 At a meeting in May 2016, Thundridge Parish Council resolved to prepare a Neighbourhood Plan. Planning consultants were appointed to provide technical advice and assist in the management of the project. Early in the process, on 8th August 2016, an open meeting was held at Standon Green End Farm, at which an Advisory Committee was set up to oversee the preparation of the Plan on behalf of

the parish council. At its initial meeting the Advisory Committee agreed a constitution and formalized a project plan. It also discussed the topics and issues which the Neighbourhood Plan might need to cover. Topic Groups were set up to investigate these issues and to develop the evidence base which would be required to underpin the Plan.

3.3   Community engagement and involvement was identified by the Advisory Committee as a key element in the preparation of the Plan. A small Communications Group was formed, with the purpose of informing the public and arranging consultation events. To this end, the parish council website was set up and used to communicate information about Neighbourhood Plan events and provide access to draft documents etc. The 'Village Life' magazine was also used to give regular updates.

Stage 2: Public Events, Survey and Consultation I

3.4   During the autumn of 2016, the Topic Groups were involved in collecting data and background information about the parish, as a first step towards the assembly of the evidence base. It was decided that the community would be consulted by means of two public events, coupled to a Neighbourhood Plan Survey. The public events were held early in 2017 at the village halls at High Cross, on Wednesday 22nd February, and Thundridge, on Saturday 25th February.

3.5   At these events, local people were informed about the Neighbourhood Plan process and their opportunities to comment. They were also asked to give their opinions on the planning issues which were of most concern to them and asked to respond to the survey which was launched at the events.

3.6   The Neighbourhood Plan Survey Form was distributed by volunteers to every household in Thundridge Parish, with a closing date of 3rd April 2017. The results were subsequently analysed and presented to the Advisory Committee and published on the parish council website. By the end of the survey, a return rate of 32% had been achieved.

3.7   The comprehensive survey form was set out as a series of structured questions relating to the main issues, which had emerged from the initial work of the topic groups. These concerned housing, business and employment, the environment, facilities and services, and transport and parking. Respondents were also invited to contribute their general views about the parish and matters relating to its planning.

3.8   Results from the questionnaire also helped members of the Advisory Committee to supplement survey data with a socio-economic profile of the parish and its residents. A clear message was provided, both from the survey and the events, about residents' concerns. The main issues mentioned were as follows:

- General views about keeping Thundridge, Wadesmill, and High Cross as distinctive communities, set in peaceful countryside

- A resistance to more housing, but support for specific types of units for local needs

- A concern about design quality in housing

- Protection and enhancement of the rural environment, including green spaces, cherished views, wildlife, and the River Rib

- A need to improve public transport

- Support for local business
- A need to upgrade broadband and mobile phone networks.

Stage 3: Vision and Objectives

3.9   The next stage of preparation involved the formulation of a vision and objectives for the Neighbourhood Plan. These would be based on the results of the survey and the earlier work of the topic groups. To this end, a workshop was arranged for all members of the Advisory Committee at the 'Feathers' Inn, Wadesmill, on Monday 15th May 2017.

3.10   At the workshop, the Advisory Committee discussed and agreed a draft vision for the Neighbourhood Plan, which would be subject to public consultation later in the year. Divided into the respective working groups, members also formulated a set of objectives for each of the topic areas – Housing, Environment and Facilities and Services. There was also a discussion on possible policy options for each of the topics. Gaps in the evidence base were identified. Each Topic Group was tasked with refining the objectives and preparing material for the next round of public consultation, to be held in the autumn of 2017.

Stage 4: Public Consultation II

3.11   The results of the work on the topics were presented to the public at an open event at the Thundridge Village Hall on Saturday 11th November 2017. Attendees were invited to comment on the draft vision and objectives, and to express their views on various policy options. Of particular interest was the assessment by the Housing Group of potential housing sites in the parish. This was focused mainly on sites previously evaluated by East Herts Council in the formulation of the District Plan but included other sites which had been proposed by local landowners. There was also considerable interest in the local environment, and many suggestions were made for the protection of open spaces, public viewpoints, and assets of community value.

3.12   Members of the public attending the event were asked to provide feedback, either in person or afterwards. Material displayed was also posted on the parish council website, with an invitation to respond by the 28th November 2017.

Stage 5: Policy Formulation

3.13   Following the November 2017 consultation, it was anticipated that the Topic Groups would proceed to formulate draft policies on the basis of the public response and the evidence base. Details of this process are set out in the Appendices to this Plan. The work was largely completed by March 2018, but this coincided with the consultation on the East Herts District Plan Main Modifications.

3.14   In view of the uncertainty surrounding the Main Modifications and the issue of the final report by the Examination Inspector, Thundridge Parish Council resolved to postpone consultation on the Neighbourhood Plan policies. In early April, two special meetings were arranged between members of the Advisory Committee and the parish council. At these meetings, there was a presentation of the emerging draft polices, and a detailed discussion of the wording. Following these sessions, further work was done, particularly on the housing and environment topic areas, to complete the policies for public consultation.

Stage 6: Public Consultation III

3.15   In the following weeks, the content of the District Plan and the Main Modifications became increasingly clear, especially in terms of the policies on housing distribution in the villages. It was therefore decided to hold the next stage of public consultation in July 2018, before the onset of the summer holiday season.

3.16   Accordingly, a public event was held at High Cross Village Hall on Sunday 15th July 2018. Details of the draft objectives and policies were displayed for public viewing and comment. A short survey form was also issued at the event and made available on the website. More than 80 people attended the event. The main focus of the discussions and the responses was on housing, local green spaces, and protected views. A full report on the event is included in the Consultation Statement accompanying this Plan.

Stage 7: Drafting the Plan

3.17   Reports on the analysis of the public consultation response were presented to the Advisory Committee at its meeting on 6th August 2018. Detailed drafting of the Neighbourhood Plan was undertaken by the planning consultants. A final draft version was presented to the Advisory Committee on 7th November 2018 and to an Extraordinary Meeting of the parish council on the 17th December 2018. The Pre-submission consultation draft was subject to public consultation during early 2019. Following that consultation, a final draft of the plan was produced for submission to East Herts Council.

Evidence Base Overview

3.18   Evidence to support the Plan was gathered continuously throughout the process of preparation from a wide variety of sources. The evidence base for the Plan comprises all outputs from the engagement process outlined above plus the evidence base for East Herts District Plan, Nomis (2011 Census Statistics) and information provided by Hertfordshire County Council, Herts and Middlesex Wildlife Trust/ Hertfordshire Biological Records Centre, The Environment Agency, Historic England, Natural England and local businesses.

3.19   More detailed information on the evidence base can be found in the relevant chapters of the Plan, in the Consultation Statement and in the Appendices and other supporting documents that accompany the Plan.

4. Vision and Objectives

4.1 From the results of the public consultation events, the survey returns and the background studies, a vision for the parish was agreed by the Advisory Committee and the parish council. It was endorsed by the community at the open events held in November 2017 and July 2018. Our vision is to help ensure that Thundridge maintains its historic character, and that any development does not tarnish the lives of the current and future residents. By seeking planning guidance, we have embraced growth, environment preservation and social progress principles in Thundridge.

Vision

The Neighbourhood Plan will guide the future development and evolution of the villages and hamlets of our rural parish over the next 15 years and retain its separation from the town of Ware. It will conserve the traditional and tranquil character of the parish and be inspirational in planning its future and so ensuring an attractive, safe, sociable and sustainable community in which to live and work.

Our rural parish

Objectives

4.2   The objectives focused on specific parts of the vision statement and provided the context for the development of the planning policies. These were also displayed for the public at the open events and were widely accepted.

4.3   The objectives are to:

A.   Preserve and enhance the character of the built environment in the villages and recognise the significance of heritage assets including landscapes, conservation areas, listed buildings and other historic features and areas

B.   Maintain important views, green corridors and local wildlife areas and provide extra protection for the most special green spaces for future generations to enjoy

C.   Mitigate against the impact of climate change and promote the use of renewable energy in new development and by encouraging retrofitting of existing properties to reduce the environmental impact of an increasing number of residents in the parish

D.   Develop and expand existing facilities in a sustainable manner, making better use of green spaces and protecting assets of community value

E.   Encourage visitors to the parish's many historically important sites of interest

F.   Maintain existing businesses by providing what they need to stay within the parish

G.   Provide better car parking facilities to reduce the amount of on-street parking throughout Thundridge, Wadesmill and High Cross

H.   Manage the effects of increased traffic through the parish and encourage the provision of sustainable transport

I.   Provide a mix of housing types, including smaller units for older people, and starter homes for young people in accordance with locally defined needs

J.   Ensure that new development is built to a high standard of design which reinforces local distinctiveness and character.

4.4   The objectives were "mapped" against the strategic objectives and policies of the East Herts District Plan. The linkages showed a high level of conformity between the Neighbourhood Plan and the District Plan. A check was also made against the NPPF. These relationships will be monitored and reviewed throughout the plan period and the objectives and policies in this Plan will be adjusted and amended as and when appropriate.

5. Neighbourhood Plan Policies

5.1　This chapter sets out the planning policies for Thundridge for the period 2018-2033; these are in line with the end of the plan period for the East Herts District Plan. The planning policies, together with the reasoned justification for them, are set out below. The policies reflect the main issues, which were raised in consultation, and provide the means by which objectives A to M will be achieved. Appendix C sets out how policy options were mapped to objectives.

Heritage and Conservation

5.2　Designated and non-designated heritage assets and their contexts, settings and the landscapes within which they are placed, including conservation areas, scheduled monuments and historic parks and gardens make a valuable contribution to the attractiveness of Thundridge Parish as a leisure destination.

5.3　The National Heritage List for England (NHLE) is the official, up to date, register of all nationally protected historic buildings and sites in England. Thundridge Parish has 82 entries on that list including nine Grade II* listed buildings and a Grade II* listed park. There are also two locally-listed historic parks and gardens, three scheduled monuments and the Thundridge & Wadesmill Conservation Area. Heritage assets are irreplaceable resources which should be conserved and managed for their long-term survival.

5.4　Plans should set out a positive strategy for the conservation and enjoyment of the historic environment. Sustaining and enhancing the significance of heritage assets should be considered along with their wider social, cultural, economic and environmental benefits and the positive contribution they make to local character (NPPF paragraph 185). East Herts District Plan contains policies for the conservation and management of heritage assets, but the policies below also stress the importance of the setting of heritage assets in accordance with current guidance from Historic England.

POLICY THE1 - DESIGNATED HERITAGE ASSETS

I. Proposals for development which have an impact on designated heritage assets in the parish, including:

- All listed buildings

- Thundridgebury moated enclosure and associated remains of Thundridgebury House, St Mary and All Saints' Church and graveyard, and moated mound south of Rennesley Garden Wood and Youngsbury Roman barrows scheduled monuments

- Poles Park garden [Hanbury Manor] Grade II and Youngsbury Park Grade II*

should take account of the historic fabric, the significance of the asset and the contribution of its setting to that significance. Proposals should conserve or where appropriate enhance the asset and its setting.

II. A statement setting out any adverse impacts on the asset and its setting, along with any proposed mitigation measures will be required.

5.5   Thundridge and Wadesmill Conservation Area Appraisal and Management Plan extends around the village centres and includes a part of Youngsbury Park.

POLICY THE2 - CONSERVATION AREAS

In accordance with policies in the East Herts District Plan and the guidance in the Thundridge & Wadesmill Conservation Area Appraisal and Management Plan 2016 or any updated document, the character or appearance of the Thundridge & Wadesmill Conservation Area and its setting will be preserved and, where possible, enhanced.

5.6   Throughout the preparation of the Plan, the importance of the heritage of the parish was raised repeatedly. Heritage assets of local significance but which are not listed (non-designated heritage assets) can be compiled in a Local Heritage List. Such assets are being identified through East Herts Council's ongoing monitoring as well as through conservation area appraisals. The parish council asked East Herts Council to consider the designation of High Cross village centre as a conservation area. In order to support this request, a report unvestigating the merits of High Cross as a conservation area was prepared by the Built Environment Advisory and Management Service (BEAMS) in August 2018. The assessment highlights the number and quality of listed buildings in High Cross and reflects on its long history on a principal national thoroughfare, and the patronage of the lord of the manor. More information regarding the High Cross conservation area proposal can be found in the Action Plan (Appendix H).

5.7   Historic England also recognises that the identification of buildings and sites during the preparation of neighbourhood plans can merit inclusion on a local list in their Advice

Note on Local Heritage Listing. Through public engagement on the Plan a list of non-designated heritage assets was drawn up. In the residents survey the community were asked which of a list of parish landmarks contributed to the character and identity of the parish and if there were any other sites in the parish that should be protected from development. The grave of Arthur Martin-Leake was indicated by 63% of respondents to contribute to the character of the parish. Other residents suggested the Meridian Post in Cold Christmas as an additional asset.

5.8   A final list of six non-designated heritage assets including both of the above plus the Cattle Creep in Thundridge, two sets of family burial vaults and the Post Mill Mound. These are specifically mentioned in policy THE3 below and are in addition to the items noted in the Thundridge & Wadesmill Conservation Area Appraisal and Management Plan. These include: dwellings in Ermine Street; Thundridge Village School; Thundridge Village Store; Trinity Barn near Rennesley Farm; and a selection of railings, gates and walls plus the K6 telephone kiosk and war memorial.

5.9   A short description of each of these assets is as follows:

- The Cattle Creep, Thundridge, once used to move cattle under the A10, now used by the children of Thundridge primary school to reach their playing field in safety

- The Post Mill Mound Thundridge, near the Pit and not far from the Windmill public house (now closed). The Post Mill was pulled down in 1870 just leaving the mound

- The Puller family vaults in St John's Church Yard High Cross and the Hanbury family vaults in St Mary's Church Yard Thundridge. These two families helped to shape much of the history of both villages and have left their legacy, still seen today

- The Grave of Arthur Martin-Leake is to be found in a quiet corner of St John's Church, High Cross. He was awarded the Victoria Cross (VC) in the Boer War and another in the Great War (WW1) which gave the Bar, as two VCs are not given. His connection with High Cross was because he spent his childhood at the family home of Marshalls where he died in 1953 aged 79. A plaque commemorating his achievements is to be found by the lych-gate of the church

- A Meridian post is directly opposite Cold Christmas cottages. There was a Meridian post placed in the year 1984, wherever the Greenwich Meridian line crossed a public highway in England.

POLICY THE3 - NON-DESIGNATED HERITAGE ASSETS

I. The following non-designated heritage assets have been identified in the Thundridge Parish:

- The Cattle Creep (Thundridge)

- The Post Mill Mound (Thundridge)

- The Hanbury family vaults (St Mary's Churchyard – Thundridge)

- The Puller family vaults (St John's Churchyard – High Cross)

- The Grave of Arthur Martin-Leake (St John's Churchyard – High Cross)

- The Meridian Post (Cold Christmas)

II. Development proposals, which affect the above non-listed heritage assets and other non-designated heritage assets, will take into account the significance of the heritage asset to enable a balanced judgement to be made having regard to the scale of any harm or loss and the significance of the heritage asset.

Important Views

5.10   The parish lies within three character areas identified in the East Hertfordshire Landscape Character Assessment 2007 (Supplementary Planning Document). These are areas 73, 75 and 90, the Lower and Middle Rib Valleys and the High Cross Plateau. The river valley is described as an undulating narrow valley and as a remote and tranquil area with widespread public footpaths. The ease of accessibility adds to the enjoyment of the countryside by residents and visitors including those with mobility chairs and push chairs and increases the importance of maintaining its landscape character and extensive public views.

5.11   Most of the important views identified in the Plan relate to the Rib Valley and its tributary valley, The Bourne. Development proposals impacting these views must ensure that key features of the views can continue to be enjoyed including distant buildings and landscape features, river valleys, sensitive village edges and rural approaches to the villages. These views should be protected for current and future generations to enjoy.

5.12   A total of 75% of respondents to the Residents Survey thought that the preservation of local views was important to their quality of life. A list of important views within the parish was identified prior to the Residents Survey and respondents were asked to tick the three that were most important to them. Views around Youngsbury (74% of respondents rated these views in their top three) and along the Rib Valley were the most popular. Other important views were from Rennesley Wood, from Cold Christmas and across Glebe Field in High Cross. Many other views were identified through public consultation. A final list of eleven important views is set out in Policy THE4.

POLICY THE4 - IMPORTANT VIEWS

I. Eleven important views are identified on the Policies Map and are listed as follows:

VIEW 1:   North east across Hanbury Manor Golf Course from Footpath 23

VIEW 2:   Thundridge Cricket Ground, Rib Valley and Wade's Wood

VIEW 3:   View of Thundridge Old Church from Ducketts Wood

VIEW 4:   View of Thundridge Old Church in the Rib Valley from Old Church Lane Bridleway 24

VIEW 5:   Villages of Thundridge and Wadesmill viewed from the Hertfordshire Way behind Rennesley Farm

VIEW 6:   Wadesmill and Thundridge Villages from Cambridge Road

VIEW 7:   West towards The River Rib and Thundridge Old Church

VIEW 8:   From Youngsbury to South and West

VIEW 9:   East toward St John's Church and Puller Memorial School, High Cross

VIEW 10:   St John's Church and The Rectory across Glebe Field, from North Drive, High Cross.

VIEW 11: Tylers Wood East to South

A detailed description and indicative photographs of the above views are available below.

II. New development within the identified views listed above and indicated on the Policies Map must ensure that key features of the view can continue to be enjoyed including distant buildings, areas of landscape and the juxtaposition of village edges and countryside. Development proposals must, where appropriate, include an assessment of the impact that development will have on these key views.

VIEW 1 - North East across Hanbury Golf Course from Footpath 23

This view highlights the picturesque Rib Valley running parallel to Anchor lane, with Wades Wood in the distance. This is a popular walking route and an important corridor for wildlife. No buildings are visible from this angle, marking the view as an important local rural landscape.

VIEW 2 - Thundridge Cricket Ground, Rib Valley and Wades Wood

This view is an important part of the setting of Thundridge Old Church. The original village of Thundridge was a kilometre or so east of its present position. All that remains of the old settlement is the ruined C15th tower of the old church and what is left of a C17th moated manor house called Thundridge Bury. The church was known as 'All Hallows and Little Saint Mary' and was demolished in 1853, to be replaced by the new church of St. Mary, in what is now Thundridge village.

Any new buildings or structures should ensure that the historic view of Thundridge Old Church is not disrupted.

VIEW 3 - View of Thundridge Old Church from Ducketts Wood

This view is from a high point in Ducketts Wood, east north east over the A10 towards Thundridge Old Church. The new bypass is completely invisible, being in a cutting at this point.

No structures of built development should impinge on the view of the church from the edge of Thundridge village.

VIEW 4 - View of Thundridge Old Church in the Rib Valley from Old Church Lane Bridleway 24

This view is an important part of the setting of Thundridge Old Church. The original village of Thundridge was a kilometre or so east of its present position. All that remains of the old settlement is the ruined C15th tower of the old church and what is left of a C17th moated manor house called Thundridge Bury. The church was known as 'All Hallows and Little Saint Mary' and was demolished in 1853, to be replaced by the new church of St. Mary, in what is now Thundridge village.

Any new buildings or structures should should ensure that the historic view of Thundridge Old Church is not disrupted.

VIEW 5 - Villages of Thundridge and Wadesmill viewed from the Hertfordshire Way behind Rennesley Farm

The Hertfordshire Way long distance footpath crosses through the parish, and the view taken from this point, the junction of Bridleway 35 and Footpath 37, is one of the best views of the villages of Thundridge and Wadesmill. St Mary's Church and the period cottages of Ermine Street are key features of the view, which should continue to be enjoyed, along with the woodlands and agricultural land forming a rural fringe around the villages.

Any new development in the villages should respect the scale and height of the existing built form to preserve this valued view.

VIEW 6 - Wadesmill and Thundridge Villages from Cambridge Road

This view is looking south from the Clarkson Memorial with The Feathers Inn in the foreground, a 17th century coaching inn, and the Victorian parish church of St Mary's at the top of the hill. These two key buildings must remain part of the view enjoyed by local people and visitors on the public highway. Both buildings add character to the landscape and have historical value.

Any new development or alteration to the buildings pictured should preserve or enhance the historic character and appearance of this view in the Thundridge and Wadesmill Conservation Area.

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VIEW 7 - West towards the River Rib and Thundridge Old Church

The view from Footpath 33, linking the Harcamlow Way long distance path with the village of Thundridge, provides views of a diverse range of landscape features, including the Arboretum of Youngsbury, and the tranquil valley of the River Rib (in the middle ground). This view, which looks towards VIEW 4, should remain a rural approach to the village around the Thundridge Old Church.

VIEW 8 - From Youngsbury to South and West

Here the beauty of the undulating farm land bordering the Youngsbury Estate Arboretum and the Rib valley can be appreciated from the bridleway which forms part of the Harcamlow way, a long distance footpath and linking Harlow to Cambridge.

From Youngsbury Arboretum, this view takes in a large swathe of the historic features and rural character of the Rib valley, from right to left: Sawtrees Wood, Sawtrees Farm, Richmond Field, Hollytrees, Mountains, Meadow View Cottages Buckney wood, Ashridge Common, Cold Christmas Cottages, Swangles and finally the recently planted Jubilee Wood. The horizon is not disrupted by built development.

VIEW 9 - East toward St John's Church and Puller Memorial School, High Cross

This view is taken from Marshalls Lane looking east towards High Cross. In the distance, in the centre of the view, are the two most important features of High Cross; St Johns Church circa 1845 and the Puller Memorial School circa 1864.

Any new development should respect the sightlines to the church and school in order to retain this long-distance view of the village.

VIEW 10 - St John's Church and the Rectory across Glebe Field from North Drive, High Cross

The view captures the listed church and The Rectory in their idyllic setting of mature trees. The vista gives North Drive an air of tranquillity in the centre of the village and is an important element which captures the essence of a country village.

VIEW 11 - Tylers Wood East to South

From Tylers Hill Wood there is an uninterrupted view around more than an entire quarter of the compass from almost North East to past South. On the left is the Southern end of Sawtrees Wood of hornbeam coppice, late medieval Sawtrees Farm, Richmond Field and Burleigh Common containing bronze age round barrows, following round to Buckney Wood and finally Ashridge to the South at the right. Any development must maintain or enhance this rural view.

Local Green Spaces

5.13   The NPPF allows communities to identify and protect green areas of particular importance to them through designating land as Local Green Space (LGS) in neighbourhood plans. They must be local in character; close to the community they serve and hold a special and particular local significance. Local significance can be determined based on beauty, history, recreational value, tranquillity, or richness in wildlife.

5.14   LGS are protected from development in accordance with the national policy for Green Belts. They should only be designated when a plan is prepared or updated and be capable of enduring beyond the end of the plan period. East Herts District Plan identifies LGS in the form of 'green fingers' in Hertford and Bishops Stortford but has allowed local communities to identify the green spaces that mean the most to them through neighbourhood plans.

5.15   Respondents to the residents survey valued the many open and green spaces in the parish and called for extra protection for these areas. A total of 81.9% of respondents strongly agreed that green spaces were important to them and 86% rated open and green spaces their second most popular choice in answer to what they most valued about living in the parish. Although no specific green spaces were mentioned in the survey, support for particular sites was canvassed at subsequent exhibitions. At the final exhibition of policies in July 2018 the most popular sites were Glebe Field in High Cross, The Allotments in Thundridge and Jean's Orchard in Thundridge.

5.16   A number of potential green spaces were identified by the Environment Group and assessed to ascertain whether they met the prescribed criteria in the NPPF. That assessment is presented in a spreadsheet (Appendix G).

5.17 Of the sites considered in the assessment seven LGS have been designated. These are located both within the boundaries of the villages and beyond the built-up area, both in the Green Belt and in the Rural Area Beyond the Green Belt. They range from small intimate spaces to linear sites and open fields. Each designated LGS is featured below with a photograph and description of the space.

POLICY THE5 - LOCAL GREEN SPACES

I. A number of areas within the parish have been identified as Local Green Space (LGS). These are shown on the Policies Map, described in further detail in Appendix G and are listed below:

LGS 1: The Pit

LGS 2: Allotments (Thundridge)

LGS 3: Jean's Orchard

LGS 4: Rennesley Gardens and Castle

LGS 5: The Green, North Drive

LGS 6: The Bourne

LGS 7: Football Field and Sutes Meadow

II. New development will only be allowed in designated Local Green Spaces where it is consistent with the National Planning Policy Framework and policy CFLR2 of the East Herts District Plan.

LGS 1 - The Pit

The Pit is an area of grassland and wild flowers, which measures about 0.44 hectares and is situated centrally in Thundridge Village. It is also the location of the remaining mound of the Thundridge Post Windmill, demolished in the 1870s. Today, this green space is extensively used for dog walking and is open for other recreational uses.

LGS 2 - The Allotments, Thundridge

The Allotments is a 1.35 hectare green space located in the Rib Valley, surrounded by farmland, woodland and allotments, with views of the village and the church to the east, which provides areas of cultivation. There are 48 individual allotments on the site. 73% of the plot holders are from the parish and assist each other with ideas and watering whilst on holiday. Fresh picked vegetables are left out for anyone to take/exchange. The Allotments is the only such facility in the parish, which performs an important social function. The site is recognized as a component of an ecological network with potential of ecological protection. Access to the site is made via an unmade track known as The Common opposite the Village Hall.

LGS 3 - Jean's Orchard

Jean's Orchard is a 0.17 hectare area of grassed open space situated at the northern end of Thundridge village and adjacent to the River Rib. It includes an ancient orchard with old fruit trees and thus, contributes positively to the rural setting of the parish. As a result of the area being undisturbed/not cultivated, a range of wildlife regularly passes through and many wild flowers have freely grown on site. In the Herts Ecological Network Maps 201708_012, the site is colour coded in green and purple, meaning that the entirety of the site is a valuable component of the ecological network and that part of the site is a habitat listed within S41 of the NERC Act. This green space was featured in 'Village Life' Magazine and has been awarded the Herts CPRE Environment Award for contribution to rural living (October 2018) in recognition of its achievements in bringing together the community socially and planting heritage varieties of Hertfordshire fruit trees. Thundridge Community Orchard Trust manages the site.

LGS 4 - Rennesley Gardens and Castle

Rennesley Gardens and Castle is a 3.66 hectare green space located to the west of the parish characterized by a Motte and Bailey. It affords views across the parish and overlooks Wadesmill and Thundridge. It is an area of historical significance as it was once the site of a moated castle and is one of the most interesting moated mounts in Hertfordshire. The green space is a habitat for fallow deer, muntjac and rabbits and is listed within S41 of the NERC Act. There are two public rights of way which converge at Rennesley Gardens making it easily accessible.

LGS 5 - The Green North Drive

The Green North Drive is a 0.11 hectares green space, part of the original estate design. It is the only play area for residents within the housing development. Although it is a small site, it is locally important.

LGS 6 -The Bourne

The Bourne is a 5.77 hectare steep-sided wooded valley, situated in the north west of the parish, with ancient trees and wild flowers which was formed by glacial runoffs. The Bourne is dry for most of the year but fills in the autumn and winter with run-off from surrounding fields. The area is a habitat for badgers, woodpeckers, buzzards and red kites as well as smaller birds and animals and is listed within S41 of the NERC Act, and as such should be protected from development (Source: Herts Ecological Mapping). This Local Green Space also has some historical significance, as Iron Age earthworks are present on site. There is a public right of way that runs along the entire length of the site.

LGS 7 - Football Field and Sutes Meadow

The Football Field and Sutes Meadow site is a 1.66 hectares of meadow land, located between the A10 and the Bourne, in the north west of the parish. The meadow contains ancient pollarded oaks and wild flowers and is recognized as being part a valuable component of the parish ecological network, with potential for ecological protection (Source: Herts Ecological Mapping). A public right of way crosses the site.

Protected Recreational Open Space

5.18   Access to high-quality open spaces and opportunities for sport and physical activity is important for the health and wellbeing of local communities. The NPPF paragraph 97 says that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless the space is surplus to requirements or replaced by something better.

5.19   There are two particularly important open spaces used for recreation in Thundridge; the Football/Cricket Field and Norman Wodson Sports Field. Both of these are allocated as Open Space, for Sport and Recreation in East Herts District Plan (Policy CFLR1). They are so important for the local community as spaces for formal recreation and games that they are mentioned in the policy below as Protected Recreational Open Spaces.

5.20   Policy THE6 also identifies three small play spaces, which are not covered in the District Plan policy. They are Dellfield play space and the two areas at Arthur Martin-Leake Way in High Cross. These well-designed spaces cater for smaller children and include play equipment. A selection of photographs of the different types of space in the parish is shown below.

POLICY THE6 - PROTECTED RECREATIONAL OPEN SPACES

I. Four sites identified on the Policies Map, described in Appendix A and listed below are allocated as Protected Recreation Open Space (PROS):

    PROS 1: Norman Wodson Sports Field, Thundridge

    PROS 2: The Football/Cricket Field, Thundridge

    PROS 3: Dellfield, Wadesmill

    PROS 4: Two play spaces in Arthur Martin-Leake Way (4a & 4b), High Cross.

II. Development that would result in the loss of all or part of any of these spaces will not be permitted unless they are replaced with better facilities that are as accessible to the residents of the parish as the current recreational open spaces.

PROS 1 - Norman Wodson Sports Field, Thundridge

A multi-use sports and recreation area.

PROS 2 - The Football / Cricket Field, Thundridge

PROS 3 - Playspace, Dellfield, Wadesmill

PROS 4 - Two Play Spaces (4A & 4B), Arthur Martin-Leake Way, High Cross

Enhancing Biodiversity

5.21　According to national planning guidance, policies to protect and enhance valued landscapes and sites of biodiversity relative to their statutory status or identified quality should be included in development plans. National planning practice guidance says that plans should be concerned not only with designated areas, but also with other areas and sites of conservation value identified by local partnerships such as the Herts and Middlesex Wildlife Trust.

5.22　The NPPF states that, to minimise impacts on biodiversity and geodiversity, planning policies should identify, map and safeguard components of local wildlife rich habitats, including locally-designated sites of importance for biodiversity, e.g. local wildlife sites, and wildlife corridors. Policies should also promote their conservation, restoration and enhancement.

5.23　The importance of conserving all wildlife habitats in order to genuinely enhance biodiversity is recognised in East Herts District Plan, which includes policies for local and non-designated sites (policies NE1, NE2, and NE3). In the residents survey, 73% of respondents were recorded as valuing local wildlife. In order to highlight the areas covered by Local Wildlife Site designations and other important wildlife areas, Policy THE7 lists the most important local sites and features in the parish.

Importance of conserving and enhancing biodiversity

POLICY THE7 - CONSERVE AND ENHANCE BIODIVERSITY

I. Development should conserve and enhance biodiversity and deliver net biodiversity gains (in accordance with the current best practice Biodiversity Impact Calculator). The nature conservation value of wildlife sites, and other significant habitats including the River Rib will be protected from any harmful impacts of development, in accordance with their status. In particular, the following designated local wildlife sites, as shown on the Policies Map and detailed in Appendix D, will be protected and managed:

- Sandpit Wood
- Dilly Wood
- Wade's Wood
- Buckney Wood
- Round Wood
- Sawtrees Wood & New Plantation
- Youngsbury Park Icehouse
- The Bourne

- Gardiners' Spring Wood
- Great Southey Wood & Ash Plantation
- Sutes Wood
- Home Farm
- Poles Lane Area
- Thundridge House Area
- Great Barwick Manor Area.

II. In addition, the areas of Ancient Woodland known as Steere Wood, near Sawtrees Farm, Sawtrees Wood, Buckney Wood, Wade's Wood, Round Wood and Sutes Wood, and the list of 18 Veteran Trees identified in the HERC database will also be protected from any harmful impacts of development.

III. Other areas of the parish coloured green on the Hertfordshire Ecological Network Mapping contain habitats listed in Section 41 of the NERC Act. Development, which would cause significant harm to these areas, should either be refused, or the mitigation hierarchy applied. If permission is granted for development conditions or planning obligations the secure appropriate management regimes will be sought.

Green Corridors

5.24 East Herts District Plan (policy NE4) seeks to establish a network of green infrastructure across the District, in accordance with the Council's East Hertfordshire Green Infrastructure Plan. This recognises that green corridors have many benefits including making connections between wildlife sites and providing attractive walking routes, such as the established long-distance footpaths the Hertfordshire Way (east to west) and the Harcamlow Way (north to south). It is also used for leisure pursuits such as cycling, bird watching, fishing, and photography. As a green corridor, the value of the River Rib Valley was emphasised by the local community in consultation on the Neighbourhood Plan. In the residents survey, 77.93% of residents believed that the River Rib should be protected, as it contributes towards the character and identity of the parish. The Bourne was also mentioned as an important green asset and is a designated Local Wildlife Site.

5.25 Parts of the Plan area include Flood Zones 2, 3a and 3b, associated with the floodplain of the River Rib and its tributaries. Development in these areas should be avoided where possible and no development should take place in Flood Zone 3b, unless it is compatible with the purpose of safely storing floodwater or essential development.

POLICY THE8 - GREEN CORRIDORS AND THE RIVER RIB

I. Green corridors should provide permeability for wildlife and people. In accordance with the East Herts Green Infrastructure Plan, the green corridors in the parish, which provide networks of biodiversity and public access, will be protected from the impact of harmful development, managed and where possible enhanced to create increased public access.

II. The two most significant green corridors in the parish are The Bourne and the River Rib corridor:

- The River Rib is a chalk stream, vulnerable to both low flow problems and to flooding as well as silting up and pollution. The Rib Valley contains one of only 200 chalk rivers known globally and a habitat 'recognised as a priority habitat for protection under the UK Biodiversity Action Plan'. The Rib catchment is the only known UK site for the rare sedge Carex cespitosa and has been described as 'Hertfordshire's rainforests'. From the point where the river turns to flow westwards, towards Thundridge and Wadesmill, Bridleway 24 and then Footpath 22 follow the river valley. Any development that negatively impacts public access to the river will be refused. Any development scheme adjacent to the River Rib should be designed with a naturalised buffer zone of at least 10m from the top of the bank in order to protect and enhance the conservation value of the watercourse and ensure access for flood defence maintenance.

- The Bourne is dry for most of the year but fills in the autumn and winter with run-off from surrounding fields. Bridleway 42 and Footpath 40 run the length of The Bourne. Any development that negatively impacts public access along The Bourne will be refused.
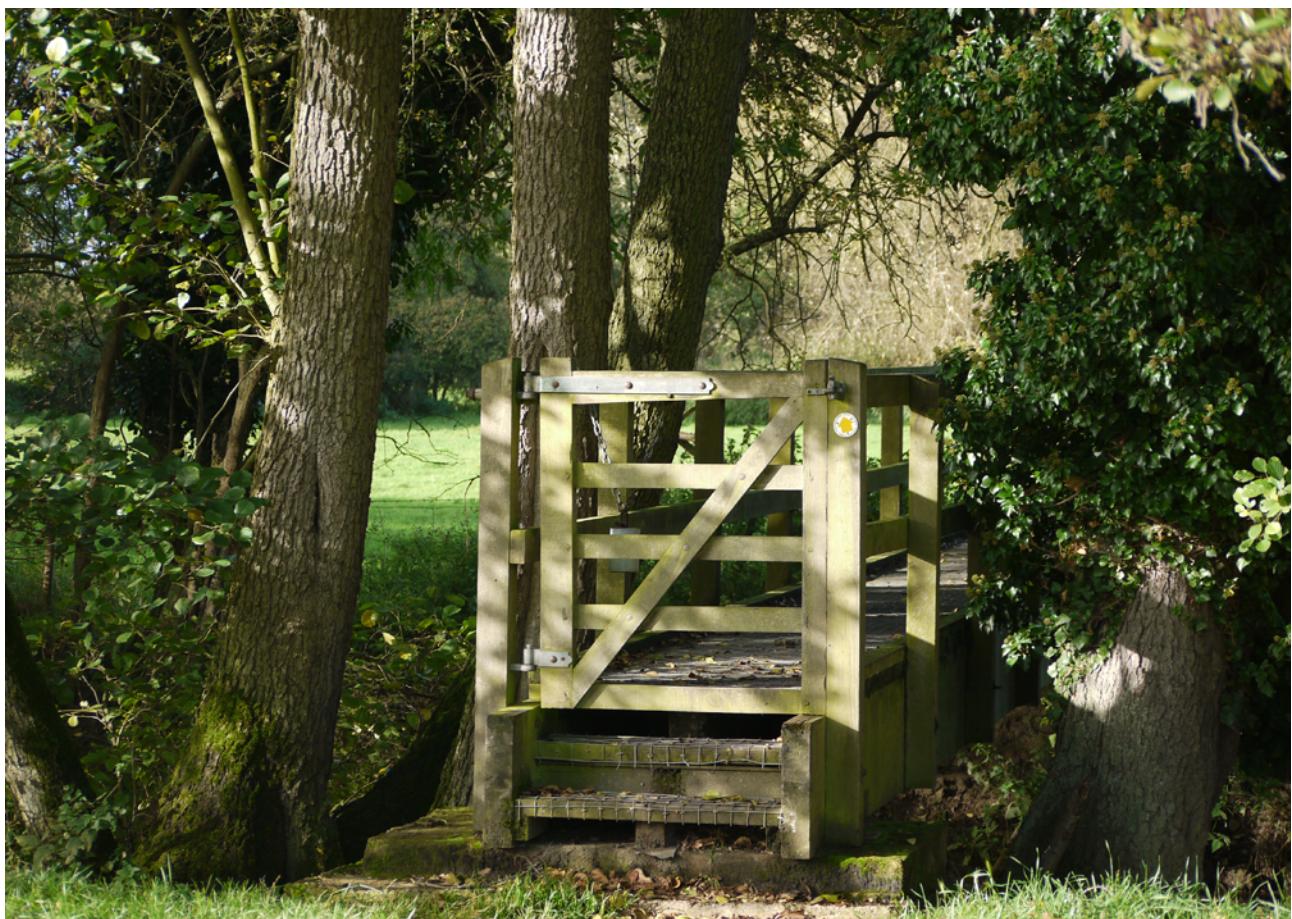
Accessibility and Green Corridors

Sustainable Energy

5.26   The NPPF paragraph 152 encourages local planning authorities to support community-led initiatives for renewable and low carbon energy that are being taken forward through neighbourhood planning.

5.27   East Herts District Plan also promotes development that includes sources of renewable or low carbon energy (East District Plan policy CC3).

5.28   In a rural parish such as Thundridge, other considerations such as the impact on landscape and heritage assets must also be taken into account. A total of 34.5% of residents responding to the residents survey were in favour of domestic scale generation of solar energy. Community-based and domestic scale sustainable energy schemes are supported by the parish council.

POLICY THE9 - SUSTAINABLE ENERGY

Small scale domestic renewable energy schemes and community-based renewable energy initiatives will be supported; in particular, schemes to provide solar power on a domestic scale and ground source heat pumps, where they accord with other policies in the development plan.

Community Value and Facilities

5.29   The Localism Act 2011 gave local people the opportunity to identify buildings and land that they felt was of particular value to their local community and apply for them to be listed as Assets of Community Value through the Community Right to Bid (in accordance with the Assets of Community Value (England) Regulations 2012 (as amended). Where possible, Thundridge Parish Council will nominate those assets that were identified and supported through the Neighbourhood Plan engagement process. Nominations will be made to East Herts District Council. These will be listed as assets if they further social wellbeing (by facilitating social interaction) or social interests (cultural, recreational or sporting interests) of the local community.

5.30   Once listed as an asset, the community has the opportunity to buy or acquire an interest in the asset if it were being sold.

5.31   A short description and photograph of the buildings and land that were identified through the Neighbourhood Plan process can be each asset together with evidence of its use can be found in Appendix E.

POLICY THFS1 - ASSETS OF COMMUNITY VALUE

All Assets of Community Value listed by East Herts Council or facilities identified as a community asset above, will be retained in community use unless they are:

(a) No longer needed or

(b) No longer viable or

(c) To be replaced by equivalent or better facilities as part of a development proposal.

5.32   Accessible local outdoor and indoor sports and leisure facilities are important features in the parish. These include the Norman Wodson Field and Pavilion. Improvement/ expansion of these facilities will be supported provided that they serve a local need.

POLICY THFS2 - IMPROVEMENTS TO COMMUNITY AND RECREATION FACILITIES

Proposals to improve, expand, or provide new community and recreation facilities will be supported provided that:

(a) they fulfil the needs of existing and future residents of the parish; and

(b) any adverse impacts would not outweigh the benefits.

Businesses and Infrastructure

5.33   A survey of current businesses was carried out to ascertain how businesses operating in the parish felt about their location and the existing support facilities. The results of the survey can be found in the Neighbourhood Plan Consultation Statement. The business survey only included businesses with premises, although many people now work from home.

5.34   Residents greatly appreciate Thundridge Village Stores and if this asset was to close in the future, the continuation of a commercial use in these premises would be supported. When residents were consulted on which community assets they valued, the White Horse pub in High Cross had already closed. The future of the building is uncertain. The preference would be for the pub to reopen as it was a valued community business, but a commercial use that provided employment in the village would be supported. Both Thundridge Village Stores and the White Horse pub should remain as commercial premises, if at all possible.

5.35   Parking was an issue for some businesses, in particular in Thundridge Business Park where parking overflows on to the C183 (Ermine Street). Businesses were interested in being more sustainable and facilities that help them with this aim will be supported.

5.36   Evidence of people working from home was picked up in the residents survey. The most popular requests from respondents, to improve their experience of working in the parish, were for improved mobile reception (52%) and faster broadband (57%). Policy THFS6 Infrastructure improvements promotes the development of such infrastructure improvements.

POLICY THFS3 - EXISTING BUSINESSES

Proposals to support the retention of existing businesses will be considered favourably provided that they do not conflict with other policies in the development plan. Such proposals may include the provision of off-street parking for customers, covered and secure cycle parking facilities for employees and sustainable energy schemes.

5.37   The outstanding number (69%) of respondents supporting the formation of new farming and agricultural businesses ties in with the overriding wish to keep the parish rural. Although 43% of respondents to the survey would support additional shops, the one specific type of shop that was mentioned was a shop selling local produce.

5.38   Encouraging appropriate economic growth in the rural economy is recognised as important in the NPPF. East Herts District Plan Policy ED2 supports sustainable economic growth in rural areas. This Plan identifies the expansion of existing employment sites, new build live/work units and new uses in existing farm complexes as options that will be supported. The latter of these can have the dual purpose of ensuring the viability of existing agricultural enterprises by allowing diversification.

POLICY THFS4 - NEW OR EXPANSION OF BUSINESS SPACE

Applications for new business space will be supported provided that they are:

(a) on an existing employment site within a village boundary where the infrastructure is sufficient to support expansion without adversely impacting on the surrounding area or its residents (e.g. no car parking overspill and in accordance with Policy ED1 of the East Herts District Plan) or

(b) part of a new housing development providing live/work units or

(c) in an existing farm complex, provided that it is:

   1. of a scale and type appropriate to the operation of the farm and its rural setting; and

   2. is either an ancillary agricultural use or the development supports the viability of the farm business or

(d) A conversion of an existing rural building or well-designed new building in an appropriate location for the type of business concerned.

5.39 Responses to the survey showed that of those completing the question about employment (203 respondents), 17% worked from home. The 2011 census figure showed only 6% of 16-64 year olds worked from home. Either the census is not an efficient way of capturing this information or there has been a marked increase in home working in the last six years. For whatever reason, working from home is popular in Thundridge.

5.40 Working from home, including small conversions, extensions and changes of use to facilitate home working will be supported provided they are sensitively designed and executed.

POLICY THFS5 - HOME WORKING

Proposals to allow change of use of part of a dwelling, ancillary extensions, conversion of outbuildings or small freestanding buildings, within the residential curtilage of existing development to support home working will be supported provided that all of the following criteria are satisfied:

(a) If the proposal includes the loss of garage space sufficient off-road parking is retained comparative to the number of bedrooms (see parking policy)

(b) The use of the proposed development is primarily for occupants of the dwelling

(c) There are no adverse impacts on the amenity of neighbours

(d) All materials and the height, scale, massing and location of the development do not detract from the quality and character of other buildings on the site or its setting.

POLICY THFS6 - INFRASTRUCTURE

Provision of new infrastructure, such as high-speed broadband and mobile networks, to service existing and new businesses will be supported provided that:

(a) Infrastructure is fully integrated into the design of future development proposals

(b) Where new masts or structures are required, they should be sympathetic to their surroundings.

Sustainable Transport

5.41   The aim to encourage sustainable transport initiatives is stated in Objective H and measures to achieve this are included in the Action Plan at Appendix H. However, the villages suffer from on-street parking overflowing from residential developments and generated around community facilities. Parking for community facilities was raised during engagement on the plan. This was particularly in relation to the difficulties of parking at Thundridge Village Hall. Parking for the school in Thundridge also creates problems for local residents. The commitment to consider options to relieve parking issues in Thundridge will be pursued through the Action Plan in Appendix H.

5.42   For a policy on Sustainable Transport to be successful, it must be made clear to a developer, that the transport issues for the villages must be assessed and bespoke solutions found. Guidelines on thresholds for transport statements/assessments and travel plans are vague. The NPPF paragraph 111, suggests that developments that will generate significant amounts of movement should be required to provide a travel plan and a transport statement or assessment should accompany a planning application. A relatively small development would be capable of generating a significant level of movement in the context of a rural village. Proposals to mitigate the impact of additional movements should be submitted with a development proposal.

THFS7 - SUSTAINABLE TRANSPORT

I. All proposals for development in the village must provide a traffic assessment, this assessment should be proportional to the scale of the development proposed. It should include an assessment of the potential impact of increased traffic on pedestrians, cyclists, road safety, parking and congestion and any measures designed to mitigate such impacts.

II. Proposals to increase off-street car-parking provision for employment and leisure use to relieve traffic congestion and increase sustainable transport provision will be supported in principle as long as they comply with other policies in the development plan.

II. Contributions will be sought to achieve these improvements through S106 agreements, or other funding mechanisms.

Housing Needs

5.43 Village policies are contained in Chapter 10 of the District Plan. In Policy VILL2, High Cross, and Thundridge and Wadesmill area classified as Group 2 villages. In Thundridge and Wadesmill, which are "over-washed" by the Green Belt, the scope for development is limited. In High Cross, which is a Group 2 Village, development would normally be limited to areas within the defined village boundary. The District Plan, in policy VILL2, states that, in addition to limited infill development, small-scale development identified in an adopted Neighbourhood Plan will be permitted. A full assessment of potential housing sites was carried out in the process of preparing the Neighbourhood Plan (see Thundridge Neighbourhood Plan 2018 – 2033 Site Assessment Process Background Document). Following the Independent Examination of the Neighbourhood Plan, no housing site allocations have been included.

5.44 A key objective of the adopted East Herts District Plan seeks to ensure that all new housing is accessible and meets the needs and aspirations of local communities. The parish council endorses this policy aim and has given careful consideration to the issue of housing needs expressed by local residents in consultation and in survey results.

5.45 The District Plan (Chapter 14) sets out the aspirations of East Herts Council for the supply of housing of various types. There are policies relating to the type, mix, and density of new housing and the provision of affordable housing. Overall requirements are informed mainly by the latest West Essex and East Herts Strategic Housing Market Assessment (SHMA), the East Herts Housing and Health Strategy, as well as population and household statistics. The SHMA sets out criteria for housing tenure and size mix. These are elaborated in District Plan policy HOU1 which requires "an appropriate mix of housing tenures, types and sizes" in proposed developments of five or more gross additional dwellings.

5.46 The parish council supports the general thrust of policy HOU1 with regards to housing mix. Figures from the District Plan evidence base show that the average age of the population in Thundridge Parish is increasing; this is probably because many existing residents wish to remain in the area for the long term. More than 33% of the residents replying to the survey question on down-sizing said that they would be interested in downsizing over the next 15 years. In addition, 29% said that they would be interested in moving to accommodation which would support their future care needs.

Opportunities for elderly households to down-size, however, are extremely limited in the current housing market.

5.47   At the same time, there are limited opportunities for younger people to obtain suitable local accommodation, either to rent or to buy. The problems are exacerbated by a shrinking number of houses on the market. Both primary schools need young families living locally in order to keep their numbers at a sustainable level. A stable population is also required in order to sustain local businesses, public houses, and other facilities and services. In these circumstances, a suitable mix of housing types and tenures is essential.

POLICY THH1 - HOUSING MIX

In the Parish of Thundridge, there will be a mix of housing tenures, types, and sizes in accordance with current and future local housing need and housing market assessments. Priority will be given to the following types of housing:

- Starter homes and smaller dwellings for private purchase

- Affordable housing for rent or shared ownership

- Smaller units, including bungalows, for older residents to down-size.

5.48   It is clear from the East Herts District Plan, from the supporting SHMA, and from public consultation on this Plan, that there is a need for housing which is affordable. In its glossary, the NPPF has a detailed definition of affordable housing which embraces "housing for sale or for rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers)".

5.49   For East Hertfordshire, the 2015 SHMA identified an affordable housing requirement of 32% of total housing provision. In order to deliver this degree of housing need, policy HOU3 of the District Plan requires the following:

(a) up to 35% affordable housing on sites proposing 11 to 14 gross additional dwellings

(b) up to 40% affordable housing on sites proposing 15 or more gross additional dwellings, or 0.5 hectares or more in size.

5.50   Planning Practice Guidance (PPG) advises that affordable housing contributions should not be sought from sites proposing development of ten units or less and where the dwellings would have a combined internal floor space of 1,000 square metres or less. Policy HOU3 is therefore likely to have limited application in the Parish of Thundridge. Nevertheless, there is clear support in the community for more affordable housing.

5.51   The results of the residents survey showed that 85.8% of residents valued the current rural character of the area, and 82.2% said that they would like Thundridge to remain rural in 25 years' time. At the same time, however, many expressed the view that some exceptions to policy were required to cater for local housing needs. The East Herts District Plan also acknowledges this issue and provides, in policy HOU4, for the provision of local needs housing on small sites in the rural area outside the boundaries of the villages.

POLICY THH2 - RURAL EXCEPTION SITES

I. District Plan Policy HOU4 will be applied to homes on Rural Exception Sites. Properties will be allocated via the East Herts Council Housing Needs Register according to the following criteria:

(a) Applicants who have been ordinarily resident in the Parish of Thundridge for the 12 months immediately preceding the date of application for the affordable housing unit or have at any time previously resided in the parish for at least five years, or

(b) Close family of existing parish residents who have been resident in the parish for a period of at least five years prior to the date of the letting application and currently reside in the parish. (NB: "Close Family" means the following categories of blood or formally-adopted relatives: parent; adult child or adult sibling.)"

(c) "Persons working for at least 16 hours per week for an employer in the parish and have been continuously so employed for at least one year during the period immediately prior to the proposed letting date of the Affordable Unit.".

II. In the event that there are no eligible nominations from the parish, then nominations from rural parishes falling within three miles radius of the Application Site will be next considered. In the event that there are no eligible nominations from the rural parishes, then each time any Affordable Units become available, nominations form those in greatest need from within the District of East Hertfordshire will be acceptable.

POLICY THH3 - STATIC CARAVANS

Additional pitches for static caravans will be supported provided that all the following criteria are satisfied:

(a) the density of development includes provision of private garden space for each pitch

(b) the number of caravan pitches represents proportional growth of the village in which the site is located

(c) sustainable travel options are available in the site location

(d) occupation of the caravans is tied to families already in the parish

Design of Development

5.52   Chapter 12 of the NPPF seeks to achieve high-quality places through good design. The East Herts District Plan also recognizes the importance of design quality, which helps to protect and enhance local character. Detailed criteria are set out in Chapter 17 and Policy DES1 of the District Plan. From the results of the residents survey, it is clear that local people feel strongly that new housing should be constructed in sympathy with the historic environment. In total, 67.6% of respondents were in favour of housing designs which were in sympathy with housing in close vicinity, whereas 63% supported designs in line with local character generally.

5.53   The District Plan also supports the principles of sustainable design in new developments, setting out the Council's approach to planning applications, Design Codes, Design Reviews, as well as its aims to protect local character and amenity (see Policies DES1 and DES3). This positive attitude to good design is fully supported by the parish council. Where a proposed development potentially conflicts with other policies in the Neighbourhood Plan, such as impacting on views or the setting of historic buildings, developers must show that the design of the scheme seeks to minimise its impact.

5.54   The design of a development built in 2017/2018 in High Cross has resulted in a detrimental impact on the character of the village and loss of amenity for adjacent occupiers, by allowing significantly increased densities and building heights. Properties of 2.5 storeys should have the appearance of a 2 storey house or ground levels should be lowered to reduce the overbearing appearance of properties with higher ridge heights than surrounding development.

POLICY THH4 - DESIGN CRITERIA

The scale and design of new development will reflect the traditional character of the built environment in the Parish of Thundridge. The following guidelines will apply:

(a) All new development should respect the historic and distinctive design vernacular of the parish and its local setting including traditional design features, and where appropriate, as set out in the Thundridge and Wadesmill Conservation Area Appraisal and Management Plan and any successor document

(b) Building materials should be in harmony with existing properties

(c) New buildings should respect neighbouring roof heights, profiles and pitches, the characteristic spaces between buildings the historic building lines and the overall density of development in the villages

(d) Any infilling should not reduce significantly the garden areas which are essential to the setting of character properties

(e) Replacement, alterations or extensions to historic farmsteads and agricultural buildings in the parish should be sensitive to their distinctive character, fabric and form.

Parking Facilities

5.55   The residents survey included a section on vehicle parking, which appeared to be a lesser problem than in many other parts of East Hertfordshire. Nevertheless, a total of 55.2% of respondents parked their cars on the streets. At the same time, 71.4% agreed that cars should be parked off-street, within plot boundaries. In respect of new developments, 85.8% called for sufficient off-street parking in all new proposals.

5.56   Current car parking standards for East Hertfordshire are contained in the Supplementary Planning Document (SPD) Vehicle Parking in New Development. The standards in the SPD, however, are more applicable to urban areas, rather than villages and rural locations. In Thundridge Parish, car ownership levels are high and public transport access and usage is low. The Neighbourhood Plan therefore seeks to apply the level of parking provision which is most appropriate to the characteristics of travel patterns in the parish.

POLICY THH5 - VEHICLE PARKING IN RESIDENTIAL DEVELOPMENTS

I. In all proposals for residential development, adequate off-street car parking should be provided. The following local standards will be applied:

(a) For developments of one, two, or three bedrooms, two parking spaces per dwelling will be required within the dwelling site or on land tied to the site

(b) For developments of four bedrooms, three parking spaces per dwelling will be required within the site or on land tied to the site

(c) For sheltered housing units, including housing for older people, a minimum of one off-street car parking space per dwelling will be required, together with one space per warden, and a ratio of one visitor parking space per four units

(d) For any future planning permissions, there should be a presumption against the change of use of garages and parking areas for alternative uses within the curtilage of a dwelling, if insufficient space remains for the parking of cars.

Climate Change and Sustainable Energy

5.57   Hertfordshire County Council leads a partnership of Hertfordshire Local Authorities including East Herts Council with the aim of promoting, facilitating, and recognising high quality sustainably designed development. The partnership provides a Sustainable Design Toolkit and runs an expert independent design review panel. There is also an awards scheme.

5.58   The East Herts District Plan contains policies to adapt to, and to mitigate, the effects of climate change (policies CC1 and CC2). Thundridge Parish Council supports these policies; the parish council promotes the use of sustainable design principles in the

construction of new homes in the parish, to mitigate the impact of climate change. Policy THE9 highlights to all developers the benefits of sustainable design and encourages them to follow sustainable design principles.

POLICY THH6 - CLIMATE CHANGE

In order to reduce energy use, innovative approaches to the construction of low carbon homes that demonstrate the sustainable use of resources and high energy efficiency levels will be supported. These may include self-build projects, earth sheltered buildings or houses built to Passivhaus standards.

6. Implementation

Introduction

6.1   In terms of its delivery, the Neighbourhood Plan will be implemented mainly by the consideration and determination of planning applications by East Herts Council. Any major developments and associated infrastructure will be achieved principally by agreements between the local planning authority, developers, and infrastructure providers.

6.2   There are a number of non-statutory (non-land use) proposals which have emerged during the preparation of this document. The local community in response to surveys and consultation events has suggested most of these. Where these are realistic and deliverable, they have been included in an Action Plan (in Appendix H), which has been endorsed by the parish council. This gives a comprehensive view of community aspirations in the Parish of Thundridge. It is expected that the items listed in the Action Plan will be achieved by guiding both public and private sector investments for the benefit of the community. This may be through S106 agreements, a future CIL (Community Infrastructure Levy) for East Herts, or other funding mechanisms.

Development Management

6.3   Development proposals in the plan period will be delivered by landowners and developers thorough the submission of planning applications to East Herts Council, and the subsequent carrying out of development. Most planning permissions will include a set of planning conditions or be subject to Section 106 Planning Obligations. These will ensure that the appropriate building types and designs are achieved, having regard to the policies in this plan. In preparing the Neighbourhood Plan, great care has been taken to ensure that these policies and proposals are appropriate to the local area and are achievable.

6.4   Whilst East Herts Council will be responsible for the formal process of development management, the parish council will also use the Neighbourhood Plan to frame their responses to planning applications. They will work closely with the local planning authority to monitor the progress of developments coming forward, by involvement in pre-application meetings with prospective developers and by monitoring the discharge of conditions and planning agreements.

Monitoring and Review

6.5   It is noted that East Herts Council will be producing an Authority Monitoring Report, to chart progress on the delivery of the District Plan. An early review of the District Plan is anticipated, certainly within a period of five years. The parish Council will monitor the impact of any amendments to the District Plan, or a change in national policy dictating that neighbourhood plans must be reviewed, and will review the Neighbourhood Plan accordingly.

7. Appendices

Appendix A - Policies Map

Legend:

- Designated Area Boundary
- Extent of Inset Map
- Village Boundary
- Conservation Area Boundary
- Housing Site Allocation
- LGS
- PROS
- View

Scale 1:45,007

0 1 2 3 4 Km

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Policies Map - High Cross

Policies Map - Wadesmill & Thundridge
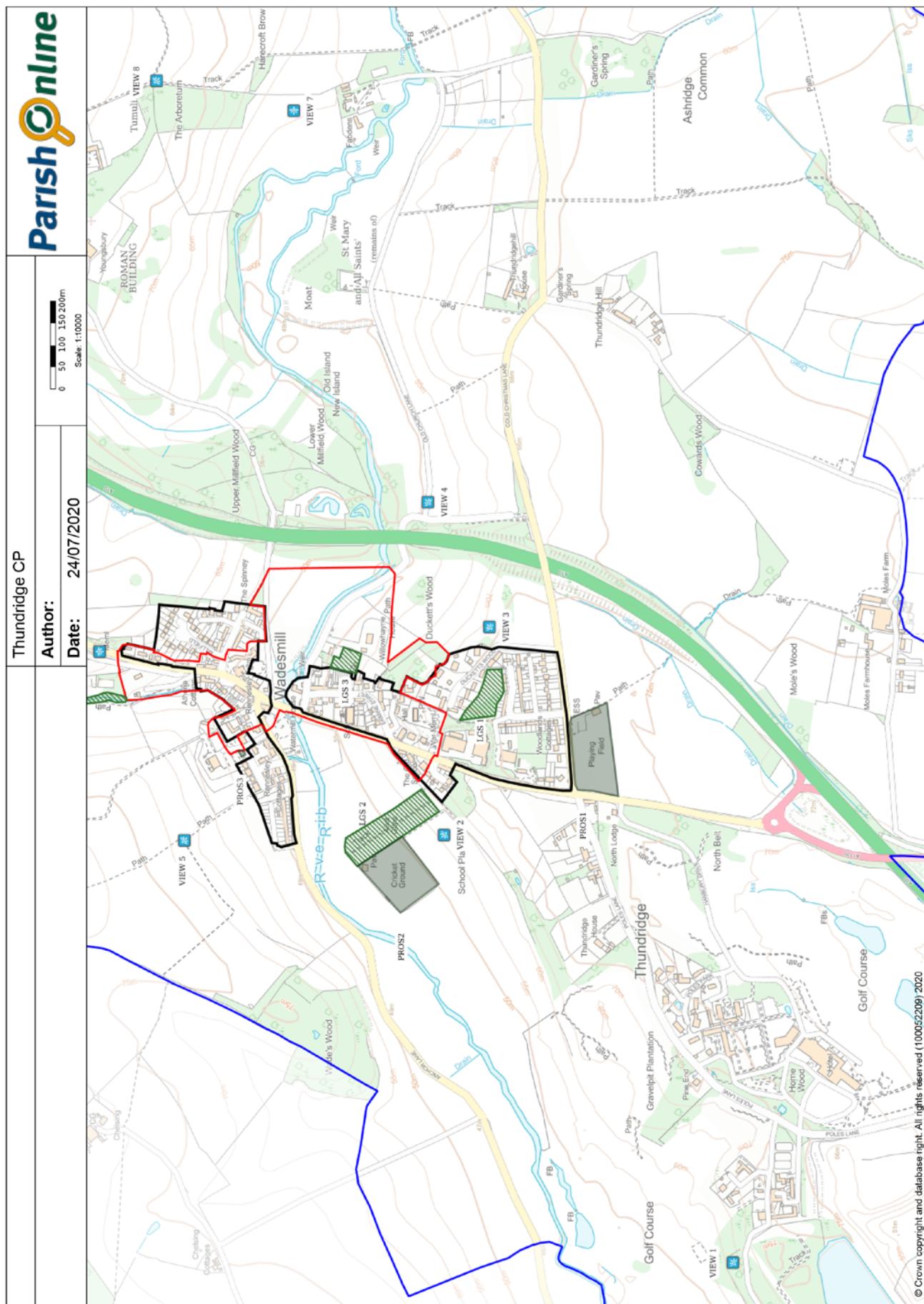
APPENDIX B - Glossary of Terms

Affordable Housing Housing made available, based on the evidence of need, to people who are unable to afford market prices, including Social Housing available to rent.

Ancient Woodland Woodland known to have existed continuously since 1600.

Assets of Community Value A right for communities to nominate certain buildings or land as an Asset of Community Value.

Brownfield Site Land that has been previously developed.

Community Infrastructure Levy (CIL) A planning charge used as a tool by local authorities to help deliver infrastructure to support development in their area.

Conservation Area An area designated under Section 69 of the Town and Country Planning Act 1990 as being of 'special architectural or historical interest', the character and appearance of which it is desirable to preserve and enhance.

Construction Management Plan A plan detailing how construction will be managed in order to ensure the effects of construction on residents and businesses are kept to a minimum.

Development Plan A document setting out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. This includes adopted local plans and neighbourhood plans.

Green Infrastructure A network of green spaces and other features, such as parks, open spaces, woodlands, playing fields, allotments and gardens providing a range of quality-of-life benefits for the local community.

Green Corridor A wildlife corridor, habitat corridor, or green corridor is an area of habitat connecting wildlife populations separated by human activities or structures.

Local Green Space (LGS) Green areas of particular importance to local communities that can be designated through local development plans and neighbourhood plans.

Listed buildings Any building or structure which is included in the list of 'buildings of special architectural or historic interest' as defined in the Planning (Listed building and Conservation areas) Act 1990.

Mitigation Measures taken to lessen the force or intensity of the effects of a development.

National Planning Policy Framework (NPPF)	Sets out national policy and how this is expected to be applied.
Neighbourhood Area	The area to which the neighbourhood plan relates.
Neighbourhood Plan	A community-led plan for guiding the future development, regeneration and conservation of an area.
Objective	An aim or a goal to assist in achieving the overall vision for the area.
Open Space	All types of open space of public value including land, river, canals, and lakes.
Parish	This relates to the civil Parish of Thundridge.
Section 106 Planning Obligation	Contributions required under a Section 106 agreement from developers to be set aside for future works and services directly related to the development and focused on site-specific mitigation of the impact of development.
Sheltered Housing	Purpose built or converted housing exclusively for sale or rent to elderly people; self-contained accommodation with communal facilities and warden.
Supplementary Planning document (SPD)	Documents which add further detail to the policies in a development plan.
Supported Housing	Similar to sheltered housing but designed for those with a physical or learning disability rather than just the elderly.
Sustainable development	Development that meets the needs of the present, without compromising the ability of future generations to meet their own needs.
View	A pleasing sight seen from a particular place.
Vision	The description of how the community would like their area to be in the future.

APPENDIX C - Summary of Policies Mapped to Objectives

This table shows how the key objectives of the plan have been translated into planning policies.

	Key Objective	Policies that achieve the Key Objectives
A	Preserve and enhance the character of the built environment in the villages and recognise the significance of heritage assets including landscapes, conservation areas, listed buildings and other historic features.	POLICY THE1 - DESIGNATED HERITAGE ASSETS POLICY THE2 - CONSERVATION AREAS POLICY THE3 - NON-DESIGNATED HERITAGE ASSETS POLICY THE4 - IMPORTANT VIEWS POLICY THH1 - HOUSING MIX POLICY THH2 - RURAL EXCEPTION SITES POLICY THH3 - STATIC CARAVANS POLICY THH4 - DESIGN CRITERIA POLICY THH5 - VEHICLE PARKING IN RESIDENTIAL DEVELOPMENTS
B	Maintain important views, green corridors and local wildlife areas and provide extra protection for the most special green spaces for future generations to enjoy.	POLICY THE4 - IMPORTANT VIEWS POLICY THE5 - LOCAL GREEN SPACES POLICY THE6 - PROTECTED RECREATIONAL OPEN SPACES
C	Mitigate against the impact of climate change and promote the use of renewable energy in new development and by encouraging retrofitting of existing properties to reduce the environmental impact of an increasing number of residents in the parish.	POLICY THE7 - CONSERVE AND ENHANCE BIODIVERSITY POLICY THE8 - GREEN CORRIDORS AND THE RIVER RIB POLICY THE9 - SUSTAINABLE ENERGY POLICY THE10 - CLIMATE CHANGE
D	Develop and expand existing facilities in a sustainable manner, making better use of green spaces and protecting assets of community value.	POLICY THFS1 - ASSETS OF COMMUNITY VALUE POLICY THFS2 - IMPROVEMENTS TO COMMUNITY AND RECREATION FACILITIES
E	Encourage visitors to the parish's many historically-important sites of interest.	POLICY THE1 - DESIGNATED HERITAGE ASSETS POLICY THE2 - CONSERVATION AREAS POLICY THE3 - NON-DESIGNATED HERITAGE ASSETS
F	Maintain existing businesses by providing what they need to stay within the parish.	POLICY THFS3 - EXISTING BUSINESSES POLICY THFS4 - NEW BUSINESS SPACE POLICY THFS5 - HOME WORKING POLICY THFS6 - INFRASTRUCTURE
G	Provide better car parking facilities to reduce the amount of on-street parking throughout Thundridge, Wadesmill and High Cross.	POLICY THFS7 - SUSTAINABLE TRANSPORT POLICY THH5 - VEHICLE PARKING IN RESIDENTIAL DEVELOPMENTS

	Key Objective	Policies that achieve the Key Objectives
H	Manage the effects of increased traffic through the parish and encourage the provision of sustainable transport.	POLICY THFS7 - SUSTAINABLE TRANSPORT POLICY THH5 - VEHICLE PARKING IN RESIDENTIAL DEVELOPMENTS
I	Provide a mix of housing types, including smaller units for older people, and starter homes for young people, in accordance with locally-defined needs.	POLICY THH1 - HOUSING MIX POLICY THH2 - RURAL EXCEPTION SITES POLICY THH3 - STATIC CARAVANS
J	Ensure that new development is built to a high standard of design which reinforces local distinctiveness and character.	POLICY THH4 DESIGN CRITERIA

APPENDIX D - Designated Local Wildlife Sites
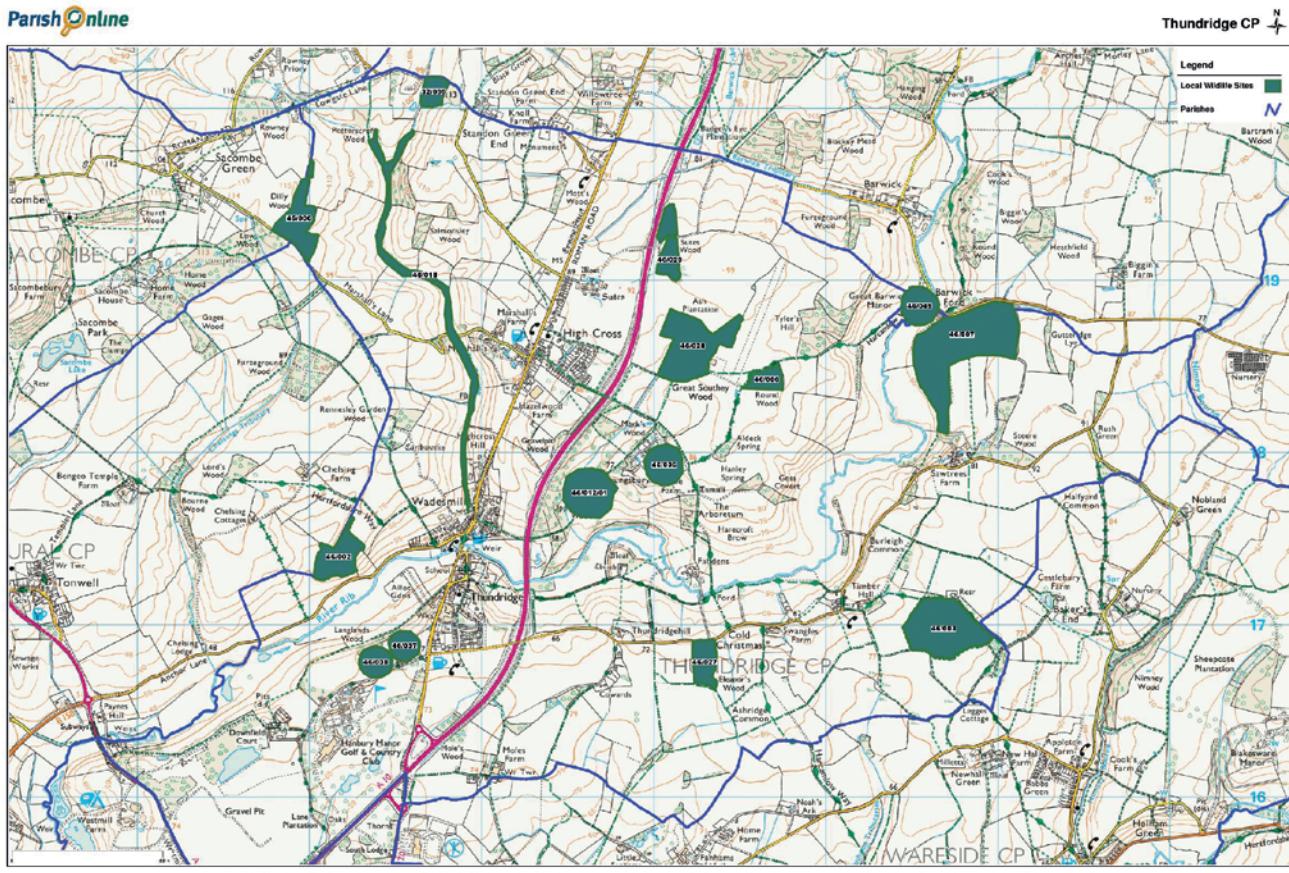
Herfordshire Environmental Records Centre

APPENDIX E - Valued Community Assets

Thundridge Village Hall

Thundridge Village Hall is located at the southern end of Ermine Street, fronting Cambridge Road with parking to the side. It was built in 1928 and is a registered charity, managed by a committee of parishioners. The spacious hall with stage is newly-refurbished having male and female toilets, disabled access, well equipped kitchen, separate bar, gas central heating and double-glazed windows. It plays host to Thundridge School for lunches and Christmas meals for the villages' OAPs. The hall can cater for up to 120 people and is used for parties, weddings, meetings, lectures, theatre productions, cinema, quiz nights, hospice jumble sales and a host of other events and functions. The hall is one of the most well-used facilities in the parish, being used by 72% of respondents to the residents survey.

High Cross Village Hall

High Cross Village Hall is located in the heart of the village. It was built in 1924 by local people and donated by the Puller family for recreational use for local people. It is a community focal point used by numerous local organisations. Activities include: playgroup; brass band practice; Women's Institute; Thundridge and High Cross Society; clog dancing; Forever Active; tai chi; adults with learning difficulties; Christmas meal for OAPS; dog obedience classes; jumble sales; parish council meetings; wedding receptions; badminton; and fundraising events for various local clubs. The village hall can accommodate 80 seated patrons or 100 standing. There is a kitchen and bar facilities, including cooker, microwave, crockery, and urn. An overhead projector and hearing loop facilities are also available. Parking is available on site. The hall is used by 58% of respondents to the residents survey.

Glebe Field

Glebe Field is situated centrally in the village of High Cross, adjacent to 'The Rectory', which has a strong historical link to the field. It allows near uninterrupted views from North Drive of the listed rectory and the village church. It acts as a haven of wildlife including owls and a recently growing population of red kites. Beside it there is a bridleway connected to a network of footpaths used by riders, walkers, children walking to school and for access to the church, village hall and shop.

Thundridge Sports Field

Thundridge sports Field is home to Thundridge Cricket Club/ Thundridge United and Thundridge City Football Clubs. It is located in the Rib Valley, surrounded by farmland, woodland and allotments with views of the village and the church. The 4.8 acre field was purchased in 1935 from Braziers Gravel Company. Access is via an unmade track, opposite the village hall. The pavilion has changing rooms, showers, toilets, a kitchen, dining area and score box. The sports field is available to hire for events.

High Cross Spar Shop, Petrol Station and Workshop

The local petrol station was established more than 50 years ago. The shop is well stocked; the opening hours are convenient, and it offers potential for local employment. Charitable collection boxes and a parcel collection and delivery point are available on-site. 90 % of those who responded to the residents survey said they would use the Spar and petrol station. The petrol station is used by more than 80% of respondents to the residents survey.

'The Feathers' Inn

Originally a 17th-century coaching inn, 'The Feathers' is a public house and hotel in the heart of Hertfordshire, with a pleasant mix of conserved history and modern furnishings. It is located in the small village of Wadesmill in the Rib Valley and surrounded by countryside. 'The Feathers Inn' contains 31 bedrooms all decorated traditionally with original features but also has modern facilities. Visitors can enjoy its traditional atmosphere and appreciate its perfect location to eat with family and friends. 'The Feathers Inn' holds events such as live bands on bank holidays and garden parties and provides meeting facilities for up to twenty people. 'The Feathers Inn' also promotes collections for MacMillan Cancer Support. The pub is used by more than 80% of respondents to the residents survey.

A summary of evidence for each ACV will be contained in the individual submissions for listing each asset which will be made to East Herts Council. The village shop in Thundridge was closed temporarily but has now reopened and will also be considered as a nomination as an ACV.

APPENDIX F - References

East Herts District Plan October 2018

The National Planning Policy Framework 2019

The Setting of Heritage Assets (Planning Note 3 Second Edition), Historic England, December 2017

High Cross Thundridge Assessment as a Conservation Area, BEAMS, August 2018

Local Heritage Listing (Advice Note 7), Historic England, May 2016

Appeal decision, February 2019 APP/J1915/W/17/3181608

#	Local green spaces	Designate	Potential development site	National designation or right of way	Common land or village green	Private garden	Owner known	Insufficient evidence or data	Extant planning permission	Local in character	Extensive tract	Demonstratively special	Reasonably close	Beauty	Intrinsic local character	Historical significance	Recreational	Natural wildlife
1	The Pit	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	N//A	Grassland cut yearly	Includes remaining mound of Thundridge Post Windmill. Windmill demolished in the 1870's.	Extensively used for dog walking	Wildflowers
2	Thundridge Allotments	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	In Rib Valley, surrounded by farmland, woodland, allotments and with views of village and church to east.	Providing areas of cultivation	N/A	Only facility in Parish. 48 plots (two vacant). Scenic spot providing important social function. Growers share tasks and exchange ideas and produce.	Part of an ecological network. Contains habitat not currently qualifying under S41 of the NERC ACT but with high potential to do so.
3	Jean's Orchard	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	Old fruit trees in a grassed open space	Ancient orchard	N/A	Was featured in Village Live magazine	Area undisturbed with range of wild life passing through. Uncultivated. Many wild flowers. Contains habitat qualifying under S41 of the NERC ACT.
4	Rennesley Gardens and Castle	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	Views across the Parish	Motte and Bailey	Overlooks Westmill and Thundridge. Was site of moated castle in 1880. One of most interesting moated mounts in Hertfordshire	N/A	Deer, Muntjac, Rabbits - Potential for ecological protection.
5	West Youngsbury Park	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	9 hectares of parkland with ancient trees	Ancient meadow	Capability Brown landscape	Public right of way	Wild flower meadow. Small rodents and owls. Potential for ecological protection.
6	The Green North Drive	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	N/A	A Creates Space original design	N/A	Only open area within housing development. A well used space.	Part of an ecological network. Contains habitat not currently qualifying under S41 of the NERC ACT but with high potential to do so.
7	The Bourne	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	Ancient trees and wildflowers	Formed by glacial runoff. The Bourne is mostly dry but fills in autumn and winter with run-off from surrounding fields. Bridleway 42 and Footpath 40 run along it.	Iron Age earthworks present	Public right of way	Steep-sided, wooded valley. Habitat for badgers, woodpeckers, buzzards, kites and smaller birds and animals. Enforcement action taken against in-filling. Habitat listed under S41 of the NERC Act and development should be avoided.
8	Football Field and Sutes Meadow	✓	N	N	N	N	Y	N	N	Y	N	Y	Y	N/A	Ancient meadow	N/A	Public right of way	Contains ancient pollarded Oaks and wild flowers. Part of an ecological network. Contains habitat not currently qualifying under S41 of the NERC ACT but with high potential to do so.
9	Glebe Field	✓	Y	N	N	N	Y	N	Y	Y	N	Y	Y	Views of listed buildings; St. John's Church and The Rectory from North Drive	Central green space to High Cross - a clear space in the very centre of the village	Glebe land for the use of the rectory	Southern boundary of field is an unadopted narrow road (North Drive) and popular bridleway.	Uncultivated wild flower meadow. A haven for wildlife including growing population of red kites and owls.

APPENDIX H - Action Plan

Projects in this Plan have been identified through consultation with residents during the preparation of the Thundridge Neighbourhood Plan.

Project/ Task	Timetable	Project Lead	£ Cost Estimate	Funding Source	Outcome sought / Objective
Facilities & Services					
Collection of litter (regular litter pick)	Quarterly	PC	Nil	Volunteer time	Make place look more cared for
Options for reducing speeding through the villages e.g. making look cared for (flower planting)	Annual	PC	TBC	Unidentified at present	Improve general road safety
Advertise Thundridge shop – pending outcome of sale	One-off	PC	TBC	Parish council/new owner	Ensure this facility survives either in its present location or another location
Encourage the joint use of facilities such as the schools and churches	Ongoing	Neighbourhood Plan Advisory Committee	Nil	Volunteer time	Provide a better range of venues for activities
Speak to the owners of the White Horse to establish option to retain it as a pub	One-off	Neighbourhood Plan Advisory Committee / Parish Council	Nil	Volunteer time	Pubs are often the heart of a village and this facility is missed by villagers in High Cross
Campaign to improve the bus service	Ongoing	PC to negotiate with Herts County Council	Nil	Volunteer time	Encourage use of public transport rather than private cars
Investigate options for car parking at village facilities including schools and sport fields e.g. Norman Woodson	Ongoing	Parish council/ TNP Facilities Group to identify options	Nil	Volunteer time	Reduce congestion around facilities and encourage events
Nominate community assets listed in Appendix E	Ongoing	Parish council	Nil	Parish Council time	All identified community assets listed as ACVs
Environment					
Make the Clarkson Memorial and the information boards more visible from the road and maintain regularly	Annual	PC/School project	TBC	Volunteer time / community grant	Encourage more visitors and foster pride in local parish history
Advertise local history in pubs (with accommodation)	One-off	PC	Printing cost	Parish funds	Encourage more visitors
Promotion of the Turnpike and Doric columns on Thundridge bridge	One-off	PC / School	TBC	TBC / Possible grant funding	Making it more obvious – pride in local history

Project/ Task	Timetable	Project Lead	£ Cost Estimate	Funding Source	Outcome sought / Objective
Encourage landowners of river banks to care for the River Rib	On-going	TNP Environment Group	TBC	Project with Wildlife Trust or Ground-work	Maximise flow and reduce extraction, tree removal
Agree a scheme for long-term maintenance of Thundridge Old Church	March 2020	TOCAG	TBC	TBC/ possible grant funding	Take responsibility for the permanent protection, maintenance and public access to Thundridge Old Church
Seek formal designation of High Cross as a Conservation Area ref BEAMS Report (2018) High Cross Assessment as a Conservation Area	On-going	Parish Council	TBC	Parish Council time	Designation of the centre of High Cross as a Conservation Area
Encourage more hedge and tree planting	On-going	PC on plan apps/Env G	TBC	Volunteer time or grant funded	Reduce pollution from roads through parish
Initiate tree planting schemes e.g. on agricultural land	On-going	Groundwork?	TBC	Volunteer time	Community awareness and benefits of trees
Mark and publicise the Meridian line and Harcamlow Way (long distance path)	One-off	Thundridge & High Cross Society	TBC	TBC/ possible grant funding	Encourage visitors & walkers to the parish, plus encourage residents to walk more
Design/implement project to raise awareness of issues of single use plastic	One-off	Puller School/ Catherine	Nil	Volunteer time	Increase awareness of school children to plastic pollution
Put a management scheme in place to clear the river and its banks	October 2019	Environment Agency or other Trust	Time to negotiate	Volunteer time	Reduce incidents of flooding and manage the river for nature and public enjoyment
Jean's Orchard expand access – more open days	Annual	Trust	TBC	Volunteer time	Encourage participation
Housing					
Monitor progress of new builds with a view to reporting any breaches of housing policies	Ongoing	PC/ Housing Group	Nil	Volunteer time	Ensure the Neighbourhood Plan is properly implemented
Communications					
Village Life Mag continues and expands	Annual	Magazine Committee	TBC	To be identified	Promotes community engagement
High Cross shop – ideas welcome to encourage use and encourage them to advertise themselves	One-off	TNP Communications Group	Nil	Volunteer time	Ensure it remains as a facility for the village

THUNDRIDGE

PARISH COUNCIL

East Herts Council

Executive

Date of Meeting: 6 July 2021

Report by: Cllr Goodeve, Executive Member for Planning and Growth

Report title: Gilston Area Neighbourhood Plan 2020-2033

Ward(s) affected: Hunsdon Ward

Summary

- To adopt the Gilston Area Neighbourhood Plan following the Referendum of 27th May 2021.

RECOMMENDATIONS FOR Executive to recommend to Council:

(a)   The Gilston Area Neighbourhood Development Plan 2020-2033, as detailed at Appendix A to this report, be formally 'made'.

1.0   Proposal(s)

1.1   The Gilston Area Neighbourhood Plan went to Referendum on the 27th May 2021. A majority voted in favour of the Neighbourhood Plan and as such the Council now has the opportunity to formally 'make' the Neighbourhood Plan.

2.0   Background

2.1   Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. In February 2017, Hunsdon and Eastwick and Gilston Parish Councils submitted a request for Neighbourhood Area Designation of the the entirety of Gilston Parish, Eastwick Parish and that part of Hunsdon Parish which

lies within the proposed Gilston Area (Policy GA1) development. This submission was subsequently agreed on 28th November 2017.

2.2 The Parish Council submitted the draft Neighbourhood Plan to East Herts Council in June 2020. Following this, an 8 week consultation took place between 21st July and 15th September 2020. The Neighbourhood Plan was then assessed by an Independent Examiner between October 2020 and February 2021 and was recommended to proceed, subject to recommended modifications, to Referendum.

3.0 Reasons

3.1 Due to the coronavirus pandemic, all referendums were postponed between March 16th 2020 and May 5th 2021 in line with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020.

3.2 The Referendum took place on 27th May 2021 with a 37% turnout. There was an overall 'yes' vote of 590, against 13 who voted 'no'. As outlined within Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004, (as amended by the Neighbourhood Planning Act 2017) the Council is able to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the plan being used to help decide planning applications in the area. The residents within the Gilston Neighbourhood Area voted on the following question:

"*Do you want East Hertfordshire District Council to use the Neighbourhood Plan for the Gilston Area to help it decide planning applications in the neighbourhood area?*"

3.3 With an overall successful 'yes' vote, the Council are now able to formally adopt the Neighbourhood Plan as part of the East Herts Development Plan.

Adoption

3.4   Following a successful referendum, there are narrow circumstances where the local planning authority is not required to make the neighbourhood plan or Order. These are where it considers that the making of the neighbourhood plan would breach, or otherwise be incompatible with, any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 Act as amended).

3.5   The Gilston Area Neighbourhood Plan does not breach the aforementioned obligations.

3.6   The Gilston Area Neighbourhood Plan already forms part of the development plan for East Herts. As such any planning applications within the Neighbourhood Area will be assessed alongside the current East Herts District Plan 2018 policies, the National Planning Policy Framework (NPPF) and all other material planning considerations.

3.7   It is considered that the Gilston Neighbourhood Plan positively contributes to the East Herts Development Management process providing a strong community vision that seeks to contribute to sustainable development and as such the Neighbourhood Plan can proceed to be formally 'made'.

3.8   The final version of the Gilston Area Neighbourhood Plan can be found in Appendix A.

4.0   Options

4.1   The Council is permitted, in narrow circumstances only to not make a neighbourhood plan. this is when it is in breach or incompatible with any EU or human rights obligations (see section 61E(8) of the Town and Country Planning Act 1990 as Amended)

5.0 Risks

5.1 If the Neighbourhood Plan does not proceed to be formally 'made' then the Council wouldn't be fulfilling its duties as Local Planning Authority and there is the risk of legal challenge.

6.0 Implications/Consultations

6.1 The Neighbourhood Plan has been subject to multiple rounds of statutory public consultation.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

The Gilston NP has been screened to determine whether a Strategic Environmental Assessment and/or a Habitats Regulations Assessment is required, the report concluded that the Plan is not likely to have any significant environmental effects and as such neither were required. The Plan also contains policies that aim to protect the environment.

Financial

It is the responsibility of the LPA to cover examination and referendum costs. Government grants available when a Plan has a formal referendum date.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

The Council must make a deicision under section 38A(4) of the 2004 Act

Specific Wards

Hunsdon Ward

7.0 Background papers, appendices and other relevant material

7.1   Appendix A: Gilston Area Neighbourhood Plan 2020-2033

Contact Member

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HEGNPG

Supporting our Community

Gilston Area Neighbourhood Plan

2020-2033

REFERENDUM DRAFT (Feb 2021)

Contents

Table of Figures

A. Introduction to the Neighbourhood Plan

Why have a Neighbourhood Plan?

1. The Green Belt around Gilston and Eastwick was released in the East Hertfordshire District Plan (October 2018) to accommodate the strategic allocation identified in Policy GA1 for 10,000 homes, jobs and services as part of the wider Harlow and Gilston Garden Town (HGGT).

2. People living in the area are concerned about the impacts of this scale of change and are determined to ensure development respects the integrity of the local area, minimises impacts on landscape, local heritage and existing communities and upholds the essential quality of life. The community wants to ensure the release of Green Belt genuinely leads to a development of 'exceptional quality' and creates distinctive villages set within an attractive rural landscape, protecting and enhancing existing settlements at the same time and delivering benefits for existing and new communities.

3. The Gilston Area Neighbourhood Plan (the Plan)[1] has been prepared by the local community, through the Hunsdon Eastwick and Gilston Neighbourhood Plan Group which represents the Parish Councils and is made up of people living within the Parishes [2]. Once adopted, it will form part of the Development Plan for the area: this means that developers will be required to take account of its policies when putting forward development proposals to the local planning authority for approval.

4. Between summer 2017 and spring 2018, the local community worked closely with the developers/landowners and East Hertfordshire Council (EHC) in the preparation of the Gilston Area Concept Framework [3] which was endorsed by the Council in July 2018 as a material consideration in the determination of planning applications. The Parish Councils believe the Concept Framework sets appropriate foundations for respectful development but recognise that it does not have the status of formally adopted planning policy. For this reason, the Parish Councils agreed to prepare a Neighbourhood Plan which is based on the Concept Framework to elevate its vision and principles to formal policy in order to provide a stronger, locally informed planning policy framework for the Gilston Area.

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[1] The Gilston Area Neighbourhood Plan refers to the Eastwick, Gilston and part of Hunsdon Neighbourhood Plan designated area – See Fig. 1 - Neighbourhood Plan Area Boundary. This is referred to as the Gilston Area in the Plan.

[2] The Hunsdon Eastwick and Gilston Neighbourhood Group was constituted in 2016 and has been working hard in trying to influence the future of the area. It meets regularly and is open to all local residents wishing to join and take an active role - www.hegnp.org.uk

[3] See - https://www.eastherts.gov.uk/article/36592/Other-Material-Considerations

5. The aim is to give weight to the views and priorities expressed by the local community whilst respecting the Policy GA1 allocation and the aspirations of the Council and developers. Accordingly, the Plan sets out:

- A **shared vision** for the Neighbourhood Area (already endorsed by all parties through the Concept Framework).
- **Key development principles** for comprehensive and integrated development, respectful of local village character and providing benefits for existing and new communities.
- **Planning policies** to be taken into account in the determination of planning applications, with a particular focus on the importance of a comprehensive landscape led approach which draws inspiration from the local area.
- **Priority projects** as identified by the local community in consultation (where appropriate) with statutory bodies.
- **A framework for partnership working** between EHC, developers and the local community.

6. The Neighbourhood Plan will be subject to review to ensure that it responds to changes over time and if necessary, policies and development guidelines will be revised.

The Neighbourhood Area

7. The application for designation of the Neighbourhood Area was approved by EHC on 28 November 2017. It covers the entirety of Gilston Parish, Eastwick Parish and that part of Hunsdon Parish which lies within the Policy GA1 allocation (see Fig. 1).

8. The remainder of the Parish of Hunsdon (including the village, the SSSI and part of the Stort Valley) forms a separately designated Neighbourhood Area for which a Plan is currently in preparation [4].

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[4] Hunsdon Area Neighbourhood Plan - http://hunsdonneighbourhoodplan.org.uk/

Fig. 1 - Neighbourhood Plan Area Boundary

Neighbourhood Plan Boundary

Parish Boundaries
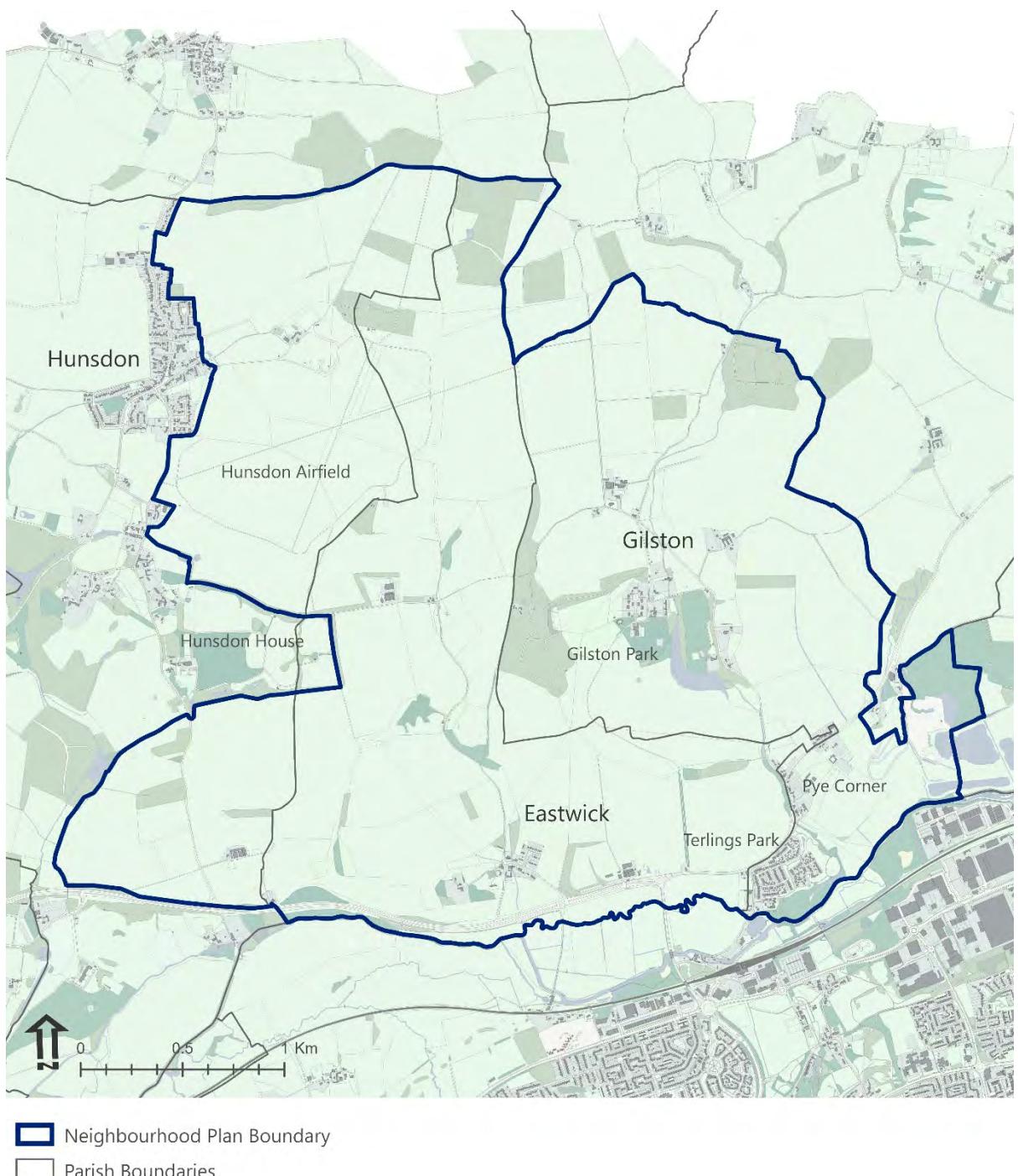
Plan Preparation Process

9.   The Neighbourhood Plan has been prepared in accordance with the Localism Act 2011 and the Neighbourhood Planning Regulations 2012 (as amended)[5] . It has had regard to the Policies of the NPPF (February 2019) and PPG on Neighbourhood Plans, and is in general conformity with the East Herts District Plan (adopted October 2018).

10.   A more detailed explanation of how the Plan conforms with national and local planning policies is provided in the accompanying Basic Conditions Statement.

11.   The Neighbourhood Plan has been founded on extensive public consultation within local communities and with the Parish Councils. It has been prepared in close collaboration with EHC, the Harlow and Gilston Garden Town (HGGT) and the developers.

12.   Regulation 14 Consultation was undertaken between September and October 2019 when the community confirmed general support for the vision and objectives set out in the Plan and the scope and purpose of the policies. The responses to consultation and the changes made to the Draft Plan are summarised in the accompanying Consultation Statement.

13.   Preparation of the Neighbourhood Plan has also taken account of the outcomes of the Gilston Steering Group Meetings, formally hosted by EHC, and attended by the developers, Hertfordshire County Council, the Parish Councils and Neighbourhood Plan Group and of an extra round of consultations held with EHC and the developers between February and March 2020. The Draft Neighbourhood Plan was reviewed by the Harlow and Gilston Garden Town Quality Review Panel (QRP) in February 2020.

Evidence Base

14.   Preparation of the Draft Neighbourhood Plan has drawn on the extensive evidence base that supports the District Plan, the Gilston Area Concept Framework and the HGGT documents.

15.   The evidence base has been supplemented by direct inputs from the community, either in the form of comments or through their knowledge of local history, character, landscape and environmental sensitivities.

16.   A list of the key evidence base is included in Appendix 5. Further evidence base and supporting documents are available on the Neighbourhood Plan Group website: www.hegnp.org.uk

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[5] Neighbourhood Planning Regulations 2012 (as amended)
https://www.gov.uk/guidance/neighbourhood-planning--2

B. Planning Policy Framework

17. This section summarises the national, strategic and local planning policy context. Further details are provided in the Basic Conditions Statement.

18. The Neighbourhood Plan provides an additional level of detail and a distinct local approach without undermining the strategic policies of the District Plan. It forms part of a suite of planning policies (mandatory) and guidance (advisory) relevant to the area. The relationship of the Neighbourhood Plan to other planning documents is illustrated in Fig. 2.

Fig. 2 - Framework of key Planning Policy and Guidance relevant to the Gilston Area

* = This document ** = In preparation (Feb. 2021)
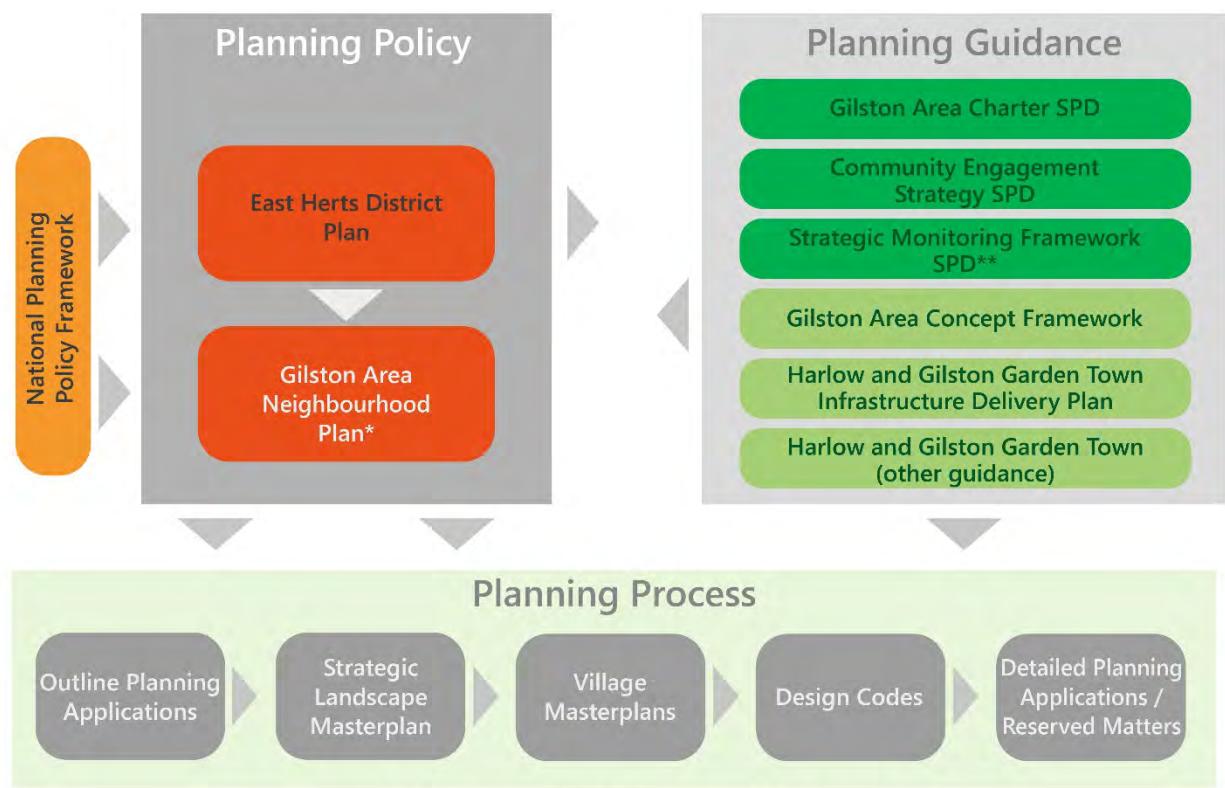
Planning Policy

East Hertfordshire District Plan

19. The East Hertfordshire District Plan[7] (Policy GA1) allocates land in the Gilston Area (see Fig. 3) for 10,000 new homes in distinct villages, with at least 3,000 to be delivered by 2033 along with employment development and supporting infrastructure including roads and sustainable transport, schools, health centres and public open space. This accounts for a large proportion of the District's housing and employment needs.

20. Fig. 3 below shows the key allocations in the Gilston Area overlapping with the Neighbourhood Plan Area. The map shows a part of the allocation (in the Parishes of High Wych and Widford) outside the scope of the Neighbourhood Plan.

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[7] The East Herts District Plan 2018 | East Herts District Council

Policy GA1 – The Gilston Area

21. The main development strategy established in Policy GA1 includes:

    - **Single allocation:** to be delivered within this Plan period and beyond as part of a comprehensive green infrastructure network according to Garden City Principles.
    - **Housing:** a mixture of house sizes and tenures.
    - **Education:** land for twenty forms of entry for both primary and secondary education to cater for the needs arising from the development.
    - **Transport:** a wide range of interventions and sustainable transport measures (with buses, cycling and walking) to prevent unacceptable congestion.
    - **Community Facilities:** new provisions based around a network of village centres.
    - **Employment:** provision of local employment area/s of around 5 ha in the form of either a business park or distributed across the village centres.
    - **Open Space:** development of only the south and south eastern sections of the site with new greenspaces, sports pitches, parks and recreation areas. Within the north and north western sections of the site, provision of a substantial amount of public open space as part of wider managed parklands.
    - **Character:** high-quality design, with careful consideration given to layout, architecture, building heights and materials and sensitive integration with the wider surrounding landscape.
    - **Heritage:** the many heritage assets and their settings to be conserved and, where appropriate, enhanced within the context of the overall development.
    - **Ecology and Environment:** protection of important hedgerows, Local Wildlife Sites and ancient woodlands with the creation of new habitats to achieve an overall net gain in biodiversity and integration of a Sustainable Urban Drainage (SuDS) network.

22. Policy GA1 (II) indicates that the Concept Framework will identify the design principles, potential land uses, infrastructure requirements and phasing and will be used as a benchmark in reviewing development proposals.

23. Policy GA1 (IV) requires the preparation of a Community Engagement Strategy to include managing the effects of development on local residents, and opportunities to participate in the emerging new community.

24. Policy GA1(V)(u)) requires new landscaping and planting, both within the site and on the periphery, which responds to the existing landscape and complements development.

Policy GA2 – Stort Crossings

25. The Council aims to facilitate the delivery of improvements to River Stort crossings:

    - A widening of the existing A414 crossing (Central Crossing / Fifth Avenue);
    - A new vehicular, cycle and pedestrian crossing either to the east of the existing crossing (connecting the A414 to the River Way), or to the west of the existing crossing (connecting the A414 to Elizabeth Way).

Fig. 3 - District Plan Policy GA1 and the Neighbourhood Plan Area

Policy GA1

Policy GA1

0   0.5   1 Km

☐ Neighbourhood Plan Boundary

☐ Site Allocation (Policy GA1)

☐ Community Trust Open Space Land (Policy GA1)

☐ Green Belt (East Herts only)

☐ Rural Area Beyond the Green Belt

☐ Village Development Boundary (Group 1)
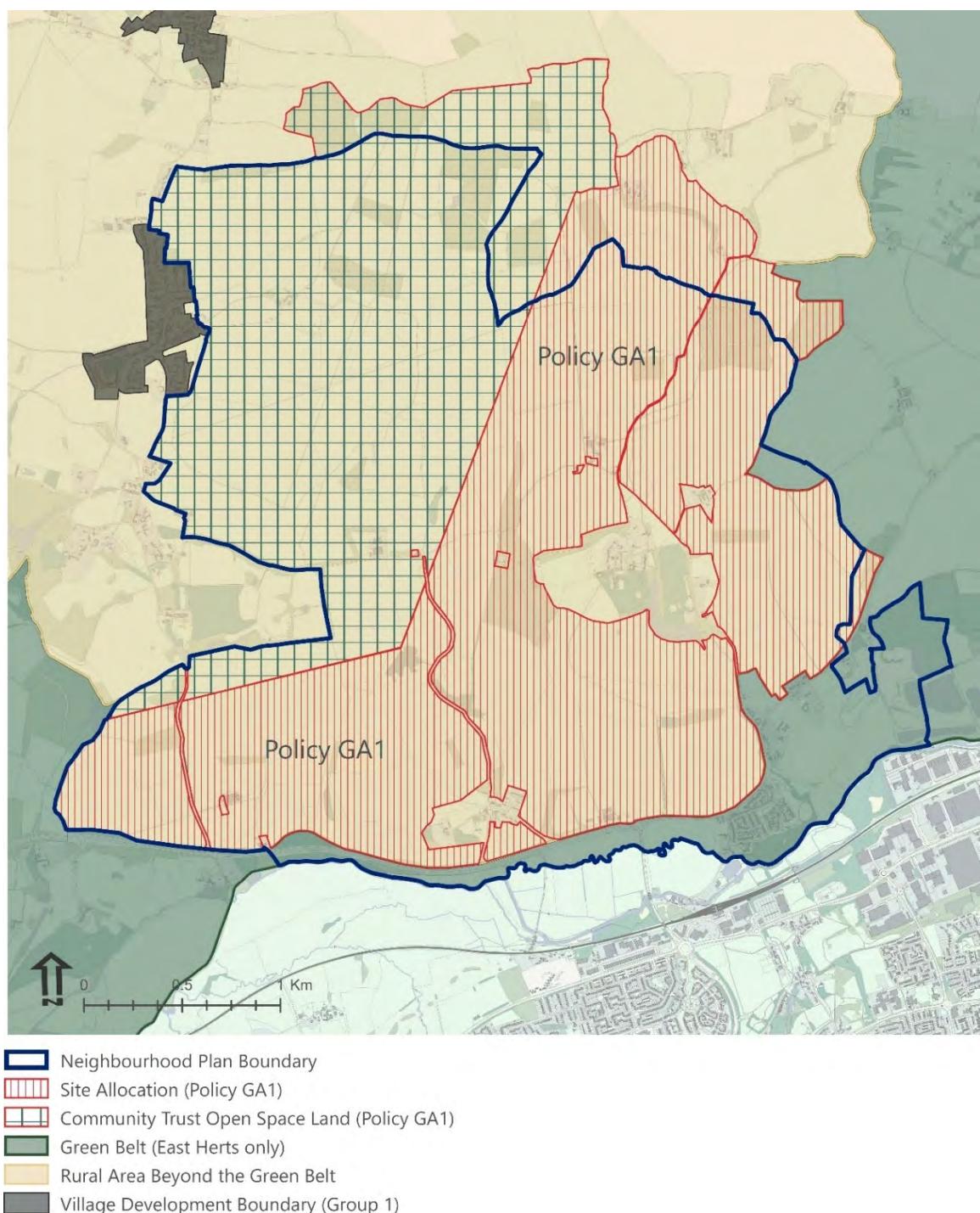
Other Planning Documents (Material Consideration)

National Planning Policy Framework

26. The Neighbourhood Plan promotes sustainable development in line with the National Planning Policy Framework[8] (NPPF) together with improvements to the environment, economy and wellbeing of people (existing and new communities) in the Neighbourhood Area. The NPPF is supplemented by the National Planning Policy Guidance (the "guidance" referred to in paragraph 8(2)(a) of Schedule 4B to the Town and Country Planning Act 1990).

27. Critically, the NPPF makes it clear that in guiding development to sustainable solutions, the planning system must take into account local circumstances to reflect the character, needs and opportunities of each area. Paragraph 29 states that Neighbourhood Planning gives communities the power to develop a shared vision for their area.

The Gilston Area Concept Framework

28. The Concept Framework [9] was produced in parallel with the District Plan for the purpose of the Policy GA1 site allocation by Places for People and City and Provincial Properties (now operating as Briggens Estate 1) in collaboration with EHC and following collective input by the local communities. It was endorsed by EHC as a material consideration for Development Management purposes in July 2018. It represents an agreed approach between all main parties and identifies high quality design and placemaking principles, potential land uses, landscaping and public realm, transport and infrastructure requirements and phasing.

29. The Concept Framework was heavily informed by the community through the Neighbourhood Plan Group and engagement with hundreds of local residents. As a result, revisions strengthened the concept of development in the Gilston Area as a series of distinct villages inspired by local character.

30. The framework was used to demonstrate deliverability of Policy GA1 as seven distinct villages separated by meaningful landscape with shared infrastructure and a clear collective identity. It also established key principles to shape the content of any future masterplanning work, including 'strong vision, leadership and community engagement in accordance with Garden City Principles' and informed by the landscape, topographical and built features of the area.

East Herts Gilston Area Charter and Community Engagement Strategy SPDs

31. The Gilston Area Charter SPD has been produced by EHC through engagement with developers, key stakeholders and representatives from the Neighbourhood Plan Group to help guide the planning and delivery of high quality and coordinated development and infrastructure within the Gilston Area. The final document was approved by the Council's Executive in June 2020 [10].

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[8] NPPF, Ministry of Housing Communities & Local Government (February 2019)
https://www.gov.uk/government/publications/national-planning-policy-framework--2
[9] Gilston Area Concept Framework (2018)
[10] Gilston Area Charter SPD- Executive Report (East Herts Council 2 June 2020)

32. The Charter establishes a consistent approach to the production of Masterplans to ensure development in the Gilston Area comes forward in a comprehensive and cohesive manner that contributes to the creation of successful and sustainable places. This is seen as particularly important because of the strategic scale of development and the multiple parties with an interest in its delivery. It requires the preparation of a Strategic Landscape Masterplan to be approved in advance of Village Masterplans.

33. The Charter SPD also embeds the important role of collaborative engagement with the local community in the preparation of the Masterplans. This is further developed in the Gilston Area Community Engagement Strategy (GACES, Dec 2020), which sets out the objectives, stakeholders and methods to be used for proactive engagement[11].

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[11] Gilston Area Community Engagement Strategy final Appendix A.pdf (eastherts.gov.uk)

34.   The Harlow and Gilston Garden Town (HGGT) is an initiative born out of the shared aspirations of five partner Councils -EHC, Epping Forest and Harlow District Councils with Essex and Hertfordshire County Councils - to deliver housing, economic growth and the regeneration of Harlow and surrounding settlements. It was awarded formal Garden Town status by the Government in January 2017

35.   The Garden Town comprises the whole of the existing Harlow District and four strategic development sites including the Policy GA1 allocation. As such, the proposals for the Gilston Area will be required to complement, and have regard to, ongoing work relating to the Garden Town.

36.   The Garden Town Board expects that the strategic sites will not be developed in isolation but will be interrelated to create a coherent and sustainable Garden Town. To this end, the Garden Town is preparing a series of guidance documents, which once formally endorsed by the Garden Town Board and the three Districts will constitute material planning considerations in relation to all HGGT planning applications. Key documents[12] prepared to date include:

- The **Harlow and Gilston Garden Town Vision** (November 2018) sets out the main aspirations for the area. It incorporates the concept of the 7 distinctive villages in the Gilston Area and a range of development principles.
- The **Harlow and Gilston Garden Town Design Guide** (November 2018)- provides further guidance and some detailed examples how development could fulfil the Vision. It identifies a clear distinction in development form between the urban green setting of Harlow and that of Gilston, where individual villages in the rural landscape are to be provided.
- The **Harlow and Gilston Garden Town Transport Strategy** (Draft for Consultation January 2020)[13] prepared in line with Hertfordshire County Council's Local Transport Plan 2018-2031 (LTP4)[17] setting out three headline objectives to:
  – Achieve a target of 60% of all journeys by sustainable modes of travel within new development (and 50% in existing areas of Harlow).
  – Deliver mobility options on a hierarchy that prioritises a reduction in the need to travel, walking, cycling and public transport.
  – Support a culture of active and sustainable travel within the HGGT.
- The **Infrastructure Delivery Plan** (IDP)[14], **Strategic Viability Assessment** (SVA) and **How to Guide for Planning Obligations and Viability**- jointly produced by all five Garden Town partner Councils in consultation with the main developer stakeholders (April 2019). The purpose of the IDP is to set out the infrastructure that will be required to deliver the planned level of housing and employment growth at the Garden Town and it will be used as a basis for subsequent masterplanning and planning application discussions for the strategic sites in the HGGT.

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[12] For all HGGT documents refer to: Our resources - Harlow and Gilston Garden Town
[13] Harlow and Gilston Garden Town Transport Strategy (Draft for Consultation) (January 2020)
[14] Harlow and Gilston Garden Town Infrastructure Delivery Plan Final Report (April 2019) p.4

37. The Building Better, Building Beautiful Commission[15] published its final report, –Living with Beauty, on 30 January 2020[16]. This sets out the Commission's recommendations to government and is expected to guide changes to the planning system in the future.

- **Ask for Beauty** - The report sees beauty as the benchmark that all new developments should meet and an essential condition for granting planning permission.
- **Refuse Ugliness** - The report sees ugliness in buildings that are unadaptable, unhealthy and unsightly, and which violate the context in which they are placed.
- **Promote Stewardship** - The report maintains that the built and natural environment belong together and new developments should be regenerative, enhancing their environment and adding to the health, sustainability and biodiversity of their context.

38. The Commission advocates an integrated approach, in which all matters relevant to placemaking are considered from the outset and subject to a democratic or co-design process. The proposals aim for long-term investment in which values that matter to people – beauty, community, history, landscape – are safeguarded. Environmental goals – durability, adaptability, biodiversity – are seen as contiguous with the pursuit of beauty.

39. The Neighbourhood Plan seeks to provide an exemplary showcase for the principles set out by the Commission, through its commitment to high quality design, placemaking and long-term stewardship in the Gilston Area.

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[15] https://www.gov.uk/government/groups/building-better-building-beautiful-commission
[16] Living with Beauty: report of the Building Better, Building Beautiful Commission (January, 2020) https://www.gov.uk/government/publications/living-with-beauty-report-of-the-building-better-building-beautiful-commission

C. Local Context

Understanding local context is essential in promoting sustainable development in the Gilston Area. It is important that local character and the aspirations of the local community help shape and influence development in accordance with national guidance and strategic policy objectives.

A Brief History of the Parishes and Villages

40. The Gilston Area contained small settlements before pre-Roman times and has been continuously inhabited ever since. Many heritage assets are still prominent features of the area today (see Fig. 4).

41. Since the 14th-15th centuries the area was the site of three churches and manor houses, all located outside the main working settlements:
    - St Botolph's in Eastwick (Grade II* Listed Building) founded around the 13th century and Eastwick Manor.
    - St Mary's in Gilston (Grade I Listed Building) surrounded by the manors of Overall and Netherall, which later became New Place and then the present Gilston Park House (Grade II* Listed Building).
    - St Dunstan's, built as part of the complex of Hunsdon House (both Grade I Listed Buildings), located just to the west of the Neighbourhood Area.

42. All three settlements share a common history and rural economies. Hunsdon House (Grade I Listed) is one of the most important medieval houses in the country, with a long history of Royal association. The extensive countryside setting of Hunsdon House remains substantially undeveloped and allows an understanding of the role of agriculture and woodland in the operation of this nationally important historic house [17].

43. Gilston Park House is a Grade II* Listed country house in Gilston designed by Philip Hardwick for John Hodgson around 1852. Hodgson also built distinctive model farmhouses and community buildings, in rich red brick, with black detailing, tall 'Tudor' chimneys, decorative wooden gables, ornate porches, diamond-paned windows, and solid oak doors. Many of these still exist today and are listed (see Fig. 4).

44. Connections with Harlow remained limited until recently and the villages stayed outside the main routes connecting London to Cambridge which helped Old Harlow grow into a small market town even before the railways. Throughout the periods of fast urban expansion (late Victorian with the railways and in the post-war period), Eastwick, Gilston and Hunsdon retained their small size and character, despite major changes in Harlow, which developed into a sizeable town in the 1870s and then a major New Town in the post war period.

45. Until recently, physical growth in settlements in the Gilston Area was limited:
    - In the second half of the 19th century development of farmhouses and benevolent facilities took place in the Gilston Park Estate.

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[17] https://historicengland.org.uk/listing/the-list/list-entry/1347687

- Between 1941 and 1945 the RAF built the airfield at Hunsdon, by altering fields and removing woodlands. The site at peak had around 2,000 personnel, mostly living in the village.
- Terlings Park, formerly a manor house to the south of Netherhall, became a medical research facility before being redeveloped for around 200 houses in 2017.

Fig. 4 - Protected Landscape Designations and Heritage Assets
(Source: District Plan, Natural England, Historic England)
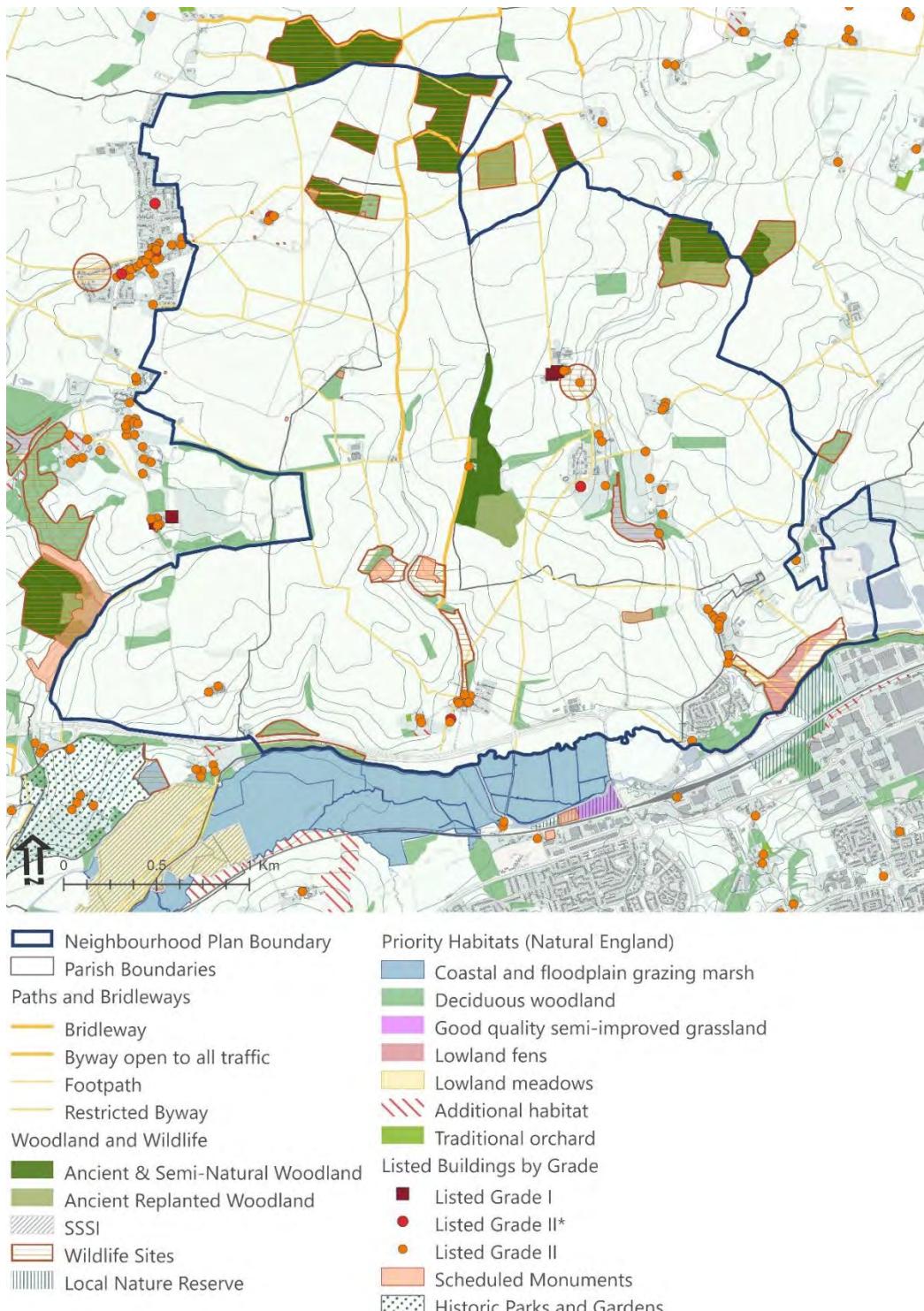
The Gilston Area today

Population and Socio-Economic Overview

46. The census data of 2011 does not fully represent the current population of the area, particularly in Gilston, where the development of Terlings Park has brought 200 new households and increased the variety of age, ethnicity, and economic profile.

47. The 2011 Census paints a picture of the Gilston Area as an affluent established family area, with high employment level and a good proportion of people in managerial and professional occupation. Overall, Eastwick appears to have smaller houses and middle range of employment, while Hunsdon has an older population and a slightly lower proportion of people in high-level occupation. The three Parishes are still clearly different in socio-economic terms from the ward of Old Harlow, which profiles as a decidedly more urban area: higher proportion of flats, many singles, higher proportion of elderly and lower skills.

Landscape Setting and Relationship of Villages and Countryside

48. The Gilston Area is located on the southern facing lower slopes of the Hertfordshire uplands reaching the Stort Valley to the south. It is in large part rural and the landscape includes arable fields, clusters of veteran trees and woodland, and the parkland of Gilston Park. Notable is also the vast Hunsdon Plateau, which during WWII was cleared of trees and hedges for the airfield, the footprint of which is clearly identifiable today even though it comprises open arable fields. The Area includes many protected habitats and wildlife sites (see Fig. 4).

49. The southern edge of the Area, in part reaching the county boundary at the River Stort, extends into the valley (the remaining designated Green Belt) that separates Gilston from Harlow and provides links to significant areas of protected biodiversity within the Stort Valley and the Lee Valley Regional Park, a major Natural Green Space within an accessible distance. Further afield, but still relevant for their size and importance, are Epping and Hatfield Forests.

50. Arable fields and grassland surround the compact village of Eastwick to the south, and the scattered village community of Gilston, which comprises several building groups around St Mary's Church, at Gilston Park, along Gilston Lane and at Pye Corner and Terlings Park. Isolated farms, often Listed Buildings, are situated among the fields.

51. A Landscape Character Appraisal SPD was prepared in 2007, identifying three main zones [18].
    - The southern Eastwick Slopes characterised by parklands and cultural landscapes.
    - The River Stort, a quiet valley containing a mix of floodplains, discontinuous pasture, biodiversity-rich water meadows (SSSI and other wildlife areas), wetlands and 19th century water related industrial buildings (maltings and mills).
    - The Hunsdon Plateau characterised by the large scale open arable farmland and the WWII Airfield on the flat upland plateau south of the village of Hunsdon. The plateau is accessed by footpaths but has poor vehicular access.

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[18] https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Landscape_Character_Assessment_SPD.pdf

52.   Pockets of woodland and many veteran trees are distributed throughout the area, in between large arable fields. These have been identified by the District Plan as Wildlife Sites which could potentially connect the water landscapes of the Stort Valley and Lee Valley to the south and west (floodplain marshes, water bodies and important SSSI/RAMSAR sites) to the upper plateau woodland to the north.

53.   Gilston Park is the designed parkland of the eponymous manor house. Whilst the park is not formally designated, it is of importance for its landscape design and groupings of mature trees. The park of Hunsdon House is adjacent to the Neighbourhood Area, while the listed Ancient Garden of Briggens House is located just to the south.

54.   Areas of parkland were retained as part of the redevelopment of Terlings Park in 2017 together with many mature trees including significant specimens such as Giant Redwood and a Cedar of Lebanon. This parkland contributes to the character and landscape setting of Gilston.

55.   Numerous footpaths and Rights of Way cross the area and intersect farmhouses and other dwellings.

56.   The overlay of urban development over time – comparing the 1886 map of the area to that of today – has not dramatically transformed the area: the patterns of most lanes, woodland and fields remain the same, with the notable exceptions of the construction of the A414, the 5th Avenue bridge over the Stort and railways and the Hunsdon Airfield. Settlements and farms have grown with time, but they never altered the previous patterns. Because of this, local settlements still have a close relationship with the countryside: open views over the field, trees, hedgerows and planting of a rural nature and simple access lanes rather than streets.

Settlement Character

57.   The existing communities comprise the villages of Eastwick, Gilston and Hunsdon and scattered or non-contiguous dwelling houses. Only Hunsdon has a defined Village Boundary in the District Plan. The existing settlements are characterised by a dispersed built-up form and scattered clusters of buildings. Gilston is formed by a loose grouping of buildings rather than a compact settlement.

58.   Whilst the settlements are all unique, the villages within and nearby the Gilston Area (including Hunsdon, Much Hadham, Puckeridge, Widford, and High Wych) display some common features and settlement characteristics. More detail about settlement characteristics is provided in Appendix 3.

Transport and Mobility Patterns

59.   At present, the existing settlements are served by the A414 and Eastwick Road, with a network of narrow roads and lanes linking the villages and outlying settlements. As there are limited public transport services to Harlow, Bishop's Stortford or Hertford, most journeys must be undertaken by car. This includes most school trips and commuting patterns to work in Harlow or London.

60.   Harlow Station is on the London-Stansted-Cambridge rail link and services are heavily used particularly during peak hours. Residents in the Gilston Area have reported problems of lack of capacity and overcrowding on existing services.

61.   Cycling trips to Harlow Station are undertaken by some residents, but this is made difficult by the lack of safe crossing at the A414 and Eastwick Roundabout. The cycle parking facilities at Harlow Station are also poor and have inadequate capacity. Harlow Mill and Roydon Stations have fewer and slower train services and are less used.

62.   Most residents are aware of the impacts of through movements using, for example, Church Lane and the main street in Hunsdon to go to Bishops Stortford; or Eastwick Road serving Sawbridgeworth. These movements are particularly intense when there is congestion on the M11, spilling over onto the A10. Often in these occurrences, the Eastwick Roundabout causes severe delays, and Church Lane and Eastwick Road are observed by residents to become dangerously busy.

Fig. 5 - Character of Eastwick and Gilston

A. Attractive village front garden (Eastwick Hall Lane); B. Views over the open countryside from within the village (Eastwick); C. Deep front garden with large trees (Gilston Lane); D. Churches typically set in landscape at the village edge (St. Botolph's, Eastwick)

D. Vision and Objectives

The Vision and Objectives for the Area are the result of collaborative work between the community, the local authority and the promoters of development in the Gilston Area, which started during preparation of the Concept Framework and continued on the Neighbourhood Plan.

Local Perspective

63. Through on-going dialogue with EHC, the HGGT Board and developers, through engagement on the Concept Framework, the community has identified issues which have informed preparation of the Neighbourhood Plan:

    - The community wishes to ensure that the release of Green Belt in this area genuinely leads to development of exceptional quality, that will create a strong community and eventually mature into attractive villages for the future.
    - Gilston, Eastwick and Hunsdon have a different identity and history from Harlow, and development in the area should emphasise this distinctiveness and sense of place.
    - The creation and preservation of green infrastructure and ease of access to community facilities, employment sources, shops and other services is recognised as a benefit for all residents of the Gilston Area.
    - Development should take the form of individual villages set in a rural landscape which take their inspiration from local Hertfordshire villages, rather than that of urban neighbourhoods. Great importance is placed by the community on using the existing landscape and local characteristics to create an attractive place and landscape setting for people to enjoy.
    - The development will lead to complete transformation of the Gilston Area, and this should be accompanied by improvements such as better connectivity and better services for the whole area, including existing communities, in line with Garden City Principles – rather than simply mitigation of development impacts.
    - It will be important to uphold the provisions in the District Plan to preserve and protect the open spaces in the northern section of the Gilston Area and to transfer them to the community to ensure their long-term stewardship and governance.

64. The Neighbourhood Plan adopts the shared vision and objectives set out in the Concept Framework [19], which have been agreed by developers and endorsed by EHC and supported by the community during their drafting and then in consultation for the Neighbourhood Plan.

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[19] Gilston Area Concept Framework (July 2018), Gilston Area Vision (p.10)

65.	The overall vision for development in the Gilston Area is to create seven new villages, each with its own distinct character and identity, within one overall landscape setting and based on the following Garden City Principles:

- Strong vision, leadership and community engagement.
- Land value capture to deliver the essential social and physical infrastructure for the benefit of the community.
- Long-term community ownership of land and stewardship of assets.
- Mixed-tenure homes and housing types including those that are genuinely affordable.
- A wide range of local jobs within easy commuting distance of homes.
- Beautifully and imaginatively designed homes with access to open space, combining the best of town and country to create healthy communities, and including opportunities to grow food.
- Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses energy-positive technology to ensure climate resilience.
- Strong cultural, recreational and shopping facilities in walkable, vibrant, sociable communities.
- Integrated and accessible transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport.

Vision for the Gilston Area

I. To deliver new housing within seven distinct villages each of individual character, that are informed by the landscape, topographical and built features of the area and establish a positive relationship with the existing settlements.

II. Each village will be clearly separated by meaningful and high-quality landscape with a compact centre and softer edges facing onto greenspace. The centres will be designed to be individually distinctive and to become natural meeting places, providing a good range of day-to-day services and facilities alongside housing.

III. Every village will be designed using a palette of appropriate materials and features which respond to existing local context and architecture. The villages will be planned to support healthy community lifestyles, including a range of housing types and tenures, reducing car dependency, encouraging participation in community life, active mobility, sport and enjoyment of the countryside.

IV. The housing mix will include typologies and tenures suitable for all ages, will support home working and learning and offer a range of accessible tenures including genuinely affordable housing and homes for those with care and support needs. Care will be taken to ensure that homes front the streets and lanes and car parking does not dominate the street scene.

V. The achievement of a modal shift to reduce the dependence on car borne traffic will be strongly promoted through sustainable transport choices, new technologies and the creation of walkable neighbourhoods.

VI. A cohesive and enhanced rural landscape will bind all the new and existing settlements together and measures will be taken to enhance habitats and biodiversity, the natural environment and resilience to climate change. Community ownership and management will ensure an attractive and permanent green setting, offering substantially increased access to open spaces and amenity for all. Existing villages and communities / clusters of houses will be physically respected but functionally integrated into a unified wider community.

VII. The Gilston Area development will draw on the strategic thinking of the original 'Garden City' values of equality, good health, quality of life, a sense of community and access to employment, facilities and the countryside.

VIII. The developers and East Hertfordshire District Council have committed to the principle of land value capture and the funding and delivery of services and infrastructure needed to support the Gilston Area, with long-term community stewardship of community assets and land. New infrastructure will be phased to mitigate the impacts of the development on existing and new communities.

IX. Development of the Gilston Area will be delivered in conjunction with initiatives to further develop and regenerate Harlow through the Harlow and Gilston Garden Town initiative and the Harlow Town Centre Action Plan. This will encompass the delivery of strategic infrastructure to remedy current deficiencies, coordination of the infrastructure delivery to service the growth areas surrounding the town and potential funding/investment to support its delivery.

Objectives

66.   The vision is underpinned by interrelated objectives and development principles which the Neighbourhood Plan seeks to achieve through a range of policies, actions and projects. These are consistent with the objectives and placemaking design principles set out in the Concept Framework and Policy GA1 and are set out in Appendix 1.

Fig. 6 - Historic Gilston Park

E. Neighbourhood Plan Policies

The Neighbourhood Plan policies address the Vision and Objectives for the Gilston Area and aim to shape and influence the development, contributing individually and collectively to the over-arching objective of delivering sustainable development in accordance with the strategic priorities of the District Plan.

67. The Neighbourhood Plan policies are criteria based and not prescriptive as long as the aim of each policy is satisfied. They are organised in three core themes as illustrated in Fig. 7 below.

Fig. 7 - Policy structure of the Neighbourhood Plan
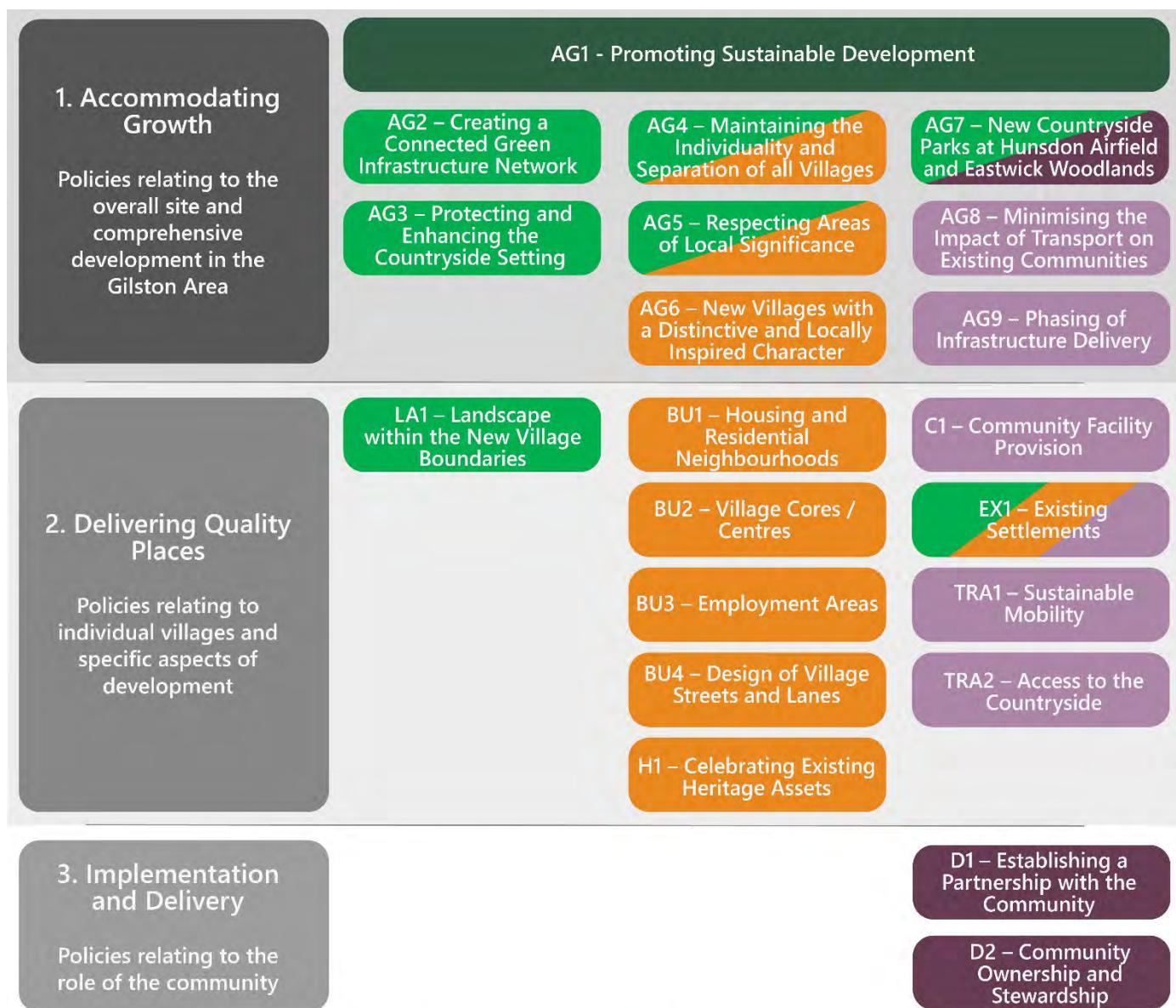
1. Accommodating Growth

This group of policies addresses strategic issues: the meaning of sustainable development in the context of the Gilston Area, the relationship with landscape and countryside, the character of villages and the integration of new and existing settlements and the wider area.

1.1 - Promoting Sustainable Development

Rationale and Justification

68. **Policy AG1 is a general policy which supplements Policy GA1 to ensure future development is comprehensively planned as a single allocation informed by local character and distinctiveness. It also sets out the main criteria for delivering sustainable development for the area and the measures needed to respond to a changing climate.**

69. In accordance with Policy GA1, development in the Gilston Area is required to take the form of a series of villages set around the historic landscape of Gilston Park. Each village should have its own distinct character and identity which responds sensitively to local landscape, character and heritage.

70. The HGGT Vision makes a clear distinction between the Gilston Villages and the wider Garden Town, defining a village as 'a residential community with local community facilities, shops and work spaces, which is set in rural countryside and is physically and visually distinct from the rest of the Garden Town and respects the existing landscape character.'[20]. This is reinforced in the Development Principles which underpin the Concept Framework ('Well Connected but Distinctive from Harlow').

71. The Neighbourhood Plan supports the emphasis placed on the rural landscape setting and on the development of distinctive villages of appropriate scale and character to provide a singular and coherent identity for the whole Gilston Area. A landscape led approach will ensure the integration of the existing settlements whilst retaining their individual form and identity.

72. In accordance with the Gilston Area Charter SPD, a Strategic Landscape Masterplan for the entire Gilston Area site allocation will be produced and approved before approval of the first Village Masterplan. The Charter SPD establishes that the production of the Strategic Landscape Masterplan, Village Masterplans and Design Codes will be developer led with key stakeholder and community engagement as an integrated and ongoing part of the process[21].

73. The Strategic Landscape Masterplan will establish the spatial strategy for comprehensive development of the entire Gilston Area and how it will successfully integrate with existing settlements and the wider landscape[22]. It will establish the key components of

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[20] Harlow and Gilston Garden Town Vision (November 2018) https://cdn-eastherts.onwebcurl.com/s3fs-public/documents/Harlow_and_Gilston_Garden_Town_Vision.pdf
[21] Gilston Area Charter SPD (June 2020) Figure 6
[22] Gilston Area Charter SPD (June 2020) para 4.6

the Green Infrastructure Network and address strategic matters including support for sustainable travel, integration with existing settlements and the wider landscape, village buffers and separation and management of surface water and flood mitigation [23].

74. The NPPF[24] requires a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Development in the Gilston Area should therefore:

- Protect areas of ecological, wildlife and landscape value and create an integrated green infrastructure network to support biodiversity.
- Ensure that development supports the comprehensive needs of the area without placing additional pressures on existing infrastructure and services.
- Promote the conservation of resources including water supplies and protect existing and future communities from the impacts of flood risk and climate change.
- Manage storm water and avoid downstream flooding in the Stort Valley, through sustainable drainage systems and maintenance arrangements which will ensure an acceptable standard of operation for the lifetime of the development and, where possible, provide multifunctional benefits.
- Promote high standards of sustainable design and construction.

Community Perspective

75. The community places great value on living in the Hertfordshire countryside and on the identity of the villages in the Gilston Area. Local residents recognise the functional interrelation with Harlow, but would like to ensure that the aspects of village character, community spirit and lifestyle of the area they value are extended to the new communities.

76. Whilst it is acknowledged that development on the scale proposed will impact on the rural setting of the area and existing settlements, the community is keen to ensure it is appropriate to the character of the area and does not result in an urban or suburban character, which could erode its distinctiveness from Harlow - a matter on which they place great importance.

77. A comprehensive plan for the whole Gilston Area is seen as key to preventing piecemeal development and controlling the form and character of new development.

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[23] Gilston Area Charter SPD (June 2020) para. 4.11
[24] National Planning Policy Framework (July 2018)
https://www.gov.uk/government/publications/national-planning-policy-framework--2

POLICY AG1 – Promoting Sustainable Development in the Gilston Area

1. Development in the Gilston Area will be supported where it can be demonstrated that the following criteria have been satisfied:

    i. Development proposals have considered the context of the overall development of the Gilston Area and can demonstrate that they have not been considered in isolation.

    ii. Development proposals have positively considered the existing settlements of Gilston, Eastwick and Hunsdon with respect to their character, heritage, environment and landscape setting and where possible have sought to enhance their access to services and facilities.

    iii. Proposals are landscape-led and a sensitive approach has been adopted in the transition between built development and the countryside setting of new and existing villages.

    iv. The new villages are visually and physically separated from Harlow by the natural greenspace of the Stort Valley.

2. The preparation, in collaboration with the local community, of a Strategic Landscape Masterplan for the entire Gilston Area will be necessary to provide the context and inform the preparation of Village Masterplans in accordance with Policy GA1 (IV).

3. Seven separate and distinctive new villages will be created, the locations of which are broadly defined in Fig. 8 together with the approximate number of dwellings for each. Every village will have an individual identity which complements the existing settlements and will be informed by Garden City Principles.

4. An integrated approach should be adopted to promote sustainable development, which considers:

    i. The phased delivery of necessary social and physical infrastructure to meet the comprehensive infrastructure needs of the area.

    ii. Retention of the countryside character of the landscape setting of the Gilston Area and an integrated network of green spaces.

    iii. Protection and enhancement of areas of ecological, wildlife and landscape value.

    iv. Protection and, where possible, enhancement of heritage assets.

    v. The proactive engagement of local communities.

5. New development across the Gilston Area should:

    i. Incorporate measures to conserve water resources and protect existing and new communities from the impacts of flood risk and climate change.

    ii. Maximise energy and water efficiency. Non-residential buildings should seek to achieve the same standards of efficient use of water resources as residential buildings or a BREEAM 'excellent' rating for water efficiency.

    iii. Deliver high-quality low carbon homes, using where appropriate wood or recycled materials in construction and measures for energy and water efficiency.

Fig. 8 - Strategic Plan of Designations and Development Areas
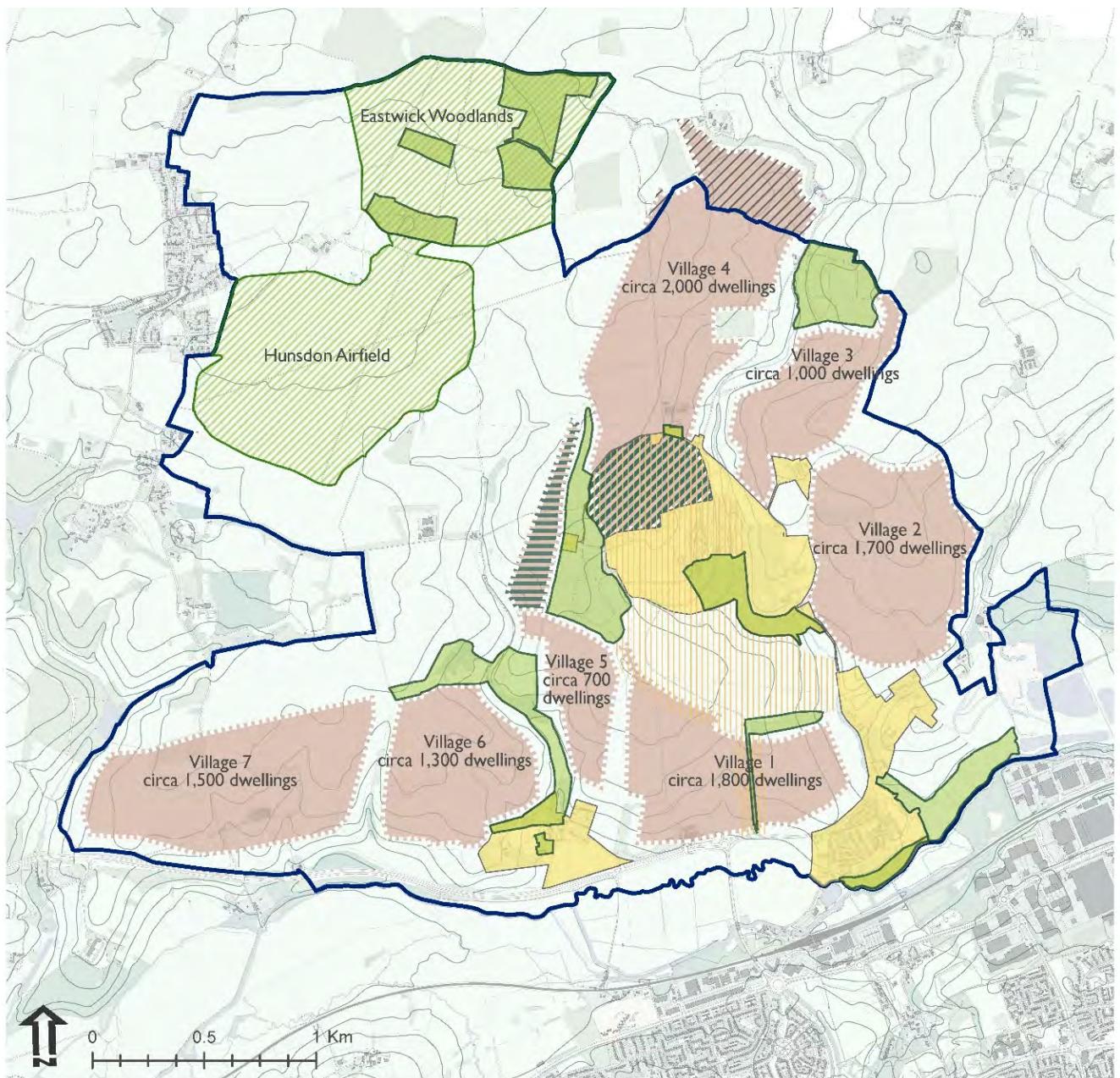
Neighbourhood Plan Boundary

Broad Location of New Villages

Part of Village outside Neighbourhood Plan

Community Boundaries

Designated Local Green Space

Countryside Park

Sensitive Landscape Setting (Gilston Fields)

Sensitive Landscape Integration of Community & Leisure Use

Sensitive Historic Setting

1.2 - Creating a Connected Green Infrastructure Network

Rationale and Justification

78. **Policy AG2 seeks to promote the creation of a continuous network of natural greenspaces and to protect the water environment in the Gilston Area.**

79. The objective is to:

- Create an extended network of accessible 'natural greenspaces' as defined by Natural England (ENRR526 Accessible Natural Greenspace)[25], using existing trees, hedgerows and landscape features.
- Establish and maintain a natural landscape setting of rural character between new and existing settlements/ communities.
- Ensure the protection of existing landscape features and wildlife sites and the establishment of wildlife corridors and interconnected habitats across the area.

80. District Plan Policy GA1(III) and GA1(V(g)) states that development will deliver comprehensive green infrastructure throughout the site, maximising opportunities to link into existing assets and enhancing biodiversity. Proposals will include a significant amount of open space within the north and north western sections of the area. In addition, the environment of the Stort Valley will be enhanced, and other landscape features preserved.

81. Policy AG2 seeks to ensure that the green infrastructure network is continuous and connected beyond the Gilston Area to incorporate key landscape features (see Fig. 9) and reflect the priorities established in other relevant guidance:

- The HGGT Vision highlights the importance of a landscape-led approach to masterplanning which responds to the natural character of the landscape, connecting all parts of the Garden Town and the wider countryside.
- The Concept Framework established the principle of connectivity between the existing network of parks, views and paths to form a rich and permeable green network [26].
- The HGGT Design Guide highlights the need to ensure that areas of new development should minimise the visual presence of built form and retain a green setting separating Gilston and Harlow [27].

82. The Gilston Area Charter SPD requires the preparation of a Strategic Landscape Masterplan to establish the key components and Character Areas that will form the comprehensive green infrastructure network across the site and inform the relationship between new villages and their green setting and ensure that the area as a whole integrates seamlessly into the wider landscape, beyond the development boundaries [28].

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[25] Accessible Natural Green Space Standards in Towns and Cities: A Review and Toolkit for their Implementation - ENRR526 (naturalengland.org.uk)
[26] Gilston Area Concept Framework (July 2018) p.80
[27] Harlow and Gilston Garden Town Design Guide (November 2018) p.22
[28] Gilston Area Charter SPD (June 2020) paras 4.10-4.11

83.   Natural England has developed the Accessible Natural Greenspace Standard (ANGSt) [29] to assist in planning for accessible natural greenspace. The standards recommend the distances required to ensure that everyone has good access to natural greenspace.

84.   The creation of a network of greenspaces is consistent with Hertfordshire County Council's Local Transport Plan 4 (LTP4) which recognises the need for integration of footpaths and cycleways with the greenspace and landscape corridors to support sustainable mobility and achieve the aims of the HGGT Sustainable Transport Strategy.

85.   The setting of villages within a predominant landscape and associated water environment is a key feature of the area whose countryside character has remained broadly unchanged since Tudor times (see Section C) and substantially unaltered in the post-war period, when Harlow and many villages and towns around Hertfordshire grew and changed in both size and character.

86.   The slopes and plateaus of Eastwick, Gilston and Hunsdon comprise agricultural fields, semi-natural parkland (Gilston Park and nearby Hunsdon House), veteran trees, established hedgerows, ditches and pockets of ancient or replanted woodland. Important wildlife areas exist nearby at the Lee Valley Park, Stort Valley marshlands and its SSSI, and the Forests of Epping and Hatfield.

87.   The creation of buffer zones adjacent to rivers performs a vital role in preserving and enhancing the health of rivers in terms of water quality, floodplain storage and habitats. River corridors are used by migrating and foraging species such as bats and thus allow the movement of species between areas. Networks of these buffer zones will help wildlife adapt to climate change and provide the opportunity to restore the watercourses. The Stort Catchment Partnership, hosted by Herts and Middlesex Wildlife Trust, has prepared The River Stort Catchment Management Plan [30] setting out the objectives and main projects to improve these watercourses and associated habitats. Their aim is to reach good ecological status for all waterbodies by 2027.

88.   It will be important to protect existing wildlife sites and biodiversity and retain wildlife connectivity across the wider area, as the sites are developed. The government is to introduce a mandatory requirement for development in England to deliver 'biodiversity net gain' of 10% at least. Biodiversity net gain could be achieved in a number of ways, for example through the creation of biodiversity corridors between villages, species-rich planted areas and woodland, restoration and enhancement of rivers and their corridors (e.g. Fiddlers Brook and projects within the Stort Valley).

89.   The creation of a green infrastructure network also provides the potential for betterment of land drainage through appropriately designed sustainable urban drainage systems (SuDS). Appropriate stewardship arrangements are essential to ensure that any blue/green infrastructure is appropriately managed and maintained in the future.

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[29] 'Nature Nearby' Accessible Natural Greenspace Guidance, Natural England, March 2010 http://www.ukmaburbanforum.co.uk/docunents/other/nature_nearby.pdf
[30] River Stort Catchment Management Plan www.riverleacatchment.org.uk/index.php/river-stort-home

Community Perspective

90. The community places great value on the countryside setting of their villages, the proximity of wildlife habitats and access to natural greenspace. Consultation on the Concept Framework (Sept 2017) highlighted local concerns about the impact of development on the relationship between countryside and new and existing villages and the need to protect and expand existing wildlife habitats and achieve a net biodiversity gain for the area.

91. Additionally, concern has been expressed about retaining the open aspect of important heritage assets, including St Mary's Church, Gilston Park House, St Botolph's, St Dustan's and Hunsdon House. Concern has also been expressed about the location of more intensive recreational activities in the open spaces and woodlands where these would disturb existing wildlife habitats.

POLICY AG2 – Creating a Connected Green Infrastructure Network

1. Development should:
   i. Minimise direct and indirect impacts on natural landscape assets in the Gilston Area including Local Wildlife Sites, areas of ecological importance, woodlands and water bodies and create, retain and manage appropriate separation distances and buffer zones.
   ii. Retain and, where possible, enhance areas of ecological importance including local wildlife sites and existing waterbodies.
   iii. Retain, enhance and, where possible, extend existing woodlands at an early stage of the development process.

2. Development proposals should take into account the Strategic Landscape Masterplan for the Gilston Area (see Policy AG1 (2)) to ensure the integrity of the landscape and countryside setting whilst creating an integrated Green Infrastructure Network that will surround and sit alongside the new villages, existing settlements and the wider landscape comprising:
   i. Existing parks, woodlands, designated green spaces and wildlife sites, streams and other water bodies including the River Stort and Navigation and connections into it.
   ii. Interconnected green corridors of adequate width to safeguard biodiversity and natural assets with suitable wildlife corridor connections with the wider green infrastructure network including the Stort Valley, the Green Belt and Green Wedges in Harlow which abut the River Stort, the Lee Valley Park, Epping Forest and Hatfield Forest.
   iii. Green corridors separating the villages (see Policy AG4).
   iv. New green spaces and habitats to promote a net gain in biodiversity.
   v. Walking and cycling access to the countryside in accordance with best practice such as Natural England Accessible Natural Greenspace Standards (ANGst).
   vi. Areas of open space contributing to locally cherished views in the Gilston Area and the natural corridor of the Stort Valley (see Policy AG5).
   vii. Land required for an effective sustainable drainage system in accordance with District Plan Policy WAT5, taking account of historic flood problems, protecting the Stort water systems and taking inspiration from traditional ditch and pond features.

3. The Green Infrastructure Network will be retained in perpetuity and subject to management and maintenance plans which will be secured through appropriate legal agreements.

Fig. 9 - Indicative Green Infrastructure Network

Legend:
- Neighbourhood Plan Boundary
- Parish Boundaries
- Sensitive Historic Setting
- Green Belt and Open Space Land
- Important Green Spaces
- Waterbodies
- Indicative Green Corridors
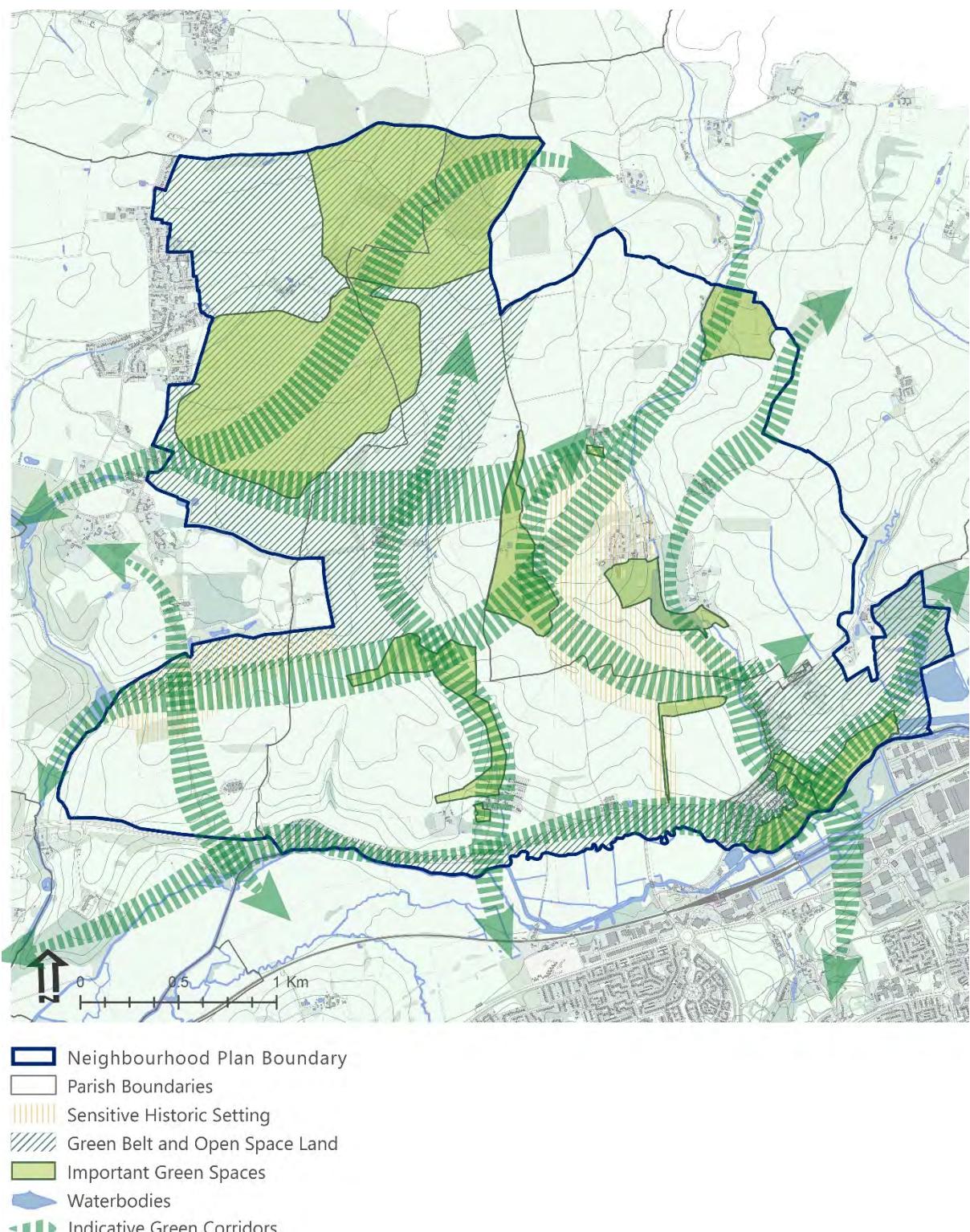
1.3 - Protecting and Enhancing the Countryside Setting of New and Existing Villages

Rationale and Justification

92. **Policy AG3 identifies the measures required to mitigate the urbanising effect of development and protect the countryside setting of villages (existing and new) in order to retain the character of the area.**

93. Countryside is the common term that indicates the open space outside cities and urban areas, made up of agricultural and natural greenspace (as defined by Natural England ENRR526[31]), including woodland, scrub, heathland, meadows and marshes, which support wild plants and animals.

94. The HGGT Vision supports the same objective of this Policy as it defines a village as being set in rural countryside and states that the open space between the Gilston villages 'will be rural in character using farmland and woodland to reinforce the separation of development and maintain existing village ways of life' [32].

95. The importance of preserving and protecting the landscape attributes of the Gilston Area whilst accommodating the scale of development proposed in the District Plan has also been established in the Concept Framework. The Concept Framework sets out the following guidelines to develop a unique landscape setting for the Gilston Area [33]:

    - The location of the villages should emerge from analysis and understanding of the wider strategic landscape character.
    - Development in the Gilston Area should respect and have a positive relationship with its landscape and heritage assets.
    - Where appropriate, landscape buffers are to be proposed to create a positive transition between existing places or features and new development.

96. The Gilston Area Charter SPD requires Masterplans to consider how development will sensitively respond to context, including protecting and enhancing ecological and heritage assets of the site, the wider landscape and Stort Valley and the relationship with existing settlements, Harlow and the wider Garden Town.

97. The Neighbourhood Plan requires that the greenspace between the villages retains a seamless landscape with the surrounding countryside, with the character and appearance of common land rather than that of a formal / urban parkland. Inspiration should be taken from local villages, set between trees and appearing in the wider landscape as blocks of trees with interspersed rooftops (See Appendix 3, Section 3.6).

98. Effective management will be important to ensure that the countryside setting of development is maintained over time. Uses which would have a negative impact on the natural and tranquil character of the countryside or require substantial new buildings or infrastructure, such as some forms of commercial leisure activities, will not be supported.

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[31] Accessible Natural Green Space Standards in Towns and Cities: A Review and Toolkit for their Implementation - ENRR526 (naturalengland.org.uk)

[32] Harlow and Gilston Garden Town Vision (November 2018) p. 12, Point 7

[33] Gilston Area Concept Framework (July 2018) p.80

Community Perspective

99.   The community places great importance on the countryside setting of the villages and the character of the area, where the countryside is a place of peaceful enjoyment. They would like that future residents chose this area because they also appreciate these distinctive characteristics and living near the countryside.

100.   The proposed development will impact on existing landscape character, and these impacts must be managed and mitigated to retain the natural green setting of new and existing settlements and to enhance biodiversity and wildlife in the area.

Fig. 10 - The countryside setting of local villages

A. Rural setting of Hunsdon (Widford Rise) from the plateau of Eastwick Wood; B. Setting of agricultural fields of Eastwick from the east; C. View of Pye Corner from the footpath to the north

POLICY AG3 – Protecting and Enhancing the Countryside Setting of New and Existing Villages

1. Development proposals will be supported where it can be demonstrated that the following criteria have been satisfied:

    i. Measures have been taken to contain and mitigate the visual impacts of development on the open character of the landscape setting of new and existing villages.

    ii. Natural features such as fields and woodland blocks have been utilised to enhance the setting of new and existing villages (see Policy AG4).

    iii. Open land outside the Village Boundaries has generally been maintained as Natural Greenspace (as defined by Natural England) with inspiration taken from the local countryside comprising areas of woodland, common land, hedgerows, fields and grassland, large trees and wetland by the brooks and ditches.

    iv. Proposed plant species are typical of the local countryside and adaptable to changing climate conditions and maximise opportunities for enhanced biodiversity, spontaneous colonisation and habitat creation.

    v. Paths and bridleways are well integrated with the landscape and, where provided, walls and gates take inspiration from local features.

2. Sport pitches and formal recreational facilities within the Green Infrastructure Network and outside of Village Boundaries should respect the countryside setting by:

    i. Not requiring significant alteration of contours or the removal of substantial areas of existing vegetation.

    ii. Ensuring that the setting of heritage assets or wildlife habitats are not adversely affected.

    iii. Proposing a form of surfacing and enclosure in keeping with the rural setting.

    iv. Providing only small-scale ancillary facilities, appropriately sited and of sensitive design, which carefully consider the impact on cherished views (see Fig. 14).

    v. Avoiding floodlighting or night use where this would have an unacceptable impact on the environment, wildlife, the maintenance of dark skies or amenity as a result of noise and light pollution.

    vi. Incorporating mitigation measures to reduce any adverse impacts on the amenity of existing residents and new communities.

3. The rural landscape, wetland environment and open views of the Stort Valley should be protected from encroachment and appropriate measures should be implemented to mitigate the impacts of development proposals on the Stort Valley and the open countryside including noise and light pollution.

1.4 - Maintaining the Individuality and Separation of all Villages

Rationale and Justification

101. **The principle of avoiding coalescence between settlements is well established in planning policy and is recognised in the Concept Framework, the HGGT Vision and Design Guide and in good practice. Policy AG4 aims to ensure that the open space separating new and existing villages is meaningful and designed to emphasise the individuality of each settlement within a cohesive whole.**

102. The Gilston Area should have a singular and coherent identity as a group of villages within the landscape, while accommodating diversity of character within. This approach makes possible the potential of incorporating the two existing settlements Gilston and Eastwick while retaining their individual form and identity.

103. All planning policy and guidance documents consistently refer to Gilston as a place which is distinct and separate from Harlow. District Plan Policy GA1(III) refers to 'distinct villages' and the HGGT Vision points to a 'series of distinctive neighbourhoods and villages' and to connecting 'out to the wider countryside and Stort Valley'. The HGGT Vision places emphasis on the difference in the balance between green and built areas between the Gilston Area and the wider Garden Town [34]: in Gilston there will be individual and distinctive villages set within the landscape, while Harlow (although still landscape-led) has an urban layout of interrelating neighbourhoods separated by green wedges.

104. The new villages should also have individual identities. This approach is supported by the Garden Town Design Guide, which promotes an individual identity for each village and requires that development should respond positively to the landscape and topography to avoid being too visually prominent. The placemaking principles which underpin the Concept Framework state that the location and extent of village development will be influenced by the existing landscape and that the new villages will be separated by green corridors of sufficient width to ensure the villages are separate and distinctive, whilst also performing a greenspace role and function [35].

105. The Gilston Area Charter SPD provides detailed guidance on the preparation of Village Masterplans and the need to have regard to how villages will interface and respond to the surrounding landscape in the context of the approved Strategic Landscape Masterplan [36].

106. Within Hertfordshire, villages are typically surrounded by a rural landscape of fields and woodlands. In some cases, villages along a road corridor are separated by smaller fields of 100-200m width and clear discontinuity in the built form that maintains identity and prevents coalescence. This is the case of Hunsdon and Widford, or High Wych and Sawbridgeworth.

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[34] Harlow and Gilston Garden Town Vision (November 2018) pp.4-5
[35] Gilston Area Concept Framework (July 2018) p.74
[36] Gilston Area Charter SPD (June 2020) para 5.3 step 4

107. Identity and distinctiveness should be informed by an in-depth understanding of the structure of local settlements, landscape, topographical and built features of the area within a comprehensive plan. Each of the new villages should feature discrete built areas, clear detachment, separation of frontages over rural fields or woodland with a clear perception of distance, sufficient to ensure that the villages are not seen as neighbourhoods of a single settlement but as genuinely distinct and individual villages.

108. Boundaries for the new villages and the communities of Eastwick and Gilston should be defined through a landscape-led approach to identify the landscape boundaries (in the Strategic Landscape Masterplan) and the edge of the built form and village boundaries (finalised through the Village Masterplans).

Community Perspective

109. The community has expressed concerns about the appropriateness of urban built forms in new development. Whilst it is recognised that the Gilston Area is separated from Harlow by the retained Green Belt and the River Stort, the community is concerned that there is a risk of visually merging the new built form into the urban area of Harlow.

110. Local residents support the sentiment of the strategic diagram in the HGGT Design Guide[37] and have a strong desire to ensure that new development respects the character of existing settlements, minimises and mitigates impacts on the existing community and creates separate villages which are sympathetic to the character of the Gilston Area and have a distinctive individual character.

Fig. 11 - Example of the gap between Hunsdon and Widford, typical of the area

A. Gap between Widford and Hunsdon looking west towards Gilston (power lines in the distance)
B. Visual gap between Widford and Hunsdon looking east

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[37] Harlow and Gilston Garden Town Design Guide (November 2019), Page 9

POLICY AG4 – Maintaining the Individuality and Separation of all Villages

1. The location and extent of new village development should be informed by existing landscape character, topography and heritage assets and respond sympathetically to the built form and setting of existing settlements and communities:

    i. A landscape-led approach should be adopted to define the extent of meaningful separation and green corridors between villages. The boundaries of these corridors will be identified in the Strategic Landscape Masterplan.

    ii. The green corridors separating villages should form part of the Green Infrastructure Network (Policy AG3).

2. Measures should be incorporated to protect the setting and distinctiveness of Eastwick, Gilston and Hunsdon and other clusters of existing buildings, including the establishment of landscape buffers and the retention of existing landscape features. The landscape buffers should comprise natural greenspace and a mixture of new planting and management of existing vegetation.

3. The new villages should each have a defined Village Boundary within which built development should be contained in order to create a distinct identity.

4. The green corridors separating villages should:

    i. Be of sufficient width and biodiversity value to support wildlife habitats and protect areas of ecological value from environmental impacts such as noise and light pollution.

    ii. Accommodate paths and cycle connections provided these can be accommodated without compromising the physical and visual separation between villages, the amenity of existing and new communities and the ecological value of the corridors.

    iii. Include provision for early planting and landscape improvements.

5. The detailed design and treatment of the natural green corridors and landscape buffers including rights of way and cycle connections will be identified in the Strategic Landscape Masterplan and Village Masterplans in consultation with the local community.

1.5 – Respecting Areas of Local Significance

Rationale and Justification

111. **Policy AG5 seeks to respect the integrity of the setting of existing settlements, heritage assets and landscape features of the area by identifying Local Green Spaces, community identity and locally cherished views. This is essential to respect local context and the character and distinctiveness of the Gilston Area, so that existing and future residents can still appreciate its qualities.**

112. The Policy identifies:
    - Local Green Spaces, corresponding to landscape and biodiversity assets meaningful to the community.
    - Community Boundaries, identifying the extent of existing village communities, whose integrity should be protected, which is not always clear, particularly in the case of the dispersed settlement of Gilston.
    - Locally cherished views over the open countryside and sensitive areas contributing to the appreciation of the landscape, and the setting of the most significant landmarks. These have been identified by the community as contributing to the character and enjoyment of the area. They are not assessed views and are independent of any views which may be agreed with EHC and assessed for the purposes of the Environmental Impact Assessments (and LVIAs) supporting the outline applications as part of the formal planning process.

113. This is consistent with Policy GA1 (V(g) and V(o)) of the District Plan, which emphasises the need to include opportunities to enhance on-site assets, biodiversity and protect Local Wildlife Sites and heritage assets and their settings, on-site and in the wider area.

114. The Gilston Area Concept Framework promotes the notion of development that will have a positive relationship with its landscape and heritage assets and the countryside and existing landscape attributes as far as possible. It also states that the designs of each village will identify long and short-range views to create visual connections with notable existing built and landscape features [38].

115. Similar aims are also established in the HGGT Vision and Design Guide. The Vision (Maximising Visibility and Appreciation of our Heritage) states that views of the natural and built landscape will be retained, with views towards heritage assets framed and enhanced[39]. The HGGT Design Guide identifies key landmarks and views across the Garden Town that will be important to retain and enhance. These include the strategic views from Hunsdon Airfield, St Mary's Church and St Dunstan's Church which are specifically identified as distinctive local assets[40].

116. Policy AG5 identifies specific Local Green Spaces (in accordance with the NPPF[41]) to signal their special qualities and because their protection and enhancement is considered to be critical to meeting the objectives set out in the Neighbourhood Plan. These are areas of local significance

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[38] Gilston Area Concept Framework (July 2018) p. 77
[39] Harlow and Gilston Garden Town Vision (November 2018) p11
[40] Harlow and Gilston Garden Town Design Guide (November 2018) p.22
[41] Paragraph 99, National Planning Policy Framework, Ministry of Housing, Communities & Local Government (June 2019)

which are highly valued by the community (see Fig. 12). They are sensitive and highly constrained areas of woodland and natural space with high biodiversity value, compatible with quiet outdoor recreation and contemplation. There is therefore strong local justification for taking a different approach to development management to that advised in paragraph 101 of the NPPF. Accordingly, development should be restricted to what is needed for their maintenance and preservation, with limited additions aimed at increasing appreciation and respect for these spaces. This could include repair and adaptation of existing structures, improvements to paths and drainage, and limited interventions such as erection of memorials, information boards or similar. The assessment of the designations demonstrates that they meet the criteria set out in the NPPF and is summarised in Appendix 2.

117. Of the existing communities of the villages of Eastwick, Gilston and Hunsdon and scattered or non-contiguous buildings, Hunsdon is a Group 1 Village and the others are Group 3 as defined in the District Plan. Only Hunsdon has a Village Boundary defined in the District Plan maps.

118. In order to protect the character of existing communities, and to assist in the protection of their integrity and setting, Community Boundary designations are proposed to identify the extent of the existing settlement and community (defined in Fig. 12). The Community Boundaries indicate a community unit, which should be protected to retain its cohesion. They are not equivalent to a Village Boundary, as they do not define areas where intensification and infill will be permitted. The existing settlements are characterised by a loose built-up form and scattered buildings and any future development in the Gilston Area should ensure that the character remains that of a settlement made of groupings of buildings dispersed in open space. Any planning applications within the Community Boundaries would need to respond to adopted policies relevant to Group 3 Villages as well as the Neighbourhood Plan.

119. The Neighbourhood Plan identifies three types of views (see Fig. 14):
   - Long Distance Views, relating to the entire Harlow and Gilston Garden Town, and already identified in the HGGT Design Guide [42].
   - Mid Distance Views to and from local assets, forming the setting of the churches, the historic manor houses and other locally significant features, like the war memorials and the Airfield memorial (see photos in Fig. 19).
   - Mid Distance Open Views from publicly accessible tracks and footpaths across the countryside and open fields important for the identity and appreciation of the landscape of the area.

Community Perspective

120. The Local Green Spaces have been identified as being special by the local community and hold a particular local significance, because of their beauty, historic significance, recreational value, tranquillity or richness of their biodiversity and wildlife (see Fig. 13).

121. Views across the fields towards heritage landmarks and mid-distance views across the landscape and towards the existing villages are cherished by local residents. These have been recorded by the local community. The preparation of Village Masterplans should involve consultation with the local community on these views to ensure a positive interface between development and the countryside (see Fig. 14 and Fig. 15).

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[42] Harlow and Gilston Garden Town Design Guide (November 2018), p.21

POLICY AG5 - Respecting Areas of Local Significance

1. The following sites are locally significant and are designated as Local Green Spaces in accordance with the NPPF and District Plan Policy CFLR2. These sites should form part of the Green Infrastructure Network; the Local Green Spaces are (Fig. 12):

   a. Eastwick Wood
   b. Black Hut Wood
   c. Lawns Wood and Moat
   d. Queens Wood
   e. Eastwick Valley and Eastwick Hall Corridor
   f. St. Botolph's Churchyard
   g. Home Wood
   h. St. Mary's Churchyard
   j. Golden Grove
   k. Gilston House Parkland and Lake
   l. Avenue and Chase
   m. Woodland to the south of Terlings Park
   n. Fiddlers Brook / Lowland Fens

2. Any development within local green spaces should be tightly constrained, and restricted to works necessary for their maintenance and preservation, and minor ancillary works necessary for enhancement of their appreciation. In exceptional circumstances, development needed for strategic infrastructure required for the Gilston area (Policy GA2) may be permitted.

3. Community Boundary designations (as defined in Fig. 12) identify the extent of the existing settlements of Eastwick, Gilston and Hunsdon, including clusters of scattered buildings which form part of these communities. Development proposals will be required to protect the integrity of the community within these areas and proposals should demonstrate how impacts on existing communities will be managed.

4. The preparation of Village Masterplans should involve consultation with the local community on locally cherished views (identified in Fig. 14):

   A. Long distance view from the Hunsdon Plateau / Hunsdon Lodge Farm looking south
   B. Long distance view from Harlow, marking the transition from urban to village setting
   C. Long distance view from Parndon Mill across the Stort Valley
   D. Views to and from the Churches of St. Mary's, St. Botolph's and St. Dunstan and churchyards
   E. Views of the Listed Gilston Park House and Hunsdon House and their gardens
   F. Open view over Hunsdon Airfield from Acorn Street and Drury Lane and from the airfield towards St Mary's
   G. Open views across the airfield from the Airfield Memorial and hangars
   H. Open views out from Eastwick Road towards the Memorial
   J. Open views towards Eastwick from the Stort Valley and from the lower part of Gilston Park
   K. Rural views from Hunsdon Pound towards Brickhouse Farm House
   L. Open views towards Hunsdon Brook Fishponds
   M. Open views towards and from Home Wood and Hunsdon / Cock Robin Lane
   N. Open view from the exit of Terlings Park and Fiddlers Brook
   P. Open view from the path by Channock Farm towards Golden Grove and High Wych.

Fig. 12 - Designation of Local Green Spaces and Community Boundaries

0   0.5   1 Km

Neighbourhood Plan Boundary

Parish Boundaries

Local Green Space

Local Green Space Designated by the District Plan

Wildlife Sites

Ancient Woodland

Scheduled Monuments

Community Boundaries

Local Green Space Designations

a. Eastwick Wood
b. Black Hut Wood
c. Lawns Wood and Moat
d. Queens Wood
e. Eastwick Valley and Eastwick Hall Corridor
f. St. Botolph's Churchyard
g. Home Wood
h. St. Mary's Churchyard
j. Golden Grove
k. Gilston House Parkland and Lake
l. Avenue and Chase
m. Terlings Park (Southern Edge)
n. Fiddlers Brook / Lowland Fens

Fig. 13 - Impressions from the Local Green Spaces

A. Eastwick Wood; B. Parkland at Gilston Park House; C. Giant cedar of Lebanon in Terlings parkland; D. Edge of Home Wood with a deer; E. Early purple orchids in Hunsdon; F. Home Wood.

Fig. 14 - Cherished Views over the Open Countryside and Sensitive Heritage Settings

Neighbourhood Plan Boundary
Parish Boundaries
♦ Church
♦ Manor House
♦ Other Asset
|||||||| Sensitive Historic Setting
Cherished Local Views
——— Long Distance View
– – – View Towards and from Distinctive Landmarks
········· View of Open Countryside

Cherished Views (Identified by the Local Community)
A. Long distance view from the Hunsdon Plateau
B. Long distance view from Harlow
C. Long distance view from Parndon Mill
D. Views to and from the churches and churchyards
E. Views of Gilston Park House and Hunsdon House
F. Open view over Hunsdon Airfield
G. Open views from the Airfield Memorial and hangars
H. Open views out from Eastwick Road and Memorial
J. Open views towards Eastwick from south
K. Rural views from Hunsdon Pound
L. Views towards Hunsdon Brook Fishponds
M. Open views towards and from Home Wood and Hunsdon
N. Open view from Terlings Park and Fiddlers Brook
P. Open view from the path by Channock Farm

Fig. 15 - Examples of key cherished views over the open countryside or part of the setting of local assets

A. The green setting of fields and trees looking south from St. Mary's Church; B. View of Hunsdon House and St Dunstan's from the south; C. Looking south across the airfield; D. Tranquil semi-natural part of the river looking towards Eastwick and A414; E. View towards Home Wood, past St Mary's Church; F. From Eastwick Hall Lane looking south-west towards Eastwick; G. Looking north from the edge of the airfield towards Black Hut Wood and the hangars

1.6 - Creating New Garden Villages with a Distinctive and Locally Inspired Character

Rationale and Justification

122. **Policy AG6 seeks to promote new villages with a distinctive character, appropriate to context and inspired by the typical characteristics of Hertfordshire settlements. The design of each village should draw from the appreciation of the existing landscape, topography, local village form and heritage assets and should aim to achieve the best possible balance between landscape, height and density. Where trade-offs may be required, the local community should be engaged in the choices to be made, through a collaborative Masterplanning process.**

123. The Neighbourhood Plan recognises that the new villages will be required to accommodate the allocation requirements of the District Plan and to meet current design and sustainability standards and does not intend to be prescriptive about specific architectural or built form, as long as the aim of the policy is satisfied.

124. The importance of designing in context is well established in design practice and it is supported by policy and guidance for the area:

   - The report of the Building Better, Building Beautiful Commission (Living with Beauty, January 2020) sees ugliness as buildings that violate the context in which they are placed. Such buildings would destroy the sense of place and undermine the spirit of community.
   - The District Plan (2018) makes numerous references to design in context and respecting the character of the area in its policies on design, villages and housing.
   - The Concept Framework, HGGT Vision and HGGT Design Guide all make reference to, and support, the importance of development proposals drawing from the character of local settlements and the wider East Hertfordshire context and, where possible reflect the historic pattern of lanes in the structure of the new villages.
   - The HGGT Vision also states that housing densities across the Garden Town will be broadly between 25 and 55 homes a hectare and that densities will typically increase towards local centres and transport hubs and villages should fragment at their edges.
   - In their responses to local consultations, Historic England highlighted the important role that the historic environment plays in place-making and reiterated their advice that development should draw on local vernacular/building materials and village forms, allowing a development to have a clear and distinctive character[43].

125. The Concept Framework proposes that the height of buildings will be defined in the Village Masterplan and that the overall development will have an average net density of 33 dwellings per hectare[44]. This approach is consistent with the aim of Policy AG6 as it will allow the identification of balance between massing and the delivery of new villages of distinct and locally inspired character when the new villages are designed.

126. As part of the Village Masterplan process, consideration should be given to the typical characteristics of local villages. Appendix 3, Defining Village Character, offers a source

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[43] Gilston Area Charter Executive Report (East Herts Council 2 June 2020) p.95
[44] Gilston Area Concept Framework (2018), pages 104-109

of design cues covering the key characteristics to be considered in future designs. By choice, the Appendix makes no prescriptive recommendation and does not endorse any specific architectural style and is not to be interpreted as prescriptive guidance. Key elements include:

- The typical structure of local villages linear and organised around a central spine, without comprehensive grids, common in planned settlements and market towns.
- Streets and lanes informal layout with low engineering definition, slow speed and rich mixed landscape.
- How views out towards the countryside are present within villages with views over rural landscape opening up from crossroads from within the core of the village.
- The character of the landscape within the village boundaries, including blocks of natural / semi-natural landscape with big countryside trees or fields.
- How local villages are seen and with views from the countryside dominated by big trees and landscape and not by buildings.
- The importance of 'soft' and informal edges, without continuous frontages or repetitive rooflines and with buildings partly hidden by planting.
- The sense of arrival and transition from countryside to village without a built 'gateway'; typically, arrival is through a green transition area.
- The character of local landmark buildings (manor houses and churches) isolated from the village, creating attractive views from the countryside and no focal point within the built-up area.
- Height and massing typically two-storeys, with the occasional three-storey building in a discreet location.
- Variety of alignment and built form from compact and continuous frontages in the core of the village (such as Hunsdon, Much Hadham, High Wych) to deeply set back isolated buildings (such as Gilston Lane, Eastwick fringes, and the outer parts of Hunsdon).

127. The new villages should also reflect contemporary design criteria, which incorporate the highest standards of sustainability. Innovative design that is flexible, adaptable and incorporates cutting-edge technology in the fields of low carbon, low energy consumption, low water demand and water conservation is encouraged in line with the HGGT Vision[45].

Community Perspective

128. The community is of the view that new development should respond sensitively to existing buildings and settlements so that future residents will also enjoy the qualities of the area. The need to reflect local village character in the design of the new villages was a recurring theme. For example, during revisions to the Concept Framework, images and built form which were pointing towards urban and suburban character were removed at the request of the local community. It is, however, recognised that:

- The new villages will be larger than the majority of local ones and will need more articulation in their structure, taking inspiration from settlements like Puckeridge (see Appendix 3) or possibly Buntingford.

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[45] Harlow and Gilston Garden Town Vision (November 2018) p.9

- There may be a need for trade-off between landscape separation and density. These trade-offs will need to be explored as options in collaboration with the local community through the preparation of Village Masterplans.
- Contemporary and innovative design will be encouraged subject to development being of an appropriate form and scale with views and connections to the surrounding countryside. Importance is placed on the variety of building design, informality of village layout and use of appropriate detailing and materials. Pastiche design is not advocated.

129. The community expects to be actively engaged in the preparation of Village Masterplans to ensure that development reflects village character drawing inspiration from Gilston, Eastwick and Hunsdon and the wider context of East Hertfordshire.

Fig. 16 - Examples of local soft edges to development boundaries in Hunsdon and Gilston

A. Typical village soft edge (Gilston Park new development); B. Soft edge of Widford looking towards Hunsdon; C. New housing edge at Hunsdon seen from the Airfield.

POLICY AG6 – Creating New Garden Villages with a Distinctive and Locally Inspired Character

1. Proposals for the new villages should clearly demonstrate that the best possible balance has been achieved between landscape, village separation, mass, density and the overall delivery of the aims of Policy GA1 of the District Plan. This should be demonstrated in the Village Masterplans prepared in collaboration with the local community, each of which should:

    i. Respect local topography, landscape features and settlement morphology.

    ii. Create a garden village of distinct and individual character.

    iii. Provide a range of densities appropriately scaled in relation to location, heritage assets, landscape features and topography.

2. Each Village Masterplan should demonstrate how it has been informed by relationship with the landscape and heritage assets and has drawn inspiration from the character and morphology of existing villages in the Gilston Area and elsewhere in Hertfordshire. Consideration should be given to the following typical village and other local characteristics (see Appendix 3, presented by way of further guidance) in the preparation of Village Masterplans:

    i. Clear visual integration with the countryside, with direct views over the rural landscape and the retention of pockets of natural greenspace and existing landscape features within the village boundary.

    ii. Softer outer village edges (with a fragmented building line and varied frontages dispersed among trees), with no visually prominent buildings or built frontages at the edges.

    iii. Building heights and massing which are appropriately scaled in relation to village location and heritage and landscape elements.

    iv. Informal layout of streets and lanes which should include street planting and connect with the Green Infrastructure Network.

    v. Diversity of building typologies and design.

3. Contemporary and innovative design will be encouraged taking into account the context in terms of landscape, topography, built form, scale and materials.

4. The character, built form and morphology of each of the new villages should be clearly distinguishable from the character and built form of Harlow.

1.7 - Creating New Countryside Parks at Hunsdon Airfield and Eastwick Woodlands

Rationale and Justification

130. **Policy AG7 establishes the Airfield and Eastwick Woodlands as a combined area of significant natural greenspace which can provide substantial benefits to new and existing communities, making a positive contribution to the natural environment and the countryside setting of the villages.**

131. The creation of new countryside parks at Hunsdon Airfield and Eastwick Wood, forming part of the wider Green Infrastructure Network (Policy AG2) and providing a countryside setting for the development (Policy AG3) is in keeping with the overall vision and objectives set out in policy and guidance for the area.

132. The land north of the powerlines identified in Fig 11.2 of the District Plan including Hunsdon Airfield and Eastwick Woodlands is allocated in GA1 as 'Community Trust Open Space Land': an area to be enhanced by planting and management schemes and remain permanently undeveloped, with the exception of small buildings associated with its recreational use. The District Plan also indicates that the transfer of the site to a community land trust, or other governance mechanism, should take place early in the overall development programme to deliver local ownership and management of these assets[46].

133. The creation of countryside parks also reflects the aspirations for the HGGT Vision which states that open land on the edge of the Garden Town will be improved with investment in public access, landscape and biodiversity enhancements, and the creation of country parks where appropriate.

134. The combined size of the Airfield and Eastwick Woodlands offer significant potential for permanent natural greenspace. Its provision is particularly important to relieve pressure on the comparatively greater ecological sensitivity of the land of the Stort Valley south of the Gilston Area.

135. Besides its present recreational value, the Airfield has great local historic significance, which should be protected and enhanced: the site was requisitioned in 1939 as a night fighter station hosting to over 20 squadrons.

136. There is also an opportunity to consider wider betterment in a planned and managed way through the proposed countryside parks in relation to:
    - Legacy drainage issues associated with the old airfield, which the Lead Local Flood Authority (LLFA) considers essential to resolve.
    - Risk of contamination in Groundwater Source Protection Zones 2 and 3 in the vicinity of the airfield which, according to the Environment Agency, could be affected by future works or drainage proposals that may disturb the ground.
    - Creation of appropriate connections to new and existing settlements through a network of footpaths, cycleways and bridleways as alternative to motorised access.

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[46] East Herts District Plan (October 2018) para 11.3.7 p.150

Community Perspective

137. The local communities of Hunsdon, Eastwick and Gilston would wish to see the Airfield used as a natural greenspace in accordance with Policy AG3 for the enjoyment of walking, cycling, horse riding and the countryside and for enhanced biodiversity. They want to ensure that it will never be developed.

138. Hunsdon Airfield and the area of Eastwick Woodlands are important areas of open countryside for the enjoyment of Hunsdon residents in particular, and essential to the setting of the village. The Airfield's strong local historical legacy is valued by the local community who are concerned that this cultural link should not be lost. For these reasons, this area cannot be considered a resource to be planned only for the benefit of the new communities – it is already very important to the communities of today.

139. The Concept Framework states that the area is to be placed in a locked trust prior to the commencement of development, and the community strongly supports this approach. There is an expectation that the Community Trust Open Space Land will be transferred to local ownership and management and delivered at an early stage of the development programme and that the community will be fully engaged in its design and implementation.

140. Concerns have been expressed about existing non-conforming uses which detract from the rural character of the area and generate noise and heavy traffic within Hunsdon. There is a desire that non-conforming uses and activities with negative local impacts will be removed at the earliest opportunity, as part of the mitigation measures. Concern has also been expressed that some of the present agricultural practices are incompatible with the longer-term objective of enhancing biodiversity and should be replaced over time with grassland and pasture which will benefit wildlife.

Fig. 17 - The open views across Hunsdon Airfield from Church Lane

POLICY AG7 – Creating New Countryside Parks at Hunsdon Airfield and Eastwick Woodlands

1. In accordance with Policy GA1, development in the Gilston Area will be required to include provision of Community Trust Open Space Land on the northern section of the site including Hunsdon Airfield and the area around Eastwick Wood. This area will include new countryside parks (broadly located in Fig. 18) to be designed and managed as natural greenspaces (see Policy AG3) and will address the following requirements:

   i. Retention of the area as Community Trust Open Space Land in perpetuity and the transfer of the site to a community land trust, or other suitable mechanism that ensures its long-term stewardship and governance, to deliver local ownership and management of these assets early in the overall development programme.

   ii. Funding and design support secured through a legal agreement prior to the transfer of the land and made available at the early stages of the development, with provision for community involvement in the preparation of proposals and a management and maintenance plan for the countryside parks (see Policies D1 and D2).

   iii. Implementation of early planting and woodland restoration, consideration of relocation of existing incompatible land uses and introduction of agricultural practices with greater biodiversity value.

   iv. Prior to the commencement of works in the area, investigation for potential land contamination and remediation as appropriate, to ensure the long-term safety of any future works or drainage proposals.

2. The design of the countryside parks should include:

   i. Substantial increase in biodiversity value, including woodland planting and natural grassland.

   ii. Protection of the legacy and appreciation of the Airfield footprint.

   iii. Restoration of existing heritage buildings to provide a visitor centre with interpretation facilities relating to the history and natural environment of the Airfield and small-scale ancillary uses such as a café.

   iv. No formal recreation or commercial uses where the scale and nature of these uses would impact on the countryside setting and open character of the parkland or local amenity or be in conflict with other policy objectives.

   v. New buildings only if in keeping with local character and provided these are ancillary to the recreational use of the area, of a compatible scale and architectural design, and discreetly located.

   vi. Car parking provision in accordance with Policy TRA1 and, where required, located in small groups on the edge of the parkland and well-integrated with the landscape.

   vii. Footpath, cycleway and bridleway connections to existing and new villages.

   viii. Integration of flood water retention in the landscape to remedy, if necessary, surface water flood risk within Hunsdon village in consultation with the lead local flood authority (LLFA).

Fig. 18 - The proposed countryside parks
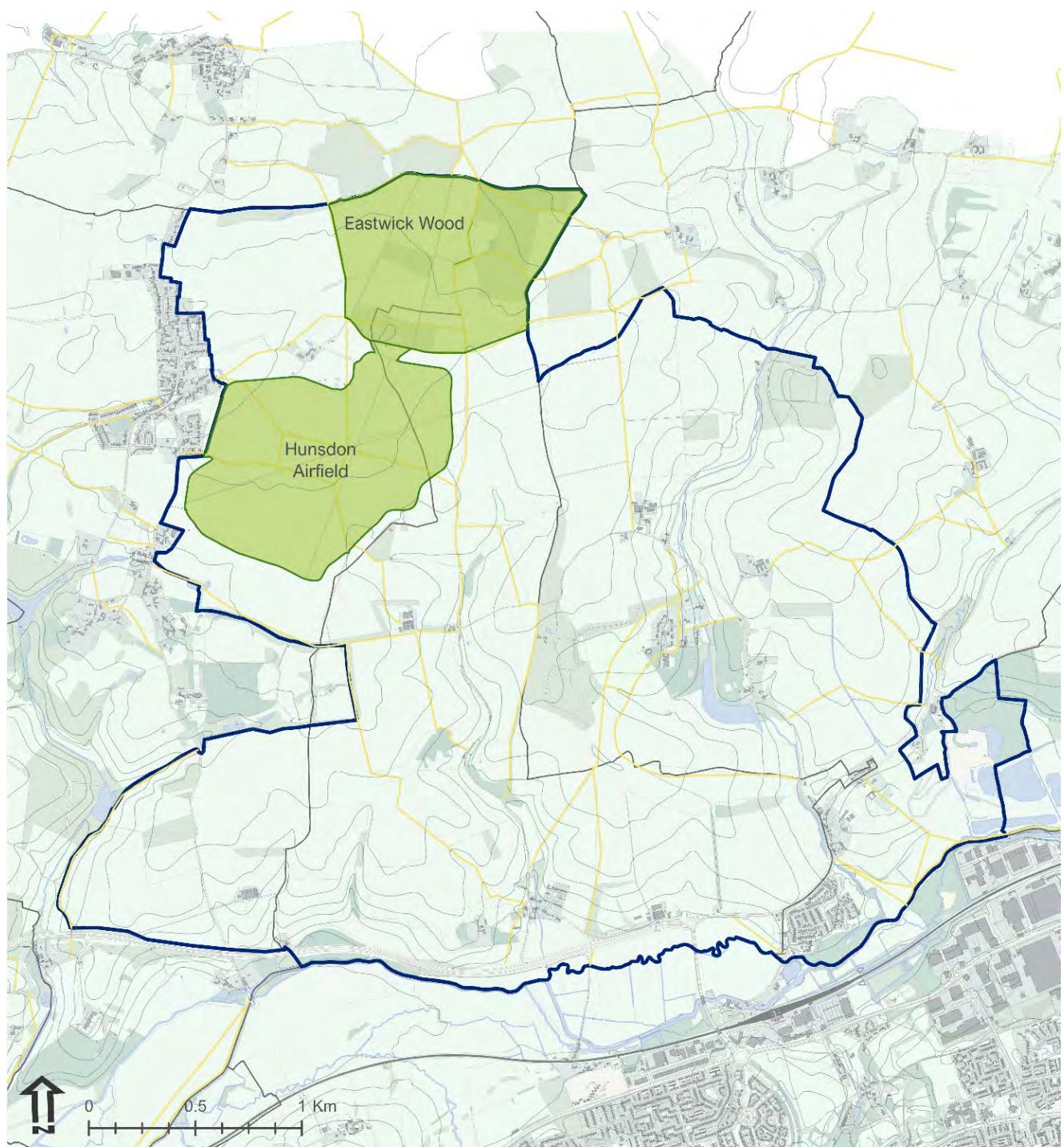
Legend:
- Neighbourhood Plan Boundary
- Parish Boundaries
- Countryside Park
- Existing Public Rights of Way

Map labels: Eastwick Wood, Hunsdon Airfield

Scale: 0 — 0.5 — 1 Km

Referendum Draft
(Feb 2021)

Gilston Area Neighbourhood Plan

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Fig. 19 - Views of the area of Hunsdon Airfield and Eastwick Wood

A. Airfield memorial and base hangars; B. View of Listed Hunsdon Farm Lodge; C. Open view across the airfield looking towards Hunsdon (at the horizon); D. Looking north from the site of Eastwick Hall Farm; E. From the northern edge of Hunsdon towards Marshland and Eastwick Woods; F. Marshland Wood natural environment.

1.8- Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities

Rationale and Justification

141. **Policy AG8 seeks to ensure that new transport infrastructure is planned and delivered in a way which minimises adverse impacts on existing communities in terms of safety, noise, pollution and local character. The interrelationship with the A414 and with east-west strategic movement will also need to carefully address any severance issue and be considered in the context of the Garden Town's sustainable mobility strategy.**

142. The Gilston Area is to be planned and delivered in accordance with Garden City Principles and designed so that walking, cycling and public transport are the most attractive forms of local transport. This is consistent with Policy GA1, the draft HGGT Transport Strategy and the HCC Local Transport Plan (LTP4).

143. The HGGT Transport Strategy[47] argues that it is futile to build more road capacity to accommodate future growth and that a change in travel behaviour is the only option to facilitate sustainable growth, based on reducing the need to travel and focusing travel on active travel modes. Consistent with that Strategy, new roads should be built only to serve the sustainable needs of the existing and new communities without attracting additional traffic from outside the area creating unacceptable impacts on the residents of the area or its environment.

144. A wide range of large and small interventions, including sustainable transport measures, will be required to ensure that the Garden Town development is able to proceed without causing unacceptable congestion in Harlow and the surrounding towns and villages. The proposed wider strategic interventions include a new Junction 7a and upgrades to Junctions 7 & 8 on the M11, a second River Stort crossing, widening of the existing crossing, and upgrades to the Amwell Roundabout.

145. To accommodate housing and employment growth, the District Plan promotes transport improvements in the form of two improved crossings of the River Stort. Policy GA2 states that the Council aims to facilitate:

    - A widening of the existing A414 crossing (Central Crossing / Fifth Avenue) to facilitate the provision of a sustainable transport corridor which will connect the Gilston Area to the urban area of Harlow[48].
    - A new vehicular, cycle and pedestrian crossing either to the east or to the west of the existing crossing.

146. Whilst the new Stort Crossing will be required to provide additional highway capacity, it should still respond to the overall sustainable mobility targets for the area rather than be designed as a heavily engineered route which encourages car use. Its design must consider the potential impacts on community cohesion and the impact of noise, air quality, severance and disturbance on existing residents within the Gilston Community Boundary (including Terlings Park and Pye Corner). Consideration must also be given

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[47] Garden-Town-Transport-Strategy_2020.pdf (harlowandgilstongardentown.co.uk)
[48] East Herts District Plan (October 2018) para 11.4.2-11.4.4

to the surrounding landscape and ecology, heritage impacts and the experience of pedestrians and cyclists.

147. In addition, measures will be required to establish an improved streetscape environment on the stretch of the A414 along the southern edge of the Gilston Area, given the importance of north-south permeability to link the villages to the wider Garden Town and Stort Valley by walking and cycling.

148. Consistently with the HGGT Transport Strategy, all streets and connecting roads in the Gilston Area, including the primary vehicular routes, should be designed to limit through traffic, contain vehicular speeds, and should be pedestrian friendly and in character with the village concept. Given the requirement to deliver significant modal shift that would encourage walking, cycling and public transport, it will be necessary to consider how these modes can be given advantage over private motor vehicles in the design of new road infrastructure to encourage behavioural change.

149. The likely increase in the volume of heavy vehicle movements and deliveries, particularly during the construction period, and to serve the future population, should be managed to minimise impacts on existing and emerging communities.

150. There should be no risk of deterioration to the water quality of the River Stort or any of the other watercourses as a result of surface water run-off from transport infrastructure and appropriate measures should be sufficiently resilient for the lifetime of the infrastructure and for a changing climate. The HGGT Water Cycle Study[49] also points to the limited capacity of the surface water sewer systems, highlighting the need to use sustainable drainage measures to avoid overspill and pollution.

Community Perspective

151. The local community is extremely concerned about the impact of major new road infrastructure (which may have a strategic function) on the character of the Gilston Area and the ease of movement and amenity of existing residents.

152. Great concern has been expressed about the potential impacts on the existing community of Gilston which may arise as a result of the final route of the second River Stort Crossing. This relates to the possibility of through traffic being routed via Pye Corner/ Terlings Park leading to severance and noise within the Gilston Community Boundary (Policy AG5) (in particular the severance of Terlings Park from the rest of Gilston) and additional traffic volumes on the narrow Church Lane towards Hunsdon. Residents of Gilston Lane are anxious to retain the low volume of traffic in their lane but would not want to be 'cut off' from accessing facilities and services.

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[49] Harlow-Gilston Garden Town Water Cycle Study Update (2018) and Garden Town Water Cycle Study Addendum (2018) – see www.harlow.gov.uk/evidence

POLICY AG8 – Minimising the Impact of Traffic and New Transport Infrastructure on Existing Communities

1. Infrastructure design proposals will be supported where it can be demonstrated that the following criteria are satisfied:

    i. The design of new road infrastructure minimises impacts on existing communities and incorporates mitigation measures to minimise severance within existing settlements.

    ii. Impacts from traffic and road infrastructure on existing communities in terms of safety, traffic speed, pollution, environmental and visual impacts are adequately controlled and mitigated.

    iii. Measures have been taken to mitigate visual and noise impacts on the landscape character of the Stort Valley and the setting of local heritage assets.

    iv. Measures have been put in place to minimise the risk of potential pollutants entering the River Stort or any of the other watercourses (main river or ordinary) as a result of surface water run-off from new transport infrastructure or increase in traffic volumes resulting from the development.

    v. The design of the new bridge crossings over the River Stort should minimise impacts on the character and environment of the river and provide good connections for walking and cycling, including provision for wayfinding.

    vi. New vehicular access arrangements are designed to minimise any increase in traffic on existing roads and lanes and to retain convenient access for existing communities.

    vii. No significant additional heavy vehicle movements through the existing communities as a result of the development or of new highway and access arrangements associated with the development.

2. A Construction and Environmental Management Plan (CEMP) will be prepared to limit the impact of construction traffic in agreement with the community.

3. A monitoring and management regime will be implemented to ensure appropriate measures will be introduced to address any issues which may arise during the construction or operation of the development.

1.9 – Phasing of Infrastructure Delivery

Rationale and Justification

153. **The provision of necessary infrastructure is critical to the delivery of growth in the Gilston Area. Policy AG9 places great importance on making sure that infrastructure provision is phased to provide adequate capacity to meet the comprehensive needs of new and existing communities.**

154. The principle of comprehensive assessment and delivery of infrastructure requirements is already established in the District Plan and in a variety of supporting documents:

    - Policy GA1 (V(v)) states that development in the Gilston Area is expected to assist in the delivery of all necessary on-site and appropriate off-site infrastructure. It also requires development to be in accordance with Garden City Principles including land value capture to deliver infrastructure for the benefit of the whole community.
    - The Gilston Area Concept Framework adopts as a key principle the phased delivery of necessary infrastructure to meet the needs arising from development in the Gilston Area and the cumulative needs of new and existing communities[50].
    - The stated mission of the HGGT is enhancing existing communities and creating exciting new ones in and around Harlow, through delivery of sustainable growth and infrastructure of considerable scale and significance.
    - The HGGT Infrastructure Delivery Plan[51] sets out the infrastructure that will be required, based on assessment of the quality and capacity of existing infrastructure and its ability to meet forecast demands. It goes on to propose ways to address identified deficiencies, establishing the principle of comprehensive infrastructure upgrades.
    - The HGGT 'How To' Guide for Planning Obligations sets out how the Councils intend to ensure that a consistent approach is adopted to sustainability and long-term stewardship of the Garden Town as a whole[52]. The guidance also requires achievement of land value capture for the benefit of the community.

155. The definition of infrastructure within the District Plan and the IDP covers:

    - Transportation (roads, walking and cycling and public transport services).
    - Utilities (water, sewerage, energy, etc).
    - Social infrastructure (education, healthcare, social care, community facilities and sport and leisure facilities).

156. Water and sewerage form a critical element of infrastructure provision[53]. It is important that there is sufficient capacity in the foul water network to accommodate existing and future needs without risk of further leakages into the watercourses and deterioration of water quality. There is the opportunity to explore with the Environment Agency and Water Companies how the current surface water and wastewater infrastructure can be improved in existing areas alongside new development.

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[50] Gilston Area Concept Framework (July 2018) p. 78
[51] Harlow and Gilston Garden Town Infrastructure Delivery Plan (April 2019)
[52] Harlow & Gilston Garden Town 'How To' Guide for Planning Obligations, Land Value Capture and Development Viability (Guidance Note: 01/20190417).
[53] Harlow-Gilston Garden Town Water Cycle Study Update (2018) and Garden Town Water Cycle Study Addendum (2018) – see www.harlow.gov.uk/evidence

157. Each new village will need to be supported by appropriate social infrastructure, reflecting the scale of each village, including education, health, faith, open space, leisure and retail alongside excellent links to the undeveloped Green Infrastructure Network and accessible greenspaces. Development should also ensure that existing communities will be connected to the new villages, and have easy access to infrastructure facilities, preferably through sustainable transport routes[54].

158. Infrastructure requirements need to be considered in light of the Garden Town IDP and trigger points should be directly related to actual arising needs, rather than standard requirements, which are not appropriate to a development of this scale and impact. Phasing will need to ensure timely delivery within the legal agreements associated with the planning permissions to ensure there is sufficient capacity (taking into account existing demand) to accommodate the needs of new development.

Community Perspective

159. The community has voiced its concerns about the capacity of existing infrastructure and its ability to accommodate demand arising from new development in the Gilston Area, including the capacity of road infrastructure, the current absence of bus and cycle facilities, the poor capacity of Harlow rail stations, the weakness or absence of the sewage network and the poor broadband and telecom services.

160. The community sees in the development of the Gilston Area an opportunity for a step change in infrastructure provision and would like to ensure that development should not take place in advance of necessary provision, as this would place unacceptable additional strain on existing capacity. There is expectation that the existing community will share in land value capture and benefit from new and improved infrastructure as a result of development in the Gilston Area as well as in mitigation of the impacts of development activities.

POLICY AG9 – Phasing of Infrastructure Delivery

1. The early delivery of infrastructure will be encouraged, and development proposals will be supported, where the following criteria are satisfied:

   i. A comprehensive assessment of needs arising from the development has been undertaken having regard to the Harlow and Gilston Garden Town Vision and Infrastructure Delivery Plan.

   ii. It has been demonstrated how delivery will be phased to ensure that social and physical infrastructure is provided at the time of need for the benefit of the entire community according to Garden City Principles and there is adequate capacity to meet the cumulative needs of new and existing communities.

2. Infrastructure requirements and the timescale for provision will be subject to public consultation and determined through the planning application process.

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[54] Gilston Area Concept Framework (July 2018) p.12

2. Delivering Quality Places

This set of policies addresses the development choices related to the appropriate design for individual villages and their local areas, leading to the creation of beautiful places, within the framework of the general and strategic policies addressing the areas as a whole in Section 1.

161.   Appropriate design and development are considered under the following policy themes:
- Landscape design within new villages
- Built environment
- Heritage setting
- Community facilities
- Improvement of existing settlements
- Sustainable transport and access to the countryside

Fig. 20 - The natural landscape character of the existing settlements and manor house parks
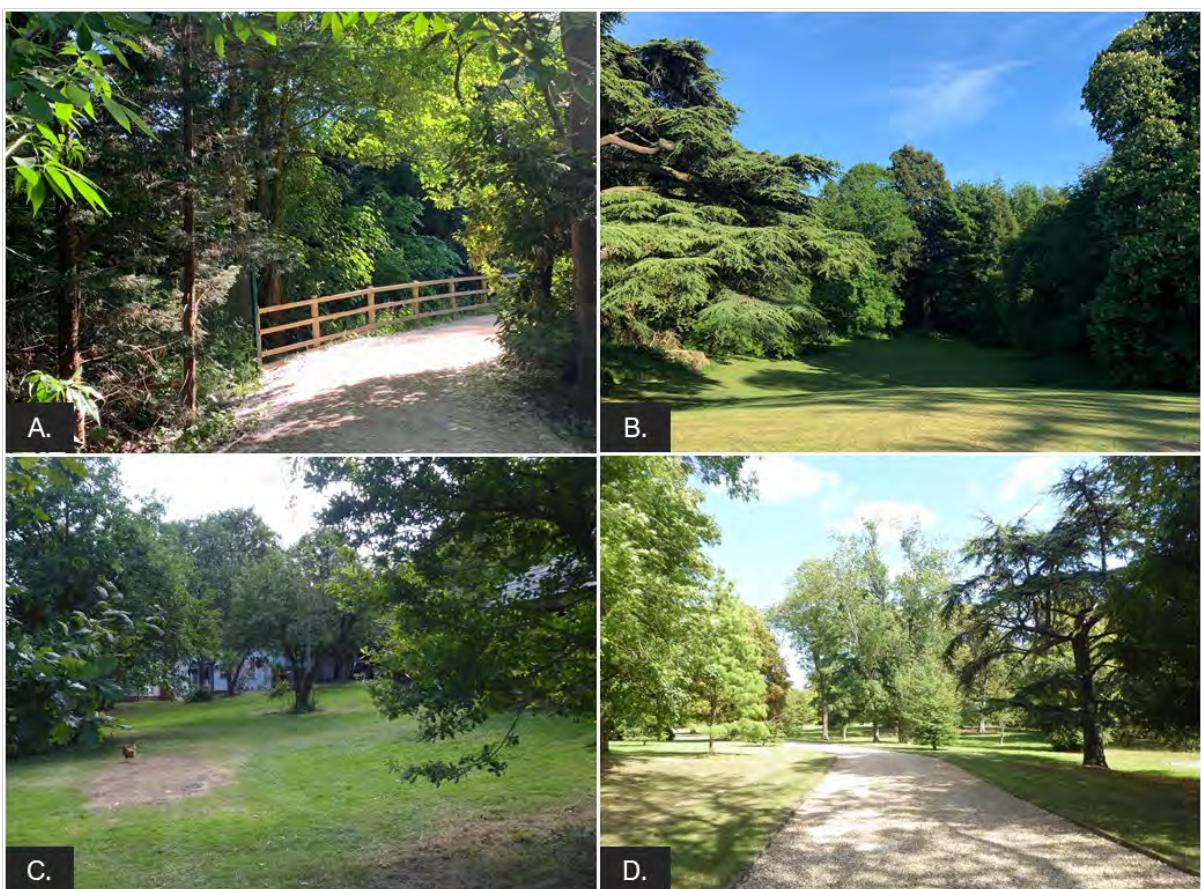
A. and B. Semi-natural parkland (Terlings Park); C. Rural gardens of Gilston Park houses by the Golden Brook
D. Parkland of Hunsdon House

2.1 - Landscape within the New Villages

Rationale and Justification

162. **Policy LA1 aims to ensure that the overall landscape-led approach in a countryside setting will be reflected within the villages themselves, which should draw inspiration from the landscape within existing settlements in the Gilston Area and elsewhere in Hertfordshire (see Appendix 3 for guidance).**

163. Each village should have a strong landscape framework, incorporating new and existing landscape features and maximising visual and physical connections with natural greenspace:

    - The landscape within the new villages should create a strong sense of place and local character, appropriate to a village in Hertfordshire.
    - It should be designed to maximise the continuity of the Green Infrastructure Network (Policy AG2) through the village and provide walking and cycling access to open spaces and the wider countryside.

164. High quality public spaces should positively respond to local landscape character and history and reflect local identity, using plant species and trees that are typical of the area, restoring and integrating the hedgerows, or planting new ones and adopting local patterns for lane verges and front gardens.

165. Landscape will also play a key role in defining village character which will make each village distinctive and individual.

166. The Neighbourhood Plan supports key landscape design placemaking principles advocated by the Concept Framework and HGGT Vision and Design Guide, with:

    - Green spaces within villages being connected where possible to the wider Green Infrastructure Network for the Gilston Area and the wider Garden Town.
    - Maximising access to open spaces and the wider countryside with a network of walking and cycling routes integrated with the existing network of rights of way to form a rich and permeable network[55] supporting active lifestyles and good health.
    - Creation of a range of multi-functional open spaces, local play areas, playing fields, adventure spaces, natural greenspace and SuDS carefully designed to be safe and pleasant, forming an essential part of the experience of living in the Gilston Area[56].
    - Retention of existing landscape features such as the existing holloways and historic tree planting.
    - Encouragement for new development to face onto public greenspaces where appropriate[57] to improve safety and facilitate social use[58].

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[55] Gilston Area Concept Framework (July 2018) p.77
[56] Gilston Area Concept Framework (July 2018) pp. 126-128
[57] Harlow and Gilston Garden Town Vision (November 2019) p.12
[58] Harlow and Gilston Garden Town Design Guide (November 2019) p.40

Community Perspective

167. During consultation, the community highlighted the need to ensure that development in the Gilston Area would reflect the character of local villages of Hertfordshire, rather than the urban character of Harlow. Landscape design appropriate to the local context is critical to establishing village character and the local community would wish to ensure that each village has an individual character informed by local rural features and rich biodiversity.

POLICY LA1 – Landscape within the New Village Boundaries

1. Village Masterplans should incorporate a comprehensive landscape framework within each village, which should:

   i. Seek to optimise the visual relationship of the village with the surrounding countryside. The landscape within the boundary of each village should incorporate existing and new landscape features, new green spaces and be integrated into the Green Infrastructure Network.

   ii. Retain existing trees and significant hedgerows wherever possible and seek to enhance existing landscape features, such as woodland blocks, hedgerows, mature trees and tree lines.

   iii. Provide appropriate new planting characteristic of the local countryside and ensure a net gain in biodiversity on the village site.

   iv. Preserve and where possible enhance important views and connections to and from existing heritage assets and their setting. A sensitive approach will be required to the treatment of the area known as Gilston Fields to the south of St Mary's Church in Village 4 and the Community & Leisure Use area (see Fig. 8) which respects its landscape and significance.

   v. Integrate existing heritage assets, SuDS and other features in a comprehensive landscape design.

   vi. Make suitable provision for outdoor recreation and leisure facilities, including sports pitches with artificial surfaces and floodlighting provided that it can be demonstrated there would be no significant adverse impacts on the environment and residential amenity of existing and new communities.

2. Where possible, the implementation of landscape proposals should take place at an early stage in each village development programme.

3. Provision should be secured for the long-term management and maintenance of landscape and green spaces within the village boundary as part of an overall governance strategy (see Policy D2).

2.2 – Housing and Residential Neighbourhoods

Rationale and Justification

168. **Policy BU1 aims to provide direction for the preparation of Village Masterplans and the design of each village to encourage community life and minimise travel for shopping, leisure, education and other activities.**

169. New villages should use height and density of development to create a distinctive village character drawing from the local area (see Appendix 3 for design cues). It is expected that density will vary across each village with higher density near more accessible locations which are well connected by public transport, walking and cycling (generally the village centres) and reducing to the village edge, where 'soft edges' should define the boundary of the village.

170. Village Masterplans will be required (as envisaged by the Gilston Area Charter SPD) for each of the Gilston Area villages. These will provide a framework within which designers and developers can bring forward more detailed proposals for individual development plots in a planned and comprehensive way, whilst still allowing for design flexibility and innovation at the detailed design stage[59]. The Village Masterplans will provide the framework for:

   - Meeting the development requirements of the allocation of District Plan Policy GA1.
   - Land use distribution, housing mix (including specialist housing typologies) and tenures, activities and other facilities required to meet local needs and create sustainable and inclusive communities.
   - Height, density and massing suitable to village character, appropriately scaled and sensitive to existing built, heritage and landscape assets and in relation to existing villages.
   - Creation of character areas and a coherent, yet diverse, built form.
   - Network of public spaces and visual links to wider reference assets and neighbouring villages.

171. These principles are consistent with the Concept Framework[60], which promotes a sustainable and efficient model of development structure and provides guidance on density (averaging net 33 dwellings per hectare) across the Gilston Area.

172. These placemaking principles are also consistent with the HGGT Vision and Design Guide, which invite development that is responsive and distinctive, responding to its context[61].

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[59] Gilston Area Charter SPD (June 2020)
[60] Gilston Area Concept Framework (July 2018) p.102
[61] Harlow and Gilston Garden Town Vision (November 2018) p.8

Community Perspective

173. The community expressed concern about inappropriate forms of development resulting in suburban or urban character and the need to have a well developed understanding of the character of local villages before proposing design solutions.

174. There is support for high quality development which is respectful of village and landscape character but a strong view that the density and height of development needs to be controlled to avoid urbanisation of the area and to respect the scale of existing villages.

POLICY BU1 – Housing and Residential Neighbourhoods

1. Development proposals will be supported where they are in accordance with a Village Masterplan developed in collaboration with the local community and where it can be demonstrated that the criteria below are satisfied.

2. The proposals should clearly define the character and individuality of each village and adopt a layout appropriate to context and the existing landscape, heritage, topography and built form.

3. The design of each village should be in accordance with Policy AG6 and in addition make provision for:
   i. The creation of character areas within each village, each adopting a range of built-form, scale and height appropriate to a village setting.
   ii. Location of more compact development and higher densities, subject to high-quality design, in village centres and locations with enhanced access to sustainable transport.
   iii. Lower heights and densities adjacent to or within sensitive landscape and heritage assets and their settings, on village boundaries and within proximity to existing settlements (see Fig. 8).

4. The design of new residential development should:
   i. Contribute positively to the overall landscape structure of the village, the streets and green spaces.
   ii. Provide direct frontages to community open spaces and amenities and establish soft edges towards the open countryside.
   iii. Follow natural contours and including visual links to wider heritage and natural assets.
   iv. Optimise orientation for sustainability benefits.

2.3 - Village Cores / Centres

Rationale and Justification

175. **Policy BU2 focuses on the creation of mixed-use village centres offering a range of services and community facilities, critical to the promotion of sustainable development and village identity.**

176. Whilst the typology, mix and forms of these centres will vary, the village centres will form the heart of each of the villages, serving as the meeting space necessary to the creation of a strong community. They should accommodate a range of different facilities and the community infrastructure required to support a growing settlement including schools, an appropriately scaled transport hub, shops, cafes and restaurants, leisure facilities, health centres, community spaces, faith buildings and civic buildings. These local facilities will complement the more strategic retail provision within Harlow Town Centre.

177. While each village centre primarily serves its local community, it is anticipated that each will provide a slightly different and complementary set of land uses to promote their distinctive character and to provide variety and a viable catchment area.

178. Village centres will also be the preferred location for employment uses (see Policy BU3).

179. The location of primary schools should be in preference within the heart of the villages to maximise their accessibility on foot and by other sustainable means and provide a community meeting place. The potential for community use of the school sites when not required for education will assist in building strong communities. EHC and the County Education Authority have articulated the desire that all of the new villages have a primary school to support the vibrancy of the village centres and reduce the need for car use.

180. The design of village centres should take inspiration from local village centres typically compact, varied and of human scale, providing a focal point for pedestrian movement and social interaction.

181. The importance of the village centre is reinforced in the guidance of the HGGT Vision[62] and Design Guide[63] and in the Gilston Area Concept Framework[64].

182. The Harlow and Gilston Garden Town Transport Strategy encourages the development of vibrant centres offering a wide range of services to reduce the need to travel and the creation of transport hubs to facilitate modal interchange[65]. The Garden Town Vision establishes the principle of a series of 'micro-hubs' at key points on the Sustainable Transport Corridors (to be identified in Masterplans), to provide interchange between public transport and cycle facilities[66].

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[62] Harlow and Gilston Garden Town Vision (November 2018) p.10
[63] Harlow and Gilston Garden Town Design Guide (November 2018) p.41
[64] Gilston Area Concept Framework (July 2018) p.74
[65] Harlow and Gilston Garden Town Transport Strategy (Draft for Consultation - Jan 2020) p.17
[66] Harlow and Gilston Garden Town Vision (November 2018) p.18

Community Perspective

183. The local community places great importance on access to new local services and community infrastructure and the role that village centres can play in creating a cohesive community.

184. There is an expectation that new facilities should benefit new and existing residents and that the new centres be designed to reflect the character of the local areas, where an active village centre with a mix of uses and meeting places is the heart of each community.

POLICY BU2 – Village Cores / Centres

1. Development proposals will be supported where it can be demonstrated that the following criteria are satisfied:

   i. The village centre provides a clear identity to the village and is located along an active pedestrian friendly street or appropriate village green and well connected to housing areas through a network of walking and cycling routes.

   ii. The village centre provides a mix of uses to serve the new community with active frontages and ground floor uses comprising retail, workspaces, community and leisure uses in addition to residential to support the functions of the village centre.

   iii. Consideration has been given to the location of nursery and primary schools in the village centre.

   iv. The village centre is well connected by public transport services.

2. Village Masterplans will identify the location of public transport hubs at key points and demonstrate flexibility in anticipation of future mobility scenarios, including adaptable parking, drop off and pick-up arrangements and electric vehicle charging points.

2.4 - Employment Areas

Rationale and Justification

185. **The provision of employment space within the Gilston Area is supported by Policy BU3 as an essential component of providing sustainable and mixed communities, as long as employment uses are designed and integrated in a way that makes a contribution to the character and life of the villages.**

186. Historically, employment within villages was located in the high street (shops, small offices and other customer facing businesses), or dispersed within the residential area and in farms. In the Gilston Area, the historic model of small-scale multiple employment opportunities could have its focus in village centres as the locations most accessible by walking, cycling and public transport. The location of employment space in village centres will be beneficial to the vibrancy and overall viability and sustainability of the villages.

187. Development in the Gilston Area could, therefore, integrate smaller scale office accommodation distributed across the villages, catering for smaller companies (SMEs) across a combination of small private offices and flexible workspace. This is more likely to attract employment for local residents and therefore reduce the need to travel.

188. District Plan Policy GA1 (V(q)) identifies a requirement for employment area/s of around 5ha within visible and accessible location/s, which provides appropriate opportunities to promote self-containment and sustainability. District Plan Policy ED1 states that new employment should be located where access can be achieved by a choice of sustainable transport.

189. Residents will also be able to access more substantial employment opportunities within Harlow, including the Enterprise Zone. In addition, the proximity of the site to Harlow Town station will enable sustainable access to employment opportunities further afield, including Stansted Airport, Cambridge, Bishop's Stortford and London.

190. The Neighbourhood Plan policies on sustainability, countryside setting and local character (Policies AG1 to AG8) indicate that delivery of employment as a large self-contained business park is not appropriate for the Gilston Area as this type and scale of development would have better synergies as part of the Harlow Enterprise Zones which are a focus for regeneration and investment by the Garden Town and Harlow District Council[67]. A conventional business park at the fringes of the villages and served by the A414 will inevitably be a car-based development, undermining efforts to reduce the need to travel. It will also present a suburban frontage to the villages and make limited contributions to community life. If employment development is proposed outside village centres, this would need to be well integrated within the village and satisfy the criteria set out in other policies in the Neighbourhood Plan.

191. This approach is consistent with the Concept Framework, which anticipates provision for employment uses in village centres and with the HGGT Vision, which states that local centres could include small enterprise spaces to create a mix of businesses, shops and community facilities.

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[67] Gilston Area Village 7 Employment Land Review (Savills, October 2019)

192. The focus for the Garden Town in terms of economy and regeneration is primarily on growth and investment in the Harlow Enterprise Zones (at London Road and Templefields) [68]. In the Gilston Area, the village centres are identified as the locations for investment and innovation with the potential for new employment typology mixes[69].

193. The HGGT Council partners have jointly commissioned work which will provide an assessment of the opportunities for sustainable job generation across the Garden Town in relation to the known housing trajectory growth. There will be an expectation that provision of employment land and premises within the Gilston Area will respond to the outcomes of the study, which will ultimately become a material consideration for the determination of planning applications. A draft report for the HGGT Employment Commission has recently been produced which supports a level of provision of 34,000 sqm of employment floorspace across the Gilston Area and sets out further information in respect of the considerations for its location, primarily focussed around village centres and in locations with better access to sustainable transport and strategic transport infrastructure. The Commission also identifies the importance of early delivery of employment space with at least 20,000 sqm by 2033[70].

194. It is acknowledged that a sensitive and innovative approach to integrating employment within the villages will be possible, supported by a step change in travel modes as part of the transport approach to the Garden Town and models of employment development designed to accord with other policies in this Plan.

Community Perspective

195. The community is concerned about the impact of free-standing business parks on achieving the shared vision and objectives for the Gilston Area and the creation of sustainable communities with a vibrant social life and active village centres. The community is of the view that this type of development is likely to give rise to increases in traffic generation with limited contribution to the image and life of the villages, potentially presenting visual and functional coalescence with Harlow.

196. The community has suggested that any business parks would be more appropriately located in the Enterprise Zones and other employment areas as defined in the HGGT Vision.

197. However, the community supports the concept that new development should not result in 'dormitory villages' and that a range of smaller scale employment development could enrich the life of village centres, assisting in meeting local needs and complementing residential development. This could include a mix of market and affordable employment spaces such as small workshops, offices and other facilities to serve the local community and provide opportunities for businesses to locate in the area.

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[68] Harlow and Gilston Garden Town Vision (November 2018) p.22
[69] Harlow and Gilston Garden Town Design Guide (November 2018) pp.26-27
[70] Harlow and Gilston Garden Town Employment Commission Draft Report, February 2020

POLICY BU3 – Employment Areas

1. Employment uses will be encouraged in village centres as part of mixed-use areas where it can be demonstrated that the following criteria are satisfied:

   i. Employment uses are well integrated and respectful of the overall character of the village centre.

   ii. A range of workspace of different types and sizes are provided including workspace suitable for SMEs and start-up businesses.

   iii. Measures have been taken to encourage access to employment uses by walking, cycling and public transport with a reduction in the need for car parking. Parking and other operational areas associated with new employment spaces should be suitably designed to minimise their visual impact and located away from the main public spaces.

2. Proposals for employment development outside village centres will be required to demonstrate compliance with the following criteria:

   i. Location within a defined Village Boundary and detailed as part of the Village Masterplans.

   ii. Respectful of context and landscape setting.

   iii. Well-integrated within the built fabric of the village.

   vi. Consistent with and complementary to the overall employment strategy for the Garden Town.

   v. Pedestrian oriented and accessible by walking, cycling and public transport.

2.5 - Village Streets and Lanes

Rationale and Justification

198. **Village streets and lanes are identified in Policy BU4 as essential elements of villages character and the public realm. Their treatment should include features typical of villages: big trees, hedgerows, mixed shrubs and verges with a clearly defined relationship with adjoining buildings and open views onto the landscape where possible (see also Appendix 3).**

199. The network of roads should reflect topography and function, adopting standards as close as possible to characteristic village street patterns. Boulevards and formal avenues are urban street types which should be avoided. Informal layouts, with short cross-roads and no formal grid patterns are typical of the area and should be reflected in the Village Masterplans.

200. New streets and lanes will create safe and accessible living environments with clear and legible pedestrian and cycle routes The development should encourage active lifestyles and social integration by limiting car dominance and maximising opportunities for rich planting, biodiversity and safe informal use. The quality and character of the primary street network linking the villages should be defined in the Strategic Landscape Masterplan, while village streets and lanes should be defined in the Village Masterplans.

201. This is consistent with other guidance for the area:
   - The Concept Framework proposes that the street network typology should be in line with and enhance the overall character of the place[71].
   - The HGGT Vision stresses the importance of changing the character of roads into streets. It states that villages should be largely based on tree lined, local street layouts creating sociable places with a human scale. New development should have front doors and windows to the streets, to create safe, friendly streets and open spaces with informal overlooking[72].
   - The Garden Town Design Guide indicates that the organic pattern of lanes could be used as a cue for the structure of new villages[73].

Community Perspective

202. The community has expressed concerns about the urbanising effect of wide engineered roads and the introduction of alien design such as formal boulevards. They emphasise the need to ensure that the design of streets reflects the informality of village lanes and becomes an element of identity and distinctiveness and that existing routes such as Gilston Lane or Church Lane should retain their existing character with big trees and ancient hedgerows.

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[71] Gilston Area Concept Framework (July 2018) p.147
[72] Harlow and Gilston Garden Town Vision (November 2018) p.19
[73] Harlow and Gilston Garden Town Design Guide (November 2018) p.40

POLICY BU4 – Design of Village Streets and Lanes

1. The quality and character of the primary street network linking the villages should be defined comprehensively for the whole area in the Strategic Landscape Masterplan. Streets and lanes within the Village Boundaries should be defined in the relevant Village Masterplan.

2. Development proposals will be supported where it can be demonstrated that the following criteria are satisfied:

   i. The design of all streets and lanes makes a positive contribution to the character and setting of the village.

   ii. Each village layout incorporates a legible street network designed to encourage walking and cycling connecting new housing to the village centre and other facilities.

   iii. The provision and design of streetlighting is appropriate to its location and purpose. Streetlighting should provide a safe environment for pedestrians but the level of lighting should be sensitive to the landscape setting and minimise light pollution and impacts on biodiversity.

   iv. Street planting should be generous and include trees and hedgerows characteristic of the local area and appropriate to village character.

   v. Car parking (on and off road) should be well integrated into the street design and in line with the sustainable mobility strategy for the area.

Fig. 21 - Typical informality and landscape of the streets and lanes of the villages of the area to be used as cues for future streetscape

A. Street landscape in Widford Rise (Hunsdon Road); B. Green verges and tree screening of houses on Church Lane in Hunsdon: C. Informal access lane to houses on Eastwick Hall Lane: D. Planted road verges on Eastwick Road by the Dusty Miller

2.6 - Celebrating Existing Heritage Assets

Rationale and Justification

203. Heritage assets are an irreplaceable resource intrinsic to the character of the Gilston Area. Policy H1 requires that they should be protected and, where possible, enhanced to retain significance in the life of the future communities and guide the design of the new villages.

204. The proposed development boundaries, massing and landscape buffers will incorporate appropriate mitigation measures to minimise impacts on local heritage assets and their settings, retaining key views but also safeguarding their role and significance and celebrating them for the qualities they will bring to new and existing communities.

205. There are around 50 heritage assets designated by Historic England within the Neighbourhood Plan Area and more undesignated ones. Examples include St Mary's Church in Gilston, Gilston Park and its associated Listed Buildings, such as the schools and Hodgson farmhouses and the locally listed parkland; Hunsdon Airfield; St Botolph's Church and the Scheduled Monuments at the Mount and Eastwick Hall. There are also many heritage assets just outside the Neighbourhood Plan area, including Hunsdon House, St Dunstan's church, and others at Hunsdon, Hunsdonbury, Hunsdon Pound and Little Parndon in Harlow. Other non-designated assets include the War Memorials at the Airfield, Pye Corner and Eastwick.

206. Mostly, these assets have a rural setting and a strong relationship with the open countryside. Their location and use make a positive contribution to the area and give it clear significance as independent meaningful rural communities.

207. The Neighbourhood Plan supports the principles identified in the Concept Framework[74], including:

- Promotion of opportunities to increase public appreciation of heritage assets.
- Consideration of options for strategic positioning of open spaces and open layouts to preserve the setting of heritage assets, including Gilston Park House and Hunsdon House.
- Preservation and enhancement of historic boundaries, such as the former deer park pale and ditch.
- Establishment of appropriate set back distances and buffers to preserve and enhance the rural setting of key heritage assets.
- Layouts that respond sensitively to the form, proportion, scale and character of heritage assets.
- Protection of views to and from heritage assets including all churches, Gilston Park House and Hunsdon House to preserve or enhance their setting.
- Development of long-term conservation and plans management for all heritage assets.

208. Historic England expects protection of the rural setting of heritage assets in the Gilston Area and would like to see meaningful integration going well beyond the simple safeguarding and protection of the buildings.

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[74] Gilston Area Concept Framework (July 2018) p.90

Community Perspective

209. The community places great importance on the protection of local heritage assets and landmarks (particularly the manor houses and churches) which are critical to the character of the area. They wish to ensure that development in the Gilston Area will respect and have a positive relationship with local heritage, so that their history and significance to the area can still be appreciated by existing and new communities after the changes brought about by new development.

POLICY H1 – Celebrating Existing Heritage Assets

1. A comprehensive assessment of the area should be undertaken to identify all designated and non-designated heritage assets within and in proximity to the development including the historic Gilston Park House and Hunsdon House, Hunsdon Airfield, St Mary's, St Dunstan's and St Botolph's Churches, the local War Memorials, all Scheduled Monuments and other Listed Buildings and set out a clear approach for their protection and where possible, enhancement.

2. Development proposals will be supported where it can be demonstrated that the following criteria are satisfied:
   i. The layout and design of the development respond sensitively to the form, proportion, scale and character of heritage assets, including, where appropriate, set back distances and buffers to preserve and enhance their countryside setting.
   ii. The open, edge of settlement setting of the Churches of St. Mary's, St. Botolph's and St. Dunstan's and of Gilston Park House and Hunsdon House is retained.
   iii. Open spaces have been strategically positioned to preserve the setting and key views of heritage assets.
   iv. The significance and historic role of heritage assets in the area have been considered as part of the new development to avoid or minimise any conflict between their conservation and the proposal.

3. Proposals should also include measures to celebrate and give prominence to heritage assets by:
   i. Promoting opportunities to increase public appreciation and understanding of heritage assets by integrating them in an appropriate layout and incorporating appropriate references in the design of new development.
   ii. Ensuring that heritage informs the preparation of the Village Masterplans, through the enhancement of assets and the retention of key views.
   iii. Respecting, preserving and where possible enhancing historic boundaries, such as the former deer park pale and ditch.
   iv. Seeking to protect from visual encroachment or pollution (noise or light) and to enhance the parkland setting of Gilston Park House and Hunsdon House.
   v. Ensuring that the 19th century legacy of John Hodgson's Gilston Park Estate improvements (cottages, farm and community buildings, etc.) is recognised and highlighted in design proposals.

4. Where the proposed development affects heritage assets, a long-term heritage conservation and, where appropriate, management plan should be developed in consultation with the local community.

2.7 - Community Facility Provision

210. **Policy C1 requires development of strong and sustainable communities through the provision, in close proximity to home, of necessary community facilities which will meet the needs of new and existing residents over the lifetime of the development.**

211. Community facilities are an essential and indispensable feature of any successful place. Services such as education, health, social services, libraries, the Police, Fire and Ambulance services all help to support quality of life in a community. The development of 10,000 homes will need to be supported by an appropriate level and quality of community facilities and services. An overall strategy is required to guide the location of new facilities, so that they are easily accessible to new and existing communities in line with Garden City Principles. Key facilities such as primary schools and local shops should be located within walking distance of most properties.

212. One of the challenges will be demonstrating that the secondary schools are appropriately located, considering the potential role of the schools' playing fields and halls to the wider community. The location of the secondary schools must take into account other policies in this Plan, especially relating to reducing noise, visual impact and light pollution on the open countryside setting (Policy AG2 and AG3) and respecting the framework provided by the overall Strategic Landscape Masterplan and Green Infrastructure Network. Appropriate triggers for provision of secondary education on site are also important to achieve the sustainable transport mode share target given the scale of peak time journeys linked to education.

213. EHC and the County Education Authority have articulated the desire that all of the new villages have a primary school and that, generally, the schools should be of a 'village' scale which was considered as ideally 2 form-entry in size and no larger than 3. Provision within each village helps to achieve the movement hierarchy and mode share target as well as support the vibrancy of the village centres and sense of community.

214. Garden City Principles consider the phasing of infrastructure provision key to ensure there is adequate capacity to meet the cumulative needs of new and existing communities. This is also supported by the Concept Framework and the HGGT Infrastructure Development Plan[75].

215. Facility provision must be phased so that it becomes operational in time to ensure there is adequate capacity to meet the comprehensive requirements of the Gilston Area of new and existing communities (see also Policy AG9).

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[75] Harlow and Gilston Garden Town Delivery Plan (April 2019)

Community Perspective

216. The local community is concerned about the lack of capacity of existing social infrastructure and the impacts of large-scale new development in the area unless community facilities are provided on time to meet the current needs and future demands arising from new residents in the area. Trigger points for the delivery of facilities should reflect actual capacity and need for a development of this scale.

217. There is a clear expectation that the existing communities will benefit from new and improved facility provision. However, the community is concerned that convenient and easy access to local facilities will not be extended to existing residents and nearby villages.

POLICY C1 – Community Facility Provision

1. Development proposals will be supported where it can be demonstrated that the following criteria are satisfied:

   i. The distribution, availability and access to community facilities across all proposed villages is clearly set out, especially during the initial phases of development and where facilities are provided in one village to serve more than one community.

   ii. Community facilities are provided in locations which are easily accessible by walking, cycling or public transport. The location of community facilities in village centres is encouraged.

   iii. Where appropriate, measures are in place for the transfer of key community facilities into the ownership and stewardship of the local community, as part of the governance agreement (see Policy D1).

2.8 –Existing Settlements

Rationale and Justification

218. **The scale of the proposed development will have a significant impact on existing settlements. Policy EX1 aims to ensure these impacts are mitigated and existing settlements may benefit in terms of access to improved infrastructure and facilities.**

219. A comprehensive approach to development in the Gilston Area is required to ensure that the existing settlements in Eastwick and Gilston and Hunsdon Parishes are positively considered as part of the overall scheme: respected in their integrity, supported to flourish in a time of great change and placed at the foundation of the future community. The existing settlements will be significantly affected by the proposed development and it is important from the outset to consider how impacts can be mitigated and compensated during the extended construction programme.

220. It will be important to ensure that measures are taken early-on to enhance and strengthen the setting of the existing settlements and provide the off-site enhancements required to mitigate against the impacts of development during construction and at completion. The Strategic Landscape Masterplan should also clearly identify the safeguarding and enhancement measures of landscape features including any tree and hedgerow retention and maintenance along streets, lanes or around the churches and war memorials.

221. Existing communities should be connected to the new leisure and community facilities in the villages through an extended network of pedestrian, cycle and public transport routes. Access to key destinations within Harlow from the existing settlements should be protected and improved.

222. These measures will be essential to ensure a comprehensive and integrated development as advocated by the District Plan and the Garden Town, through its Vision, which state that new development should support and encourage the regeneration and enhancement of existing areas.

223. Policy EX1 also addresses the mitigation of impacts of new development on existing settlements through appropriate funding mechanisms.

Community Perspective

224. The local community has expressed great concern about the impact of development on existing settlements and their quality of life. There is an expectation that effective measures will be taken to minimise impacts and to ensure that existing residents share in the benefits of development in line with Garden City Principles.

225. The community wishes to ensure that measures are implemented to mitigate impacts, including provision for landscape maintenance, integration of green buffers around existing settlements and enhancement of existing greenspaces.

226. There is a clear expectation that the existing community will also benefit from the new and improved infrastructure provision of the Gilston Area. The community is concerned that the comprehensive vision for infrastructure upgrades outlined in the HGGT 'How To' Guide for Planning Obligations [76] will not materialise within their smaller scale settlements and would wish to ensure that major change will also result in infrastructure improvement within Eastwick, Gilston and Hunsdon to help mitigate the impacts of development and ensure the benefits are shared by existing communities. This should include better access to utilities (including high speed broadband), improved sewerage, access to public transport and cycle network, and convenient and easy access to local facilities.

227. As part of the development process and in adherence to the Garden City Principles adopted in the District Plan, consideration should be given to appropriate mitigation measures, subject to passing the tests set out in NPPF policy. These should be agreed in consultation with the local community. A preliminary list of priority projects identified at this stage by the community is provided in Appendix 4, which also includes other priority projects identified by the local community which could be supported through collaboration with the developers of the new villages.

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[76] Harlow & Gilston Garden Town 'How To' Guide for Planning Obligations, Land Value Capture and Development Viability (Guidance Note: 01/20190417).

Fig. 22 - Local lanes: characterful, but in need of maintenance and enhancement (Gilston Lane)

POLICY EX1 –Existing Settlements

1. Development proposals in the Gilston Area will be required to:

    i. Demonstrate how the impact of development on existing settlements and outlying properties which form part of these communities will be mitigated as part of the overall development scheme.

    ii. Protect the landscape character of lanes, streets and open spaces affected by the development and within existing settlements such as Church Lane, Gilston Lane and Eastwick Hall Lane.

    iii. Make provision for early landscape works and planting of indigenous species with high biodiversity value and species characteristic of the local countryside to strengthen the green buffers around existing settlements and along the existing lanes.

    iv. Provide suitable and convenient access to new and existing community facilities and destinations.

2. Long-term maintenance of green and public spaces within the existing communities will be considered through the planning process and as part of the wider maintenance agreements for the Gilston Area (Policy D2).

3. Funding will be made available through legal agreements or through the possible future introduction of an infrastructure charging levy or similar charging regime to undertake improvements to the existing settlements in order to mitigate the impacts of new development. Mitigation measures will be agreed in consultation with the local community.

4. Development proposals within the settlements (outside the GA1 allocation) will be required to mitigate the impacts of development in accordance with the policies of the Neighbourhood Plan and the District Plan.

2.9 - Sustainable Mobility

Rationale and Justification

228. **Policy TRA1 requires development in the Gilston Area to make an essential contribution to sustainable transport choices advocated for the Harlow and Gilston Garden Town through provision of a comprehensive sustainable mobility strategy and design choices for the new villages and the existing communities.**

229. Development in the Gilston Area must promote sustainable transport choices, seek to anticipate foreseeable changes in transport technology and reduce the dominance of cars and traffic within existing and new communities and on the transport network across the wider area.

230. Promotion of sustainable transport choices requires an extensive network of safe and convenient active transport routes linking new and existing settlements and providing access to their facilities, open space and the countryside. Attractive village character and prioritisation of walking and cycling over car mobility will be essential.

231. Policy TRA1 sets out an approach which is consistent in relation to sustainable mobility with the East Herts District Plan, the ongoing HGGT work and with Hertfordshire County Council's Local Transport Plan 4 (LTP4)[77]. A sustainable approach to travel is also a key objective underpinning the Concept Framework[78].

232. Development in the Gilston Area will be designed:
   - To provide an extensive network of safe and convenient pedestrian and cycle routes linking new and existing villages / communities and integrated with existing Public Rights of Way and routes beyond the Gilston Area.
   - For an order of priority to reduce the need to travel, walking, cycling, public transport, "mobility as a service" vehicles, freight and delivery vehicles and private cars - in this order.
   - With open and permeable village layouts, to shorten distances for sustainable modes and offer multiple safe routes, discouraging car use.
   - To provide safe cycling and pedestrian access to Harlow Town, Harlow Mill and Roydon stations.
   - With new efficient and frequent public transport connectivity to link new and existing settlements in the Gilston Area with surrounding areas, in particular Harlow Town Station and the town centre.
   - To avoid road layouts that give priority to cars or encourage speed.
   - To reduce provision for the car (including parking) and minimise visual presence.

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[77] Local Transport Plan 2018-2031 (LTP4) Hertfordshire County Council (May 2018)
[78] Gilston Area Concept Framework (July 2018) p.12

233. The HGGT has set itself an ambitious target of 60% of all movement in new areas to be by sustainable transport modes (walking, cycling, shared mobility services or public transport), and 50% in existing areas of Harlow[79]. This is a very significant shift, and one which will not happen unless a comprehensive strategy for mobility is developed and adopted for the site and for the wider area, taking account of progressive changes in travel habits and technology. This will not happen if the new villages are not designed on active design principles, with a range of uses and services that reduce the need to travel and a structure and layout which makes walking, cycling and public transport attractive.

Community Perspective

234. The local community is very concerned about the existing capacity of the local highway network, the poor public transport services and the capacity and accessibility of Harlow Town Station. They are aware that, without a robust and comprehensive approach, there will be significant impacts on local communities caused by growth and major new development. The local community would wish to see an increased focus on sustainable and achievable transport modal split and the provision of improved public transport facilities and services.

235. The community would like to see substantial change in the transport and mobility patterns of the area, leading to:
- Reliable and frequent bus services for journeys to Harlow, Bishops Stortford, Hertford and Ware and the creation of sustainable transport corridors.
- Safe and convenient cycling provision across the Gilston Area, extending into existing settlements beyond and to main local destinations.
- Measures to control, reduce and slow down through traffic movement.
- Restrictions to freight movement through Hunsdon, Gilston and High Wych.
- Improved facilities and services at Harlow Town Station as a priority, including improved access and cycle facilities and potentially also at Harlow Mill and Roydon stations and increased train capacity in peak hours.
- Improved pedestrian routes extending the existing network of Rights of Way.

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[79] HGGT Transport Strategy, p.5. Garden-Town-Transport-Strategy_2020.pdf (harlowandgilstongardentown.co.uk)

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POLICY TRA1 – Sustainable Mobility

1. Development should be designed to seek to achieve the sustainable mobility targets set by the Harlow and Gilston Garden Town Transport Strategy (presently 60%) and any subsequent update to it.

2. Development should demonstrate that clear sustainable mobility targets are secured as part of planning permission and that they can be realistically monitored and achieved through a range of practical and achievable solutions.

3. Development proposals should:

   i. Promote sustainable transport choices with a clear order of priority: reduce the need to travel, walking, cycling, public transport, shared transport, deliveries and private transport.

   ii. Be integrated with sustainable travel initiatives in the wider Garden Town area including the creation of sustainable transport corridors and public transport hubs.

   iii. Provide a well-connected network of attractive, safe, convenient and where possible separated pedestrian and cycle routes within each village and between villages, including the existing communities as part of appropriate street design.

   iv. Make provision for sustainable transport links which serve journeys outside the Neighbourhood Plan Area to nearby urban centres including Harlow's key shopping and employment destinations.

   v. Provide multiple safe, direct and where possible separated pedestrian and cycle routes to Harlow Town Station, Roydon Station and Harlow Mill Station with smart cycle schemes and cycle parking facilities and give consideration to a northern entrance to Harlow Town Station dedicated to active mobility.

   vi. Make early provision for frequent and extended public transport services to serve new and existing settlements with bus stops within walking distance of most new and existing houses to encourage use of public transport from the outset of the development.

   vii. Anticipate changes in transport technology and support smart mobility services.

   viii. Make provision for cycle parking and electric charging facilities to encourage the use of low carbon emission vehicles. An appropriate level of cycle storage and cycle parking should be provided in homes and at local destinations.

   ix. Seek to minimise car parking provision in relation to adopted standards and make allowance for possible reductions in parking standards over time.

2.10 - Access to the Countryside

236. **Living in close proximity to the countryside is a key part of the vision for the Gilston Area. Policy TRA2 seeks to ensure that new development delivers an extended network of footpaths, rights of way, cycleways and bridleways which will link existing and new villages to each other and the wider countryside.**

237. Consistently with the Concept Framework, the Neighbourhood Plan requires that the new villages are designed to maximise access to open spaces and the wider countryside through a network of greenspaces (the Green Infrastructure, Policy AG2) providing walking and cycling routes, integrating the existing views and network of paths with new connections to form a rich and permeable network[80].

238. The design of new pedestrian and cycle facilities within or across the River Stort (including the crossings proposed in District Plan Policy GA2) should minimise impacts on the character of the River Stort and provide good pedestrian connections to the Stort towpath, including wayfinding.

239. The enhancement to the Rights of Way network via improved new, safe and, where possible, separated footpath and cycle connections should be considered in the Strategic Landscape Masterplan and Village Masterplans in consultation with the community.

Community Perspective

240. The community places value on access to the countryside and the opportunities for integration and expansion of the existing network of footpaths presented by development in the Gilston Area.

241. The local community currently enjoys a village setting in which meeting people along streets and lanes is a common occurrence. They believe that this is essential for community cohesion, enjoyment of the countryside and encouragement of walking and cycling for need or leisure. They would like to see that the new development creates comparable or better opportunities for a healthy community lifestyle. They would also wish to see improved safe and, where possible, separated pedestrian and cycle connections throughout the Gilston Area.

242. There is a concern, however, that existing rights of way, which in some cases pass through sensitive areas and close to houses, will need to be protected from the potential impacts of significantly more use, as the population of the area increases, and appropriate mitigation will be required. Furthermore, the community is concerned that new cycle routes and leisure facilities could affect ancient woodland, disturbing important wildlife habitats and leading to the loss of important woodlands.

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[80] Gilston Area Concept Framework (July 2018) p.77

Fig. 23 – The delicate environment of countryside connections within the Stort Valley

3. Implementation and Delivery

This section of the Neighbourhood Plan sets out how the community intends to work with the local planning authority, developers and other stakeholders in bringing forward development in the Gilston Area.

243. The Neighbourhood Plan has been prepared to sit alongside national and local planning policies and other planning guidance to provide a policy framework for the determination of planning applications in the Gilston Area. It seeks to provide a positive and proactive planning tool to assist in the delivery of Policy GA1 and the vision and objectives set out in this Plan. The planning process involved in delivering development on the scale proposed in the Gilston Area is complex and the policies in this Plan should be applied at each stage to ensure positive outcomes.

Planning Process

244. The Gilston Area Charter SPD sets out in detail the requirements and steps for the various stages in the planning process[81], including:
   - Outline Planning Applications, establishing the structure and range of development.
   - Strategic Landscape Masterplan, defining the Green Infrastructure Network and the overall landscape framework for the site and integration with existing settlements and the wider countryside.
   - Village Masterplans, identifying the boundaries of the proposed built-up area (having regard to the Strategic Landscape Masterplan), and the layout and development parameters for each village
   - Reserved Matters Applications/Detailed Planning Applications for individual buildings or smaller parts of each village.

Community Engagement and Governance Strategy in the District Plan

245. According to District Plan Policy GA1 (IV) developers will be required to agree a Community Engagement Strategy, setting out the expectations for engagement with the local community and stakeholders across Harlow and East Herts at each stage of the planning and development process to allow meaningful participation in the creation and management of the emerging new communities.

246. A Governance Strategy will be required to satisfy District Plan Policy GA1 (V(h)). It will establish the arrangements for the planning, development and long-term stewardship of the Gilston Area that will put local people at the heart of the decision making. It is also set out in the Concept Framework as a strategy for committed, long-term community-led governance[82].

247. The Neighbourhood Plan expects, therefore, the Governance Strategy to be comprehensive, and related to all villages and existing communities to ensure that the overall area will be managed effectively, coherently and in the interest of all current and future residents.

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[81] Gilston Area Charter SPD (June 2020) Fig.4
[82] Concept Framework, p.159 and p.140

3.2 – Establishing a Partnership with the Community

Rationale and Justification

248. The community has a key role to play in taking forward growth in the Gilston Area and ensuring that development is appropriate to the location and distinctive. Policy D1 aims to put community engagement at the heart of delivering growth in the Gilston Area in accordance with Garden City Principles. Accordingly, the community must be fully engaged at each stage of the planning and development and in future governance arrangements.

249. The Council is committed to community engagement: this is a key principle underpinning Policies GA1 and DES1 of the East Herts District Plan and it is the driver of the Community Engagement Strategy SPD (Dec 2020). The Garden City Principles highlight the importance of strong vision, leadership and community engagement and long-term community ownership of land and community assets.

250. The commitment to community engagement in the development of the Strategic Landscape Masterplan, Village Masterplans and Design Codes is amplified in the Gilston Area Charter SPD (June 2020)[83]. The Charter SPD also requires that the production of each Masterplan for the Gilston Area will be led by an applicant team of professionals with suitable experience of collaborative landscape led masterplanning who will work together with the community and other stakeholders[84].

251. The Neighbourhood Plan advocates that a partnership approach with the community, starting with the existing one and progressively including future residents, should be at the heart of the development and of design choices, to ensure that these are informed by appreciation of local quality.

Community Perspective

252. The existing community has engaged proactively in the development of the Concept Framework and has worked hard at creating a climate of collaboration with the local planning authority, the HGGT Board and developers in the interest of achieving development that is of exceptional quality and appropriate to the Gilston Area. The Neighbourhood Plan Group has also worked with the District Council and the developers in the preparation of the Gilston Area Charter and Community Engagement Strategy. The community (existing and new) will expect to be fully engaged in the development of proposals for the new villages and future governance agreements and stewardship of open space and community assets in accordance with Garden City Principles and as envisaged by planning policy.

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[83] Gilston Area Charter SPD (June 2020) para 8.1
[84] Gilston Area Charter SPD (June 2020)

POLICY D1 – Establishing a Partnership with the Community

1. Development proposals will be supported which have been developed in partnership with the community and meet the following criteria:

    i. Local communities (existing and new) have been fully, meaningfully and collaboratively engaged with at each stage of the development process; this will include evidence of how community views have been taken account in the development proposals.

    ii. Involvement of the community in briefing the design teams responsible for the preparation of Masterplans about the local area and the perspective of the community.

    iii. Collaborative Design Charrettes / Co-Design workshops will be held to facilitate the active engagement of the community at each stage in the preparation of the Strategic Landscape Masterplan and individual Village Masterplans and to ensure they respond to local aspirations and are grounded in an understanding and evaluation of the area's defining characteristics.

2. Funding may be made available through legal agreements to support the local community to enable full engagement and participation, including professional support where required.

3.3 - Community Ownership and Stewardship

Rationale and Justification

253. **Policy D2 establishes criteria for future governance and stewardship of greenspaces and community assets so that arrangements are in place in a timely manner and in the interest of the whole community, including the existing one. It also requires a clear understanding of how future assets will be managed in perpetuity and identification of appropriate sustainable funding.**

254. The framework for governance arrangements of the Gilston Area will bring together the new and existing communities by seeking active involvement of residents in the management and governance choices for the area. District Plan Policy GA1 (VII) states that the development should include mechanisms to secure the long-term stewardship, protection and maintenance of the parkland, open spaces, play areas and community assets and create the conditions for local resident participation in the design and stewardship of their new communities. The District Plan indicates that this should take place early in the overall development programme[85].

255. Long-term stewardship is one of the key Garden City Principles identified in the District Plan, Concept Framework and the HGGT Vision. The Concept Framework states that the Principal Landowners will establish mechanisms that will put local people at the heart of the decision-making process. It also promises land ownership and management arrangements which will guarantee independent control of the undeveloped parkland at Gilston Park Estate[86].

256. New facilities will not be sustainable without well organised management structures supported by consistent revenue streams. As such, the capture of land value from the uplift in granting planning permission is central to the original Garden City Principles, and to the TCPA's contemporary vision for Garden Towns[87]. The HGGT 'How To' Guide for Planning Obligations sets out how the Councils intend to ensure the sustainability and long-term stewardship of the Garden Town as a whole through the use of planning obligations[88].

257. As part of the planning process, landowners/developers will be required to make arrangements for the long-term management, funding, maintenance and residents' participation in the stewardship of greenspaces, parklands, leisure and community facilities, potentially including schools, health centres etc. Existing residents and residents moving into the development should have a right to be involved in the governance structures.

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[85] East Herts District Plan (October 2018) para 11.3.7 p.150.
[86] Gilston Area Concept Framework (July 2018) p.140
[87] Guide 9: Long-Term Stewardship. Garden City Standards for the 21st Century. Practical Guide for Creating Successful New Communities (TCPA, December 2017) https://www.tcpa.org.uk/tcpa-pgs-guide-9-stewardship
[88] Harlow & Gilston Garden Town 'How To' Guide for Planning Obligations, Land Value Capture and Development Viability (Guidance Note: 01/20190417).

258. Long-term management and maintenance will be secured as part of the planning process and legal agreements via a Governance Strategy, which should be in place before the start of the development and be prepared with the active involvement of the local community and other local stakeholders. The Governance Strategy should be designed to meet a common level of investment and standard of maintenance for each village and for site-wide infrastructure serving the Gilston Area as a whole (including the existing settlements).

259. Land ownership, funding and management measures should also guarantee independent control of the Community Trust Open Space Land and other greenspaces (identified in Policies AG2 and AG7) in the interest of the community. A legal agreement for the Community Trust Open Space Land (District Plan Policy GA1) should include funding and design support to the community prior to the transfer of this land to enable community involvement in the design of the countryside parks and preparation of a management and maintenance plan (see Policy AG7).

Community Perspective

260. The local community has made clear its desire to be fully engaged from the outset in future governance arrangements and are supportive of the delivery and transfer of the Community Trust Open Space Land north of the powerlines into community ownership and control early in the development programme to help mitigate the impacts of development and provide a community asset for existing and new residents in the Gilston Area.

261. There is also an expectation that measures will be agreed and put in place at an early stage in the development programme to secure the long-term stewardship, protection and maintenance of other areas of parkland, open spaces, play areas and community assets and that local residents (existing and new) will be fully engaged in the design and stewardship of their new communities.

POLICY D2 – Community Ownership and Stewardship

1. Arrangements for future governance and long-term stewardship of the Gilston Area will be agreed between the principal landowners/developers and the local planning authority in consultation and with the endorsement of the local community and will be secured as part of the planning process.

2. An agreed governance structure should be in place at the outset of development to ensure the delivery and management of community assets is undertaken in a timely manner and in the interest of the community in accordance with Garden City Principles.

3. The arrangements for future governance and long-term stewardship will apply to all development within the Policy GA1 allocation and should include provision for the following:

    i. An integrated approach to development and necessary infrastructure provision, and the delivery and long-term stewardship of green spaces and other community assets.

    ii. The early delivery of community ownership and the long-term stewardship, protection and maintenance of the Community Trust Open Space Land (see Policy AG7).

    iii. The establishment of governance and stewardship mechanisms early in the overall development programme for the funding, timely delivery and transfer into community ownership of other green spaces, parklands, sports and recreation areas and community assets.

    iv. The active involvement of residents from the outset and the continued representation of existing and new communities in future governance arrangements and stewardship of the Gilston Area.

    v. Funding and re-investment opportunities to ensure the long-term operation and maintenance of the Community Trust Open Space Land and other community and heritage assets.

4. Monitoring and Review

262. The Neighbourhood Plan provides a policy framework for the preparation and determination of planning applications in the Gilston Area. The community is not responsible for delivery of development in the Gilston Area and will work with the Council, developers, infrastructure providers and other stakeholders to ensure development takes place in accordance with the vision, objectives and policies set out in the Neighbourhood Plan.

263. Regular monitoring of actual development outcomes against the plan is an essential part of ensuring that the plan is effective. Monitoring can indicate areas where interventions may be needed to achieve the objectives of the plan; it may also demonstrate the need for a review or partial review of the plan.

264. Given the size and complexity of the Gilston Area development and the fact that the District Plan expects it to make a significant contribution towards housing needs within the Plan period, the Council recognises the importance of closely monitoring its implementation. In accordance with District Plan Policy DEL4 (Monitoring of the Gilston Area), the Council will draw up an action plan setting out key milestones for the delivery of the site, including masterplanning, phasing of infrastructure and submission of planning applications and monitor its progress on an annual basis. The annual rate of housing completions in the Gilston Area will be reviewed by the Council as part of its District wide monitoring in accordance with Policy DEL3 (Monitoring Framework).

265. The Neighbourhood Plan will be kept under review by the Neighbourhood Plan Group and this will be undertaken in collaboration with EHC who will be responsible for monitoring development in the Gilston Area in accordance with Policy GA1 and other policies in the District Plan. Working closely with the Council, it will be possible to determine the progress being made in relation to the objectives and policies set out in the Neighbourhood Plan and the delivery of necessary infrastructure.

266. The Gilston Area Charter SPD reinforces this collaborative approach to monitoring. It states that the Garden Town Authorities will seek to provide information on an ongoing basis to keep the public informed about the planning process for the Gilston Area and subsequent development as it comes forward. The Council will use a Monitoring Framework and a series of measurable indicators to review progress[89].

267. The Monitoring Framework to be provided by EHC is expected to include a live web-based platform, regularly updated to keep the public informed about the progress of development in the Gilston Area. It will also include a record of what has been delivered and a framework for quality control of the development post construction[90]. This Monitoring Framework will assist in keeping the Neighbourhood Plan under review.

268. If necessary, a formal review of the Neighbourhood Plan or parts of the Plan will be undertaken to reflect changes in national, strategic or local policies affecting the Neighbourhood Plan area.

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[89] Gilston Area Charter SPD (June 2020) para 9.3
[90] Gilston Area Charter SPD Executive Report (East Herts Council 2 June 2020) para 3.6 p.22

Appendices

Appendix 1 – Neighbourhood Plan Objectives

OBJECTIVE 1: CREATING DISTINCTIVE AND BALANCED COMMUNITIES

- Creation of seven separate and distinctive new villages, each informed by Garden City Principles, with a wide range of homes, employment, local retail, education and community facilities well connected by pedestrian, cycle and public transport routes and three existing villages and other groups of houses each with a distinctive character and identity.
- The location and extent of village development to be influenced by the existing landscape character, topography, heritage assets and respond sympathetically to existing settlements and communities.
- New villages are to be separated by natural green corridors and the boundaries to each village will generally have softer edges and lower density development to reinforce separation, with most developments fronting directly and overlooking the greenspaces.
- There will be a defined centre to each village of an appropriate size and scale which will provide the heart of community life.
- The village centres will generally be higher in density with a mix of uses including retail, community and education facilities and will be distinct from other parts of the village (middle and edge).
- The new villages will be designed around a network of streets, walking and cycling routes and greenspaces. The streets will be easily navigable and permeable with streets treated as vibrant and active spaces to promote inclusive communities.

OBJECTIVE 2: MAINTAINING DISTINCTIVENESS AND MANAGING THE IMPACTS OF DEVELOPMENT ON EXISTING VILLAGES

- Protect the distinctive character of existing villages in the Gilston Area and carefully manage the impacts of the development and construction on existing communities through protective green landscape and the timely provision of improved infrastructure (roads, public transport, etc.). Existing communities will be connected to new villages, and have easy access to greenspaces and community facilities through an extended network of pedestrian, cycle and public transport routes.
- The setting of Eastwick, Gilston and Hunsdon and other clusters of existing buildings will be protected through the creation of natural green corridors of sufficient width which will separate them from new villages. They will contain walking and cycling routes to connect the existing settlements with new villages in the Gilston Area and to the wider area including Harlow.
- The provision of necessary infrastructure will be phased and delivered in a timely fashion to ensure that there is sufficient capacity to accommodate the needs of new development and that existing communities are equally and adequately served.
- The extended network of pedestrian, cycle and public transport routes will connect existing communities to the new villages, and the facilities contained within them.
- It will be important to deliver early landscape improvements to strengthen the green buffers around the existing settlements.
- Construction and traffic impacts on existing communities will be minimised and mitigated.

OBJECTIVE 3: DELIVERING A WIDE CHOICE OF QUALITY HOMES

- A wide range of housing typologies and tenures (including market and affordable housing) will be provided in each village to create mixed and balanced communities.
- New homes will be designed and constructed to a high-quality standard. They will be flexible and adaptable to changing lifestyles, providing for a variety of needs.
- New homes will meet high standards of sustainability and internal space.

OBJECTIVE 4: CONNECTED TO, BUT DISTINCTIVE FROM, HARLOW

- The villages will be well connected to the infrastructure, facilities and employment of Harlow, but will be separate and distinctive in their spatial form and design and be clearly distinct from the predominantly urban development of the wider Harlow area. The development will respect the Garden Town strategy and vision and contribute to the wider aspiration for the sustained economic regeneration and growth of Harlow.
- Development in the Gilston Area will be physically separated from Harlow (save for the river crossings) by the open landscape of the Stort Valley, an amenity to be preserved for its natural and water-related character and shared by all communities subject to protection of its sensitive natural and wildlife environment.
- Land uses, streets and public spaces will be in line with the character of a village and not be inspired by urban places. Green landscape should be natural and characteristic of the countryside.

OBJECTIVE 5: PROMOTING HEALTHY COMMUNITIES

- Each new village will be supported by an appropriate range of social infrastructure, including education, health, faith, open space, leisure, retail and community facilities alongside excellent links to the undeveloped open countryside especially that in community ownership and management.
- The development will encourage active lifestyles and social integration
- Each village will provide community facilities and local services relevant to the scale and size of that village.
- Opportunities for sport and recreation will be available for all age groups. Sport pitches will be provided in a variety of accessible locations, but should be designed to reflect the setting of their location. Ancillary works should accord with relevant policies, eg: AG3 and LA1.
- Accessible homes and neighbourhoods, and housing with care and support, will be integrated into the villages to enable people to live independently within their community.

OBJECTIVE 6: PROMOTING SUSTAINABLE TRAVEL

- New development will promote sustainable transport choices, anticipate foreseeable changes in transport technology and mitigate the traffic impact of the development on existing communities and the wider transport network across the locality.
- The development will prioritise active travel and support smart mobility services, reducing the need to own a car.
- All streets and connecting roads within the villages will be designed to limit speeds and car use, will be pedestrian friendly and in character with the village concept. Streetlighting should be minimal and sensitive to the darkness of the countryside.
- New development will provide an extensive network of safe and convenient pedestrian and cycle routes well integrated with existing Public Rights of Way and routes within and beyond the site.

- Each village will be developed around a legible street hierarchy which connects new housing to the village centres and other facilities.
- New efficient and frequent public transport connectivity will link new and existing villages in the Gilston Area with surrounding areas, in particular Harlow Town Station and the town centre, with safe and direct cycle and pedestrian routes and smart cycle schemes and cycle parking.
- Electric charging facilities will be provided in all developments to encourage the use of low carbon emission vehicles.

OBJECTIVE 7: CREATING WALKABLE NEIGHBOURHOODS

- New development will be designed on active design principles. New homes will be located within short walking distance of open space, community facilities, shops, and schools to promote a healthy and active community.
- A balance of land uses will be provided in each village (relative to the scale, size and role of the village) to encourage people to minimise journeys for shopping, leisure, education and other activities.
- Safe and secure layouts will be created which minimise conflicts between traffic and cyclists or pedestrians and avoid street clutter.

OBJECTIVE 8: PROMOTING HIGH QUALITY DESIGN

- The development should create a strong sense of place and local character, drawing inspiration from the morphology and character of existing settlements in the Gilston Area and elsewhere in Hertfordshire.
- Durable and high-quality buildings and public spaces will positively respond to local landscape character and history. Clear and detailed design guidance will be developed for each village.
- Frontages should be interesting, attractive and designed to be part of a street or landscape space.
- The design of buildings and materials used will provide a balance and rich variety of material treatment in building design which draws on local materials and character, from traditional to contemporary, reflecting individual village character.
- New development will be appropriately scaled in relation to a village location and heritage and landscape elements.
- Buildings will be designed to front onto spaces to provide activation, security and surveillance. Back fences onto green areas for public use should be avoided.
- The potential to create open layouts with variable building lines integrated with landscaping should be explored. Development should follow natural contours and minimise cut and fill wherever possible.
- Smart Technologies for the home should be anticipated.

OBJECTIVE 9: A PROTECTED AND ENHANCED LANDSCAPE AND NETWORK OF GREEN SPACES

- The landscape setting of new and existing villages / settlements will be protected and enhanced through the creation of an extended network of accessible greenspaces, with the retention of existing trees, hedgerows and landscape features and enhancement of the water environment where possible. The network of green greenspaces will be linked by a series of environmentally viable green corridors promoting rich biodiversity appropriate to the area.
- The revised Green Belt will be protected and opportunities will be taken to improve access to the countryside.
- The designs for each village will identify long and short-range views to create visual connections with notable heritage and landscape features.
- The new villages will be designed to maximise access to open spaces and the wider countryside.
- Connectivity between all the different landscapes will be promoted both in terms of greater open access as well as the creation of connected green corridors for flora and fauna.
- Each village will have a range of multi-functional open spaces, local play areas, landscaping and SuDS carefully designed to be safe and pleasant, forming an essential part of the experience of living in the Gilston Area.
- Long term maintenance will be considered as part of the governance strategy, including measures to enable long term management by the community.

OBJECTIVE 10: PROTECTING AND ENHANCING NATURAL ASSETS

- Existing natural assets, especially woodlands and the water environment, will be retained and enhanced and incorporated as part of the integrated network of green and blue spaces. The topography of the site and existing landscape features will inform the configuration of the village layouts and assist in the sustainable management of surface water drainage.
- Key habitat features will be preserved and enhanced as a priority and new habitats created to improve biodiversity.
- Development will be designed to minimise impacts on areas of ecological importance through the creation of adequate separation distances and buffer zones. This should contribute to restoring the health of local rivers and their associated habitats.
- Early restoration and management of woodlands will be required. Existing woodlands will be enhanced and management plans developed at an early stage of the development process.

OBJECTIVE 11: PROTECTING AND ENHANCING HERITAGE ASSETS

- Existing heritage assets will be respected, protected and, in some instances, enhanced. This includes the historic Gilston Park House and associated Listed Buildings, the setting of Hunsdon House, Hunsdon Airfield, St Mary's, St Dunstan's and St Botolph's Churches, the local War Memorials, all Scheduled Monuments and the settings of other Listed Buildings. The proposed development layout and setbacks will incorporate appropriate mitigation measures to minimise impacts on the settings of local heritage assets alongside celebrating such assets for the qualities they will bring to the new communities as places of quality.
- Development in the Gilston Area will respect and have a positive relationship with its heritage assets. Historic boundaries, such as the former deer park pale and ditch will be respected, preserved and enhanced.

- The layout and design of new development will respond sensitively to the form, proportion, scale and character of heritage assets. Open spaces will be strategically positioned to preserve the setting of heritage assets.
- Development will be positioned and landscape designed to respect, protect, and in some instances, enhance, the setting and views to/ from heritage assets.
- Long term conservation and management plans will be developed for all heritage assets, in consultation with the local community as part of the planning process.
- Opportunities will be promoted to increase public appreciation and understanding of heritage through village design and the incorporation of appropriate references.

OBJECTIVE 12: ENGAGING LOCAL COMMUNITIES

- Establish early on the framework for governance arrangements for the long-term stewardship of the Gilston Area that will bring together the new and existing communities whilst ensuring the long-term protection of the greenspaces and their high quality management by the community.
- Local communities (existing and new) will be fully, meaningfully and collaboratively engaged with each stage of the development process.
- The undeveloped land to the northwest of the Gilston Area will be transferred at an early stage into community ownership via a community land trust or similar governance mechanism, supported by a comprehensive long-term management strategy.
- Through the Governance Strategy, measures will be put in place to ensure that the community will have the necessary means to secure the long-term operation and maintenance of community assets.

OBJECTIVE 13: ENSURING THE PHASED DELIVERY OF NECESSARY INFRASTRUCTURE TO MEET THE NEEDS ARISING FROM THE DEVELOPMENT

- New infrastructure will be designed to meet the comprehensive needs of the Gilston Area and will be phased to minimise and manage the impacts of the development on the local area. The provision of necessary infrastructure will be phased in relation to development to ensure there is adequate capacity to meet the cumulative needs of new and existing communities.
- Infrastructure requirements and the timescale for provision will be determined as part of the approval of future planning applications.
- Construction traffic will be managed to minimise impact on existing and new communities, with stringent operational management plans agreed prior to the commencement of development in a village.

Appendix 2 – Local Green Spaces and Locally Cherished Views

Table 1 - Proposed Local Green Space Designations [91]

Proposed Local Green Space	Description	Character	Proximity to Community	Special Qualities
a. Eastwick Wood (2.2ha) **b. Black Hut Wood (5ha)** **c. Lawns Wood and Moat (9ha)** **d. Queens Wood (4.1 ha)**	Four blocks of Ancient Woodland (Natural England) and designated Wildlife Site (District Plan) and World War II Airfield Defences (Scheduled Ancient Monument).	Local coppiced woodlands, in need of enhancement and conservation.	Extensive network of footpaths and bridleway connecting to Hunsdon, Widford, Eastwick and High Wych used by local communities for informal recreation.	Tranquil area of woodland in between arable farmland with buzzard, red kite, owl, deer, hare, orchids; important for wildlife in the open setting of the Hunsdon Plateau.
e. Eastwick Valley and Eastwick Hall Corridor (15.3ha)	Pastures and fields of Eastwick Hall, Wildlife Sites and 2 Moated sites - Scheduled Ancient Monuments.	Local semi-natural valley in between undulating fields.	Close to Eastwick, linking the village green to the countryside to the north and Hunsdon Airfield.	Historically significant: ancient lane linking to former location of Eastwick Hall and two moated sites.
f. St. Botolph's Churchyard (0.5ha)	Listed church building (Grade II*) and Listed tombs. Mature trees. Identified as a distinctive local asset in the Garden Town Design Guide.	Local semi-natural tranquil greenspace.	Close to Eastwick, and an important place of identity for the local community.	Historically significant, attractive image for the village. Tranquil and contemplative place.
g. Home Wood (15.1ha)	Block of Ancient Woodland (Natural England) and designated Wildlife Site (District Plan).	Local natural greenspace.	Interface between the Hunsdon and Gilston communities, in close proximity to both.	Tranquil, wooded, bats, buzzards, red kite, owl, hare and other wildlife habitat with wild animals, bluebells and orchids. Essential setting of St Mary's Church and Church Cottages.

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[91] NB. No Site i. is identified for reasons of cartographic clarity

Proposed Local Green Space	Description	Character	Proximity to Community	Special Qualities
h. St Mary's Churchyard (0.4ha)	Wildlife Site Grade 1 Listed church and monuments. Identified as a distinctive local asset in the Garden Town Design Guide.	Local semi-natural greenspace and part of the heritage of the area.	At the core of Gilston community, history and identity. It contains old tombstones and ancient yew trees.	Historically significant, and part of the image of the Gilston community. Heritage interior of St Mary's Church valued locally. Tranquil space. Wildlife.
j. Golden Grove (11.2ha)	Ancient Woodland and designated Wildlife Site.	Local natural greenspace.	Close to existing community of Gilston and separating it from High Wych.	Wildlife habitat. Tranquil. Easily reached from Gilston and High Wyche via quiet lanes.
k. Gilston House Parkland and Lake (8.5ha)	Historically significant landscaped area (not listed) Site of Netherhall one of the original three farmsteads established by Geoffrey de Mandeville in 1135.	Local in character and part of heritage of area.	Privately owned. Part of the heritage setting and identity of Gilston.	Historically significant, landscaped and wooded area providing an essential setting to Grade 2* Gilston Park House, wildlife habitat.
l. The Avenue and Chase (2.8ha)	The Mount is a Scheduled Ancient Monument surrounded by a dry moat and the original site of Giffards Manor one of the three farmsteads established by Geoffrey de Mandeville in 1135.	Local in character and part of heritage of area.	Planted and wildlife habitat at the core of the Gilston area and in need of enhancement and valorisation.	Historically significant, strong local feature in need of enhancement. Wooded area and wildlife habitat.
m. Terlings Park (Southern Edge) (5.6ha)	Strip of woodland south of the parkland designated under District Plan Policy CFRL1 . Green space serving local community.	Local woodland providing the interface between Terlings Park and the river Stort towpath.	Enjoyed by residents of Terlings Park and wider Gilston community.	Mature trees, wildlife and tranquil space for community and passers-by.
n. Fiddlers Brook and Lowland Fens (8.5ha)	A designated Wildlife Site and partly designated Fen Habitat (Natural England), including a woodland strip.	Local natural greenspace.	Close to existing settlement of Gilston Lane, Pye Corner and Terlings Park with footpaths linking to the Stort Valley.	Provides habitat for wildlife and biodiversity. Tree planted buffer between roads and open greenspaces.

Table 2 - Identified cherished views

Proposed View	Type	Justification	Design considerations
A. Long distance view from the Hunsdon Plateau / Hunsdon Lodge Farm looking south	Long Distance – Wider HGGT view	Expansive appreciation of the Hunsdon Plateau – Identified by HGGT Vision	Seek to avoid foreground encroachment and location of prominent buildings in the view. Rooftops visible in between trees acceptable.
B. Long distance view from Harlow, marking the transition from urban to village setting	Long Distance – Wider HGGT view	Presentation of village character arriving from Harlow – Identified by HGGT Vision	Present an attractive village frontage, making clear character distinction from Harlow.
C. Long distance view from Parndon Mill across the Stort Valley	Long Distance – Heritage setting + Wider HGGT view	Setting of listed building and green separation from Harlow	Retain and enhance heritage setting and Stort Valley as natural greenspace separation from Harlow. Avoid foreground encroachment and mitigate full view of any buildings through appropriate planting. Rooftops visible in between trees acceptable.
D. Views to and from the Churches of St. Mary's, St. Botolph's and St. Dunstan and churchyards	Protection of heritage setting	Retain countryside setting and appreciation of Grade I and II Listed Churches	Avoid visual encroachment and location of buildings in full view. Rooftops visible in the distance in between trees acceptable. No floodlighting visible from these viewpoints.
E. Views to and from Gilston Park House and to Hunsdon House and their gardens	Protection of heritage setting	Retain countryside setting and appreciation of Grade I and II* Listed countryside manor houses	Avoid visual encroachment and location of buildings in full view. Rooftops visible in the distance in between trees acceptable. No floodlighting visible from these viewpoints.
F. Open view over Hunsdon Airfield from Acorn Street and Drury Lane and from the airfield towards St Mary's	Mid distance view over countryside	Important countryside frontage to the village. Retain view of countryside from the village through unbuilt gap in the access road to Hunsdon	Seek to avoid foreground encroachment and mitigate full view of any buildings through appropriate planting. Rooftops visible in between trees acceptable. Careful use of localised lighting to retain dark skies at night. Minimise visual impact of roads.
G. Open views across the airfield from the Airfield Memorial and hangars	Mid distance view over countryside	Retain view of countryside from a location of local significance. Retain setting of Grade II	Seek to avoid foreground encroachment and mitigate full view of any buildings through appropriate planting. Rooftops visible in between trees

Proposed View	Type	Justification	Design considerations
		and II* Hunsdon Lodge Farm	acceptable. Careful use of localised lighting to retain dark skies at night.
H. Open views out from Eastwick Road towards the Memorial	Mid distance view over countryside	Important countryside frontage to the village. Retain view of countryside from the village through unbuilt gap within the heart of Eastwick	Seek to avoid foreground encroachment and mitigate full view of any buildings through appropriate planting. Rooftops visible in the distance in between trees acceptable. Careful use of localised lighting to retain dark skies at night.
J. Open views towards Eastwick from the Stort Valley and from the lower part of Gilston Park	Mid distance view over countryside	Retain appreciation of the setting of Eastwick as a village surrounded by countryside from public RoW	Seek to retain appreciation of the setting of Eastwick through buffers, soft edges and lower buildings. Rooftops visible in the distance in between trees acceptable. Careful use of localised lighting to retain dark skies at night.
K. Rural views from Hunsdon Pound towards Brickhouse Farm House	Mid distance view over countryside - Protection of heritage setting	Retain countryside setting of Hunsdon Pound and Grade II Listed Buildings	Seek to avoid foreground encroachment and mitigate full view of any buildings through appropriate planting. Rooftops visible in the distance in between trees acceptable. Careful use of localised lighting to retain dark skies at night.
L. Open views towards Hunsdon Brook Fishponds	Mid distance view over countryside - Protection of heritage setting	Retain visual connection across towards the Fishponds from the edge of the development and protect the integrity of the heritage setting of the Hunsdon House complex	Seek to create a visual connection between new village and Hunsdon House complex. Avoid foreground encroachment into the rural setting of the Hunsdon House complex and location of buildings in full view. Rooftops visible in the distance in between trees acceptable. Careful use of localised lighting to retain dark skies at night.
M. Open views towards and from Home Wood and Hunsdon / Cock Robin Lane	Mid distance view over countryside	Retain appreciation of the setting the Airfield, bounded by woodland from public RoW	Seek to avoid foreground encroachment and mitigate full view of any buildings through appropriate planting. Rooftops visible in between trees acceptable. Careful use of localised lighting to retain dark skies at night.

Proposed View	Type	Justification	Design considerations
N. Open view from the exit of Terlings Park and Fiddlers Brook	Mid distance view over countryside	Important countryside frontage to the village. Retain view of countryside from the village through unbuilt gap within the heart of Eastwick	Seek to avoid foreground encroachment and mitigate full view of any buildings through appropriate planting. Rooftops visible in the distance in between trees acceptable. Careful use of localised lighting to retain dark skies at night.
P. Open view from the path by Channock Farm towards Golden Grove and High Wych	Mid distance view over countryside	Important countryside frontage to the village. Retain view of countryside from the village through gap by Channock Farm	Seek to retain long distance views over open land and appreciation of the setting of the villages (Gilston and future) through buffers, soft edges and lower buildings. Rooftops visible in between trees acceptable. Careful use of localised lighting to retain dark skies at night.

Appendix 3 - Defining Village Character

A3.1 - Locally Inspired Village Character

The purpose of this Appendix is to support Policy AG6 and provide details and photographic illustration of the key characteristics of the local area that can be used as inspiration. The Appendix is to be used as a source of design cues, which will need to be creatively reinterpreted in the masterplanning proposals, rather than copied or literally replicated. By choice, the Appendix makes no prescriptive recommendation and does not endorse any specific architectural style.

This Appendix provides an organised collection of 'design cues', articulated in the following sections:

- The typical structure of local villages
- The character of streets and lanes
- How views out towards the countryside are present within villages
- The character of the landscape within the village boundaries
- How local villages are seen and impact views from the countryside
- The importance of soft edges
- The sense of arrival and transition from countryside to village
- The character of local landmark buildings
- Typical height and massing
- Variety of alignment and built form.

The images and text are intended to describe the local villages and help designers and decision-makers understand what the community values and considers the essence of the morphology and character that makes their villages special. Use of local materials and building detailing is encouraged (see Policy BU1), but in itself this is not considered the principal element of local character, and no specific 'palette' is proposed.

The Appendix is to be used as a source of design cues, which will need to be creatively reinterpreted in the masterplanning proposals, rather than copied or literally replicated. Nevertheless, Policy AG6 requires that proposals demonstrate the extent to which the various components of character identified in this Appendix have been considered in the design.

Each section includes a text box intended to exemplify how local characteristics can be used as design inspiration, which is relevant and appropriate to new contemporary villages in accordance with the aims of Policy GA1, other guidance for the site and the Neighbourhood Plan. They are not to be interpreted as prescriptive guidance.

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1.Much Hadham High Street

2.Hodgson cottages, Gilston

3.View of Eastwick

Respecting Morphology and Character

The District Plan and Concept Framework require new development at Gilston to be in the form of distinct villages, respecting local character and village morphology. Policy AG6 of the Neighbourhood Plan expects proposals to demonstrate that the best possible balance has been achieved between landscape, village separation, mass, density and the overall delivery of the aims of Policy GA1 of the District Plan.

This Appendix explores some of the aspects that the local community considers typical of local villages and which could be used as inspiration in future designs.

In the interest of retaining flexibility of development, the Neighbourhood Plan does not specify fixed development parameters, but expects this flexibility to nevertheless respond to local character. In the spirit of Policy AG6, where trade-offs are to be made (for example between green separation and height of buildings), these should be explored and agreed with the local community, as part of the Village Masterplan process.

Guidance on Density

The Neighbourhood Plan does not specify density parameters, which are expected to conform to guidance offered elsewhere:

- Policy HOU2 of the District Plan requires housing development to make efficient use of land. Proposals are required to demonstrate how the density of new development has been informed by the character of the local area.
- The Gilston Area Concept Framework identifies an illustrative average net density of 33 dwellings per hectare based on indicative masterplanning work undertaken (pg.108).
- The Harlow and Gilston Garden Town Vision (pg. 8) indicates densities between 20 and 55 dwellings per hectare. Density could vary, typically with intensity in the centre and greater fragmentation at the edge, to respond to the landscape setting. Further guidance is in the Harlow and Gilston Garden Town Design Guide.

Examples from the Local Area

The villages used as reference in this Appendix have already been referenced in the Concept Framework and are drawn exclusively from the local area for the purpose of guiding 'local character', rather than generic good design principles, or generic 'villages'. The selection is drawn from:

- Group 1 Villages (the largest category of the District Plan) nearby: Hunsdon, Much Hadham and Puckeridge.
- Group 2 Villages in the immediate vicinity: High Wych and Widford.
- The local settlements of Eastwick and Gilston within the area itself.

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A3.2 - Village Structure

Most local villages developed organically along a central countryside lane. Typically, development has been by progressive addition over time, without any significant visual focal point such as a market square, church or manor house. This has created an intricate structure of different neighbourhoods within each village: a characteristic that could be mimicked in new development.

Description of Local Character

Most local villages have a linear development structure, along a country lane turned into High Street linking a chain of settlements. The secondary street system is typically organic and originating from country lanes, while local streets are shorter and developed over time through infill and small additions, with a characteristic open structure, often terminating with views over the countryside. Larger villages, like Puckeridge, evolved to form a composite structure articulated along 2-3 organic linear spines. Large central places (like a market square or even a large central green) and rectilinear grid plans are absent in all local villages.

Hunsdon

- A central spine hosting most communal activities.
- An organically shaped green at a 4-way cross-roads along the main local route.
- Short local streets opening towards the countryside.
- Groups of houses connected by an organic / irregular grid.
- Landmark buildings set in landscape outside the village.

Much Hadham

- A central compact high street, with continuous frontages of varied architectural styles.
- Landmark buildings not creating local focal points, set back from the main spine.
- Very short secondary streets perpendicular to High Street.
- Semi-rural lanes parallel to the main spine at the outer edges.

Puckeridge

- Composite structure with multiple forks linked to successive expansions.
- No green or other public space.
- Local organic grid by addition of clusters of houses.
- Outer local streets opening towards the countryside.
- 1960s schools and leisure facilities at the edge of the village.

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Drawing Inspiration from Local Character: Village Structure

Most local villages are smaller, after 500 years of development, than the new ones will be after 20-30 years. It is therefore reasonable to expect that the structure of the new villages will be more articulated. Nevertheless, cues could be appropriately taken from the local area, for example by:

1. Adopting a main spine as the principal alignment connecting across multiple villages through rural landscape: this could be an important organising element of the structure of each village and function as a 'high street' and central reference place, where the majority of community activities are located.

2. Retaining, as far as possible, the alignment of the existing country lanes to form a secondary street network linked to the countryside or creating additional secondary links, following topography and natural or rural features as cues for the alignment.

3. Expanding the local street network of the new villages as if it were 'by addition', forming connected pockets (future distinctive neighbourhoods), rather than large formal grids, which are more typical of urban development.

4. Avoiding long straight avenues and formal piazzas with focal views on landmark buildings, as this is more typical of market towns.

Much Hadham High Street

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A3.3 - Street Character

Description of Local Character

Local streets and lanes are rich in landscape at the edges of the villages and attractively curving in the centres. They were built before the advent of highway codes and engineering standards: as a result, driving is constrained and needs to adapt to the location. Limited segregation of cycling and walking results in 'shared space' arrangements for most of the local streets.

1.Gilson: Eastwick Road-C161

2.Puckeridge: Standon Hill-A120

Main roads outside villages

- Single carriageway with one wide lane per direction.
- Occasional walking path / cycle route in the verge and layby for buses.
- Minimal guardrails, street lighting and signage.
- Green semi-natural verges.
- Open views over countryside fields or enclosed in woodland.
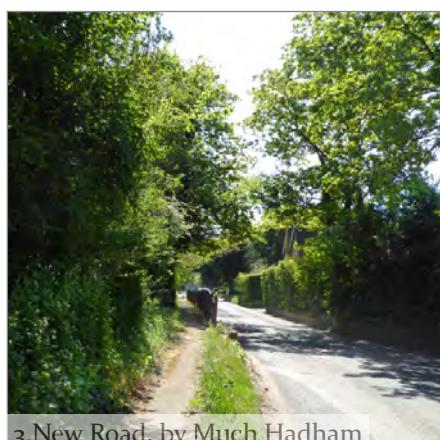
3.New Road, by Much Hadham
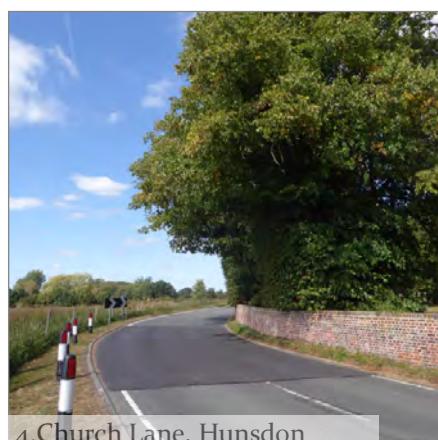
4.Church Lane, Hunsdon

Main lanes at the village edges

- Single carriageway with one narrow lane per direction.
- Occasional walking path in the verge and passing point.
- No street lighting. Minimal road marking.
- Green verges.
- Direct access to properties, mainly behind tall hedges or boundary walls.

5.Hunsdon High Street

6.Puckeridge High Street

High streets

- Single carriageway with one lane per direction and side parking (encroaching in the road lane)
- Narrow footpath.
- No lighting posts.
- No verges or trees.
- Continuous frontages with narrow or no front garden space.

7.Church Cottages, Gilston

8.Cunningham Grove, Hunsdon

Other secondary streets / lanes

- Single carriageway / shared surface.
- No street lighting.
- Side footpath occasional and part of a green verge.
- Informal edge of carriageway with a green verge of trees or hedgerow planting.
- Informal landscaped front gardens.

Drawing Inspiration from Local Character: Streets and Lanes

With current highways standards, it will not be possible to replicate the appearance of the most attractive country lanes of the Gilston Area. Yet, inspiration can be usefully taken from local character, by:

1. Adopting informal layouts, with low speeds and reduced 'engineering' driven design in favour of locally adapted design that respects topography and landscape and encourage drivers to adapt their driving style to respond to the location.

2. Ensuring that there is abundant space for green verges, hedgerows and woodland-style planting at the edges or outside the villages, designing streets and frontages so that they are greener towards the edges (for example with deeper front gardens with trees and hedges) and more compact towards the centre.

3. Integrating cycle lanes and footways within the verges outside the villages and at the edges, while maximising opportunities for shared space arrangements in most local streets and neighbourhoods.

4. Minimising the visual impact of road signage, lighting and other street clutter.

Standon Hill Road - A120

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A3.4 - Views out towards the countryside

Description of Local Character

Views out over fields and woodland are common from the village edges and occasionally from within the built-up area, creating a strong visual connection between the two.

1.Eastwick Road, Eastwick

2.Road from Widford, Hunsdon

Foreground of fields on arrival

Outer access roads and lanes typically open up onto the outer fields as soon as the edge of the built area is reached, creating long distance views and visual connection with the countryside, with:

- Open views over fields.
- Grassed edge.
- No or see-through boundary fencing.

3.Eastwick Green and Memorial

View of the countryside from the heart of the village

In many cases, there are visual openings onto the countryside from within the village itself, either onto fields, like in Eastwick or onto woodland or mature hedgerow planting like in High Wych, through:

- Gaps in the building alignment.
- Inviting the countryside into the village.
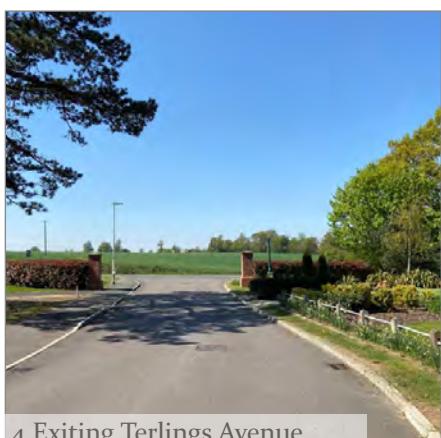
4.Exiting Terlings Avenue

5.Roseley Cottages, Eastwick

No transition between houses and countryside

The countryside typically stops at the road edge and housing boundary, with no semi-urban transition zones. Often, only a green interface of grass, trees or hedge planting delimits the property boundary.

Agricultural fields typically come close to the houses, without any recreational parkland as transition.
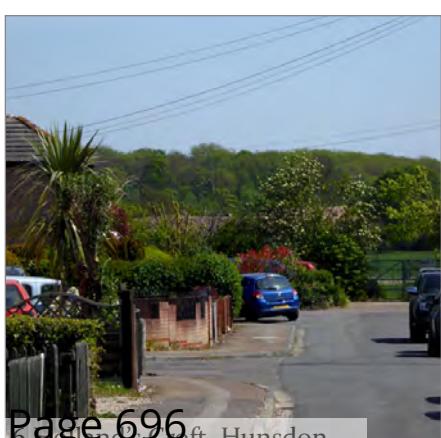
6.Islands Croft, Hunsdon

7.Terlings Park, Gilston

Green at the end of the street

Secondary streets often adopt an open structure, opening views of the countryside or woodland at the end of many of the streets, sometimes even visible from the high street (Hunsdon, High Wych, Much Hadham)., with:

- Open street end, without perimeter buildings.
- Semi-natural planting transition and / or see-through fencing.

Drawing Inspiration from Local Character: Views out Towards the Countryside

Future villages will be larger than most local ones, and seeking opportunities for visual interaction between countryside and the built areas will be very important to retain the visual interaction between village and countryside. A range of opportunities could be explored:

1. Maximising open views across the countryside, whenever there is a foreground of fields (for example towards the powerlines) or a wider gap between villages.

2. Identifying and highlighting key viewpoints from inside the village out towards fields and creating visual gaps, penetrating as deep as possible into the village.

3. Bringing the feel of the countryside as close as possible to the built area, by retaining agricultural activity where practical or recreating the countryside through species-rich grassland and hedgerows.

4. Adopting in preference open street layouts at the edges, with views out over the fields at the end of the street.
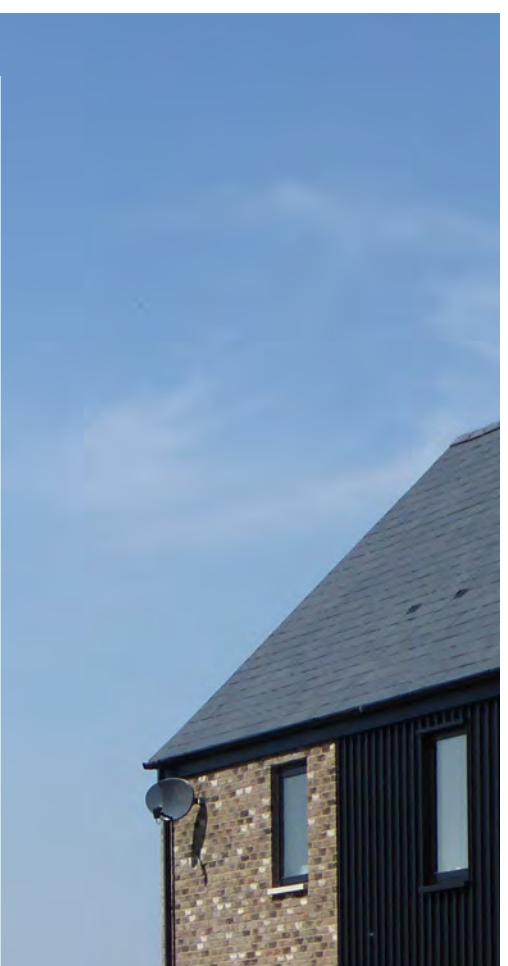
New houses in Hunsdon

Page 697

A3.5 - Landscape within the village

Description of Local Character

All local villages have rich biodiversity and are characterised by semi-natural landscape, many tall trees, mixed species hedges and flowering front gardens.

1.Within Widford

2.Gilston Park access lane

Enclosed woodland

Blocks of woodland or semi-natural wooded parkland are often enclosed within the perimeter of each village, enriching biodiversity and creating opportunities for wildlife.

- Retained older woodland within the built-up area.
- Establishment of new woodland or parkland; sometimes associated with larger properties (Gilston Park).

3.Church Lane, Hunsdon

4.High Street, Much Hadham

Countryside trees

Inside the villages, trees crowns and foliage dominate the built form, screening or framing the buildings through:

- Presence of many mature tall trees in green spaces, gardens, verges and hedges.
- Species are typical of the countryside, with few ornamental trees.
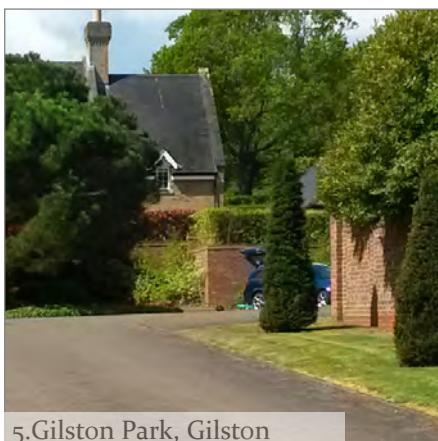
5.Gilston Park, Gilston

6.High Wych Road

Richness and variety

Within and around private properties, many species of trees are planted often close together to create a dense and rich mix of foliage and biodiversity, through:

- Use of mixed species, shape and colour.
- Dense semi-natural planting.
- Low intensity maintenance to promote naturalisation.
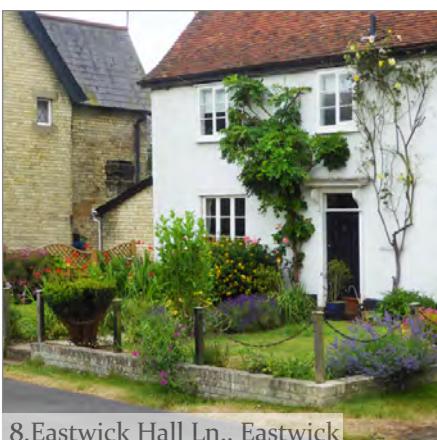
Green frontages

Front garden flowers, shrubs and climbers are typical of villages, and the local area is no exception:

- Soft landscape frontages with mixed species and flowers.
- Low boundary edge within the village and hedge planting towards the edges.
- Concealed car parking.

7.High Corner, Gilston

8.Eastwick Hall Ln., Eastwick

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Drawing Inspiration from Local Character: Landscape within the Village

Landscape within local villages is very distinctive and derived by a combination of legacy countryside planting (woodland and hedgerows) and semi-natural, biodiversity rich planting within the village itself. Inspiration should be drawn by local landscape, by:

1. Maximising opportunity to increase biodiversity (and contributing towards net gain) within the villages by adopting species rich planting elements along boundaries, verges, ditches and SuDS.

2. Retaining and enriching the planting of blocks of woodland or landscape corridors running through the village, optimising semi-natural planting mixes and low maintenance plant assemblages.

3. Planting as early as possible, as tall as possible, structural groups of trees typical of the countryside within key areas of the new villages.

4. Establishing early in the development process some richly planted front gardens, with flowers, shrubs and climbers, along key axis or at key locations.

5. Encouraging new owners to contribute to the character of the village through their front gardens, for examble by establishing on site plant nurseries and providing practical advice.

Landscape in Terlings Park

Page 699

A3.6 - Views from the countryside towards the villages

Description of Local Character

Most villages are set among trees and richer in plants and biodiversity than most of the agricultural fields. From a distance they are barely distinguishable from the blocks of woodland.
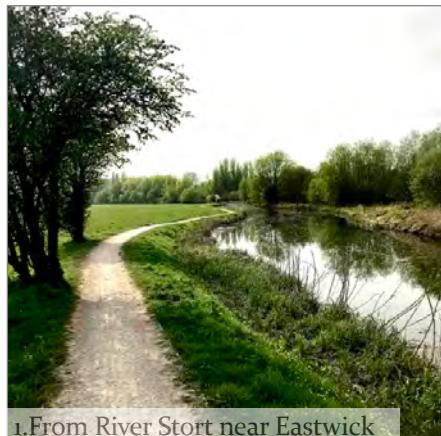
1.From River Stort near Eastwick
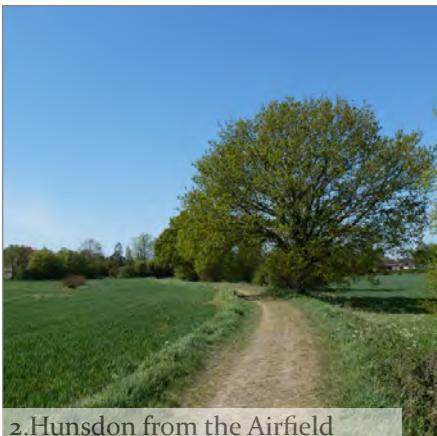
2.Hunsdon from the Airfield

3.From fields by Gilston House looking south

4.Long-distance view from the east

5.Short-distance from the north

6.Long-distance looking north

7.Short-distance from the Airfield

Wider area

The slopes and tree belts typically hide the villages from each other and from other key locations.

From the towpath along the River Stort, less than 200m away, the buildings of Eastwick are invisible.

From the Airfield Memorial, the roofs of Hunsdon are barely discernible, as they are mostly lower than the crown of the trees.

Gilston

The settlement of Gilston completely merges within the landscape. Even views from the fields of Gilston House do not reveal the roofs of Terlings Park: only the towers and facilities of Harlow beyond give indication of buildings being not so far away.

Eastwick

Eastwick appears as a settlement among trees, with roofs and frontages barely appearing in between the trees and tall hedgerows, and more tree crowns rising above the rooflines behind the houses.

Hunsdon

Hunsdon has a fragmented perimeter: entirely green in places and more built-up in others. In all cases, the built form is horizontal and interspersed with trees, either in front or beyond the houses or farm buildings.

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Drawing Inspiration from Local Character: Views from the Countryside towards the Villages

Future villages will be larger and closer together than existing ones, and it will be more of a challenge to achieve the effect of 'village set amongs trees'. Nevertheless, opportunities could be explored to:

1. Strategically locate (and plant as early as possible) blocks of woodland or seminatural trees within the green corridors and buffer area to mimic the appearance of existing villages.

2. Carefully design the landscape from key points and Important Views to optimise the impact of the landscape over the built form.

3. Avoid prominent buildings or highly visible uses at the fringes of villages, especially towards open land and countryside footpath.

4. Distribute height and massing in a way that assists a soft transition between built-up areas and countryside, adopting fragmented perimeters with tall trees interspersed between the houses.

View of Eastwick

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A3.7 - Soft edges

Description of Local Character

Village edges are typically green and informal, with abundant planting and a diverse roofline creating a soft transition between village and countryside.

1.Southern edge of Widford
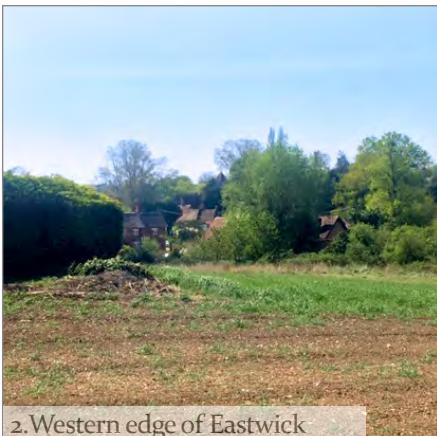
2.Western edge of Eastwick

3.New houses at the edge of Hunsdon

4.New houses, Gilston Park

5.Terlings from the air, Gilston

6.Edge of a South Cambridgeshire village

The importance of soft edges

Soft edges are a characteristic of villages, creating a narrow transition buffer from the built-up area of the village and the countryside.

Towards the edge, villages tend to become informal and open, with irregular rooflines and a belt of trees and tall shrubs interspersed between the buildings and along the boundaries.

This characteristic is not just a historic feature of the older parts of villages. The better and more appropriate designs for infill and new development adopted principles such as:

- Avoiding development all around the perimeter, leaving gaps and open views towards the countryside beyond.
- Informal building alignment and varied rooflines, so that a compact frontage is not formed towards the outside.
- Planting of tall trees in between buildings at the edge.
- Planting of shrubs and trees to create a leafy transition between the property boundary and the countryside land beyond.

Inappropriate urban edges

Hard frontages, aligned buildings and formal sequences of buildings or terraces are uncommon and unsuitable to village location, as they create an urbanised frontage that dominates the landscape and countryside.
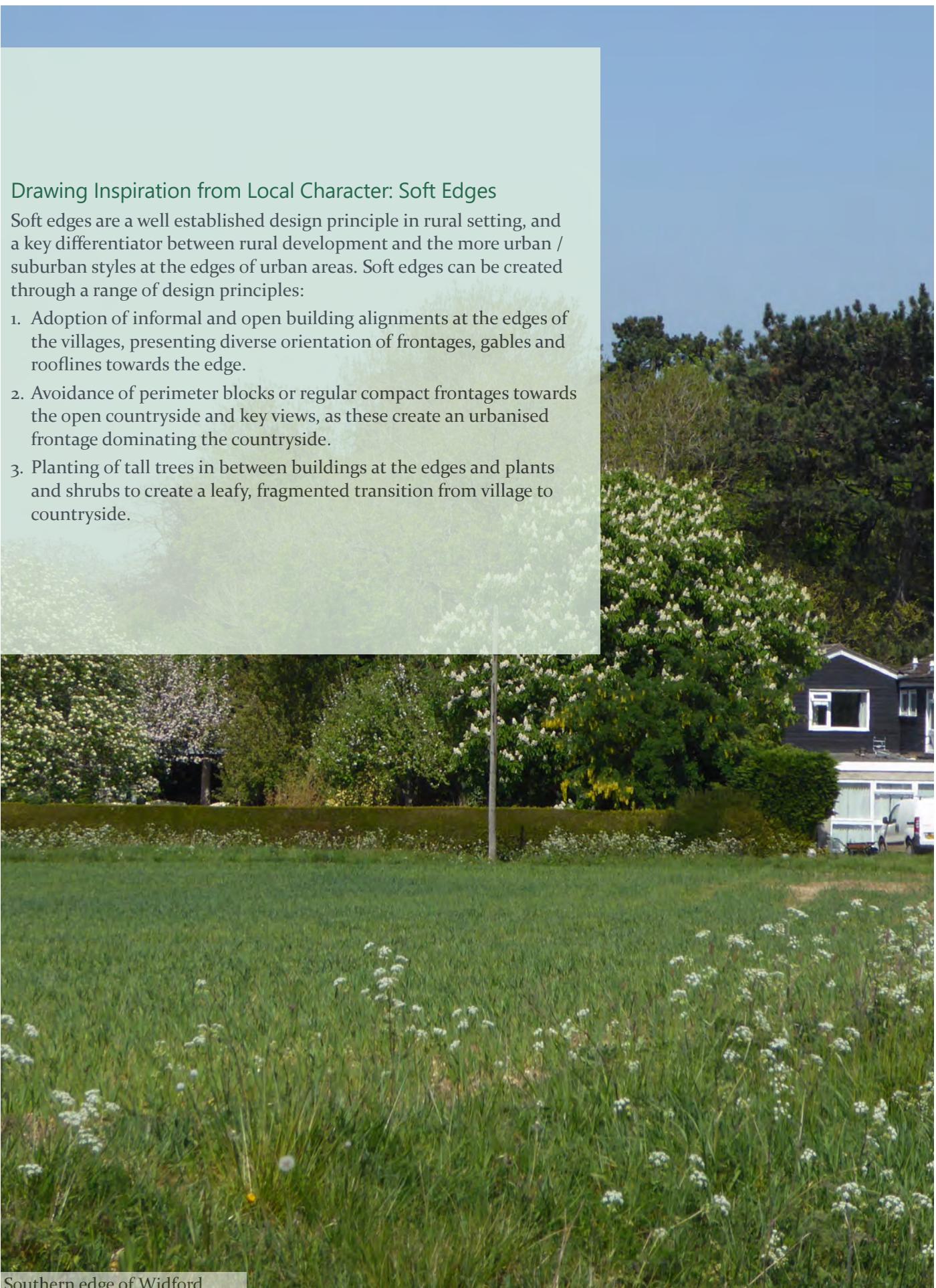
Drawing Inspiration from Local Character: Soft Edges

Soft edges are a well established design principle in rural setting, and a key differentiator between rural development and the more urban / suburban styles at the edges of urban areas. Soft edges can be created through a range of design principles:

1. Adoption of informal and open building alignments at the edges of the villages, presenting diverse orientation of frontages, gables and rooflines towards the edge.

2. Avoidance of perimeter blocks or regular compact frontages towards the open countryside and key views, as these create an urbanised frontage dominating the countryside.

3. Planting of tall trees in between buildings at the edges and plants and shrubs to create a leafy, fragmented transition from village to countryside.

Southern edge of Widford

Page 703

A3.8 - Sense of arrival / Gateways

Description of Local Character

Arrival into local villages is generally understated: the side of the first houses appear in between trees and edges almost unexpectedly, without any gateway buildings.

1.Puckeridge from A10

2.Much Hadham from north
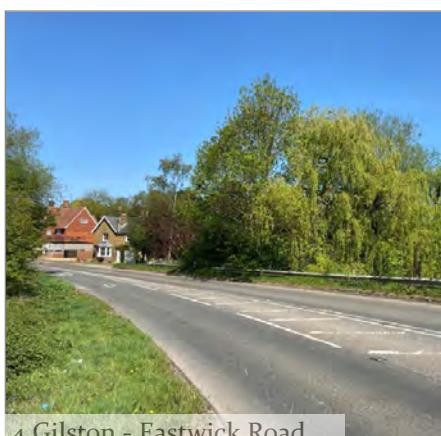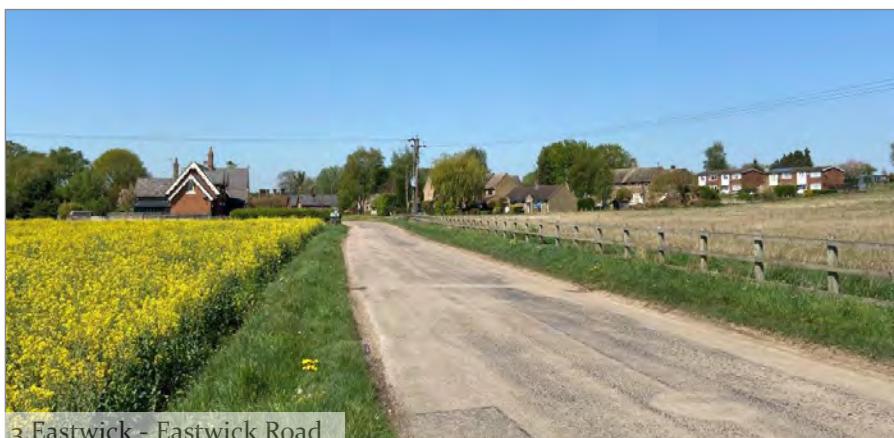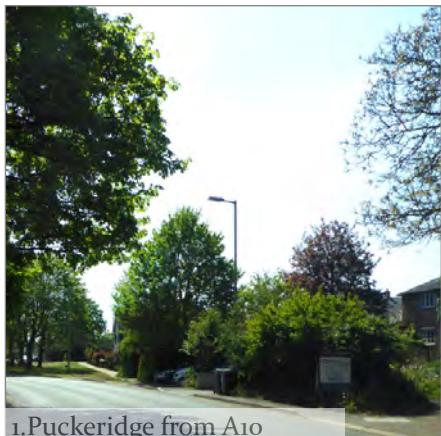
Main characteristics

Arrival into a village, even from a main road, such as the arrival from the A10 into Puckeridge, is never marked by the built form:

- Trees and hedges increase in variety and colour.
- The road narrows and loses its formal definition. Road markings and signage are less prominent.
- Buildings appear sideways, without creating a focal point.

Eastwick

Arrival into Eastwick from the A414 is through an informal lane and fields, the village appearing in between trees in the distance.

No single building dominates the view. The Victorian Old School building on the left appears sideways with its decorated eaves and interlocked roofs.

3.Eastwick - Eastwick Road

Gilston

Gilston does not have a compact village form, and no clear arrival point either. Arriving from Harlow via Eastwick Road, the village is announced by buildings isolated by landscape gaps: the Dusty Miller pub, the trees and entrance to Terlings Park and the first houses of Pye Corner.

From Home Wood, St Mary's Church spire blends between the trees.

4.Gilston - Eastwick Road

5.Gilston - from Home Wood

Hunsdon

Arrival along Hunsdon Road, from either north or south, is marked by trees and buildings replacing the open views of the fields, without any significant gateway point or building.

Arrival from Church Lane is gradual, with Hunsdon House barely noticeable, and St Dunstan just appearing in between trees. Fields and scattered housing follow, before reaching the core of the village.

6.Hunsdon - B180 from Stanstead Abbotts

Drawing Inspiration from Local Character: Sense of Arrival / Gateways

Gateways and landmark buildings at the entrance of a site are typical of of 'estate' development, and alien in villages that developed organically over time. The design of a transition through landscape into the new villages could consider:

1. Gradual increase in the variety and colour of trees and planting, creating a diverse and visually rich landscaped 'gateway', rather than a built one.

2. Sideways orientation of the first buildings along the main spine, preferably set back behind planting and hedges, so that buildings and houses start to appear in between the foliage, rather than assert themselves.

3. Delicate and fine detailing in the first buildings at the edges, as a way to replicate the subtle uniqueness of key buildings like the Old School House in Eastwick or the pubs of the villages.

4. Changes to the access road upon arrival, as it turns into an attractive local street, where slow and attentive driving and streetscape quality are even more important.

Arrival in High Wych

Page 705

A3.9 - Landmark buildings

Description of Local Character

The historic development of the area is marked by the large country houses set in woodland and hunting grounds: this relationship has not been lost and should be safeguarded for the future.

1.St Mary's from Home Wood
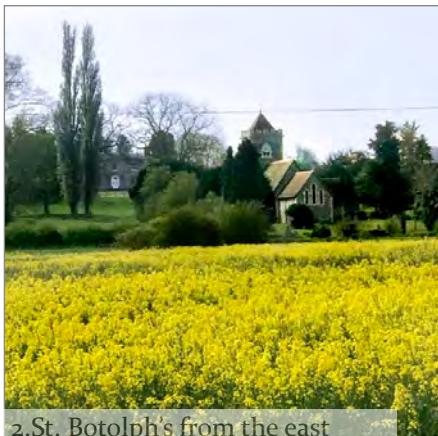
2.St. Botolph's from the east
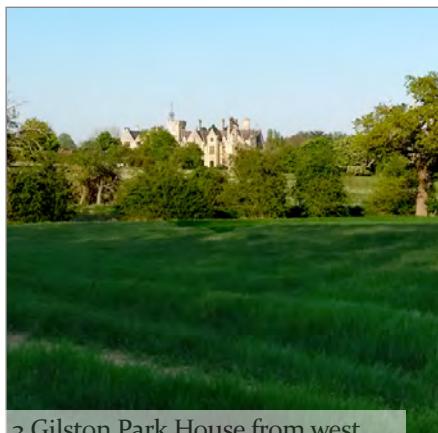
3.Gilston Park House from west

4.View from the park

5.View of St. Dustan's and Hundson House from Lords Wood
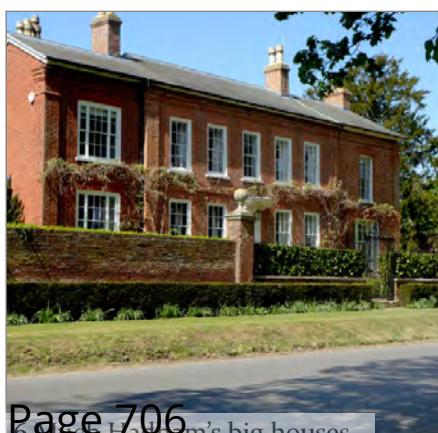
6.Much Hadham's big houses

7.The Manor of Groves

The character of local landmarks

Unlike the settlements grown around a central market or a manor house, local villages have no landmark buildings in a prominent focal position within the built area.

The houses of the gentry gave origin to the villages, but these developed at some distance and out of sight, so that the main house could retain its connection with the landscape and with the hunting grounds. Large churches were built near the main house, and therefore outside the village.

- The imposing scale and proportions of Gilston Park House and Hunsdon House are the most conspicuous of the area.

- They are set in landscape and hidden from public view, only visible in the distance from the countryside.

- The churches are mostly part of the landscape scenery, just emerging in between the trees, visible through fields and countryside, but discreetly positioned when travelling by road.

- Other large houses, built by wealthy owners as seasonal country residences, mostly sought a private and secluded position.

- Where located within the village, landmark buildings are simply part of the street scene, without pronounced gateways or features.

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Drawing Inspiration from Local Character: Landmark Buildings

The design of future villages should respect and retain the significance of the existing landmark buildings, and take inspiration from the distinctive way local landmarks relate to the landscape. Design suggestions could include:

1. Ensuring that prominent major landmarks are significant in the village for their function as well, and are designed to excellent standards of architectural quality, innovation and exemplary sustainability.

2. Establishing very strong integration between major built landmarks and landscape, safeguarding the predominance of landscape over built form from a distance, and without compromising the role, setting and presence of the historic manor houses (Gilston Park House and Hunsdon House).

3. Avoiding introducing major 'urban' landmarks, forming formal gateways, urban vistas or frontal focal points in a piazza.

4. Introduce local landmarks as element of 'surprise' within the organic layouts of the villages to include schools, village halls and other community or special buildings.

Gilston Park House

Page 707

A3.10 - Height and massing

Description of Local Character

The villages are typically formed by two storey houses with a steeply pitched roof, lower than the trees. Larger buildings are mostly articulated in multiple volumes.
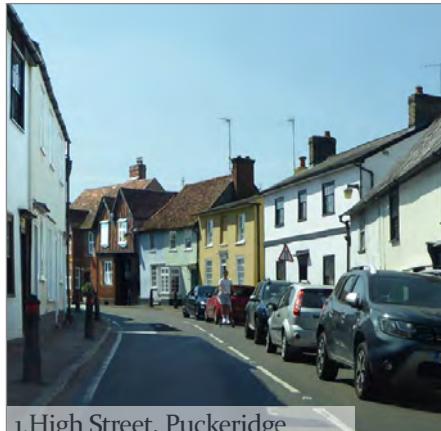
1.High Street, Puckeridge

2.Eastwick Hall Ln, Eastwick

3.Pye Corner, Gilston

4.Gilston Lane, Gilston

5.Bell Lane, Widford

6.Hunsdon Lodge Farm

7.Ridings, Gilston

8.Gilston Lane, Gilston

Along the main spine

The high street is often the most compact street of the village, with buildings, forming a continuous but varied 2-storey frontage with no front gardens.

Larger buildings are mostly set back by a landscaped front space and have vertically proportioned gables, often on the main frontage.

Individual houses

Single or semi-detached houses are:

- Typically 2-storey high, with a steep pitched roof set low on the upper floor.
- Volumes are articulated, reducing the visual mass of the frontage.
- Tall decorative chimneys and gables with windows and decorative features are common.

Larger blocks

Larger blocks are not common, unless they are farm buildings. Where present, they are generally:

- Informally arranged.
- Formed by a horizontal bar interrupted by front triangular gables.
- Set back from the roads and interspersed with trees.

Three floor buildings

Three-storey buildings are uncommon and generally:

- Are located on secondary streets and / or well set back from the roads.
- The third floor is often part of the roof space, or other devices have been used to reduce the visual impact of height and bulk.

Drawing Inspiration from Local Character: Heights and Massing

Exploration of the distribution of heights and massing in future villages will need to be very carefully undertaken, to retain 'human scale' and visual presence of trees above and in between the roofs. Overall buildings may be between 2 and 4 storeys in height – taller buildings may be acceptable in appropriate circumstances, including taller buildings which will be considered on a case by case basis.

Local character prompts a range of design choices:

1. Compact village centres and high streets with a variety of buildings of modest height, with diverse frontages and rooflines.

2. Larger buildings positioned to minimise visual impact, set back from the street or located on secondary streets, so that their presence is blended in between buildings of prevalent modest height.

3. Common features include visual devices to de-emphasise the bulk and massing of larger buildings: front triangular gables, interlocked volumes and roofs, informal clustering around a private or semi-private yard (as in farm buildings).

4. Avoiding linear arrangements of bulkier buildings, taller gateway buildings and any other layout that gives prominence to mass and height.

Hodgson Cottages, Gilston

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A2.11 - Variety of alignment and built form

Description of Local Character

As the villages were built over time and by successive addition, they display a great variety of buildings, and only small groups of similar houses.

1.Hunsdon High Street

2.Hunsdon, Drury Lane corner

Similar buildings - variety of details

In places, like the centre of Hunsdon, the buildings have similar colours and materials. In this case, diversity is shown in the irregular alignment, the different roof shapes and the details: doors, windows, eaves.

3.Station Road, Puckeridge

4.High Road, High Wych

Varied alignment and form

In most part of local villages, buildings of different times and form are mixed together. Within the variety there has been a consistent use of materials and forms.
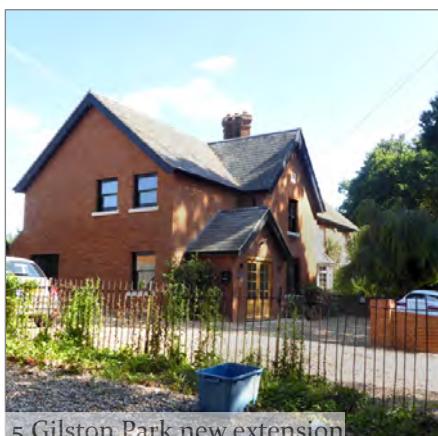
5.Gilston Park new extension

6.Hunsdon recent houses

New buildings with local references and variety

Successful new additions to the villages typically present:

- Richly planted frontages, including trees.
- Simplicity of forms.
- Height and massing comparable to those of the local area.
- Range of locally inspired building materials.

7.Beaulieu Park, Chelmsford
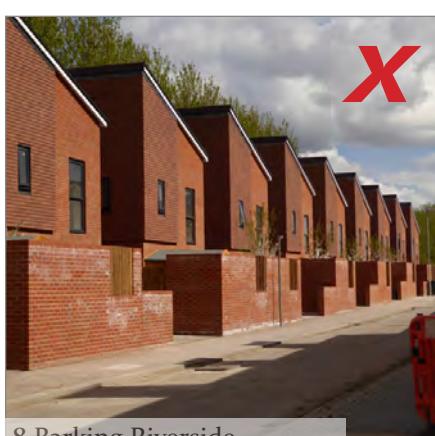
8.Barking Riverside

Inappropriate formal or repetitive units

Certain building formats, even at appropriate densities, can create an urban or suburban character, inappropriate in the Gilston Area. Inappropriate features include:

- Rows of repeated units.
- Formal alignments.
- Hard front gardens.
- Flat roofs.

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Drawing Inspiration from Local Character: Variety of Alignment and Built Form

Future villages will not have the benefit of successive additions over centuries of development, and history as a source of variety and architectural interest. Nevertheless, uniformity of layout and repetition of building 'templates' is typical of suburban extensions and out of character in a village environment. Future designs should attempt to build-in variety through:

1. Informal layouts (see also A4.2: Village Structure) with only small-scale clusters of buildings of a similar design, even if overall character is consistent across each village. Rows of repeated units and formal alignments should be avoided.

2. Creating opportunities for 'customisation' from the outset, encouraging residents and owners to adopt variations in the palette of details, in frontages and front gardens.

3. Adopting simplicity of forms that can be enriched through planting and local detailing, with a range of locally inspired building materials.

4. Avoiding hard front gardens, flat roofs and cladding panels that are commonly associated with urban character and architecture.

High Wych

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Appendix 4 – Priority Projects

Priority projects identified by the local community as necessary to mitigate the impacts of development:

- Early planting of buffers and landscape maintenance within and around existing settlements to strengthen their landscape setting.
- New planting and maintenance of the existing lanes including Gilston Lane, Church Lane and Eastwick Hall Lane to improve safety and strengthen local character.
- Enhanced facilities, churchyard and setting for St Mary's Church, Gilston; St Botolph's Church, Eastwick and St Dunstan's Church, Hunsdon and provision of good access to them for faith and community activities and improved kitchens and toilets to serve an expanded community.
- Early restoration and maintenance of watercourses, paths and holloways including hedgerows in Cock Robin Lane (a historic link from Eastwick towards the Airfield).
- Early planting and maintenance of the existing woodlands within the Gilston Area.
- New design and landscape setting for the Gilston War Memorial, whose setting and significance will dramatically change as a result of the development.
- Comprehensive facilitation of the upgrade of infrastructure provision in the existing settlements as new provision is made for the new villages: this would be particularly important in respect of utilities and telecoms.
- Enhanced access to pedestrian and cycle routes and to bus services, extended to the existing communities, consistently with LTP4.
- Comprehensive study of changed drainage patterns as a result of the development and SuDS networks designed to address existing problems with surface water runoff.
- Safety improvements to Church Lane and Acorn Street from the A414 to the centre of Hunsdon impacted by new traffic generated by the development.
- Comprehensive improvement of any downgraded Pye Corner and Eastwick Road to create a safer and welcoming pedestrian space.
- Improvements to Burnt Mill Lane including provision of appropriate lighting, footpath improvements and prioritisation measures for pedestrians and cyclists to provide a safe route to Harlow Station.
- Improvement to the existing village halls to serve the whole community, alongside new provision.

Other priority projects identified by the local community which could be supported through collaboration with the developers of the new villages include:

- Shared surface / public space design in Eastwick Road between the Red Lion Pub and the War Memorial.
- Creation of green / play spaces in the existing communities and an all-weather multi-use play area in Hunsdon.
- Enhancement of the facility called the Dell in Hunsdon.

Appendix 5 – Key Evidence

The Neighbourhood Plan draws from extensive evidence base prepared for the East Herts District Plan and preparation of the Concept Framework. It also draws from national and regional guidance. The list below summarises the key evidence documents that have informed the policies in the Neighbourhood Plan

1. National Planning Policy Framework, Ministry of Housing Communities & Local Government (June 2019)
2. East Herts District Plan (October 2018)
3. East Herts District Landscape Character Assessment SPD 2007
4. Affordable Housing SPD, East Herts Council (Draft for Consultation, January 2020)
5. Open Space, Sport and Recreation SPD (Draft for Consultation), East Herts Council (October 2019)
6. Gilston Area Charter SPD, East Herts Council, East Herts Council (June 2020)
7. Hertfordshire County Council Local Transport Plan 2018-2031 (LTP4, July 2018)
8. Hertfordshire Infrastructure & Funding Prospectus 2018-2031, Hertfordshire County Council 2018
9. Statement of Common Ground between East Herts Council and Places for People and City & Provincial regarding GA1 (the Gilston Area) Ref: ED160 (November 2017)
10. Gilston Area Concept Framework (July 2018)
11. Gilston Area Concept Framework- Executive Report (East Herts Council, 12 June 2018)
12. Gilston Area Concept Framework- Council Report (East Herts Council, 25 July 2018)
13. Harlow and Gilston Garden Town Vision (November 2018)
14. Harlow and Gilston Garden Town Design Guide (November 2018)
15. Harlow and Gilston Garden Town Sustainable Transport Strategy (Draft for Consultation, January 2020)
16. Harlow and Gilston Infrastructure Delivery Plan (April 2019)
17. Harlow and Gilston Strategic Viability Assessment Report and Appendices (April 2019)
18. Harlow and Gilston Garden Town 'How To' Guide for Planning Obligations, Land Value Capture and Development Viability (Guidance Note: 01/20190417, Nov 2018)
19. Harlow-Gilston Garden Town Water Cycle Study Update (2018) and Garden Town Water Cycle Study Addendum (2018)
20. Harlow and Gilston Garden Town Board Stewardship Principles (July 2019)
21. Harlow and Gilston Garden Town Employment Commission Draft Report, (February 2020)
22. Sustainability Appraisal of Pre-Submission District Plan, AECOM (September 2016)
23. Sustainability Appraisal Report Addendum, Main Modifications to District Plan, AECOM (January 2018)
24. Sustainability Appraisal of Strategic Spatial Options for West Essex and East Herts, AECOM (September 2016)
25. East Herts Green Belt Review, Peter Brett Associates (September 2015)
26. Updating the Overall Housing Need- Based on 2014 based projections for West Essex and East Herts, ORS, (August 2016)

27. The Gilston Area Settlement Appraisal, East Herts Council 2016
28. East Herts Strategic Sites Delivery Strategy, PBA (September 2015)
29. Village Hierarchy Study, East Herts Council (August 2016)
30. Gilston Area: Heritage Impact Assessment (Montagu Evans, October 2017)
31. Strategic Housing Market Assessment (SHMA) ORS (September 2015)
32. Housing Needs Survey, DCA 2014
33. Delivery Study for Harlow and Surrounding Area: Infrastructure Delivery Plan (2018)
34. East Herts Infrastructure Delivery Plan (2017)
35. Gilston Area Flood Risk Assessment and Drainage Strategy, Places for People (May 2014)
36. East Hertfordshire Level 1 and Level 2 Strategic Flood Risk Assessment (2016) and Addendum, JBA Consulting (March 2017)
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Appendix 6 - Glossary

The terminology used in the Neighbourhood Plan reflects the terminology used in the East Herts District Plan, the Gilston Area Concept Framework and the Harlow and Gilston Garden Town Vision.

Term	Definition
Accessible Natural Greenspace	Natural England's 'Nature Nearby: Accessible Natural Greenspace, March 2010' includes the following definitions: Accessible Natural Greenspace (ANG) **Accessible greenspace** –available for the general public to use free of charge and without time restrictions (although some sites may be closed to the public overnight and there may be fees for parking a vehicle) and compliant with the requirements under the Disability Discrimination Act (DDA 1995). **Natural greenspace** – Places where human control and activities are not intensive so that a feeling of naturalness is allowed to predominate.
Accessible Natural Green Space Standards (ANGst)	ANGSt recommends that everyone, wherever they live, should have an accessible natural greenspace: • of at least 2 hectares in size, no more than 300 metres (5 minutes walk) from home; • at least one accessible 20 hectare site within two kilometres of home; • one accessible 100 hectare site within five kilometres of home; and one accessible 500 hectare site within ten kilometres of home; plus • a minimum of one hectare of statutory Local Nature Reserves per thousand population.
Affordable Housing	Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market, including provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. Social rented: housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. Affordable rented: housing is let by local authorities or private registered providers of social housing to households who are eligible and subject to rent controls that require a rent of no more than 80% of the local market rent. Intermediate housing: homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans). Starter Homes: new homes only available for purchase by qualifying first-time buyers.

Allocated Site	To deliver the development strategy and meet its housing requirement the Council allocates land for particular types of land use, such as housing, as part of its planned approach to managing development and shaping the future of the district's towns and villages. Infrastructure providers can then take the planned growth of a settlement into account when delivering their services.
Ancient Woodland	An area that has been wooded continuously since at least 1600 AD
Biodiversity	The whole variety of life encompassing all genetics, species and ecosystem variations, including plants and animals.
Biodiversity Net Gain	Biodiversity Net Gain is an approach to development that leaves biodiversity in a better state than before, by which developers are encouraged to bring forward schemes that provide an overall increase in natural habitat and ecological features. Biodiversity Net Gain is part of the National Planning Policy Framework (NPPF, Para 170(d) and Para 175(d)). The draft Environment Bill (2020) includes a requirement to deliver a mandatory 10 % biodiversity net gain to be maintained for at least 30 years.
Bus Rapid Transit	A fast and efficient priority bus service, located along the Sustainable Transport Corridors, making use of the latest transport technology.
Central Stort Crossing	This connects the A414 Eastwick Road with the A414 Edinburgh Way via Fifth Avenue. The crossing will be located to the immediate west of the existing crossing.
Character	A term relating to the appearance of any rural or urban location giving places their own distinct identity.
Climate Change	Long-term changes in temperature, precipitation, wind and all other aspects of the Earth's climate. Often regarded as a result of human activity and fossil fuel consumption.
Climate Change Adaptation	Adjustments to natural or human systems in response to actual or expected climatic factors or their effects.
Climate Change Mitigation	Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.
Community Boundary	Definition of boundary to identify extent of existing community to include separate groups of buildings outside settlement boundary. Applies to existing village communities, whose integrity should be protected, particularly the dispersed settlement of Gilston. It does not imply that development within its boundary is typically acceptable (unlike a Village Boundary).
Community Trust Open Space Land	The area allocated in the key Diagram for the Gilston Area in the District Plan as open space as part of wider managed parklands including continuing farming. This area will remain undeveloped, with the exception of a small number of buildings associated with its recreational use. Policy GA1 states that a community land trust, or other governance mechanism as appropriate, will be established in order to deliver local ownership and management early in the overall development programme.

Community Sport	A mix of formal and informal sports areas, including; playing fields, cricket club, bowls club, tennis club, trim trail, climbing walls, sports courts, etc. Some community sports facilities are to be shared with schools
Concept Framework	Descriptive planning document produced by the developers and formally endorsed by the Council to provide a benchmark for future development in accordance with Policy GA1.
Countryside	Common term that indicates the open space outside cities and urban areas, made up of agricultural and natural land as defined by Natural England (ENRR526 Accessible Natural Greenspace). Natural land includes tracts of countryside (woodland, scrub, heathland, meadows and marshes) which through appropriate management support essentially wild plants and animal assemblages, and the less intensively managed parts of parks, sport pitches, churchyards and cemeteries.
Density	Density is a calculation of the number of houses that may be built on a particular piece of land. It is usually expressed as the number of dwellings per hectare (dph). Net density includes directly associated uses, such as local access roads, private garden space, car parking areas, incidental open space, landscaping and children's play areas, where they are provided. Gross density includes large-scale open space, main roads, schools, hospitals, and other major supporting infrastructure.
Eastern Stort Crossing	This connects the Eastern Access to the Site, and Eastwick Road (at Pye Corner), to the A414 Edinburgh Way (eastern end) via River Way.
Enterprise Zone	A designated geographical area in which state incentives such as tax concessions and simplified local authority planning procedures are offered in order to encourage business investment.
Flood Plain / Floodplain	Generally low-lying areas adjacent to a watercourse, tidal lengths of a river or the sea, where water flows in times of flood or would flow but for the presence of flood defences.
Garden City	Concept of urban design and planning developed by Ebenezer Howard and his contemporaries that sought to create settlements that combined the positive aspects of both the town and countryside
Gilston Area	Gilston Parish, Eastwick Parish and that part of Hunsdon Parish including the proposed Gilston Area allocation (Policy GA1) as defined in the East Hertfordshire District Plan and corresponding to the designated Neighbourhood Plan Area.
Green Belt	A designated tract of land around urban areas, designed to: • Check the unrestricted sprawl of large built up areas • Prevent neighbouring towns from merging into one another • Assist in safeguarding the countryside from encroachment • Preserve the setting and special character of historic towns • Assist in urban regeneration, by encouraging the recycling of derelict and other urban land

Green Corridors	The landscape separating villages which will reinforce the distinctiveness of individual villages and their relationship to the countryside and create rich areas for wildlife habitats and informal recreation.
Green Infrastructure Network	Green Infrastructure is a strategic network of multi-functional greenspace, both new and existing, rural and urban, which supports natural and ecological processes and is integral to the health and quality of life in sustainable communities. It provides habitats for and aids migration of wildlife, flood water storage, urban cooling and local access to shady outdoor space as well as creating attractive spaces for recreation.
Green Wedges	Green wedges comprise the open areas around and between parts of settlements, which maintain the distinction between the countryside Green Wedges and built up areas, prevent the coalescence (merging) of adjacent places and can also provide recreational opportunities.
Group 1,2 and 3 Village	The District Plan identifies three types of village: Group 1 Villages: villages where development for housing, employment, leisure, recreation and community facilities will be permitted, in order to help sustain vital and viable rural communities. Group 2 Villages: villages where limited infill development, together with small-scale employment, leisure, recreation and community facilities will be permitted. Group 3 Villages: villages where limited infill development identified in an adopted Neighbourhood Plan will be permitted
Heritage Asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).
Historic Parks and Gardens	A park or garden of special historic interest. Graded I (highest quality), II* or II. Designated by Historic England
Infrastructure	Provision of utility services, transport, schools, open space, community, health and leisure services. See also Green Infrastructure.
Infrastructure Delivery Plan	The Infrastructure Delivery Plan establishes a framework for private and public investment. It identifies as far as possible the infrastructure needs of new development, and the associated costs, phasing, funding sources and responsibilities for delivery.
Listed Building	A building of special architectural or historic interest. Listed Buildings are graded I, II* or II with grade I being the highest. Listing highlights what is significant about a building or site, and helps to ensure that any future changes to it do not result in the loss of its significance. Designated by Historic England.

International, national and locally designated sites of importance for biodiversity	All international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special Scientific Interest) and locally designated sites including Local Wildlife Sites
Land Value Capture	Mechanisms that enable the recovery and reinvestment of a percentage of the uplift in the value of land associated with granting planning permission. Current methods focus on linking the delivery of infrastructure to the contribution of funds from landowners/developers.
Landscape Buffer	Areas surrounding existing settlements and other clusters of buildings comprising natural greenspace and a mixture of new planting and management of existing vegetation which protect the setting of existing settlements and retain sensitive views and existing landscape features.
Local Green Space Designation	The Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. Established by the National Planning Policy Framework (NPPF).
Local Nature Reserve	Non-statutory habitats of local significance designated by local authorities where protection and public understanding of nature conservation is encouraged. (See also Site of Nature Conservation Importance or Site of Biological Interest).
Local Transport Plan (LTP)	A statutory document which sets out the strategy for the management, maintenance and development of the area's transport system. This five-year integrated transport strategy is prepared by local authorities in partnership with the community, seeking funding to help provide local transport projects. The Plan also sets out the resources predicted for delivery of the targets identified in the strategy.
Locally Important Biodiversity Sites	Normally smaller, isolated sites, including trees, hedgerows or ponds that may not be designated but make a contribution to local or wider ecological networks.
Long-term Stewardship	East Herts Council and the Harlow and Gilston Garden Town Board accept that new facilities will not be sustainable without well organised management structures supported by consistent revenue streams. Community assets must be actively managed and properly looked after in perpetuity through the creation of Community Trusts or other governance mechanisms.
Masterplan	A plan that shows an overall development concept that includes urban design, landscaping, infrastructure, service provision, circulation, present and future land use and built form.
Micro-hub	An interchange point within new neighbourhoods between the Bus Rapid Transit and the cycling and walking routes of the Super Greenways. Often found at local centres, small local centres and other intersections, it will provide facilities such as cycle hire, repair and parking and live updates for the Bus Rapid Transit service

Mitigation	The term can be used to refer to measures to reduce the incidence or creation of negative impacts.
Mixed Use Development	A development which contains a variety of uses such as businesses, housing, leisure and recreation. Such developments contribute towards building sustainable communities by increasing accessibility to a range of activities and promoting non-car modes of travel.
Modal Shift	A change of transport mode (for example, car, bus, train, bicycle, walking). In planning terms this usually implies a shift away from the private car to more sustainable transport modes, whether passenger transport or walking and cycling.
Open Space	All space of public value, including public landscaped areas, playing fields, parks and play areas, and also including not just land, but also areas of water such as rivers, canals, lakes and reservoirs, which can offer opportunities for sport and recreation or can also act as a visual amenity and a haven for wildlife.
Permeability	The extent to which an environment allows for a choice of routes both through and within it, and allows opportunities for movement.
Planning Condition	A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.
Planning Obligation	A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.
Plateau	A landscape of fairly level high ground, which in rural areas tends to be a prominent landscape feature, often supporting a unique biodiversity.
Primary Road	A publicly maintained road, together with footways and verges that connects all villages.
Public Open Space	Open space, including not just land, but also inland bodies of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport and outdoor recreation and can also act as a visual amenity. In some instances, Public Open Space can be designated by a council, where public access may or may not be formally established, but which fulfils or has the potential to fulfil a recreational or non-recreational role (for example, amenity, ecological, educational, social or cultural usages).
Public Realm	Those parts of a village or town (whether publicly or privately owned) available, for everyone to use. This includes streets, squares, parks, etc.
Rights of Way	A strip of land occupied or intended to be occupied by particular public use facilities, like roads, railroads, and utility lines.
Rural	The term used to describe the landscape setting of villages where farmland and woodland is used to reinforce the separation of development and maintain village character and to highlight the distinction from urban areas. Used interchangeably with countryside to describe landscape character.

Rural Area beyond the Green Belt	This East Herts specific policy operates a similar level of restraint to Green Belt. The Rural Area Beyond the Green Belt covers two-thirds of the District not covered by Green Belt, outside designated settlement boundaries.
Secondary Streets	Secondary streets are considered support streets for the primary ones, meant to provide access between residential development.
Section 106 Agreement	A legal agreement under section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken.
Setting of a Heritage Asset	The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
SMEs	Small and medium-sized enterprises (SMEs) are non-subsidiary, independent firms which employ fewer than 250 employees.
Strategic Green Corridors	Semi-natural open space generally associated with existing landscape/ecological features
Strategic Landscape Masterplan	The requirement for a Strategic Landscape Masterplan to be produced and approved before the first Village Masterplan is established in the Gilston Area Charter SPD (June 2020). This will establish a spatial strategy for comprehensive development of the entire Gilston Area in one overarching plan.
Supplementary Planning Document (SPD)	Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.
Sustainable Development	A widely used definition drawn up by the World Commission on Environment and Development in 1987: "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."
Sustainable Drainage Systems (SuDS)	An alternative solution to the direct channelling of water. SuDs are designed to control the run-off from a development; to improve the quality of the run-off; and to enhance the nature conservation, landscape and amenity value of the site and its surroundings.
Sustainable Transport Modes	Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.
Sustainable Transport Corridors	A series of strategic corridors in the Garden Town providing high quality public and active travel options, connecting neighbourhoods quickly with key destinations such as the town centre and rail station.

Transport Assessment	A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.
Utilities	Utilities include services provision such as electricity, gas, water, cable and telephone.
Village	A residential community with local community facilities, shops and workspaces, which is set in rural countryside and is physically and visually distinct but in this context, will maintain strong links with surrounding villages and the Garden Town.
Village Boundary	A boundary drawn as part of the District Plan process, usually quite tightly, around the main built up area of a village, within which development may be allowed in principle.
Village Buffers	Natural & semi-natural greenspace creating recreational opportunities in a more naturalistic setting, as well as valuable habitat provision and screening/buffer to neighbouring villages and the wider countryside
Village Centre	A predominantly social space (paved or green) that provides a meeting/focal point for the village close to key amenities such as the school, shops, etc.
Wildlife Sites	Designated land of local and regional importance defined as discrete areas of land considered to be of significance for their wildlife features. They are the most important places for wildlife outside legally protected land such as SSSIs